

MSC Order List: December 29, 2011

3. January 2012, By Sarah Lindsey

In lieu of granting leave to appeal in *In re Estate of Rosa Louise Parks*, Nos. 143419-22, the Michigan Supreme Court reversed the judgment of the Court of Appeals, concluding that counsel's reference during oral argument to fees charged by the court-appointed fiduciaries did not constitute a breach of a settlement agreement's confidentiality provision, and the Court of Appeals' finding that it did was clearly erroneous. The Court remanded to the Wayne County Probate Court and instructed the court to implement paragraph 1 of the settlement agreement within 30 days of the date of the order.

In lieu of granting leave to appeal in *McMurtrie v. Eaton Corp.*, No. 143779, the Michigan Supreme Court reversed in part the decision of the Workers' Compensation Appellate Commission (WCAC) and remanded the case to the Michigan Compensation Appellate Commission (MCAC), as successor to the WCAC, for the MCAC to determine whether the plaintiff's wage loss is due to his injury.

The Court vacated its earlier order and denied the application for leave to appeal in *Progressive Michigan Ins. Co. v. Smith*, No. 141255, because the Court was no longer persuaded that the question presented should be reviewed by the Court.

In *People v. Brown*, No. 143733, the Court ordered the Clerk to schedule oral argument on whether to grant the application for leave to appeal. The Court directed the parties to address whether the defendant was entitled to any relief when he was sentenced to a longer sentence than the maximum sentence that was disclosed in the plea proceeding.

The Court also denied 3 applications for leave to appeal and administratively closed another case due to bankruptcy.