

STATE OF MICHIGAN
COURT OF APPEALS

FARM BUREAU INSURANCE COMPANY,

UNPUBLISHED

Plaintiff-Appellant,

v

No. 190297

Genesee Circuit Court

LC No. 93-020087-CZ

MORGAN L. SCAFE, JUDITH A. SCAFE, LYNN
L. SCAFE, and CLAIRE MINARIK,

Defendant-Appellees.

Before: Neff, P.J., and Wahls and Taylor, JJ.

NEFF, P.J. (concurring).

The majority relies on *Michigan Basic Property Ins Ass'n v Wasarovich*, 214 Mich App 319; 542 NW2d 367 (1995), which I agree is controlling. However, I believe *Wasarovich* was wrongly decided and adopt as my own the reasoning of Judge Root's dissent in that case. *Id.* at 329-335. Administrative Order 1996-4 compels me to follow *Wasarovich*; otherwise I would dissent and urge affirmance of the trial court's decision.

/s/ Janet T. Neff