

Order

Michigan Supreme Court
Lansing, Michigan

May 4, 2012

Robert P. Young, Jr.,
Chief Justice

143374 & (39)

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

FISHER SAND AND GRAVEL COMPANY,
Plaintiff-Appellant,

v

SC: 143374
COA: 297156
Midland CC: 09-005960-CK

NEAL A. SWEEBE, INC.,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the June 7, 2011 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed whether an action on an open account relating to the sale of goods is subject to the four-year limitations period in § 2-725 of the Uniform Commercial Code (MCL 440.2725), or the general six-year limitations period applicable to contract actions, MCL 600.5807(8).

The Michigan Creditors Bar Association's motion for leave to file brief amicus curiae is GRANTED. 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.



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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.

May 4, 2012

Corbin R. Davis

Clerk