

Order

Michigan Supreme Court
Lansing, Michigan

January 31, 2024

Elizabeth T. Clement,
Chief Justice

165961

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Megan K. Cavanagh
Elizabeth M. Welch
Kyra H. Bolden,
Justices

ATTORNEY GENERAL,
Plaintiff-Appellant,

v

SC: 165961
COA: 362272
Ingham CC: 22-000058-CZ

ELI LILLY AND COMPANY,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the June 22, 2023 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 parties shall file supplemental briefs in accordance with MCR 7.312(E), addressing: (1) whether this Court's decisions in *Smith v Globe Life Ins Co*, 460 Mich 446 (1999), and *Liss v Lewiston-Richards, Inc*, 478 Mich 203 (2007), were correctly decided; and (2) if not, whether they should nonetheless be retained under principles of stare decisis, *Robinson v City of Detroit*, 462 Mich 439, 463-468 (2000).

Amici who appeared at the application stage are invited to file supplemental briefs amicus curiae. The Business Law and Consumer Law Sections of the State Bar of Michigan are invited to file briefs amicus curiae. Other 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.

January 31, 2024

Clerk