

STATE OF MICHIGAN
COURT OF APPEALS

RICHARD H. ACKERMAN, JUDITH K.
ACKERMAN, and DEANNA ACKERMAN,

UNPUBLISHED
January 14, 1997

Plaintiffs-Appellants,

v

No. 199647

GENERAL MOTORS CORPORATION,

Saginaw Circuit Court
LC No. 87-027963
ON REMAND

Defendant-Appellee.

Before: Markman, P.J., and Murphy and Hoekstra, JJ.

MEMORANDUM.

Pursuant to an order of remand from our Supreme Court, we have reconsidered our decision in *Ackerman v General Motors Corp*, unpublished opinion memorandum of the Court of Appeals, issued 01/23/96 (Docket No. 168126) in light of the Supreme Court's recent decision in *Travis v Dreis & Krump Mfg Co*, 453 Mich 149; 551 NW2d 132 (1996). We again affirm the trial court's grant of summary disposition.

As stated in our previous decision, we believe that plaintiffs here cannot show that defendant specifically intended an injury. Plaintiffs cannot prove that defendant had actual knowledge that an injury was certain to occur and that defendant willfully disregarded that knowledge. Like the plaintiff in *Travis*, plaintiffs in the instant case can at most show that defendant's negligence or recklessness led to the injury at issue, which is insufficient to establish a prima facie case of intentional tort.

Affirmed.

/s/ Stephen J. Markman
/s/ William B. Murphy
/s/ Joel P. Hoekstra