



## Courtney A. Lavender

ASSOCIATE

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### Practice Areas

Appellate Law

### Clerkships

Judge Brady & Judge Parker, 47th District Court, Farmington Hills, MI, Judicial Clerk

### Education

- Wayne State University Law School, *Cum Laude*, J.D., 2021
- University of Michigan, B.A., 2017

### Admissions

Michigan, 2021

A member of Plunkett Cooney's Appellate Law Practice Group, Courtney A. Lavender focuses her practice primarily in the area of appellate law with expertise in first- and third-party motor vehicle negligence, commercial litigation, governmental law and insurance coverage disputes.

In addition to her appellate practice, Ms. Lavender has experience defending No-Fault and third-party claims, Michigan Assigned Claims Plan (MACP) servicing insurer disputes, and MACP servicing insurer subrogation claims, as well as premises liability, pet liability and defamation matters.

Ms. Lavender received her law degree, *cum laude*, from Wayne State University Law School in 2021. While in law school, she served as an extern at the Wayne State Office of General Counsel and served as a law clerk for both Judge James Brady and Judge Marla Parker at the 47th District Court in Farmington Hills, Michigan. She also worked as a research attorney at the Michigan Court of Appeals following law school. Ms. Lavender is a 2017 University of Michigan graduate.

### Representative Client Work

- *Craig Ingram v Esurance Property and Casualty Insurance Company* – successfully briefed the case which led to the Michigan Court of Appeals overturning the trial court's decision in favor of the insurance company. The appeal involved issues of contract formation in the context of settlement negotiations where plaintiff's attorney attempted to "accept" a previous offer that had been rejected via a counteroffer, as well as terminated due to lapse of time between the offer and acceptance and no revival any point

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in time prior to the purported acceptance.

- *Centria Home Health Rehabilitation v Allstate* – assisted in the briefing of this published Michigan Court of Appeals ruling in a PIP case where a provider filed claims for money over and above that already paid by the insurance company. The appellate court affirmed the trial court's grant of summary disposition in favor of the defendant, finding the plaintiff failed to show charges were incurred over and above those already paid.
- *Central Home Health Care Services, Inc. v Esurance Property and Casualty Insurance Company* – briefed this case regarding the issue of which section of the fee schedule statute applied to home health services. The issue on appeal was whether reimbursement for the services allegedly rendered by the plaintiff was subject to limitations in MCL 500.3157(2)(a) (a reimbursement cap of 200% of what Medicare would have paid for the services), or MCL 500.3157(7)(a)(i) and subject to statutory interpretation.
- *Noudiamintya Molsby v Liberty Mutual Insurance Company, et al.* – Successfully argued a motion for summary disposition in a motor vehicle negligence case in favor of the clients, who were the individual insureds. The case was dismissed due to lack of threshold injuries.
- *Lamont Sumerlin v Farm Bureau, et al.* – Obtained summary disposition in favor of the Michigan Assigned Claims Plan assigned insurer in a No-Fault PIP benefits coverage dispute, dismissing the claim due to issues with the order of priority

### Professional Affiliations

- Oakland County Bar Association
- State Bar of Michigan

### Honors & Recognitions

- Wayne State University Law School Moot Court, National team member, Senior Coach, Semifinalist - Winter 2020 In-House Competition
- Womens' Law Caucus, member
- Health Law Society, founding member