

STATE OF MICHIGAN
COURT OF APPEALS

AARON RAY COLLIER,

Plaintiff-Appellant/Cross Appellee,

v

YVONNE THOMAS, Personal Representative of
the Estate of STEVEN GENE THOMAS,
Deceased,

Defendant-Appellee,

and

AUTO-OWNERS INSURANCE COMPANY,

Defendant-Appellee/Cross
Appellant,

and

DETROIT SPORTSERVICE, INC., JOSEPH
CARL YOUNG, and FISHER FUEL, INC.,

Defendants.

Before: Zahra, P.J., and Murphy and Cavanagh, JJ.

MURPHY, J. (*concurring*).

I concur with the majority as I am required by MCR 7.215(J) to follow this Court's decision in *Romska v Opper*, 234 Mich App 512; 594 NW2d 853 (1999) and *Meridian Mut Ins Co v Mason-Dixon Lines, Inc (On Remand)*, 242 Mich App 645, 649-650; 620 NW2d 310 (2000). However, if not so bound, I would follow Judge Hoekstra's dissent in *Romska* and his concurrence in *Meridian*.

/s/ William B. Murphy

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Wayne Circuit Court

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