

STATE OF MICHIGAN
COURT OF APPEALS

JENNIFER ALBRECHT,

Plaintiff-Appellant,

v

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant-Appellee.

UNPUBLISHED

June 22, 2010

No. 289042

Kent Circuit Court

LC No. 08-000076-NI

Before: OWENS, P.J., and SAWYER and O'CONNELL, JJ.

O'CONNELL, (*dissenting*).

I respectfully dissent.

Plaintiff was loading pigs into a trailer that was connected to a 2005 Dodge pickup truck. The loading ramp fell on plaintiff, breaking both her back and her arm. Plaintiff is insured by defendant. Plaintiff, through her husband, contacted defendant and reported the accident. Defendant, through its agent, sent plaintiff a claim form. Plaintiff filled out the claim form and returned it, as she was instructed. Defendant now, in essence, claims that it did not receive notice of this incident. I respectfully disagree. Plaintiff complied with her agent's instructions, the terms of her insurance policy and, most of all, common sense.

I would reverse the decision of the trial court.

/s/ Peter D. O'Connell