

# Order

Michigan Supreme Court  
Lansing, Michigan

May 19, 2021

Bridget M. McCormack,  
Chief Justice

162419

WILLIE GRIFFIN,  
Plaintiff-Appellant,

v

SC: 162419  
COA: 344272  
Wayne CC: 17-006082-NF

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

TRUMBULL INSURANCE COMPANY and  
MICHIGAN ASSIGNED CLAIMS PLAN,  
Defendants-Appellees,

and

ALLSTATE INSURANCE COMPANY,  
ESURANCE PROPERTY & CASUALTY  
INSURANCE COMPANY, and JOHN DOE  
INSURANCE COMPANY,  
Defendants.

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On order of the Court, the application for leave to appeal the September 24, 2020 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief addressing: (1) whether a lower-priority insurer, who was provided timely notice under MCL 500.3145(1), can be held liable for personal protection insurance benefits under the no-fault act if the higher-priority insurer was not identified until after the one-year statutory notice period under MCL 500.3145(1) expired; if so, (2) whether the insured must prove that he or she exercised reasonable, due, or some other degree of, diligence in searching for the higher-priority insurer; and, if so, (3) whether the appellant exercised the requisite degree of diligence in searching for the higher-priority insurer. The appellant's brief shall be filed by September 27, 2021, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellees shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellees' brief. The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, 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.

May 19, 2021

Clerk