

Order

Michigan Supreme Court
Lansing, Michigan

February 4, 2022

Bridget M. McCormack,
Chief Justice

162907

AHLAM KANDIL-ELSAIED,
Plaintiff-Appellant,

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

v

SC: 162907
COA: 350220
Wayne CC: 18-003569-NO

F & E OIL, INC.,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the March 11, 2021 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief addressing: (1) whether there was a question of fact concerning whether the parking lot constituted an effectively unavoidable condition; (2) whether *Lugo v Ameritech Corp, Inc*, 464 Mich 512 (2001), is consistent with Michigan's comparative negligence framework; and if not, (3) which approach this Court should adopt for analyzing premises liability cases under a comparative negligence framework. The appellant's brief shall be filed by March 28, 2022, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.

Persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



a0201

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 4, 2022

Clerk