

Order

Michigan Supreme Court
Lansing, Michigan

September 11, 2024

Elizabeth T. Clement,
Chief Justice

166702

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

MARY ANNE MARKEL,
Plaintiff-Appellant,

v

SC: 166702
COA: 350655
Oakland CC: 2018-164979-NH

WILLIAM BEAUMONT HOSPITAL,
Defendant-Appellee,

and

HOSPITAL CONSULTANTS, PC, LINET
LONAPPAN, M.D., and IOANA MORARIU,
Defendants.

On order of the Court, the application for leave to appeal the January 4, 2024 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 parties shall file supplemental briefs in accordance with MCR 7.312(E), addressing whether: (1) the Court of Appeals correctly applied the ostensible agency test set forth in *Grewe v Mount Clemens General Hosp*, 404 Mich 240 (1978), see *Markel v William Beaumont Hosp*, 510 Mich 1071 (2022); and (2) the defendant-appellee is entitled to summary disposition of the plaintiff-appellant's medical malpractice claim that is premised on vicarious liability for the alleged negligence of Dr. Linet Lonappan under a theory of ostensible agency.

The Michigan Association for Justice, Michigan Defense Trial Counsel, Inc., Michigan Health and Hospital Association, and the Negligence Law Section of the State Bar of Michigan are invited to file briefs amicus curiae. Other 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.



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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.

September 11, 2024

Clerk