

Negligence Law Section

E-NEWS

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Fall 2017

Message from the Chair



Mike Sullivan
Collins Einhorn Farrell PC
[Email](#)

It is my great honor to take over as Chair of the Council of the Negligence Section from my good friend, Ven Johnson. When I look back at the list of past Chairs, I am humbled indeed to be included on such a list. I only hope I can live up to the standards set by those that went before, and live up to your expectations as our valued Section Members.

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Excess Economic Loss in Auto Liability Cases: Remembering the Fundamentals



Tom Sinas
Sinus Dramis Law Firm (Grand Rapids)
[Email](#)

It is often said that Michigan's auto no-fault law is truly unique. One of the most interesting dynamics created the No Fault Act (MCL 500.3101 et seq.) is what elements of damage can be claimed in a third-party liability claim. Nearly all practitioners remember the axiom that an injured person receives lifetime medical and other "allowable expenses" through their no-fault insurer. See MCL 500.3107(1)(a). This also means that medical expenses cannot be claimed as damages against an at-fault driver. Yet we often forget that the same rules do not apply to claims for lost income that so frequently follow a serious auto collision.

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Insurance Update



Hal Carroll
Insurance Coverage Advisor
[Email](#)

Insurance coverage starts with the policy, and the policy is a contract, so the words of the contract control. No-fault coverage is different in that the statute is the policy, but for liability coverage, it is the language that controls.

"The rules of contract interpretation apply to the interpretation of insurance contracts. The language of insurance contracts should be read as a whole and must be construed to give effect to every word, clause, and phrase."

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Facilitator Update



Robert Riley
Riley & Hurley, P.C.
[Email](#)

Facilitative mediation with the use of outside mediators has achieved near institutional status in the Michigan judiciary. It is a key event in the life of civil lawsuits and is a daily occurrence as a part of judicial proceedings. A myriad of factors impacts the success of pre-trial negotiations, including focused, candid and confidential discussions with the mediator.

 [Read More](#)

Government Affairs Update



Todd Tennis
Capital Services, INC.
[Email](#)

Natural disasters in Texas and Florida have dominated recent national news, and though deadly hurricanes Harvey and Irma have moved on, the wreckage they left behind will take months and even years to fix. While Michigan has thankfully been immune to major weather events like these, it nonetheless experiences times when the heavens open and rain falls in a near-biblical manner. It is during such storms that sewer and stormwater systems occasionally fail, resulting in water – and sometimes sewage – backing up into

basements. When that happens, residents, business owners and insurers try to pick up the pieces, often pointing blame at the sewer system itself and the municipality that operates it.

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Michigan Lawyers Weekly wants to hear about your verdicts and settlements:

Please submit recent civil cases (within the past six months) where you prevailed - whether in a jury verdict or a settlement -- so they may publish them.

Questions about Lawyers Weekly's Verdicts and Settlements policy may be directed to the editor at (800) 678-5297 or editor@mi.lawyersweekly.com.

Neg Law Summer Meeting Photos

Held on August 24, 2017 - Blackstone's Authentic Irish / American
Gastro Pub, Flint Michigan





SBM Annual Meeting Photos

Held on September 27 - 29, 2017 - Cobo Center, Detroit, MI



The Future of Jury Trials Without Trial Lawyers
Panel Members: (Pictured left to right)
Graham Ward, Chad Engelhardt, Bob Riley, Mike Sullivan, Mike Severyn



Former Chair Ven Johnson (Right) receives a plaque from current
Chair Mike Sullivan. (Left)

Negligence Law Section 2017 Lien Seminar

In conjunction with the Michigan Association for Justice & MDTC - Promoting
Excellence in Civil Litigation

Held on Thursday, October 12, 2017 at Michigan State University Management Education Center, Troy Michigan.

Special thank you to our generous sponsors, for making this seminar a success.

Med Lien Solutions, Ringler Associates, White House Settlement Consulting LLC and Structured Financial Associates.



Chad Engelhardt (left) and Robert (Bobby) Raitt (right)

2017 Lien Seminar attendees

If you were unable to attend, you may purchase an audio recording of the seminar.

[Download Form](#)

Negligence Law Section 2018 Summer Reception



Summer Reception
Thursday, August 9, 2018
Grand Traverse Resort and Spa
100 Grand Traverse Village Boulevard
Acme, Michigan 48610
5:30-7:30 pm

Join us on August 9th for Hors d'oeuvres, Beverages, and Fellowship!

 [Register Here](#)

Negligence Law Section Spring Meeting Save the Date



Spring Meeting
May 3-6, 2018
Bellagio Luxury Casino and Resort
Las Vegas, NV

 [Download Form](#)

Special Offer from the MAJ and MDTC



The Michigan Association for Justice in cooperation with The Michigan Defense Trial

Counsel offer their membership and the public this first opportunity to purchase:

Motor Vehicle No-Fault Law in Michigan (TextBook) 2011 Edition includes 2015 supplement

[Download Form](#)

Remember to renew your membership to the Negligence Section when you renew your State Bar Annual Dues!



