

STATE OF MICHIGAN  
COURT OF APPEALS

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FREMONT MUTUAL INSURANCE  
COMPANY,

Plaintiff/Counter Defendant-  
Appellee,

v

FARMERS INSURANCE EXCHANGE,

Defendant-Appellant,

and

LACIE PYLES,

Defendant-Appellee,

and

JEFFREY DEWITTE,

Defendant/Counter Plaintiff-  
Appellee.

UNPUBLISHED  
May 23, 2006

No. 259663  
Lapeer Circuit Court  
LC No. 01-030675-NZ

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Before: White, P.J., and Fitzgerald and Talbot, JJ.

WHITE, P.J. (*dissenting*).

I respectfully dissent. Defendant submitted sufficient evidence, through documents and the testimony of Becky Roberts, to establish a genuine issue of material fact whether its policy insuring the Mustang was cancelled prior to the accident. Under the circumstances presented, there was a genuine issue whether the insured's mother had authority to request that the policy be cancelled.

/s/ Helene N. White