

STATE OF MICHIGAN
COURT OF APPEALS

DERRICK JEFFERSON,
Plaintiff-Appellant,

UNPUBLISHED
November 26, 2002

v

CITY BOXING, INC.,
Defendant-Appellee.

No. 237742
Oakland Circuit Court
LC No. 00-026290-CZ

Before: Markey, P.J., and Saad and Smolenski, JJ.

MEMORANDUM.

Plaintiff appeals as of right the judgment entered for defendant after a bench trial. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Plaintiff is a professional boxer who has a management contract with defendant, with Ron Gentry acting as defendant's representative. Defendant is not licensed as a boxing manager, but its president, sole shareholder, only officer and only employee, Gentry, is licensed. Plaintiff and Gentry were parties to a prior management contract.

A dispute arose between the parties, and plaintiff brought this declaratory judgment action, asserting that defendant was not entitled to boxing manager's fees, and that their contract was void, because defendant was not licensed under MCL 339.806, which provides in part:

(1) A promoter, boxing club, physician, referee, judge, matchmaker, timekeeper, announcer, professional boxer, or a manager, or second of those persons shall obtain a license from the department before participating either directly or indirectly in a boxing contest.

(2) A person shall not profit directly or indirectly from a boxing contest or participate directly or indirectly in the contest or in the receipts from a contest unless that contest is licensed by the department in advance under the classifications designated in this article.

We review questions of statutory interpretation de novo. *Oakland County Bd of Rd Comm'rs v Michigan Property & Casualty Guaranty Ass'n*, 456 Mich 590, 610; 575 NW2d 751 (1998). Subsection (2) bars the receipt of profits from an unlicensed contest, while subsection (1) requires that most persons involved in a boxing contest be licensed. Under the professional

service corporation act, corporation may be considered a licensed person when all of its shareholders are licensed persons. MCL 450.222. Here, defendant's president, sole shareholder, and sole employee is licensed as a boxing manager. The statute does not require that the corporation itself be licensed, as do the statutes to which plaintiff cites. Thus, the premise of plaintiff's entire argument, that defendant was not licensed, fails. Neither party argues that the contest was unlicensed. Therefore, the statutory requirements were satisfied and defendant was entitled to collect its fees due under the parties' contract.

Affirmed.

/s/ Jane E. Markey

/s/ Henry William Saad

/s/ Michael R. Smolenski