

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Susan Muskett v Grand Prix Floating Lessee, LLC**
Docket No. **297953**
L.C. No. **09-003680-NI**

Joel P. Hoekstra, Judge, acting under MCR 7.211(E)(2), orders:

The motion to lift bankruptcy stay with regard to defendant Grand Prix Floating Lessee, LLC, is DENIED. The appeal may proceed with respect to the non-bankrupt defendant Birch Tree Bark & Stone, LLC. See *Maritime Electric Co., Inc., v United Jersey Bank*, 959 F2d 1194 (CA 3, 1991).

The partial closure with respect to Grand Prix Floating Lessee, LLC, does not constitute a dismissal or a decision on the merits. When the bankruptcy stay has been removed, the case with respect to Grand Prix Floating Lessee, LLC, may be reopened on motion.

Defendant Birch Tree Bark & Stone, LLC may file an appellee's brief within 35 days of the Clerk's certification of this order. An extension may be obtained only by motion and order of the Court



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

FEB 10 2011

Date


Chief Clerk