

**Court of Appeals, State of Michigan**

**ORDER**

DN V GILEAD SCIENCES INC

Docket No. 367271

LC No. 22-001761-NP

Deborah A. Servitto  
Presiding Judge

Michael J. Kelly

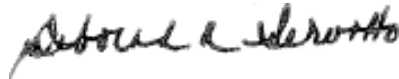
Brock A. Swartzle  
Judges

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The motion for stay pending appeal is GRANTED, and further proceedings are STAYED pending resolution of this appeal or further order of this Court.

The application for leave to appeal is GRANTED. The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(E)(3). This appeal is limited to the issues raised in the application and supporting brief. MCR 7.205(E)(4).

On the Court's own motion pursuant to MCR 7.216(A)(7), this case is CONSOLIDATED with the application filed in Docket No. 368026, DN v Gilead Sciences Inc.



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Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

March 8, 2024

Date



Chief Clerk



Jerome W. Zimmer Jr.  
Chief Clerk

## Michigan Court of Appeals Office of the Clerk

### POLICY ON CONSOLIDATED CASES

The enclosed order consolidates the noted appeals. This statement explains the effect of consolidation on the appellate process.

**FILING DEADLINES** regarding transcripts, motions or briefs will not be affected by the consolidation. Rather, those deadlines that would apply in each individual docket number will be enforced by the Court. Where brief due dates are different in each docket number, on motion to the Court and payment of one motion fee counsel may be permitted to consolidate brief due dates so that one brief may be filed.

**CAPTIONS** in consolidated cases are not generally affected by consolidation. The easiest and most accurate way to caption a pleading to be filed in a set of consolidated cases is to reproduce the individual captions seriatim, in ascending order of this Court's docket numbers. Party connections, such as defendant-appellant, plaintiff-appellee, should be accurate within each docket number. Combining all parties and party connections into one catch-all caption is discouraged because it is almost impossible to do so without sacrificing accuracy.

**DOCKETING** of pleadings will be most quickly accomplished if the title of the pleading specifies the individual docket number(s) in which filing is to be made. For example, where plaintiff is appellant in one case and appellee in the other, docketing will be facilitated by the following pleading title:

"Plaintiff-Appellant's Brief in No. 229000"

**FORMAL SUBMISSION** of consolidated cases to a panel is joint. The panel will receive all briefs filed in all parts of the consolidated cases. If oral argument has been preserved, the cases will be argued as one case before the same panel. Time allotted to each side for oral argument will be calculated pursuant to MCR 7.214(B). Note that if a brief is late in one case of a set of consolidated cases, oral argument as to the issues raised in that brief is not preserved.

**DECISION** of consolidated cases will occur in one opinion. Release of the opinion will occur as per the Court's customary procedures.

If you have any questions at all about preparing documents for filing in your consolidated appeals, please contact the Clerk's Office for assistance.

DETROIT OFFICE  
CADILLAC PLACE  
3020 W. GRAND BLVD. SUITE 14-300  
DETROIT, MICHIGAN 48202-6020  
(313) 972-5678

TROY OFFICE  
COLUMBIA CENTER  
201 W. BIG BEAVER RD. SUITE 800  
TROY, MICHIGAN 48084-4127  
(248) 524-8700

GRAND RAPIDS OFFICE  
STATE OF MICHIGAN OFFICE BUILDING  
350 OTTAWA, N.W.  
GRAND RAPIDS, MICHIGAN 49503-2349  
(616) 456-1167

LANSING OFFICE  
925 W. OTTAWA ST.  
P.O. BOX 30022  
LANSING, MICHIGAN 48909-7522  
(517) 373-0786