

Order

Michigan Supreme Court
Lansing, Michigan

September 23, 2026

SC: 169926
COA: 370846
Kent CC: 22-008294-NF

Megan K. Cavanagh,
Chief Justice

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

MARY FREE BED REHABILITATION
HOSPITAL,

Plaintiff-Appellee,

v

ESURANCE PROPERTY AND CASUALTY
INSURANCE COMPANY,

Defendant-Appellee,

and

UNITED SERVICES AUTOMOBILE
ASSOCIATION,

Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 2, 2026 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed whether, under the no-fault act, MCL 500.3101 *et seq.*, a motorcyclist injured in a motor vehicle accident or their treatment provider, once their expenses exhaust and exceed a coverage limit in the policy of a higher-priority insurer, may move down the priority list, MCL 500.3114(5), and claim additional benefits from a lower-priority insurer that provides unlimited coverage. The time allowed for oral argument shall be 20 minutes for each side. MCR 7.314(B)(1).

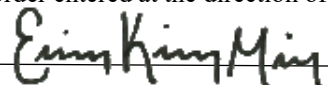
Amici who appeared at the application stage are invited to file supplemental briefs amicus curiae. CPAN, Michigan Defense Trial Counsel, Inc., and Michigan Association for Justice are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented 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.



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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.

September 23, 2026


Clerk