

## MSC Order List: February 2, 2011

4. February 2011 By Layla Kuhl

On February 2, 2011, the Michigan Supreme Court granted 3 applications for leave to appeal, denied 10 applications and denied 2 motions for reconsideration. The Court remanded *In re Parole of Michelle Elias* and *People v. Haeger* in lieu of granting leave to appeal and ordered that the cases be argued and submitted to the Court of Appeals together. The Court directed that the application for leave to appeal in *Findley v. DaimlerChrysler Corp* be scheduled for oral argument and directed the parties to submit supplemental briefs addressing whether the Workers' Compensation Appellate Commission is required to render a majority opinion in order to provide a final decision that is reviewable by the appellate courts. In *Tindall v. Attorney Grievance Commission* the Court directed the Grievance Administrator to provide the plaintiff with a copy of the respondent attorney's answer, as well as a copy of the respondent's supporting documents, unless the Administrator determines that there is cause for not disclosing some or all of the supporting documents. The Court's directions in the three orders granting leave to appeal follow.

In *Miller v. Citizens Insurance Co*, the Court directed the parties to include among the issues to be briefed (1) whether a medical care provider that is not a party to a fee agreement with plaintiff's counsel may be liable for all or a portion of counsel's fee and the basis for such liability, if any; and (2) if there is such liability, the manner in which the amount of the liability is to be determined. The Court also granted motions for leave to file briefs amicus curiae.

In *People v. Rose*, the Court directed the parties to address whether the use of a screen to shield a child complainant from the defendant during testimony violates the Confrontation Clause or prejudices the defendant because it impinges on the presumption of innocence. The Court invited the Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan to file briefs amicus curiae.

In *Michigan Basic Property Insurance Association v. The Office of Financial and Insurance Regulation*, the Court directed the parties to address whether the Court of Appeals erred when it upheld the respondent Commissioner's interpretation of MCL 500.2930a(1). The Court also granted motions for leave to file briefs amicus curiae.