

Order

Michigan Supreme Court
Lansing, Michigan

April 6, 2011

141959

DAWN DUBUC,
Plaintiff-Appellant,

v

DR. ADEL ALI EL-MAGRABI and
QUALIFIED MEDICAL EXAMINERS, INC.,
Defendants-Appellees.

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

SC: 141959
COA: 287756
Wayne CC: 07-727798-NO

On order of the Court, the application for leave to appeal the September 14, 2010 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE in part the judgment of the Court of Appeals and we REMAND this case to the Wayne Circuit Court for further proceedings. When the complaint allegations are viewed in a light most favorable to the plaintiff, she did allege an unjustified instigation of the breach by the defendants. The Court of Appeals erred when it concluded, as a matter of law, that the defendants were motivated by a legitimate business interest, which, in this case, was a determination to be made by the jury. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.



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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.

April 6, 2011

Corbin R. Davis

Clerk