

Order

Michigan Supreme Court
Lansing, Michigan

March 4, 2013

Robert P. Young, Jr.,
Chief Justice

144756

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

D.A.N. JOINT VENTURE III, L.P., assignee of
FIFTH THIRD BANK,
Plaintiff-Appellee,

v

SC: 144756
COA: 300777
Berrien CC: 2004-003492-CZ

GEORGE HOFMEISTER,
Defendant-Appellant,
and

AMERICAN COMMERCIAL HOLDINGS, INC.,
Defendant.

On order of the Court, the application for leave to appeal the November 22, 2011 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

VIVIANO, J., not participating.



t0225

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 4, 2013

Corbin R. Davis

Clerk