

STATE OF MICHIGAN
MICHIGAN SUPREME COURT

TAMIKA HARRELL

Plaintiff-Appellee,

SUPREME COURT NO.: 151134

vs.

COURT OF APPEALS NO: 318744

LOWER COURT NO.: 12-003939-NF

TITAN INSURANCE COMPANY,

Defendant/Appellant.

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**PLAINTIFF-APPELLEE'S SUPPLEMENTAL BRIEF IN SUPPORT OF ANSWER
TO DEFENDANT-APPELLANT'S APPLICATION FOR LEAVE TO APPEAL**

The record before this Honorable Court including the Trial Court's findings of fact and conclusions of law previously submitted hereto as well as the relevant case law applied to the findings of fact support the conclusion that Plaintiff-Appellee was not the, "owner" and/or "constructive owner" of the motor vehicle at the time of the alleged occurrence.

Recognizing that this Honorable Court through its Order dated September 23, 2015 has requested that the parties submit Supplemental Briefs without submitting their restatements of their application documents, Plaintiff-Appellee relies upon documents previously submitted to this Honorable Court which are incorporated by reference herein.

To the best of Plaintiff-Appellee's knowledge, there has not been any new case law published on the issue of, "constructive ownership" that would contradict the findings of the Trial Court as well as the ruling of the Court of Appeals which thoroughly reviewed the Trial Court record and ruled that the findings were supported by the evidence within the record. Plaintiff-

Appellee argues that the record supports previous findings by the Trial Court as well as the Court of Appeals and should be affirmed by this Honorable Court.

Respectfully Submitted,

BERNSTEIN & BERNSTEIN

/s/ Mark M. Grayell

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Dated: November 3, 2015

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the attorneys of record of all parties to the above cause of action by e-filing the same to respective counsel by way of True Filing on November 3, 2015.

/s/ Kelly L. Calcaterra

Kelly L. Calcaterra