

STATE OF MICHIGAN
COURT OF APPEALS

WILLIE HEATH,

Plaintiff-Appellant,

v

MIDAS INTERNATIONAL CORPORATION,

Defendant-Appellee.

UNPUBLISHED

January 13, 1998

No. 197234

Wayne Circuit Court

LC No. 95-522047 CK

Before: Gage, P.J., and Murphy and Reilly, JJ.

MEMORANDUM.

Plaintiff appeals by right summary disposition, under MCR 2.116(C)(10), based on failure to adduce any facts to create a triable issue as to whether plaintiff had a just cause for discharge type of employment contract. This case is being decided without oral argument pursuant to MCR 7.214(E).

In his own deposition, plaintiff could not remember the precise discussion he had at the time he was hired for his employment. He has adduced no other evidence to establish a just cause for discharge type of employment contract, and a mere assurance that, so long as he performed his job, he would have a job, is clearly inadequate to the task as a matter of law. *Rowe v Montgomery Ward & Co*, 437 Mich 627, 641; 473 NW2d 268 (1991).

The affidavit of Robert Krause, the person who hired plaintiff, indicates that, at best, plaintiff had a satisfaction contract, and no assertion being made that plaintiff's discharge does not reflect actual employer dissatisfaction, or that such dissatisfaction was insincere, in bad faith, dishonest or fraudulent, summary disposition was properly granted. *Toussaint v Blue Cross & Blue Shield of Michigan*, 408 Mich 579, 620; 292 NW2d 880 (1980).

Affirmed.

/s/ Hilda R. Gage

/s/ William B. Murphy

/s/ Maureen Pulte Reilly

