

**IN THE MICHIGAN COURT OF APPEALS**

**AMENDED ORDER**

**Re: SCO Group Inc v DaimlerChrysler Corp**  
Docket No. 260036  
L.C. No. 2004-056587-CK

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The claim of appeal from the December 21, 2004 order of voluntary dismissal is DISMISSED for lack of jurisdiction since this type of order is not a final order that is appealable as a matter of right in view of the fact that "... it does not resolve the merits of the remaining claims and, as such, those claims are 'not barred from being resurrected on that docket at some future date.'" *City of Detroit v State of Michigan*, 262 Mich App 542, 545; 686 NW2d 514 (2004), citing *Wickings v Arctic Enterprises, Inc*, 244 Mich App 125, 134-136; 624 NW2d 197 (2000).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 31 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk