

Court of Appeals, State of Michigan

ORDER

Darnell Frazier v Farm Bureau Insurance Company

Docket No. 349437

LC No. 2018-165788-NF

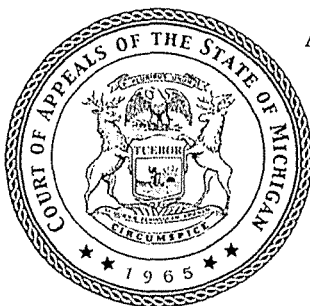
Kathleen Jansen
Presiding Judge

Deborah A. Servitto

Colleen A. O'Brien
Judges

The Court orders that the application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.

Jansen, J., would grant the application for leave to appeal. This Court in *Bronson Methodist Hospital v Auto-Owners Ins Co*, 295 Mich App 431, 443; 814 NW2d 431 (2012), concluded that the defendant insurers were entitled to "discover the wholesale cost to plaintiff of the surgical implant products for which the insureds were charged." However, this Court limited its holding to the "sort of durable medical-supply products...which are billed separately and distinctly from other treatment services[.]" *Id.* At 451. The implants at issue in *Bronson Methodist Hospital* were "standalone items that can be easily quantified." *Id.* The discovery request in the instant case is overly broad and thus, the information sought is not discoverable under *Bronson Methodist Hospital*.



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

OCT 24 2019

Date


Chief Clerk