

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

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SUSAN FURR and WILLIAM FURR,  
  
Plaintiffs-Appellees,

FOR PUBLICATION  
April 10, 2014

v

MICHAEL MCLEOD, M.D., TARA B. MANCL,  
M.D., MICHIGAN STATE UNIVERSITY  
KALAMAZOO CENTER FOR MEDICAL  
STUDIES, INC., and BORGESS MEDICAL  
CENTER,

No. 310652  
Kalamazoo Circuit Court  
LC No. 2010-000551-NH

Defendants-Appellants.

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Before: MURPHY, C.J., and MARKEY, O'CONNELL, TALBOT, METER, BORRELLO, and BECKERING, JJ.

METER, J. (*dissenting*).

I join in Judge O'Connell's dissenting opinion but write separately to point out that while I was a member of the panel that decided *Zwiers v Growney*, 286 Mich App 38; 778 NW2d 81 (2009), and I believe that *Zwiers* was a well-reasoned opinion, I acknowledge that *Driver v Naini*, 490 Mich 239; 802 NW2d 311 (2011), subsequently and implicitly overruled it.

/s/ Patrick M. Meter