

STATE OF MICHIGAN
COURT OF APPEALS

FREDERICK WESSELS and LUCINDA
OSBORNE,

Plaintiffs-Appellees/Cross-
Appellants,

v

GARDEN WAY, INC.,

Defendant-Appellant/Cross-
Appellee.

FOR PUBLICATION
September 28, 2004
9:00 a. m.

No. 246518
Jackson Circuit Court
LC No. 98-090957-NP

Official Reported Version

Before: Murray, P.J., and Markey and O'Connell, JJ.

O'CONNELL, J. (*concurring.*)

I concur with the majority.

I write separately to state that loss of consortium is not a separate, independent cause of action. Loss of consortium is a derivative cause of action. Only one injury occurs and, therefore, the total damages relate to the one injury. Loss of consortium, physical impairment, disfigurement, mental anguish, emotional distress, humiliation, and other nonpecuniary losses all relate to a single injury and, therefore, are not independent, separate causes of action.

/s/ Peter D. O'Connell