

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

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JENNIFER HUNTER,

Plaintiff-Appellant,

v

OUTBACK STEAKHOUSE OF FLORIDA, INC.,

Defendant-Appellee,

and

ROGER McDANIEL,

Defendant.

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UNPUBLISHED  
December 28, 2004

No. 249947  
Wayne Circuit Court  
LC No. 98-803041-NO

Before: Murphy, P.J., and White and Kelly, JJ.

WHITE, J. (*concurring*).

I agree that the award of fees and costs under the statute was precluded by *Desselhouse v Chrysler Corp*, 177 Mich App 470; 4412 NW2d 705 (1989).

/s/ Helene N. White