

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

HEALTH TEAM SERVICES, II,

Plaintiff,

v

Case No. 16-153547-CB
Hon. James M. Alexander

HANOVER INSURANCE COMPANY,

Defendant.

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CORRECTED OPINION AND ORDER REMOVING CASE FROM BUSINESS COURT

On June 17, 2016, Plaintiff filed its Complaint in which it seeks reimbursement for services provided to Alice Moore pursuant to the No-Fault Act MCL 500.3101, et seq. The Honorable Nanci J. Grant subsequently entered an Order of Assignment to the Business Court on June 21, 2016. The Order of Assignment provides that all of the parties are business enterprises pursuant to MCL 600.8031(1)(c)(i) and that the business or commercial dispute involves contractual agreements or other business dealings.

This Court has an obligation to question sua sponte its jurisdiction over the subject matter of an action. *Yee v Shiawassee Co Bd of Comm'rs*, 251 Mich App 379, 399; 651 NW2d 756 (2002). Subject matter jurisdiction is determined by the allegations in the pleadings. *Trost v Buckstop Lure Co, Inc*, 249 Mich App 580, 587-588; 644 NW2d 54 (2002).

Business court jurisdiction is limited to actions involving a “business or commercial dispute.” MCL 600.8035(3). Although this matter appears to fall within the definition of a business or commercial dispute under MCL 600.8031(1)(c)(i), the statute excludes certain types

of disputes from business court jurisdiction. Pertinent to this case, motor vehicle insurance coverage disputes are excluded from business court jurisdiction pursuant to MCL 600.8031(3)(1).

Accordingly, this matter is excluded from business court jurisdiction and the Court orders the case reassigned to the general civil docket of the Honorable Nanci J. Grant.

This case will be recoded NF unless counsel files a stipulated order to change it otherwise.

IT IS SO ORDERED.

July 11, 2016
Date

/s/ James M. Alexander
Hon. James M. Alexander, Circuit Court Judge