

# Court of Appeals, State of Michigan

## ORDER

Ali El-Najjar v David Lee Wilson

Docket No. 340332

LC No. 14-010090-NI

Michael J. Talbot  
Presiding Judge

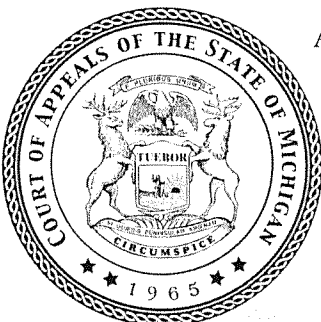
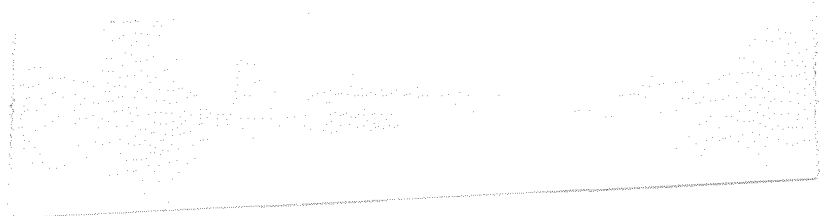
Michael J. Riordan

Thomas C. Cameron  
Judges

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Pursuant to MCR 7.205(E)(2), the Court orders that the August 10, 2017, order granting summary disposition to defendant Allstate Property and Casualty Insurance Company hereby is REVERSED. Where a genuine issue of material fact exists regarding plaintiff's employment status at the time of the accident, summary disposition was improper. A trial court may not weigh evidence or determine credibility when deciding a summary disposition motion. *Innovative Adult Foster Care, Inc v Ragin*, 285 Mich App 466, 480; 776 NW2d 398 (2009). In all other respects, the application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.

This Court retains no further jurisdiction.



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

FEB 01 2018

Date

  
Chief Clerk