

Order

Michigan Supreme Court
Lansing, Michigan

March 30, 2016

Robert P. Young, Jr.,
Chief Justice

151600

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

CHANCE LOWERY,
Plaintiff-Appellee,

v

SC: 151600
COA: 319199
Calhoun CC: 2011-003414-NO

ENBRIDGE ENERGY LIMITED PARTNERSHIP
and ENBRIDGE ENERGY PARTNERS LP,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the April 2, 2015 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether the plaintiff in this toxic tort case sufficiently established causation to avoid summary disposition under MCR 2.116(C)(10); and (2) whether the plaintiff was required to present expert witness testimony regarding general and specific causation. See *Genna v Jackson*, 286 Mich App 413 (2009).

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.

March 30, 2016


Clerk