

Bond Case Briefs

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Wright v. Genesee County

Supreme Court of Michigan - July 18, 2019 - N.W.2d - 2019 WL 3242418

County drain commissioner brought action against county for breach of contract, fraud, and conversion, alleging that county had failed to share group health insurance premium refunds with drain commissioner employees.

The Genesee Circuit Court partially granted and partially denied county's motion for summary disposition. Parties appealed. The Court of Appeals affirmed in part, reversed in part, and remanded. On remand, the Circuit Court allowed addition of claim for unjust enrichment and denied county's motion for partial summary disposition as to that claim. County appealed. The Court of Appeals affirmed. County sought leave to appeal.

The Supreme Court held that government tort liability act (GTLA) did not bar commissioner's unjust-enrichment claim.

Government tort liability act (GTLA) did not bar county drain commissioner's unjust-enrichment claim against county based on county's placement of excess health insurance premiums into county's general fund; claim was to correct for unfairness flowing from county's retention of premiums rather than for injury flowing from a civil wrong.