Order

Michigan Supreme Court
Lansing, Michigan

April 17, 2026

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

163569-70

KENISA BARKAI,
Plaintiff-Appellant,

v

SC: 163569
COA: 354587
Wayne CC: 20-005513-CD

VHS OF MICHIGAN, INC., doing business as DETROIT MEDICAL CENTER,
Defendant-Appellee.
_____/

JEFFREY EICHENLAUB, CATHERINE GAUGHAN, SALAH HADWAN, ANTHONY BONNETT, and MATTHEW MCLAUGHLIN,
Plaintiffs-Appellants,

v

SC: 163570
COA: 355607
Wayne CC: 20-007330-CD

VHS OF MICHIGAN, INC., doing business as DETROIT MEDICAL CENTER, and TENET HEALTHCARE, INC.,
Defendants-Appellees.
_____/

By order of June 23, 2023, the application for leave to appeal the August 12, 2021 judgment of the Court of Appeals was held in abeyance pending the decision in *Saidizand v GoJet Airlines, LLC* (Docket No. 163664). On order of the Court, the case having been decided on October 2, 2025, ___ Mich ___; 25 NW3d 676 (2025), the application is again considered and, pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and REMAND this case to that court for reconsideration in light of *Rayford v American House Roseville I, LLC*, ___ Mich ___ (July 31, 2025) (Docket No. 163989).

We do not retain jurisdiction.

ZAHRA, J., would deny leave to appeal.

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I, Elizabeth Kingston-Miller, 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.

April 17, 2026

Clerk