Order

June 5, 2019

Bridget M. McCormack,
Chief Justice

David F. Viviano,
Chief Justice Pro Tem

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

158408

In re ROBERT E. WHITTON REVOCABLE
TRUST.

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MOLLY MICHALUK,
          Petitioner-Appellant,

v

                                            SC: 158408
                                            COA: 337828
EDDIE WHITTON and RICHARD WHITTON,   Oakland PC: 2016-372116-TV
Successor Trustees of the ROBERT E. WHITTON
REVOCABLE TRUST,
          Respondents-Appellees.

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On order of the Court, the application for leave to appeal the August 9, 2018 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 within 42 days of the date of this order addressing whether the Oakland Probate Court had jurisdiction to entertain the request for declaratory relief in light of *McLeod v McLeod*, 365 Mich 25 (1961). In addition to the brief, the appellant shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellees shall file a supplemental brief within 21 days of being served with the appellant's brief. The appellees shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellees' brief. The parties should not submit mere restatements of their application papers.

The Probate and Estate Section of the State Bar of Michigan is invited to file a brief amicus curiae. Other persons or groups interested in the determination of this issue may move the Court for permission to file briefs amicus curiae.

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.

June 5, 2019

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Clerk