

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEMETRIUS GLOVER,

Plaintiff,

Case No. 4:19-cv-11427

Hon. Matthew F. Leitman

vs.

ALLSTATE VEHICLE AND
PROPERTY INSURANCE COMPANY,

Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY JUDGMENT (ECF No. 34)**

For the reasons stated on the record on March 26, 2024, Plaintiff's Motion for Partial Summary Judgment (ECF No. 34) is **GRANTED IN PART AND DENIED IN PART** as follows:

- The motion is **GRANTED** to the extent it seeks summary judgment on the following affirmative defenses by Allstate:
 - Allstate's Fourth Defense of Concealment of Fraud. (*See* Affirmative Defenses, ECF No. 3, PageID.23.)
 - Allstate's Fifth Defense of Increase in Hazard and Criminal Activity. *See* Affirmative Defenses, ECF No. 3, PageID.24.)
 - Allstate shall be precluded from presenting those defenses at trial.

- The motion is **DENIED** with respect to Allstate's Second Defense of Non-Fortuitous Loss, also known as arson. (*See* Affirmative Defenses, ECF No. 19, PageID.21.) Allstate may present that defense to the jury.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: March 27, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 27, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126