

STATE OF MICHIGAN
COURT OF APPEALS

SUSAN FURR and WILLIAM FURR,

Plaintiffs-Appellees,

FOR PUBLICATION
October 24, 2013

v

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

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

Defendants-Appellants.

Before: WHITBECK, P.J., and OWENS and M. J. KELLY, JJ.

M. J. KELLY, J. (*concurring*).

I concur in the majority's view that this case is controlled by *Tyra v Organ Procurement Agency of Michigan*, ___ Mich App ___; ___ NW2d (2013), and, while I do not join the analysis of the majority, I concur in its result. Finally, I agree that a conflict panel should be convened under MCR 7.215(J)(3) for the purpose of resolving this conflict.

/s/ Michael J. Kelly