



Court of Appeals: Serious Impairment Not Established

General Litigation Practice Group

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PRACTICE AREAS

No-Fault Litigation

In this third-party no-fault case, *Baalbaki v Seelow*, Michigan Court of Appeals unpublished per curiam, Docket No. 275629 (February 5, 2008), the plaintiff claimed he suffered a back injury as a result of a motor vehicle accident and presented evidence that he had to subcontract his work at his granite fabricating and installing business. The Court of Appeals held that even assuming Plaintiff suffered a back injury because of the accident, he did not demonstrate that the injury affected his general ability to lead his normal life: He offered no evidence that he was unable to work at all, that he missed any work, or that his business failed because of the accident.

Although this is an unpublished decision, it joins a growing body of case law discussing concrete factors that a court should consider in determining whether an accident affected a plaintiff's general ability to lead his life.