

Order

Michigan Supreme Court
Lansing, Michigan

October 18, 2019

Bridget M. McCormack,
Chief Justice

158795

David F. Viviano,
Chief Justice Pro Tem

CHARLES C. BUTLER, Personal Representative
of the ESTATE OF HARISHKUMAR PATEL,
Plaintiff-Appellee,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 158795
COA: 337851
Berrien CC: 12-000336-NP

REINALT-THOMAS CORPORATION, d/b/a
DISCOUNT TIRE COMPANY,
Defendant,

and

GOODYEAR TIRE & RUBBER COMPANY,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 25, 2018 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J. (*concurring*).

I concur in the Court's order denying leave to appeal. I write separately only to note that while I agree with the Court of Appeals that a reversal here is not warranted, I also agree with that court that a number of the comments made by plaintiff's counsel during closing argument were inappropriate, e.g., comments depicting defendant as a "greedy corporation attempting to cheat the helpless plaintiff." *Patel v Reinalt-Thomas Corp*, unpublished per curiam opinion of the Court of Appeals, issued October 25, 2018 (Docket No. 337851), p 12. While, in my judgment, these comments do not under the circumstances of this case warrant reversal, it should not go without saying that they were inappropriate. Not only should a corporate defendant not have to go through a rhetorical gauntlet of the sort encountered in this case, but this state should not allow its justice system to be employed in such an exploitive manner.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 18, 2019

Clerk