

STATE OF MICHIGAN  
COURT OF APPEALS

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YVONNE WILLIAMS,

Plaintiff-Appellee,

V

SUBURBAN MOBILITY AUTHORITY FOR  
REGIONAL TRANSPORTATION,

Defendant-Appellant,

and

JOHN DOE,

Defendant.

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UNPUBLISHED  
December 9, 2010

No. 293061  
Wayne Circuit Court  
LC No. 09-001387-NI

Before: WILDER, P.J., and CAVANAGH and M. J. KELLY, JJ.

WILDER, P.J., (*concurring*)

I concur in the result reached by the majority in this case. By telephone, plaintiff contacted The ASU Group, the third party administrator designated by defendant SMART, to report her injury. The ASU Group, in turn, sent plaintiff a letter dated November 19, 2008, the text of which makes clear that The ASU Group considered plaintiff's communication to be notice of a claim. The letter to plaintiff references an application for PIP benefits, an attending physician and services explanation form, as well as an affidavit of no-insurance, and instructs the plaintiff to make sure that each of the documents was notarized.

In response to this letter, plaintiff sent The ASU Group a hand-written letter that, in addition to providing notice of the occurrence which led to the injury and a description of the injury, also asserts that plaintiff was continuing to treat with a physician and receiving physical therapy as a result of the injury. I would conclude, therefore, under all of the circumstances in this particular record, that although minimally and modestly stated, plaintiff's November 19, 2008 letter meets the requirements of MCL 124.419.

/s/ Kurtis T. Wilder