

Court of Appeals, State of Michigan

ORDER

Jawad A Shah MD PC v Farm Bureau Insurance

Docket No. 339715

LC No. 16-107887-NF

Deborah A. Servitto
Presiding Judge

Colleen A. O'Brien

Jonathan Tukel
Judges

Pursuant to MCR 7.205(E)(2), in lieu of granting leave to appeal, the Court orders that the Genesee Circuit Court's July 27, 2017 order denying summary disposition of plaintiffs' claims for PIP benefits under the no-fault act is REVERSED. Plaintiffs cannot directly sue defendant to recover payment for medical treatment and services provided to defendant's insured. *Covenant Medical Center v State Farm Mutual Auto Ins Co*, 500 Mich 191; 895 NW2d 490 (2017). The circuit court erred by finding that *Covenant Medical Center* did not apply retroactively to plaintiffs' claims. *WA Foote Memorial Hospital v Michigan Assigned Claims Facility*, __MA __; __ NW2d __ (No. 333360, 8/31/17). The assignment contract presented by plaintiffs assigned the insured party's right to benefits which would become payable in the future and so was void under MCL 500.3143. *Professional Rehabilitation Assocs v State Farm Mut Ins Co*, 228 Mich App 167; 577 NW2d 909 (1998).

This Court retains no further jurisdiction.



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

JAN 25 2018

Date


Chief Clerk