

STATE OF MICHIGAN
COURT OF APPEALS

LINDA A. BUDDLE, Personal Representative of the
Estate of WARREN C. STAVELY, Deceased,

UNPUBLISHED
May 7, 1999

Plaintiff-Appellant,

v

FORD MOTOR COMPANY and SAGINAW
FORD TRACTOR, INC,¹

No. 190653
Wayne Circuit Court
LC No. 95-522357 NO

Defendant-Appellee.

Before: Gribbs, P.J., and Griffin and Wilder, JJ.

MEMORANDUM.

Plaintiff appeals by leave granted the trial court's order granting defendant Ford Motor Company's motion for change of venue improperly laid in this wrongful death/products liability case. We reverse.

We review a trial court's decision to grant or deny a motion for change of venue for clear error. *Vermilya v Carter Crompton Site Development Contractors, Inc*, 201 Mich App 467, 471; 506 NW2d 580 (1993).

Plaintiff contends that the transfer of venue to Saginaw County was erroneous because venue was proper in Wayne County. We agree. At the time this action was commenced, the applicable venue statute, MCL 600.1629(1); MSA 27A.1629(1), provided that venue was proper in a county "in which all or a part of the cause of action arose" and in which the defendant resides, has a place of business, or conducts business. In this case, it is undisputed that the tractor involved in the subject accident was designed and manufactured in Wayne County, and that defendant had corporate facilities in Wayne County. Under these circumstances, venue was properly laid in Wayne County. *Gross v General Motors Corp*, 448 Mich 147, 160; 528 NW2d 707 (1995); *Lorencz v Ford Motor Co*, 439 Mich 370, 377; 483 NW2d 844 (1992).

Although the applicable venue statute was amended by 1995 PA 161 and 1995 PA 249, both of those acts explicitly provide that the amendments only apply to actions filed "on or after the effective

date” of March 28, 1996. It is undisputed that plaintiff filed this action on August 3, 1995, well before the effective date of the amendments. Therefore, the amendments do not apply to this case.

Accordingly, because venue was properly laid in Wayne County, the trial court clearly erred in granting defendant’s motion for change of venue to Saginaw County. *Gross, supra* at 160; *Lorencz, supra* at 377; *Vemilya, supra* at 471.

Reversed. We do not retain jurisdiction.

/s/ Roman S. Gribbs
/s/ Richard Allen Griffin
/s/ Kurtis T. Wilder

¹ Pursuant to a stipulation between the parties, defendant Saginaw Ford Tractor, Inc, was dismissed with prejudice from the instant lawsuit.