

Court of Appeals, State of Michigan

ORDER

Farm Bureau Insurance Company v American Guarantee and Liability

Kirsten Frank Kelly
Presiding Judge

Docket No. 312870

Christopher M. Murray

LC No. 10-010483-NF

Michael J. Riordan
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The application for leave appeal is DENIED in light of the claim of appeal filed by appellant American Guarantee and Liability Insurance Company, Docket No. 312882. American Guarantee may raise the first issue in the application relating to the September 24, 2012, order, which granted the motion for summary disposition filed by plaintiff Farm Bureau Insurance Company, in its brief for the appeal as of right.

The motion to waive the stay requirements of MCR 7.209(A)(3) is GRANTED only to the requirement of providing the transcript for this particular appeal.

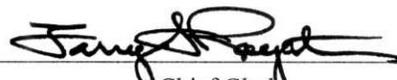
Due to the fact that the September 24, 2012, order apparently resolved all the issues in this lawsuit filed by plaintiff Farm Bureau against American Guarantee, the motion for stay is DENIED. However, this denial is without prejudice to American Guarantee posting the appropriate bond in the trial court in order to stay execution on the judgment in favor of Farm Bureau Insurance Company. See MCR 7.208(F) and MCR 7.209. If the trial court refuses to approve the bond and enter a stay on the execution of the judgment, American Guarantee may then file a motion for stay in Docket No. 312882. American Guarantee shall comply with this directive within 21 days, and Farm Bureau shall not execute on the judgment during this period of time.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

NOV 21 2012

Date


Chief Clerk