

Court of Appeals, State of Michigan

ORDER

Johnous Gilbert Jr v Progressive Michigan Insurance Company

Docket No. 347067

LC No. 17-018094-NF

Cynthia Diane Stephens
Presiding Judge

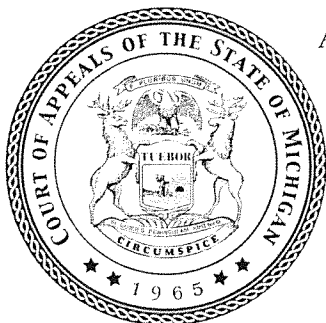
Kirsten Frank Kelly

Anica Letica
Judges

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(E)(2), that the December 12, 2018 order of the Wayne Circuit Court is REVERSED. Where the parties dispute insurance coverage, defendant Michigan Automobile Insurance Placement Facility was not entitled to summary disposition. As recognized by the circuit court, MAIPF should have assigned an insurer because the parties challenge coverage based on disputed facts. MAIPF shall forthwith assign an insurer in accordance with the circuit court's order of July 9, 2018, and the circuit court is directed to ascertain that MAIPF has done so within 21 days of the date of this order. The case is REMANDED to the circuit court for further proceedings consistent with this order.

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

The Court retains no further jurisdiction.



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

MAR 28 2019

Date


Chief Clerk