

STATE OF MICHIGAN
COURT OF APPEALS

DEW INVESTMENTS and ROBERT J. STEPHAN,

UNPUBLISHED
May 23, 1997

Plaintiff-Appellants,

v

No. 192188
Kent Circuit Court
LC No. 95-2726-CK

FIRST SECURITY FINANCIAL f/k/a EBBCO
INTERNATIONAL INSURANCE,

Defendant-Appellee.

Before: Taylor, P.J., and Hood and Gribbs, JJ.

TAYLOR, P.J. (concurring).

I concur in the result because plaintiff's have made a prima facie showing of jurisdiction. I write separately to indicate that I, unlike my colleagues, am uneasy that the majority opinion could be misunderstood to suggest that the question of jurisdiction is now closed. Such is not the case. If the trial court, after hearing the witnesses at trial, resolves the factual disputes found in comparing the Bento affidavit with the Hill and Igwe affidavits in defendant's favor, then defendant would be entitled at that time to an order of dismissal for lack of jurisdiction.

/s/ Clifford W. Taylor