

## MSC Order List: September 17, 2010

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21. September 2010 By Matthew Nelson

The Michigan Supreme Court took substantive action in three cases. The Court ordered oral argument on the application for leave in *Amerisure Mutual Insurance Co. v. Hall Steel Co.*, No. 140784, to address whether the act of supplying a nonconforming grade of steel is an “occurrence” under the terms of Amerisure’s insurance policy. The Court of Appeals unanimously [concluded](#) that the act of supplying nonconforming steel was an “accident” which is included in the policy’s definition of “occurrence,” and therefore Amerisure was indemnify and defend Hall Steel Co. for the loss.

In *Geico Indemnity Co. v. Goldstein*, No. 140662, the Court ordered the parties to submit supplemental briefing to address the question of if Geico was obligated to provide no-fault coverage (an issue in dispute on appeal), does that satisfy the requirement of an individual having no-fault coverage to be eligible for personal-protection-insurance benefits even if the individual is an otherwise uninsured constructive owner of the vehicle. The applications for leave remain pending.

Finally, in *People v. Adams*, No. 140384, the Court granted a motion for reconsideration, reversed its earlier decision denying leave to appeal, vacated the Court of Appeals’ decision, and remanded the case to the Court of Appeals for a new appeal. The defendant requested appointed counsel in the district court while his appeal was pending in the Court of Appeals, but counsel was not appointed until after the Court of Appeals had issued its judgment. The Court concluded that the defendant had been deprived his right to appellate counsel. Justice Davis did not participate in this case because he was part of the panel in the Court of Appeals.