

Order

Michigan Supreme Court
Lansing, Michigan

November 24, 2010

Marilyn Kelly,
Chief Justice

140662 & (50)

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

GEICO INDEMNITY COMPANY,
Plaintiff/Counter-Defendant-
Appellee,

v

SC: 140662
COA: 288418
Oakland CC: 2006-073586-NF

BELINDA GOLDSTEIN,
Defendant/Counter-Plaintiff/Third-
Party Plaintiff-Appellant,

and

DANIEL LEON,
Defendant/Counter-Plaintiff-Appellee,

v

FARMERS INSURANCE EXCHANGE,
Third-Party Defendant/Appellee.

By order of September 17, 2010, the parties were directed to file supplemental briefs. On order of the Court, the briefs having been received, the application for leave to appeal the January 19, 2010 judgment of the Court of Appeals is again considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE part III (B) of the Court of Appeals opinion and REMAND this case to the Court of Appeals for consideration of the issue whether, because the titled owner of the vehicle involved in the accident maintained an automobile insurance policy on the vehicle issued by plaintiff Geico, and Geico, in turn, filed the written certification with the State of Michigan required under MCL 500.3163(1), the resulting no-fault coverage satisfied the condition for eligibility for personal protection insurance benefits specified by MCL 500.3113(b), even if defendant Goldstein was an "owner" of the vehicle within the meaning of MCL 500.3101(h)(i), thereby obviating any need for the further proceedings ordered by the Court of Appeals. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.

We do not retain jurisdiction.



p1117

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.

November 24, 2010

Corbin R. Davis

Clerk