

STATE OF MICHIGAN
COURT OF APPEALS

AUTO OWNERS INSURANCE COMPANY,

Plaintiff-Appellant,

v

ALLSTATE INSURANCE COMPANY,

Defendant-Appellee.

UNPUBLISHED

January 9, 1998

No. 199394

Ingham Circuit Court

LC No. 96-083482 CZ

Before: Gage, P.J., and Murphy and Reilly, JJ.

MEMORANDUM.

Plaintiff appeals by right summary disposition in favor of defendant in this dispute between no fault insurers over apportionment of personal injury protection benefits. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Plaintiff and defendant both insured the vehicles owned and driven by members of the Sullivan family. The insureds' son, Ryan, sustained personal injuries while driving one of these insured vehicles. Plaintiff argues that because it issued only one such policy and defendant issued two such policies, it should bear only one-third of the loss rather than one-half. This argument is without merit in light of *Citizens Ins Co v Clouse*, 176 Mich App 138, 143-144; 439 NW2d 304 (1989), which plaintiff neither cites nor attempts to distinguish.

Affirmed.

/s/ Hilda R. Gage

/s/ William B. Murphy

/s/ Maureen Pulte Reilly