

Order

Michigan Supreme Court
Lansing, Michigan

March 23, 2022

Bridget M. McCormack,
Chief Justice

163116

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

ADORA WILMORE-MOODY, Individually and
as Next Friend of DAIMLER AAKU,
Plaintiff/Counterdefendant-Appellee,

v

SC: 163116
COA: 352411
Wayne CC: 18-002518-NI

MOHAMMED ZAKIR,
Defendant-Appellant,

and

EVEREST NATIONAL INSURANCE CO.,
Defendant/Counterplaintiff-Appellee,

and

PDB INVESTMENTS & INSURANCE CO.,
MICHIGAN ASSIGNED CLAIMS PLAN, and
MICHIGAN AUTOMOBILE INSURANCE
PLACEMENT FACILITY,
Defendants.

On order of the Court, the application for leave to appeal the May 6, 2021 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 within 42 days of the date of this order addressing whether the rescission of an insurance policy under the no-fault act, MCL 500.3101 *et seq.*, bars recovery of noneconomic damages under MCL 500.3135(2)(c) on the basis that the claimant “did not have in effect . . . the security required by [MCL 500.3101(1)] at the time the injury occurred.” In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee 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 appellee's brief. The parties should not submit mere restatements of their application papers.

Persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



a0316

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.

March 23, 2022

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk