

STATE OF MICHIGAN
COURT OF APPEALS

JEFFREY ZIBBELL and
CHERYL ZIBBELL,

UNPUBLISHED
June 1, 1999

Plaintiffs-Appellants,

v

No. 204104
Wayne Circuit Court
LC No. 94-417727 NM

GERARD F. GRAHAM, P.C.,
THOMAS F. BRILL, and
GERARD GRAHAM,

Defendants-Appellees,

and

MATTHEW QUINN and COOPER,
SHIFMAN, GABE, QUINN & SEYMOUR, P.C.,

Defendants.

Before: Griffin, P.J., and Cavanagh and Fitzgerald, JJ.

MEMORANDUM.

Plaintiffs appeal by right from the trial court's final order granting defendant Brill's motion for summary disposition in this legal malpractice action, challenging only the trial court's previous interlocutory summary disposition ruling in favor of defendants Gerard F. Graham and Gerard F. Graham, P.C., based upon the running of the statute of limitations. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

We are unpersuaded that the trial court erred in concluding that the two-year statute of limitations began to run as to plaintiffs' claims against defendants Gerard F. Graham and Gerard F. Graham, P.C. when plaintiffs' case was transferred to defendant Brill in 1988. *Maddox v Burlingame*, 205 Mich App 446, 450; 517 NW2d 816 (1994), lv den 448 Mich 867 (1995); *Stroud v Ward*, 169 Mich App 1, 4; 425 NW2d 490 (1988), lv den 432 Mich 852 (1989). Moreover, the trial court's

ultimate determination that plaintiffs suffered no damages as a result of

Brill's handling of their claims after the transfer provides an alternative basis for dismissing plaintiffs' claims against defendants Gerard F. Graham and Gerard F. Graham, P.C., as well.

Affirmed.

/s/ Richard Allen Griffin

/s/ Mark J. Cavanagh

/s/ E. Thomas Fitzgerald