



HARVEY KRUSE, P.C.

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Summary

Mr. Rajsic joined Harvey Kruse in 2020 as an associate attorney in the Grand Rapids office. He focuses his practice on first and third-party automobile liability, premises liability, workers' compensation defense, general negligence, and appellate practice.

Before joining Harvey Kruse, Mr. Rajsic devoted his practice to defending Michigan school districts and their employees from a wide range of claims, including Title IX, Title VII, Michigan's Elliot Larsen Civil Rights Act, First Amendment, Section 1983, third-party automobile negligence, disability discrimination, and business tort claims. Naturally, many of these cases were substantially intertwined with governmental and qualified immunity defenses.

Mr. Rajsic obtained his J.D. from Thomas M. Cooley Law School in Grand Rapids. While in law school, he was a Managing Associate Editor of the law review and was actively involved in moot court, participating in the Pace Law School National Environmental Moot Court Competition in New York. In his final term on law review, Mr. Rajsic was presented with the Eugene Krasicky Award for significant contributions to the law review. He also served as the treasurer of the Student Bar Association.

In his free time, you will likely find Mr. Rajsic on the golf course. When he is not golfing, he and his wife enjoy taking in all of the sights offered by our great state.

Education:

Purdue University
B.A., 2011

Thomas M. Cooley Law School
J.D., *magna cum laude*, 2014

Bar Admissions:

State of Michigan (2014)

United States District Court for the Western District of Michigan
(2015)

United State District Court for the Eastern District of Michigan
(2016)

United States Court of Appeals for the Sixth Circuit (2019)

Employment:

Associate Attorney, Harvey Kruse, P.C. (2020 – present)

Associate Attorney, Kluczynski, Girtz & Vogelzang, (2016-2020)

Of Counsel, Bruce Alan Block, P.C., (2014-2016)

Experience:

Extern, Judge Janet T. Neff, United States District Court for the Western District of Michigan (2013)

Extern, Magistrate Judge Ellen S. Carmody, United States District Court for the Western District of Michigan (2013)

Areas of Practice:

Insurance Defense

Third-Party Automobile Liability

First-Party No-Fault Automobile Liability

Premises Liability

Workers' Compensation Defense

Employment Law Defense

General Liability

Trial Practice

Appellate Practice

Honors & Awards:

Best Lawyers: Ones to Watch, 2021 & 2022

National Moot Court Team Member, Pace Law School National Environmental Moot Court Competition (2014)

Managing Associate Editor, Thomas M. Cooley Law School Law Review

Eugene Krasicky Award for Significant Contributions to the Thomas M. Cooley Law School Law Review

Representative Matters:

Harmon v Ewing, Michigan Court of Appeals (2021) – Mr. Rajsic obtained an opinion from the Michigan Court of Appeals affirming the trial court’s decision granting summary disposition on whether the plaintiff suffered a threshold injury in a multi-vehicle chain reaction accident. The Court of Appeals agreed with the trial court that plaintiff failed to present sufficient evidence that she suffered an objectively manifested impairment where plaintiff relied on subjective complaints of pain instead of presenting objective evidence of an impairment.

Zeliasko v TJ Trucking, Inc., et al., Kent County Circuit Court (2021) – Mr. Rajsic obtained summary disposition in third-party auto negligence action where insured driver side swiped plaintiff’s vehicle in a 44-vehicle pileup. Plaintiff alleged substantial ongoing complaints of pain and tenderness following the accident, but her medical records were devoid of any objective evidence of any impairments despite her complaints. The Court granted summary disposition on threshold because plaintiff did not establish an objectively manifested impairment (her subjective complaints were not sufficient) and that there was no evidence that her general ability to lead her normal life was affected by her claimed impairments.

Devine v Michigan Pizza Hut, Inc./Amerisure, et al v Home-Owners, Allegan County Circuit Court (2021) – Mr. Rajsic obtained summary disposition in a declaratory action seeking indemnification and defense under Home-Owners’ policy of insurance. This matter began as a third-party auto negligence case where the insured’s (Michigan Pizza Hut) driver pulled out in front of a motorcycle causing a collision. Home-Owners refused the tender (and refused to defend its own insured) asserting coverage was excluded under a “public or livery conveyance” exclusion. A declaratory action was filed seeking indemnification and a defense for Home-Owners’ insured and additional insured status for Michigan Pizza Hut. The Court granted summary disposition because the “public or livery conveyance” exclusion did not apply.

Michigan Department of Transportation v National General Insurance Company, Ingham County District Court (2020) – Mr. Rajsic obtained summary disposition on a pre-answer motion arguing plaintiff failed to state a claim. Plaintiff sought property loss benefits under the no-fault act but named the wrong insurance company. By the time service was obtained, the statute of limitations had expired. Mr. Rajsic successfully argued that National General

did not underwrite the policy in question and that, because of the expiration of the statute of limitations, plaintiff should be precluded from amending its complaint to add the proper carrier.

Jewett v. Mesick Consolidated School District, ____ Mich. App. ____ (2020) – Mr. Rajsic obtained a published opinion affirming the trial court’s grant of summary disposition in favor of defendant on this claim of disability discrimination. The court of appeals recognized that the employer had legitimate, non-discriminatory reasons to discipline plaintiff and there was no evidence that the employer’s actions were pretext for disability-based discrimination.

Sebald v. Belding Area Schools, Ionia County Circuit Court (2020) – Mr. Rajsic obtained summary disposition in favor of defendant regarding plaintiff’s claim that the school district failed to properly evaluate him under the Revised School Code resulting in an improper layoff. The trial court concluded that plaintiff was properly evaluated and that, even if he was not, he was not entitled to a recall.

West Michigan Band Instruments, LLC v Coopersville Public Schools, 761 Fed.Appx. 497 (6th Cir. 2019) – Mr. Rajsic assisted in obtaining an opinion from the Sixth Circuit affirming the trial court’s grant of summary disposition on a pre-answer motion asserting plaintiff failed to state First Amendment claim. The Sixth Circuit held that WMBI could not establish that it had a “viewpoint” against which the school district could discriminate. Additionally, the Sixth Circuit concluded that given the nature of the venue as a limited public forum, the school district’s decision to limit participants was reasonable in light of the purpose of the forum.

Carman v Carson City-Crystal Area Schools, Montcalm County Circuit Court (2017) – Mr. Rajsic obtained summary disposition in favor of defendant on plaintiff’s claim under the Whistleblower Protection Act. The trial court concluded that plaintiff had not reported a violation of law, which precluded her whistleblower claim as a matter of law.