

Court of Appeals, State of Michigan

ORDER

Spectrum Health Hospitals v Wolverine Mutual Insurance Company

Docket No. 336479

LC No. 13-008187-NF

William B. Murphy
Presiding Judge

Peter D. O'Connell

Kirsten Frank Kelly
Judges

In light of the issues raised at oral argument, on the Court's own motion, it is ORDERED that the parties provide supplemental briefing regarding the application of *Covenant Med Ctr, Inc v State Farm Mut Auto Ins Co*, 500 Mich 191; 895 NW2d 490 (2017), wherein the Michigan Supreme Court confirmed that medical providers do not have a statutory cause of action under the no-fault law, MCL 500.3101 *et seq.*, to seek direct payment from no-fault insurers, as well as this Court's opinion in *W A Foote Mem Hosp v Michigan Assigned Claims Plan*, 321 Mich App 159 (2017), wherein *Covenant* was given retroactive application.

Appellant shall file with this Court its supplemental brief within 21 days after the Clerk's certification of this order. Appellee shall file its supplemental brief within 14 days of the proof of service of Appellant's supplemental brief. No further briefing shall be permitted.

The Court retains jurisdiction.



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

FEB 15 2018

Date

Chief Clerk