

STATE OF MICHIGAN
COURT OF APPEALS

WILLIAM MINCH,

Plaintiff-Appellant,

v

AUTO OWNERS INSURANCE COMPANY,

Defendant-Appellee.

UNPUBLISHED

April 26, 2007

No. 273711

Barry Circuit Court

LC No. 06-000284-CK

Before: Cavanagh, P.J., and Jansen and Borrello, JJ.

BORRELLO, J. (*dissenting*).

I respectfully dissent. I would hold this matter in abeyance pending the outcome of our Supreme Court's decision in *Drake v Citizens Co*, 279 Mich App 22; 715 NW2d 387 (2006), lv gtd 477 Mich 1018 (2007).

/s/ Stephen L. Borrello