Order

Michigan Supreme Court
Lansing, Michigan

October 2, 2026

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

SC: 169712
COA: 372268
Calhoun CC: 2023-001178-NI

JEFFREY GRAY,
Plaintiff-Appellant,

v

ASHTAN MARIE BROWN and FARM BUREAU GENERAL INSURANCE COMPANY OF MICHIGAN,
Defendants,

and

FEDERATED MUTUAL INSURANCE COMPANY,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the February 9, 2026 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(I)(1). The parties shall file supplemental briefs in accordance with MCR 7.312(E) and shall include among the issues to be briefed: (1) what factors other than physical contact are required to determine whether an injured party is "upon" a vehicle such that an injured party is "occupying" the vehicle for purposes of receiving uninsured motorist insurance benefits, see *Rednour v Hastings Mut Ins Co*, 468 Mich 241, 244 (2003); (2) whether plaintiff was "upon" or "on" the vehicle such that he was "occupying" the vehicle, see *Westfield Ins Co v Ken's Service*, 295 Mich App 610 (2012); (3) whether *Westfield* correctly defined "upon"; (4) whether *Rednour*, 468 Mich at 249-250, correctly established the parameters of "occupying" a vehicle; and (5) if not, whether it should nonetheless be retained under principles of stare decisis, see *Robinson v Detroit*, 462 Mich 439, 464 (2000).

The Michigan Association for Justice and Michigan Defense Trial Counsel, Inc., are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case who are not exempt from the motion

requirement under MCR 7.312(H) may move the Court for permission to file briefs amicus curiae.

I, Elizabeth Kingston-Miller, 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.

October 2, 2026

Clerk