

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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ROSIA MITCHELL-CRENSHAW, Successor  
Personal Representative of the Estate of FLOYD  
L. MITCHELL, Deceased,

Plaintiff-Appellant,

V

LONNIE JOE, JR., M.D., BERNARD KOLE,  
M.D., and PROVIDENCE HOSPITAL &  
MEDICAL CENTER,

Defendants-Appellees.

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UNPUBLISHED  
February 7, 2006

No. 263057  
Oakland Circuit Court  
LC No. 2004-060421-NH

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

WILDER, J. (*concurring*).

While I agree with defendant's assertion that, factually, the instant case is distinguishable from *Eggleston v Bio-Medical Applications of Detroit, Inc*, 468 Mich 29; 658 NW2d 139 (2003), I concur in the result reached by the majority on the basis that plaintiff's cause of action survived by law. See *Hardy v Maxheimer*, 429 Mich 422, 440; 416 NW2d 299 (1987).

/s/ Kurtis T. Wilder