

**Court of Appeals, State of Michigan**

**ORDER**

Murray Eddings v Jennifer H Wang MD

Docket No. 335129

LC No. 2015-001047-NH

Henry William Saad  
Presiding Judge

Deborah A. Servitto

Elizabeth L. Gleicher  
Judges

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

The motion to waive the transcript production requirement of MCR 7.209 is GRANTED.

In lieu of granting leave to appeal, pursuant to MCR 7.205(E)(2) and MCR 7.216(A)(5), the matter is REMANDED to the trial court for a pre-trial evidentiary hearing and decision as to whether the proposed standard of care testimony of plaintiffs' experts Dr. Robert Streisand and Dr. Robert Shuman is sufficiently reliable to allow its submission to the jury in accordance with the principles from *Daubert v Merrill Dow Pharmaceuticals Inc*, 509 US 579; 113 S Ct 2786; 125 L Ed 2d 469 (1993), MCL 600.2955(1), and MRE 702. *Chapin v A & L Parts, Inc*, 274 Mich App 122, 139; 732 NW2d 578 (2007).

The motion for stay pending appeal is DENIED as moot.

This Court retains no further jurisdiction.

Saad, P.J., would DENY the application for leave to appeal.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

DEC 21 2016

Date

  
Chief Clerk