

Order

Michigan Supreme Court
Lansing, Michigan

March 30, 2007

Clifford W. Taylor,
Chief Justice

131891

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

HANY F. KOULTA, Personal Representative
for the Estate of SAMI F. KOULTA, Deceased,
Plaintiff-Appellee,

v

SC: 131891
COA: 266886
Macomb CC: 2004-005221-NO

CITY OF CENTERLINE,
Defendant,

and

DANIEL MERCIEZ, ROBERT WROBLEWSKI,
and STEVEN HILLA,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the July 6, 2006 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(G)(1). At oral argument, the parties shall include but not be limited to addressing: (1) whether the “public duty” doctrine, as set forth in *White v Beasley*, 453 Mich 308 (1996), bars plaintiff’s claims; (2) whether defendants’ conduct amounted to “gross negligence,” as defined by MCL 691.1407(7)(a); and (3) whether defendants’ conduct constituted the proximate cause of the accident, as defined in *Robinson v City of Detroit*, 462 Mich 439 (2000). The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.

The Michigan Fraternal Order of Police, Police Officers Association of Michigan, Michigan Municipal League, Michigan Association of Counties, and Mothers Against Drunk Driving are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



s0327

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 30, 2007

Corbin R. Davis

Clerk