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I N T H E 5 8 T H D I S T R I C T C O U R T F O R T H E C O U N T Y O F O T T A W A

LAWRENCE TAYLOR and
MAE TAYLOR,

FILE NO: G-93-367-GC

Plaintiffs,

HON RICHARD J KLOOTE

v

AUTOMOBILE CLUB INSURANCE
ASSOCIATION,

Defendant.

LIBNER, VanLEUVEN, KORTERING, EVANS
& PORTENGA, P.C.

By: Robert J. VanLeuven (P-21760)
Attorneys for Plaintiffs
P. O. Box 450
Muskegon, MI 49443

CUNNINGHAM DALMAN, P.C.

By: Gordon Cunningham (P-12395)
Attorneys for Defendant
P. O. Box 1767
Holland, MI 49422-1767

JUDGMENT

At a session of said Court held at the
Courthouse in the City of Grand Haven, County
and State aforesaid this 25th day of
April, 1994.

PRESENT: HON. RICHARD J. KLOOTE, District Court Judge.

This case was tried before a jury on March 3 and 4, 1994. The jury returned a verdict in favor of Plaintiff Lawrence Taylor and against Defendant Automobile Club Insurance Association in the amount of \$1,000 plus 178 miles at \$.21 per mile (\$37.38) for the total sum of \$1,037.38. The jury also returned a verdict in favor

of Plaintiff Mae Taylor and against Defendant Automobile Club Insurance Association in the amount of \$925.

This action having been for personal protection insurance benefits under the Michigan No-Fault Law and the benefits having been overdue and unpaid, Plaintiffs, pursuant to the provisions of Section 3142 of the No-Fault Act (MSA 24.13142) are entitled to 12% per annum simple interest on all overdue and unpaid benefits awarded by the jury.

Defendant having unreasonably refused to pay the claims of the Plaintiffs. Plaintiffs' attorney is entitled to a reasonable attorney fee for advising and representing Plaintiffs in this action for personal protection insurance benefits which are overdue.

Plaintiffs also are entitled to recover statutory judgment interest and taxable costs.

This Court having reviewed Plaintiffs' bill of costs and the itemization of time spent by Plaintiffs' attorneys, and this Court being fully advised in the premises;

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that Judgment be and the same hereby is entered in favor of Plaintiff Lawrence Taylor and against Defendant Automobile Club Insurance Association in the amount of \$1,037.38 and in favor of Plaintiff Mae Taylor and against Defendant Automobile Club Insurance Association in the amount of \$925, together with statutory Judgment interest compounded annually until the Judgment is satisfied in full, simple interest at the rate of 12% per annum on all overdue payments until the Judgment is satisfied in full, and taxable costs

in the amount of \$ 7237.⁰⁹ and attorney fees to Plaintiff's attorney, Robert J. VanLeuven, in the amount of \$ 7163.⁵⁰/₁₀₀.

Richard J. Kloote

Hon. Richard J. Kloote
District Court Judge

*Approved as to form
st Kenneth P. Breeze
Robert J. VanLeuven*