

Court of Appeals, State of Michigan

ORDER

Ruby & Associates PC v George W Smith & Company PC

Docket No. 297266

LC No. 2003-054535-NM

David H. Sawyer
Presiding Judge

Kathleen Jansen

Pat M. Donofrio
Judges

In lieu of granting reconsideration, the Court orders that the October 4, 2011, opinion is hereby AMENDED. Section IV of the opinion is amended as follows:

The old opinion read: "Because respondents do not contest that petitioner is entitled to attorney fees in an amount equal to one-third the settlement amount, we instruct the trial court on remand *to enter an order awarding petitioner \$70,000 in attorney fees*" (Emphasis supplied).

The new opinion reads: "Because respondents do not contest that petitioner is entitled to attorney fees in an amount equal to one-third the settlement amount, we instruct the trial court on remand to enter an order awarding petitioner not more than \$70,000 in attorney fees in accordance with MCR 8.121 and the parties' contingency fee agreement."


In all other respects, the October 4, 2011, opinion remains unchanged.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

NOV 21 2011

Date


Chief Clerk