

STATE OF MICHIGAN
COURT OF APPEALS

MEREDITH CORPORATION, d/b/a WNEM
TV5,

Plaintiff-Appellee/Cross-Appellant,

v

CITY OF FLINT,

Defendant-Appellant/Cross-
Appellee.

FOR PUBLICATION
June 3, 2003
9:10 a.m.

No. 232310
Genesee Circuit Court
LC No. 00-068416-CZ

Updated Copy
July 7, 2003

Before: Smolenski, P.J., and Wilder and Schuette, JJ.

SMOLENSKI, P.J. (*concurring in part and dissenting in part*).

I concur in part and dissent in part. I would not award punitive damages because I believe that under the circumstances, the defendant did not act arbitrarily and capriciously.

/s/ Michael R. Smolenski