

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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DEBORAH BLASZAK,

UNPUBLISHED

Plaintiff–Appellee,

v

No. 179962

LC No. 93-323898 DM

THOMAS LEO BLASZAK,

Defendant–Appellant.

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Before: Gribbs, P.J., and Young and W. J. Caprathe,\* JJ.

W. J. Caprathe, J, Concurring.

I concur that this case should be reversed and remanded. It appears to me that the trial judge penalized the defendant three times for his unreasonable conduct. Plaintiff was awarded a 60/40 split instead of 50/50, the entire \$68,000 (without stating if it was marital property), and an \$8,000 attorney fee. I believe this was excessive and on remand, the trial judge should reconsider and assess a more appropriate sanction in pursuit of an equitable distribution of the property. *Sands v Sands*, 442 Mich 30; 497 NW2d 493 (1993).

/s/ William J. Caprathe

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\* Circuit judge, sitting on the Court of Appeals by assignment.