Court of Appeals, State of Michigan

ORDER

Katherine Heys v Butzel Long PC

Docket No. 293666

LC No. 07-010317-CZ

Jane M. Beckering
Presiding Judge

William B. Murphy, C.J.

Jane E. Markey
Judges

The Court orders that the motion to affirm is DENIED. Because this Court has determined that defendant's motion to affirm was vexatious, plaintiff may recover actual damages and expenses incurred as a result of that motion, including reasonable attorney fees. The case is remanded to the trial court for a determination of plaintiff's actual damages and expenses incurred in responding to the motion and for an order awarding the amount determined. MCR 7.216(C).

Murphy, C.J., would deny the motion to affirm.

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

JAN 26 2010
Date

Sandra Schultz Mengel
Chief Clerk