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SEPTEMBER
THIRTIETH
2009

Corbin Davis
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

Re: ADM File No: 2009-13
Proposed Amendments of Rules 2.112 and 2.118 of the Michigan Court Rules

Dear Mr. Davis:

As an attorney who has pursued medical malpractice claims for the past 17 years, I am happy to see the Michigan Supreme Court consider curative changes to MCR 2.112(L) and 2.118(D) as proposed in ADM File No. 2009-13.

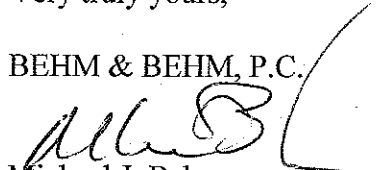
I would also like to express my support for the changes as proposed in Barry Gates' letter, dated September 24, 2009. As you can see by reading Mr. Gates' analysis of the Michigan Supreme Court's administrative conference of September 2, 2009, and his suggestions, Mr. Gates proposed solutions to the present problems surrounding Affidavits of Merit, are insightful, wise, and provide a sense of clarity that would be valuable to not only litigators, but also the judiciary. Allowing for amendment of Notices of Intent and Affidavits of Merit treats these documents in the same way that other pleadings are treated before our courts and would serve to provide a long needed sense of certainty when litigating medical malpractice causes of action.

The proposed changes by Messrs. Warsh and Googasian, as outlined by Mr. Gates, would also serve to provide a sense of balance for litigators of medical malpractice claims and lessen the unneeded time and expense that this area of law is presently enduring.

Thank you for your time and attention to this matter.

Very truly yours,

BEHM & BEHM, P.C.


Michael J. Behm
MJB/vt