

STATE OF MICHIGAN
COURT OF APPEALS

W A FOOTE MEMORIAL HOSPITAL, doing
business as ALLEGIANCE HEALTH,

Plaintiff-Appellant,

v

MICHIGAN ASSIGNED CLAIMS PLAN and
MICHIGAN AUTOMOBILE INSURANCE
PLACEMENT FACILITY,

Defendants-Appellees,

and

JOHN DOE INSURANCE COMPANY,

Defendant.

FOR PUBLICATION
August 31, 2017

No. 333360
Kent Circuit Court
LC No. 15-008218-NF

Advance Sheets Version

Before: BOONSTRA, P.J., and RONAYNE KRAUSE and SWARTZLE, JJ.

RONAYNE KRAUSE, J. (*concurring*).

I respectfully concur with the majority's conclusion that *Covenant Med Ctr, Inc v State Farm Mut Auto Ins Co*, 500 Mich 191; 895 NW2d 490 (2017), applies retroactively and that plaintiff must be afforded an opportunity to amend its pleadings. I am merely unpersuaded that there is any sufficient reason present in this matter for departing from the general rule that decisions from our Supreme Court should be given retroactive effect by default.

/s/ Amy Ronayne Krause