

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

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JEFFREY L. ANTEAU and DIANE J. ANTEAU,

Plaintiffs-Appellees,

v

OAKLAND PEST CONTROL, LLC,

Defendant-Appellant.

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UNPUBLISHED

August 17, 2004

No. 246513

Macomb Circuit Court

LC No. 2001-002929-NO

Before: Jansen, P.J., and Meter and Cooper, JJ.

COOPER, J. (*concurring*).

I agree with the result reached by the majority. However, I would find that defendant owed a duty to plaintiffs in tort. Therefore, I would not find that the lack of contract between the parties prevented recovery. The facts of this case do not entitle plaintiffs to damages, and therefore, I concur in the result.

/s/ Jessica R. Cooper