

STATE OF MICHIGAN

CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

MUNSON MEDICAL CENTER,

Plaintiff,

File No. 93-10992-CX

v.

AAA INSURANCE COMPANY,

Defendant.

Stephen P. Clifton (P33127)  
RUNNING, WISE, WILSON, FORD & PHILLIPS  
Attorneys for Plaintiff  
326 E. State St., P.O. Box 686  
Traverse City, MI 49685

Clair W. Hoehn (P28217)  
BRANDT, HANLON, BECKER, LANCTOT,  
McCUTCHEON, SCHOOLMASTER & TAYLOR  
Attorneys for Defendant  
1700 First Federal Bldg.  
Detroit, MI 48226

ORDER GRANTING LEAVE TO AMEND  
AND GRANTING SUMMARY DISPOSITION

At a session of Court held in the Courthouse, City of Traverse City, County of Grand Traverse, State of Michigan, on November 5, 1993.

Present: Honorable Philip E. Rodgers, Jr, Circuit Judge.

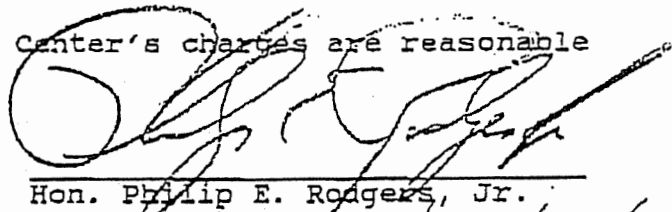
Plaintiff having filed its Motion to Amend Complaint and its Motion for Summary Disposition; Defendant Auto Club Insurance Association having filed its response; it appearing that Plaintiff is entitled to amend its Complaint and entitled to summary disposition; and the Court being advised in the premises;

IT IS HEREBY ORDERED that Plaintiff's Fourth Amended Complaint is accepted for filing;

FURTHER, that Auto Club Insurance Association may not pay no-fault benefits based on the workers' compensation statute, because the rates set forth therein are not applicable to no-fault claims.

FURTHER, Auto Club Insurance Association having failed to demonstrate any genuine issue of fact over whether Munson Medical Center's charges are reasonable and customary, Auto Club Insurance Association shall pay the charges of Munson Medical Center as prayed for in the Fourth Amended Complaint. Judgment is hereby entered in favor of Munson Medical Center in the amount of \$110,141.66, plus statutory interest, pursuant to Michigan Revised Judicature Act, MCLA 600.6013.

THE COURT FURTHER ORDERS AND ADJUDGES that this Judgment shall not bar either party from bringing suit in a court of competent jurisdiction regarding the patient accounts set forth in Schedule A to the Fourth Amended Complaint with respect to issues not related to whether Munson Medical Center's charges are reasonable and customary.



Hon. Philip E. Rodgers, Jr.

1/19/94