

STATE OF MICHIGAN
COURT OF APPEALS

HARRY DEMPSEY,

Plaintiff-Appellant,

v

METROPOLITAN LIFE INSURANCE
COMPANY, BRUCE TALBOT
and JEFFREY STEELE,

Defendants-Appellees.

UNPUBLISHED

May 4, 1999

No. 208050

Saginaw Circuit Court

LC No. 97-017285 NZ

Before: Cavanagh, P.J., and MacKenzie and McDonald, JJ.

CAVANAGH, J. (*concurring*).

I concur with the result reached by the majority because I conclude that it is required by this Court's decision in *Rembert v Ryan's Family Steakhouses, Inc*, ___ Mich App ___, ___; ___ NW2d ___ (Docket No. 196542, issued 4/9/99). If I were not required to follow *Rembert*, I would reverse for the reasons expressed in my dissent in that case.

/s/ Mark J. Cavanagh