

STATE OF MICHIGAN
COURT OF APPEALS

IDA ISAAC and ALEXANDER ISAAC,

Plaintiffs-Appellees,

v

STANDARD PARKING CORPORATION,

Defendant,

and

BISHOP INTERNATIONAL AIRPORT
AUTHORITY,

Defendant-Appellant.

UNPUBLISHED
February 15, 2007

No. 272539
Genesee Circuit Court
LC No. 05-082172-NO

Before: Sawyer, P.J., and Fitzgerald and Donofrio, JJ.

FITZGERALD, J. (*dissenting*).

I respectfully dissent. Defendant moved for summary disposition before the period for discovery closed. The trial court denied the motion. I believe summary disposition is inappropriate here because further discovery has a reasonable chance of locating factual support for plaintiff's position and providing support for a claim under the highway exception. *Stringwell v Ann Arbor Pub School Dist*, 262 Mich App 709, 714; 686 NW2d 825 (2004).

/s/ E. Thomas Fitzgerald