

STATE OF MICHIGAN
COURT OF APPEALS

NORMAN RIOPELLE,

Plaintiff-Appellant,

v

JEFFREY ZITTEL, ANN MOSS, and LINDA
KINGSTON,

Defendants-Appellees.

UNPUBLISHED

May 20, 2008

No. 275403

Genesee Circuit Court

LC No. 05-081732-CZ

Before: O’Connell, P.J., and Borrello and Gleicher, JJ.

BORRELLO, J. (*concurring in part and dissenting in part*).

I concur with the majority that the trial court correctly dismissed plaintiff’s tort claims based on governmental immunity. I further concur with the majority that plaintiff abandoned any claim of error regarding the trial court’s dismissal of his Whistleblowers’ Protection Act claim by failing to brief the merits of his allegations of error. I disagree, however, with the majority’s decision to “reverse the trial court’s grant of summary disposition of plaintiff’s Bullard-Plawecki act claim, and remand for further proceedings consistent with this opinion concerning both the Bullard-Plawecki act claim and plaintiff’s asserted violation of the HIPAA.” I would affirm the trial court’s grant of summary disposition in all respects.

/s/ Stephen L. Borrello