

Order

Michigan Supreme Court
Lansing, Michigan

May 1, 2013

Robert P. Young, Jr.,
Chief Justice

146256

Michael F. Cavanagh

Stephen J. Markman

Mary Beth Kelly

Brian K. Zahra

Bridget M. McCormack

David F. Viviano,
Justices

LEJUAN RAMBIN,
Plaintiff-Appellee,

v

SC: 146256

COA: 305422

Wayne CC: 10-009091-NF

ALLSTATE INSURANCE COMPANY,
Defendant/Cross-Defendant/
Third-Party Plaintiff-Appellant,

and

TITAN INSURANCE COMPANY,
Defendant/Cross-Plaintiff-
Appellee,

and

AAA OF MICHIGAN,
Third-Party Defendant.

On order of the Court, the application for leave to appeal the August 30, 2012 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.302(H)(1). At oral argument, the parties shall address whether the plaintiff took the motorcycle on which he was injured “unlawfully” within the meaning of MCL 500.3113(a), and specifically, whether “taken unlawfully” under MCL 500.3113(a) requires the “person . . . using [the] motor vehicle or motorcycle” to know that such use has not been authorized by the vehicle or motorcycle owner, see MCL 750.414; *People v Laur*, 128 Mich App 453 (1983), and, if so, whether the Court of Appeals erred in concluding that plaintiff lacked such knowledge as a matter of law given the circumstantial evidence presented in this case. The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.



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I, Corbin R. Davis, 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 1, 2013

Corbin R. Davis

Clerk