[Jennifer Grieco](#)

Would you spend \$50 per year to protect the practice of Negligence Law in the State of Michigan?

By joining (**OR RENEWING YOUR MEMBERSHIP TO**) the State Bar of Michigan's Negligence Section, you will be doing just that. joining the Section's efforts to stop the onslaught of legislation intent on frustrating an individual's ability to bring a negligence claim.

We need your help and support!

Please act NOW by completing the attached form and sending in \$50 to join the Negligence Section and increase our strength and ability to monitor, oppose and advocate against such legislation in 2017-2018 and beyond.

Membership News Update:

The Negligence Council has approved offering free membership to the Negligence Section to newly admitted lawyers in accordance with the State Bar of Michigan's policy (SBM Bylaws Article VII, section 5) permitting newly admitted lawyers to select one (1) free membership for two (2) years in a section of their choice, in addition to their free membership in the Young Lawyers Section. This free membership will permit newly admitted lawyers to attend our membership events and to receive the informative Negligence Law Section E-News. We hope that you will encourage newly admitted lawyers in your firms and/or that you interact with to take advantage of the two years of free membership in the Negligence Section.

Thank you.
Jennifer Grieco
Membership Chair

 [Download Form](#)

New Member(s) of the Negligence Law Section

as of 10-17-17

Jared Joseph Andrzejewski
Elizabeth Busdicker
Celesta Campbell
Cory J. Chin
Jacqueline Elena Clarke
Sarah Rae Colling
Gretchen Ann Colter
Kyle R. Dufrane
Corene C. Ford
Philip R. Goutman
Stephen Fitzpatrick Hardy
Caitlin Harrington
Steven Christopher Hurbis
Brian Thomas Keck
Andrew Gerald Kraszewski
Jordan Gary Leaming
Marlon Anthony Leone
Karinne Marcolini
Sean M. McNally

Tiberius D. Neda
Janina Olivero-Jones
John Oziem
Howard J. Radner
Margaret Elizabeth Reidy
Christina Ann Rivera
Christina Sayegh
Natalie Isabella Schultz
Nicholas A. Shawver
Ameena Razia Sheikh
Shereen L. Silver
Ashley M. Voss
Michael J. Watt
Christopher M. Westgate
Kenneth P. Williams
Michael Patrick Wisniewski
Samantha Zinnes
David F. Zuppke
Jill Lynn Zyskowski

Upcoming Meetings and Events for the Negligence Law Section

October 25, 2017 -- Council Meeting
November 29, 2017 -- Council Meeting
January 31, 2018 -- Council Meeting
February 28, 2018 -- Council Meeting
March 1, 2018 -- YL Social Event, Punch Bowl Social, Detroit
March 28, 2018 -- Council Meeting
April 2, 2018 -- Nominating Committee Meeting
April 25, 2018 -- Council Meeting
May 3-6, 2018 -- Bellagio Luxury Casino and Resort Las Vegas, NV
June 14, 2018 -- Past Chair Dinner - Detroit Golf Club, Detroit
August 2018 -- Summer Meeting, August 9, 2018, Grand Travers Resort, Travers City
September 26-28, 2018 -- SBM Annual Meeting - DeVos Place, Grand Rapids
September 24-26, 2019 -- SBM Annual Meeting - (Tuesday & Thursday) Suburban Collection Showplace, Novi

State Bar of Michigan Negligence Council



Michael J. Sullivan
Chairperson
Collins Einhorn Farrell PC
[Email](#)



Robert Raitt
Vice Chair
Michigan Auto Law
[Email](#)



Jennifer Greico
Secretary
Neuman Anderson Grieco
[Email](#)



Thomas R. Behm
Treasurer
Gruel Mills Nims & Pylman PLLC
[Email](#)



James R. Bradley
Council Member
Secrest Wardle
[Email](#)



Megan K. Cavanagh
Council Member
Garan Lucow Miller PC
[Email](#)



Timothy A. Diemer
Council Member
Jacobs and Diemer PC
[Email](#)



Chad D. Engelhardt
Council Member
Goethel Engelhardt PLLC
[Email](#)



Mark R. Granzotto
Council Member
Mark Granzotto PC
[Email](#)



Phillip C. Korovesis
Council Member
Butzel Long PC
[Email](#)



Donna M. MacKenzie
Council Member
Olsmann MacKenzie & Wallace
[Email](#)



Wolfgang Mueller
Council Member
Mueller Law Firm
[Email](#)



Robert F. Riley
Council Member
Riley & Hurley PC
[Email](#)



Todd J. Stearn
Council Member
Law Offices of Todd J Stearn PLC
[Email](#)



Ven R. Johnson
Ex Officio
Johnson Law PLC
[Email](#)



Robert J. Buchanan
Commissioner Liaison
Buchanan & Buchanan PLC
[Email](#)



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Madelyne C. Lawry
Executive Director
Negligence Law Section
[Email](#)

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