

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

JEREMY INGRAM, NICKY INGRAM,
INGRAM ROOFING, INC., and
NJA & ASSOCIATES, INC.,

Plaintiffs,

v

Case No. 15-149968-CB
Hon. Wendy Potts

SABRINA SHAHEEN CRONIN,
Y. MOIN GHADIMI, and
THE CRONIN LAW FIRM, PLLC,

Defendants.

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OPINION AND ORDER RE: BUSINESS COURT JURISDICTION

At a session of Court
Held in Pontiac, Michigan

On
FEB 11 2016

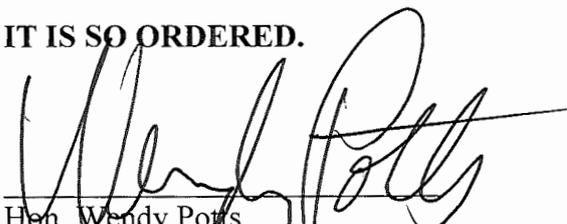
On November 3, 2015, Plaintiffs filed their Complaint, alleging that they have suffered damages on account of Defendants' legal malpractice and gross negligence. Plaintiffs have raised the sole count of legal malpractice in their Complaint. Although the case was assigned to the general civil docket, Defendants filed a Notice of Assignment to the Business Court on December 23, 2015. The Notice of Assignment states that this is a business dispute because "one or more of the parties is a business enterprise and the other parties are its or their present or former owners, managers, shareholders, members, directors, officers, agents, employees, suppliers, or competitors, and the claims arise out of those relationships." MCL 600.8031(1)(c)(ii).

This Court has an obligation to question sua sponte its jurisdiction over the subject matter of an action. *Yee v Shiawassee Co Bd of Comm'rs*, 251 Mich App 379, 399; 651 NW2d 756 (2002). Subject matter jurisdiction is determined by the allegations in the pleadings. *Trost v Buckstop Lure Co, Inc*, 249 Mich App 580, 587-588; 644 NW2d 54 (2002).

Business court jurisdiction is limited to actions involving a “business or commercial dispute.” MCL 600.8035(3). Although this matter appears to fall within the definition of a business or commercial dispute under MCL 600.8031(1)(c)(ii), the statute excludes certain types of disputes from business court jurisdiction. Pertinent to this case, malpractice actions are excluded from business court jurisdiction pursuant to MCL 600.8031(3)(a).

Therefore, this matter is excluded from business court jurisdiction and the Court orders the case reassigned to the general civil docket of the Honorable Denise Langford Morris.

IT IS SO ORDERED.



Hon. Wendy Potts
Circuit Court Judge

Dated: FEB 11 2016