

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

---

DORI GROSS,

Plaintiff-Appellant,

v

PHOTO SYSTEMS, INC.,

Defendant-Appellee,

and

JEROME KRAMER,

Defendant.

UNPUBLISHED

February 25, 2000

No. 213169

Washtenaw Circuit Court

LC No. 96-003751-NZ

---

Before: Markey, P.J., and Murphy and R. B. Burns\*, JJ.

PER CURIAM.

Plaintiff appeals as of right from an order granting defendant's motion for summary disposition. We affirm.

This case arises out of the alleged sexual harassment of plaintiff Dori Gross by Jerome Kramer. At the time of this alleged harassment, both plaintiff and Kramer were employees of defendant Photo Systems, Inc. Plaintiff alleges that Kramer physically touched plaintiff and made unwelcome sexual advances and comments. Plaintiff further alleges that defendant failed to take meaningful steps to protect her. Based on this alleged conduct plaintiff filed the underlying action, alleging sexual harassment against both defendant and Kramer, and alleging sexual battery against Kramer. Defendants moved for summary disposition pursuant to MCR 2.116(C)(10), and at the conclusion of a hearing the trial court granted defendants' motions in all respects. The parties' subsequently stipulated Kramer's dismissal

---

\* Former Court of Appeals judge, sitting on the Court of Appeals by assignment.

from the proceedings, and plaintiff now appeals the trial court's dismissal of her sexual harassment claim against defendant.

We review de novo a motion for summary disposition based on MCR 2.116(C)(10). *Spiek v Dep't of Transportation*, 456 Mich 331, 337; 572 NW2d 201 (1998). A motion for summary disposition will be granted when “[e]xcept as to the amount of damages, there is no genuine issue as to any material fact, and the moving party is entitled to judgment or partial judgment as a matter of law.” MCR 2.116(C)(10).

Plaintiff first contends that the trial court’s decision on defendant’s motion for summary disposition “was a totally incorrect decision since discovery had not even been completed.” It is not enough for an appellant simply to announce a position or assert an error and then leave it up to this Court to discover and rationalize the basis for her claims, or unravel and elaborate for her arguments. *Goolsby v Detroit*, 419 Mich 651, 655, n 1; 358 NW2d 856 (1984). Because plaintiff has failed to articulate an argument in support of this announced position, we consider this issue waived.

Plaintiff next argues that summary disposition was improper because there existed conflicting testimony on key points regarding both quid pro quo sexual harassment as well as hostile environment sexual harassment. We disagree.

When presenting a motion for summary disposition pursuant to MCR 2.116(C)(10), the moving party has the initial burden of supporting its position by affidavits, depositions, admissions, or other documentary evidence. *Smith v Globe Life Ins Co*, 460 Mich 446, 455; 597 NW2d 28 (1999). The burden then shifts to the party opposing the motion to establish by evidentiary materials that a genuine issue of disputed fact exists. *Id.* Before the trial court, plaintiff failed to present and identify specific evidence supporting her argument that genuine issues of material fact existed. Plaintiff’s answer to defendant’s motion includes no citation to the deposition testimony and plaintiff neglected to append allegedly relevant portions of the depositions or affidavits. Despite these failings, at the hearing on defendant’s motion the trial court stated that it would overlook the lack of specific supporting references in plaintiff’s pleadings if plaintiff would indicate where any such evidence was to be found in the documentation. In response to this offer plaintiff merely made general references to the voluminous depositions, unable to identify the particular location of any evidentiary support.

Given plaintiff’s failure to reference evidentiary material supporting her position that genuine issues of material fact existed, the trial court did not err in granting defendant's motion for summary disposition.

Affirmed.

/s/ Jane E. Markey  
/s/ William B. Murphy  
/s/ Robert B. Burns