

Order

**Michigan Supreme Court
Lansing, Michigan**

June 25, 2021

Bridget M. McCormack,
Chief Justice

161948
161952

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

AUDREY WEST and RANDY WEST,
Plaintiffs-Appellees,

v

SC: 161948
COA: 348452
Ct of Claims: 18-000236-MZ

DEPARTMENT OF NATURAL RESOURCES,
ANDREA ALBERT, and STEVE BUTZIN,
Defendants-Appellants.

MARK GOSS,
Plaintiff-Appellee,

v

SC: 161952
COA: 349411
Ct of Claims: 19-000022-MZ

DEPARTMENT OF NATURAL RESOURCES,
Defendant-Appellant.

On order of the Court, the applications for leave to appeal the July 23, 2020 and August 6, 2020 judgments of the Court of Appeals are considered. We direct the Clerk to schedule oral argument on the applications. MCR 7.305(H)(1).

The Department of Natural Resources (DNR) shall file a supplemental brief addressing whether snowmobiles and John Deere Gator crossover utility vehicles are motor vehicles for purposes of MCL 691.1405, the motor vehicle exception to governmental immunity. The DNR's brief shall be filed by October 25, 2021, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellees shall file a supplemental brief within 21 days of being served with the DNR's brief. Replies, if any, must be filed by the DNR within 14 days of being served with the latter of the appellees' briefs. The parties should not submit mere restatements of their application papers.

The total time allowed for oral argument shall be 40 minutes: 20 minutes for the DNR and 20 minutes for the appellees, to be divided at their discretion. MCR 7.314(B)(2).

Persons or groups interested in the determination of the issues presented in these cases may move the Court for permission to file briefs amicus curiae. Motions for permission to file briefs amicus curiae and briefs amicus curiae regarding these cases should be filed only in *West v DNR*, Docket No. 161948, and served on the parties in both cases.



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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.

June 25, 2021

A handwritten signature in black ink, appearing to read "Larry S. Royster", written over a horizontal line.

Clerk