

Novara Law Obtains Another Victory in Michigan Court of Appeals

04.11.2023

Novara Law has obtained another victory in the Michigan Court of Appeals, led by partner Scott L. Feuer. In this case, the plaintiff treated with Novara Law's client, a psychologist. The plaintiff later lost custody of his child and blamed his psychologist for misdiagnosing him as having Borderline Personality Disorder and reporting that and other falsehoods. The plaintiff alleged that the psychologist committed the tort of Intentional Infliction of Emotional Distress by her alleged outrageous conduct.

Novara Law filed an immediate motion for summary disposition - without conducting discovery - with the Trial Court, which granted the motion and dismissed the case. In an unanimous opinion, the Court of Appeals affirmed the dismissal, finding that the alleged conduct was neither outrageous or extreme and fell "far short of the standard required to support an Intentional Infliction of Emotional Distress claim."

"The Court's dismissal of the case without even allowing the plaintiff to conduct discovery is significant," said Feuer. "Often the Courts will find that such a motion is premature if it is brought prior to the close of discovery. This forces the professional liability carrier to incur substantial defense costs for discovery, even if the case is ultimately dismissed. We're pleased to give our client not only an excellent result, but a cost-effective defense."

PROFESSIONALS

Scott L. Feuer

PRACTICE AREAS

Appeals

Litigation