

Order

Michigan Supreme Court
Lansing, Michigan

May 17, 2017

Stephen J. Markman,
Chief Justice

154026

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen
Kurtis T. Wilder,
Justices

ATLANTIC CASUALTY INSURANCE
COMPANY,
Plaintiff-Appellant,

v

SC: 154026
COA: 325739
Ontonagon CC: 2014-000055-CK

GARY GUSTAFSON,
Defendant-Appellee,

and

ANDREW AHO,
Defendant.

On order of the Court, the application for leave to appeal the May 26, 2016 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing: (1) whether the phrase “any property owner” in the insurance policy is ambiguous; (2) whether a property owner must have a commercial interest in the project before the exclusion applies to that property owner, and what constitutes such a “commercial interest”; and (3) what weight, if any, should be given to the title of the exclusion. The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 17, 2017


Clerk