



# MICHIGANAUTOLAW

*Gursten, Koltonow, Gursten, Christensen & Raitt, PC*

July 8, 2010

Michael J. Schaefer  
Hom Killeen Siefer  
75 North Main St., Suite 300  
Mt. Clemens, MI 48043

Re: Marc Andren v Auto Club Insurance Association  
Case No.: GC 10 0513  
Our File No. 212217

Dear Mr. Schaefer

I received your letter of July 7, 2010 and I respectfully disagree with your assessment that AAA may conduct an Insurance Medical Examination in the current case. I suggest you cancel this appointment to avoid any fees.

I specifically note that Brenda Davis terminated all insurance benefits for my client on November 6, 2008 based upon the medical report authored by another AAA insurance medical examiner, Dr. Pepler. Apparently, Dr. Pepler opined that my client needs no further medical treatment. As AAA has breached their contract with my client, my client is no longer required to continue performing under the terms of the AAA. Furthermore, pursuant to MCR 2.311, AAA needs good cause to request this order from the court and that good cause is missing from this case. AAA is bound by its decision on November 6, 2008. Any further medical examine is simply duplicative, unduly burdensome and meant to bolster the opinions of prior IME opinions (which is obviously impermissible under the MRE).

Please call me with any questions.

Very truly yours,

Thomas W. James

cc: Marc Andren

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