

Name of Case: Tracy Bryant and Michigan Pain Management, LLC and Computerized Joint Surgery, LLC v Karl Gregory and State Farm Mut Auto Ins Co. and North Shore Injury Center, Inc. v State Farm Mut A

Case Number/Court: 14-011164-NI and 14-004991-NF

Judge: Leslie Kim Smith

Type of Action: No Fault and Third Party Liability

Demand: \$100,000 Tracy Bryant, \$26,000 North Shore, \$3,000 Computerized Joint Surgery, \$13,001.25 Michigan Pain Management

Issue: Whether Plaintiff, Tracy Bryant, was the constructive owner of the uninsured motor vehicle that she was driving at the time of trial.

Summary of Trial:

The parties agreed to bifurcate the trial and try the constructive ownership issue only. A prior Motion for Summary Disposition was filed and denied. The trial lasted one day. There were two witnesses called by Plaintiff, herself and her daughter. State Farm called the titled owner of the vehicle and the Third Party Defendant to establish Plaintiff's possession and usage of the vehicle. The jury was out 10 minutes and unanimously found that Plaintiff was the constructive owner of the vehicle.

Verdict: No cause of action as Plaintiff was the constructive owner of the uninsured motor vehicle.

Credit: Danielle Haberstroh

Published or Unpublished Decision: Not applicable.

STATE OF MICHIGAN
IN THE WAYNE COUNTY CIRCUIT COURT

TRACY BRYANT,

Plaintiff,

Case No. 14-011164-NI

v

Hon. Leslie Kim Smith

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

14-011164-NI
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2/16/2016 4:06:25 PM
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VERDICT FORM


We, the jury, make the following answers to the questions submitted by the Court:

QUESTION NO. 1: Did the Plaintiff have constructive ownership of the 1995 Ford Bronco on the date of the accident, October 23, 2013?

Yes

No

Signed,



Foreperson.

Date: 2/16/16

STATE OF MICHIGAN
IN THE WAYNE COUNTY CIRCUIT COURT

TRACY BRYANT,

Plaintiff,

and

MICHIGAN PAIN MANAGEMENT LLC,

Intervening Plaintiff,

and

COMPUTERIZED JOINT SURGERY, LLC,

Intervening Plaintiff,

v

KARL GREGORY and
STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendants.

_____/

NORTH SHORE INJURY CENTER, INC.,
(Tracy Bryant)

Plaintiff,

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

Case No. 14-011164-NI

Hon. Leslie Kim Smith

14-004991-NF

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/s/ Kimberley DeLoach

Consolidated with

Case No. 14-004991-NF

Hon. Leslie Kim Smith

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**JUDGMENT AS TO PLAINTIFF TRACY BRYANT'S CLAIM AGAINST
DEFENDANT STATE FARM ONLY**

At a session in said Court, held in the
Courthouse in the City of Detroit, County of
Wayne, State of Michigan on
3/3/2016

PRESENT: Honorable Leslie Kim Smith
CIRCUIT COURT JUDGE

Plaintiff Tracy Bryant's claim for PIP benefits having come before the Court for a trial by jury on February 16, 2016; the issue of constructive ownership having been tried and the jury having rendered its verdict;

IT IS ORDERED AND ADJUDGED that judgment is entered in favor of Defendant State Farm as to Plaintiff Tracy Bryant's PIP claim and Plaintiff Tracy Bryant's claim against Defendant State Farm is **DISMISSED**;

IT IS FURTHER ORDERED that this is not a final order and it does NOT resolve all pending issues before the Court;

IT IS SO ORDERED.

/s/ Leslie Kim Smith

CIRCUIT COURT JUDGE