

Court of Appeals, State of Michigan

ORDER

Wayne E White v Barbara Ann Karmanos Cancer Institute

Docket No. 270320

LC No. 05-534994-NH

William C. Whitbeck, C.J.
Presiding Judge

Judges of the
Court of Appeals

Judges

The Court orders that a special panel shall be convened pursuant to MCR 7.215(J) to resolve the conflict between this case and *Apsey v Memorial Hosp (On Reconsideration)*, 266 Mich App 666; 702 NW2d 870 (2005), lv pending. Further, this case shall be consolidated with *Kaczynski v Anderson*, __ Mich App __; __ NW2d __ (Docket No. 268529; issued January 25, 2007), conflict certified and special panel convened __ Mich App __; __ NW2d __ (February 7, 2007).

The Court further orders that the opinion in this case is VACATED in its entirety. MCR 7.215(J)(5).

Appellants may file a supplemental brief within 21 days of the Clerk's certification of this order. Appellees may file a supplemental brief within 21 days of the service of appellants' brief. Nine copies must be filed with the Clerk of the Court.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 23 2007
Date

Sandra Schultz Mengel
Chief Clerk