



Briana L. Combs

ASSOCIATE

38505 Woodward Ave., Suite 100

Bloomfield Hills, MI 48304

T: (248) 433-7092 | F: (248) 901-4040

bcombs@plunkettcooney.com

Practice Areas

Appellate Law

Medical Litigation

Education

- Wayne State University Law School, J.D., 2021
- Bowling Green State University, M.B.A., 2017
 - College Sports Information Directors of America Academic All-District Team 2017
 - Easton/NFCA All-America Scholar Athlete, 2016 and 2017
 - Academic All-MAC Softball Team and MAC Distinguished Scholar Athlete, 2016 and 2017
- Bowling Green State University, *summa cum laude*, B.S., 2016
 - National College Athlete Honor Society, Chi Alpha Sigma, 2015
 - 2012 Michigan Miss Softball and Gatorade Player of the Year, and Second-Team All-

A member of Plunkett Cooney's Appellate Law and Medical Litigation practice groups, Briana L. Combs focuses her practice primarily in the area of appellate law with expertise in the areas of commercial litigation, government law, employment litigation, first- and third-party motor vehicle negligence and medical malpractice. She also has experience resolving insurance coverage disputes.

Ms. Combs is a graduate of Wayne State University Law School, where she served as a senior assistant editor for Wayne Law Review. Ms. Combs was also a member of the Business and Community Law Clinic and worked as a student attorney.

Ms. Combs received her undergraduate degree, *summa cum laude*, and her Master of Business Administration from Bowling Green State University. While there, Ms. Combs captained the school's varsity softball team, was honored as Academic All-MAC for softball in 2016 and 2017, and she inducted into the National College Athlete Honor Society.

Licensed to practice law in Michigan, Ms. Combs is an active member of the Young Lawyers Section of the State Bar of Michigan.

Representative Client Work

- Assisted with two successful applications for leave to appeal to the Michigan Court of Appeals in *Abdulla v Auto Club*, which involved a tractor-trailer accident, resulting in alleged severe injuries and raising the issue of whether the plaintiff maintained proper security on the tractor at the time of the accident.

BRIANA L. COMBS Cont.

American

Admissions

Michigan, 2021

- Drafted successful motion for summary disposition in *Coleman v Magni* on the basis that the plaintiff's claims were barred by a shortened contractual limitations period to which he agreed.
- Successfully upheld the district court's ruling in Liberty Mutual's favor on appeal as appellee in *Pioneer Labs v Liberty Mutual*. On appeal, the circuit court affirmed the argument that the plaintiff sued the wrong No-Fault insurer, that the misnomer doctrine was inapplicable, that an amendment would be futile because the plaintiff's claims were eviscerated by the one-year-back rule, and that there was no coverage available for the plaintiff's claims.
- In *Frankenmuth v MAIPF*, successfully argued that the plaintiff was not domiciled with the Frankenmuth named insured on the date of the motor vehicle accident. The Michigan Court of Appeals affirmed the decision of the trial court, granting summary disposition in Frankenmuth's favor.
- Assisted with appellate briefing in the Michigan Court of Appeals which successfully obtained a reversal and remand for an order granting a motion for summary disposition in *Archer v Bunce*. The case dealt with an incident during a lacrosse game where the plaintiff was struck in the side of the face with a lacrosse ball, which the court found did not amount to reckless conduct.
- Assisted with appellate briefing resulting in the Michigan Supreme Court's reversal of the lower court's judgment in *Briggs v Knapp*. In lieu of granting leave to appeal, the Supreme Court remanded the motor vehicle death case to the trial court for entry of summary disposition in the client's favor. The Supreme Court agreed that the client had no duty to guard against or anticipate an unknown hazard and that the plaintiff failed to establish causation.
- Obtained a grant of relief from the Michigan Court of Appeals that vacated the orders granting summary disposition to another defendant in *Basmadjian v Auto Club*. The Michigan Court of Appeals remanded the personal injury protection benefits coverage case to the trial court for further proceedings.
- Successfully obtained dismissal in the client's favor, via a motion to dismiss, in *Eborka v Welch*. Argument included that the plaintiff's claims were barred by governmental immunity and that the plaintiff was not entitled to judicial intervention.

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- Secured from the Michigan Court of Appeals a reversal of the denial of summary disposition in *Reed v City of Detroit*. The appellate court ruled in favor of the client, stating the plaintiff was collaterally estopped from bringing her Elliott-Larsen Civil Rights Act claim by a separate opinion and judgment in a federal action.
- Obtained grant of summary disposition in *Lotarski v Meemic*, dismissing the complaint in its entirety. The motion in this water loss case argued that the promissory estoppel claim failed as a matter of law, that there was no coverage because plaintiffs could not establish it was a sudden and accidental loss, that the plaintiffs violated the policy's condition against concealment or fraud, and that the plaintiffs failed to comply with the policy's loss requirements.
- Successfully persuaded the Michigan Court of Appeals and the Michigan Supreme Court that the plaintiff's no-fault insurance policy did not provide for the benefits sought
- Successfully briefed before the Michigan Court of Appeals that plaintiff lacked standing to pursue payment of no-fault benefits, due to assignments of rights and invalid revocations of such assignments
- Successfully obtained grant of summary disposition based on *McCormick v Carrier*, 487 Mich 180 (2010) and plaintiff's lack of threshold injuries
- Assisted with briefing a complex admiralty law case in the U.S. District Court for the Western District of Michigan
- Authored several insurance coverage opinion letters for first and third-party property law matters

Professional Affiliations

- DRI (Appellate Advocacy, Women in the Law and Young Lawyers committees)
- State Bar of Michigan (Appellate Practice Section, Good Deeds Committee)

Publications

- "Artificial Intelligence: A path to shorter workdays or the demise of human viewpoint?," Author, American Bar Association's Appellate Issues e-publication, 2024 Winter Edition
- "*Michigan's No-Fault Reform: A Nightmare for Victims and Their Providers*," Author, Wayne Law Review's Survey Issue, Issue 66.3, Spring 2021
- Authored newsletter on recent *Andary v USAA* Michigan Court of Appeals decision, holding that the fee schedule and attendant care hourly limit provisions of the No-Fault amendments do not apply retroactively