Court of Appeals, State of Michigan

ORDER

RHONDA MORIN V ALLIE T MALLAD

Docket No. 299763

LC No. 2009-103448-CK

Henry William Saad
Presiding Judge

Deborah A. Servitto

Elizabeth L. Gleicher
Judges

The Court orders that the motion for immediate consideration is GRANTED.

In lieu of granting leave to appeal, pursuant to MCR 7.205(D)(2), the Court orders that the Oakland Circuit Court's July 7, 2010 order denying plaintiff's motion for leave to file amended complaint is REVERSED and the circuit court is directed to accept the filing of plaintiff's proposed first amended complaint. The circuit court abused its discretion by denying plaintiff leave to amend without stating any particularized reasons justifying that denial. *Miller v Chapman Contracting*, 477 Mich 102, 105; 730 NW2d 462 (2007); *Ormsby v Capital Welding, Inc*, 471 Mich 45, 53; 684 NW2d 320 (2004). Furthermore, there does not appear to be any sound basis which could justify denying plaintiff's motion to amend. The proposed amendments do not appear futile, and should not result in any unfair prejudice to defendants. *Miller*, *supra*; *Weymers v Khera*, 454 Mich 639, 659; 563 NW2d 647 (1997). This order is to have immediate effect. MCR 7.215(F)(2).

This Court retains no further jurisdiction.

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

JAN 05 2011
Date

Sandra Schultz Mengel
Chief Clerk