

Order

Michigan Supreme Court
Lansing, Michigan

April 29, 2016

Robert P. Young, Jr.,
Chief Justice

152519

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

DENISE FOWLER, as Next Friend of
VIRGINIA JANE RAWLUSZKI,
Plaintiff-Appellee,

v

SC: 152519
COA: 310890
Bay CC: 11-003317-NO

MENARD, INC.,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the September 15, 2015 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order including, among the issues to be briefed, whether the crosswalk installed by the defendant had a special aspect that could create liability for even an open and obvious hazard, and whether such a special aspect can exist if the condition is not unreasonably dangerous. See *Hoffner v Lanctoe*, 492 Mich 450, 455 (2012); *Lugo v Ameritech Corp, Inc*, 464 Mich 512, 517 (2001). The parties should not submit mere restatements of their application papers.



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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.

April 29, 2016


Clerk