

STATE OF MICHIGAN
COURT OF APPEALS

KENNETH MITAN and TECORP
ENTERTAINMENT,

UNPUBLISHED
December 4, 2003

Plaintiffs-Appellants,

v

No. 225530
Wayne Circuit Court
LC No. 97-710748-NZ

NEW WORLD TELEVISION, INC., NEW
WORLD DETROIT, INC. d/b/a WJBK-TV
CHANNEL 2, RICH FISHER, BILL BONDS,
HUEL PERKINS, MIKE REDFORD, MICHAEL
VORIS and MORT MEISNER,

Defendants-Appellees.

ON REMAND

Before: White, P.J., and Neff and Jansen, JJ.

WHITE, P.J. (*concurring*).

I agree with the majority's disposition of issues remaining after remand,¹ except as to the circuit court's adoption of the special master's eleventh order (discussed in section II(1)(d)), which I conclude was an abuse of discretion. However, because the order appears to be of no consequence to the ultimate disposition of the case, I nevertheless concur.

/s/ Helene N. White

¹ If I understand the scope of the Supreme Court's order of remand correctly, we are precluded on remand from revisiting all questions regarding the special master's authority, including whether he exceeded his authority, and we are to consider the issues not addressed in our earlier decision, i.e., the discovery sanctions issues, and the grant of summary disposition. The discovery sanction issues are to be considered to the extent they do not challenge the authority of the special master, and the question whether the circuit court abused its discretion in adopting the orders of the special master is also properly considered.