

MSC Order List: February 4, 2011

7. February 2011 By Layla Kuhl

On February 4, 2011 the Michigan Supreme Court denied 4 applications for leave to appeal and dismissed two applications for leave to appeal based on stipulations of the parties. The Court held two cases in abeyance pending the outcome of *People v Bryant*, which is currently pending before the United States Supreme Court. The Chief Justice granted two motions for brief-filing extensions. The Court granted Byron C. Lichstein's motion to temporarily practice in Michigan and also granted four motions to file amicus briefs and one motion to accept a supplemental brief. The Court took substantive action in three cases, discussed below.

In *People v Stenberg*, the Court directed the defendant to file a motion to accompany his request that the Court review the issues he raised in the Admin Order 2004-6 Standard 4 brief he filed at the Court of Appeals.

The Court granted leave to appeal in *Jones v. Detroit Medical Center* and directed the parties to address (1) whether the probability of injury is a proper consideration in determining proximate causation, and (2) whether partial summary disposition may be granted to the plaintiff with regard to proximate causation where the negligence of the defendant has not been established. The Court invited the Michigan Association for Justice and the Michigan Defense Trial Counsel, Inc. to file amicus briefs.

In lieu of granting leave to appeal, the Court reversed a portion of the Court of Appeals decision in *Jones v Daimlerchrysler Corporation* and reinstated the trial court's grant of summary disposition in favor of the premises owner, determining that the premises owner owed no duty to the employee of the independent contractor who was hired for construction work on the premises.