

# Court of Appeals, State of Michigan

## ORDER

Hasan Muhammad v Farmers Insurance Exchange

Docket No. 341375

LC No. 16-001489-NI

Karen M. Fort Hood  
Presiding Judge

Kirsten Frank Kelly

Michael J. Riordan  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting leave to appeal, the Court orders that the October 18, 2017 and December 6, 2017 orders are REVERSED. A genuine issue of material fact existed regarding the residency of Shaiprece Roberson and, thus, whether coverage under Knightbrook Insurance Company's policy was extended pursuant to MCL 500.3163. Accordingly, summary disposition was improper. We also VACATE the assessment of \$5,000 in sanctions. The record before this Court does not clearly demonstrate the basis for the trial court's ruling; nor does the record support the amount of the award. To the extent that the trial court may have imposed sanctions pursuant to MCR 2.114(E), that rule permits sanctions for only written misrepresentations, not oral misrepresentations. The matter is REMANDED to the trial court for reconsideration of its award of attorney fees. If the court chooses to assess attorney fees, the trial court must state on the record the legal basis for its ruling, as well as its rationale for the specific amount.

This order is to have immediate effect. MCR 7.215(F)(2).

This Court retains no further jurisdiction.



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

MAY 11 2018

Date

  
Chief Clerk