

STATE OF MICHIGAN  
COURT OF APPEALS

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LEONARD LANGS,

Plaintiff-Appellee,

v

ALLSTATE INSURANCE COMPANY,

Defendant-Appellant.

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December 15, 1993

No. 148143

L.C. No. 90-013462

Before: Doctoroff, C.J., and Michael J. Kelly and Gribbs, JJ.

PER CURIAM.

This matter has been held in abeyance pending our Supreme Court's decision on leave granted in Profit v Citizens Ins, 187 Mich App 55; 466 NW2d 354 (1991), which the parties agree is dispositive here. Our Supreme Court has now released its opinion reversing Profit, and we reverse the decision of the trial court in this case.

At issue is whether defendant is entitled to set off plaintiff's social security disability benefits, even though defendant failed to offer plaintiff a policy which coordinated wage loss benefits with social security disability benefits. MCL 500.3109; MSA 24.13109. The trial court in this case recognized that it was bound to follow the decision in Profit, where a panel of this Court ruled that work loss benefits should not be reduced by social security disability benefits. The trial court accordingly granted plaintiff's motion for summary disposition as to this issue.

Our Supreme Court has now definitively ruled that an automobile no-fault insurer is entitled to subtract social security disability benefits from the amount otherwise payable for work loss even where the policy specifically provides that benefits are not coordinated. Profit v Citizens Ins, \_\_\_ Mich \_\_\_; \_\_\_ NW2d \_\_\_ (1993)(#90904, rel'd 9-29-93), slip op at 2-3. The decision of the trial court is reversed.

Reversed.

/s/ Martin M. Doctoroff  
/s/ Michael J. Kelly  
/s/ Roman S. Gribbs