

STATE OF MICHIGAN
COURT OF APPEALS

AUBREY FONDREN,

UNPUBLISHED

Plaintiff-Appellee,

v

No. 190837

Wayne Circuit Court

ROBERTO J. WILLIAM, M.D., and PEOPLE'S
CLINIC, P.C.,

LC No. 94-424399-NO

Defendants-Appellants.

Before: Smolenski, P.J., and Fitzgerald and Gage, JJ.

SMOLENSKI, P.J., (dissenting).

I respectfully dissent. The three affidavits submitted by defendants established good cause, a meritorious defense, and that the requirements of MCR 2.612 were met. I would hold that the trial court abused its discretion in denying defendants' motion to set aside the default judgment.

/s/ Michael R. Smolenski