Order

Michigan Supreme Court
Lansing, Michigan

May 22, 2026

SC: 166699
COA: 364820
Livingston CC: 2022-031366-NO

Megan K. Cavanagh,
Chief Justice

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

LINDA MOLITORIS,
Plaintiff-Appellant,
v

SAINT MARY MAGDALEN CATHOLIC CHURCH,
Defendant-Appellee.

On October 8, 2025, the Court heard oral argument on the application for leave to appeal the January 4, 2024 judgment of the Court of Appeals. By order of February 13, 2026, the parties were directed to file supplemental briefs. On order of the Court, the supplemental briefs having been received, the application is again considered, and it is GRANTED. The time allowed for oral argument shall be 20 minutes for each side. MCR 7.314(B)(1). The parties shall include among the issues to be briefed: (1) whether this Court was correct to reject the Second Restatement of Torts' public-invitee category in *Stitt v Holland Abundant Life Fellowship*, 462 Mich 591, 603-605 (2000); (2) in the alternative, whether this Court should adopt the Third Restatement of Torts' reasonable-care standard in lieu of traditional invitee-licensee categories to determine a premises possessor's duty to persons who suffer physical harm caused by a condition on the land; (3) whether adopting either the public-invitee doctrine or the Third Restatement of Torts' reasonable-care standard would be an appropriate alteration of the common law, see Const 1963, art 3, § 7; *Price v High Pointe Oil Co, Inc*, 493 Mich 238, 260 (2013); and (4) whether adopting either the public-invitee doctrine or the Third Restatement of Torts' reasonable-care standard, and thus overruling *Stitt*, 462 Mich 591, comports with the doctrine of stare decisis, see *Robinson v Detroit*, 462 Mich 439 (2000).

The Michigan Association for Justice, Insurance Alliance of Michigan, American Property Casualty Insurance Association, Michigan Defense Trial Counsel, Inc., 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 who are not exempt from the motion requirement under MCR 7.312(H) may move the Court for permission to file briefs amicus curiae.

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.

May 22, 2026

Clerk