

Order

Michigan Supreme Court
Lansing, Michigan

September 29, 2010

Marilyn Kelly,
Chief Justice

140627-8

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

COUNTY ROAD ASSOCIATION OF
MICHIGAN and CHIPPEWA COUNTY
ROAD COMMISSION,
Plaintiffs-Appellants,

and

MICHIGAN PUBLIC TRANSIT
ASSOCIATION, ANN ARBOR
TRANSPORTATION AUTHORITY,
CAPITAL AREA TRANSPORTATION
AUTHORITY, and SUBURBAN MOBILITY
AUTHORITY FOR REGIONAL
TRANSPORTATION,
Intervening Plaintiffs-Appellees,

v

SC: 140627-8
COA: 288653; 288691
Ingham CC: 02-000308-CZ

GOVERNOR OF THE STATE OF MICHIGAN,
DIRECTOR OF THE MICHIGAN
DEPARTMENT OF TRANSPORTATION,
MICHIGAN DEPARTMENT OF
TRANSPORTATION, DIRECTOR OF THE
MICHIGAN DEPARTMENT OF MANAGEMENT
AND BUDGET, DEPARTMENT OF
MANAGEMENT AND BUDGET, STATE
BUDGET DIRECTOR, STATE TREASURER,
MICHIGAN DEPARTMENT OF TREASURY,
SECRETARY OF STATE, and STATE OF
MICHIGAN,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the January 12, 2010 judgment of the Court of Appeals is considered, and it is DENIED, there being no majority in favor of granting leave to appeal or taking other action.

KELLY, C.J., and CAVANAGH and HATHAWAY, JJ., would vacate the judgment of the Court of Appeals and remand this case to the Court of Appeals for reconsideration in light of *Lansing Schools Education Ass'n v Lansing Bd of Education*, 487 Mich ____ (SC 138401, decided July 31, 2010).

DAVIS, J., not participating. I recuse myself and am not participating because I was on the Court of Appeals panel in this case. See MCR 2.003(B).



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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.

September 29, 2010

A handwritten signature in cursive script that reads "Corbin R. Davis".

Clerk