

# Order

Michigan Supreme Court  
Lansing, Michigan

September 21, 2012

Robert P. Young, Jr.,  
Chief Justice

144771  
144792

Michael F. Cavanagh  
Marilyn Kelly  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

MICHIGAN INSURANCE COMPANY,  
Plaintiff-Appellant,

v

SC: 144771  
COA: 301980  
Oakland CC: 09-104725-NF

NATIONAL LIABILITY & FIRE  
INSURANCE COMPANY,  
Defendant-Appellee.

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MICHIGAN INSURANCE COMPANY,  
Plaintiff-Appellee,

v

SC: 144792  
COA: 301980  
Oakland CC: 09-104725-NF

NATIONAL LIABILITY & FIRE  
INSURANCE COMPANY,  
Defendant-Appellant.

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On order of the Court, the applications for leave to appeal the February 14, 2012 judgment of the Court of Appeals are considered. We direct the Clerk to schedule oral argument on whether to grant the applications or take other action. MCR 7.302(H)(1). At oral argument, the parties shall address: (1) whether the resident of the foster care facility injured as a pedestrian in this case can be deemed a “family member” under the definition provided in the policy issued to the facility in this case; (2) if the resident was such a “family member,” whether the policy coverage extended thereby established a priority for the payment of PIP benefits higher than the priority established by MCL 500.3115(1); and (3) whether the decision in *United States Fidelity & Guaranty Co v Citizens Ins Co*, 241 Mich App 83 (2000), was correctly decided. The parties may file supplemental briefs within 35 days of the date of this order, but they should not submit mere restatements of their application papers.



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I, Corbin R. Davis, 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.

September 21, 2012

*Corbin R. Davis*

Clerk