Court of Appeals, State of Michigan

ORDER

Stock Building Supply LLC v Highland LLC

Docket No. 291136

LC No. 08-088498-CH

Alton T. Davis
Presiding Judge

Brian K. Zahra

Cynthia Diane Stephens
Judges

The Court orders that the motion to reply to answer is DENIED.

The Court, acting under MCR 7.203(F)(2), orders that the motion for reconsideration is GRANTED. The March 24, 2009 order being appealed is a final order under MCR 7.202(6)(a)(i). Contrary to the rationale of this Court's June 3, 2009 order dismissing the claim of appeal in this case, whether claims remain outstanding in the consolidated lower case is immaterial to this Court's jurisdiction over the present appeal. Rather, the present case retains its separate identity, so that the entry of the March 24, 2009 lower court order disposing of all claims in this case is a final order appealable of right. See *Chen v Wayne State Univ*, ___ Mich App ___; ___ NW2d ___ (Docket Nos. 283420, 293575, issued June 2, 2009, amended for immaterial clerical error June 4, 2009), slip op. pp 11-14. Thus, the claim of appeal in this case is REINSTATED.

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

SEP 01 2009
Date

Sandra Schultz Mengel
Chief Clerk