

# Order

Michigan Supreme Court  
Lansing, Michigan

November 22, 2023

Elizabeth T. Clement,  
Chief Justice

165964

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

PARIE WALLACE,  
Plaintiff-Appellant,

and

AFFILIATED DIAGNOSTIC OF OAKLAND  
and ONE STEP REHAB, LLC,  
Intervening Plaintiffs,

v

SC: 165964  
COA: 360537  
Wayne CC: 20-006759-NF

SUBURBAN MOBILITY AUTHORITY FOR  
REGIONAL TRANSPORTATION, a/k/a  
SMART,  
Defendant-Appellee,

and

JANET SZCZOTKA,  
Defendant.

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On order of the Court, the application for leave to appeal the June 22, 2023 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 parties shall file supplemental briefs in accordance with MCR 7.312(E), addressing: (1) whether a plaintiff has standing and is a real party in interest if, before filing a cause of action, she had assigned her rights to that cause of action to her medical providers but, after filing the cause of action, the plaintiff and medical providers rescind the assignments, see MCR 2.201(B)(1); MCL 600.2041; *Wilmore-Moody v Zakir*, 511 Mich 76 (2023); and (2) the effect, if any, of the one-year-back rule of the no-fault act, MCL 500.3145(2), on the plaintiff's standing and status as a real party in interest.

We direct the Clerk to schedule the oral argument in this case for the same future session of the Court when it will hear oral argument in *C-Spine Orthopedics, PLLC v Progressive Michigan Ins Co* (Docket Nos. 165537-8).

The Coalition Protecting Auto No-Fault, the Insurance Alliance of Michigan, Michigan Defense Trial Counsel, Inc., and Michigan Association for Justice are invited to

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



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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.

November 22, 2023

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

Clerk