

# Order

Michigan Supreme Court  
Lansing, Michigan

July 2, 2015

Robert P. Young, Jr.,  
Chief Justice

150834

Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein,  
Justices

LINDITA PIRGU, Guardian and Conservator of  
the Estate of FERIDON PIRGU, a Legally  
Incapacitated Person,  
Plaintiff-Appellant,

v

SC: 150834  
COA: 314523  
Oakland CC: 2011-119378-NI

UNITED SERVICES AUTOMOBILE  
ASSOCIATION, d/b/a USAA INSURANCE  
AGENCY, INC.,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the December 16, 2014 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). The parties shall file supplemental briefs within 42 days of the date of this order addressing whether: (1) the determination of reasonable attorney fees under MCL 500.3148(1) is governed by *Smith v Khouri*, 481 Mich 519 (2008), and/or *Wood v DAIE*, 413 Mich 573 (1982), and (2) the Oakland Circuit Court abused its discretion in calculating the attorney fees due the plaintiff. The parties should not submit mere restatements of their application papers.



s0630

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.

July 2, 2015

  
Clerk