

STATE OF MICHIGAN
COURT OF APPEALS

LARRY BEARUP,

Plaintiff,

and

DALE PARKER, JAMES WALLACE, CHESTER
NETHING, CHERYL SCHUPPLER, SANDRA
THEDFORD, Personal Representative of the Estate
of RONNIE THEDFORD, WILLIAM SPOHN,
DEANATRIS ARMSTRONG, Personal
Representative of the Estate of RETINA
HARRISTON, and BETTY ROBINSON,

Plaintiffs-Appellants,

and

ROBERT A. MARSAC,

Intervening Plaintiff,

v

GENERAL MOTORS CORPORATION,
CINCINNATI MILACRON d/b/a CINCINNATI
MILACRON MARKETING, PRODUCTS
DIVISION, and CASTROL INDUSTRIAL, INC.,

Defendants,

and

QUAKER CHEMICAL CORPORATION,

Defendant-Appellee.

UNPUBLISHED

October 23, 2008

No. 272654

Genesee Circuit Court

LC No. 99-066364-NO

LARRY BEARUP, DALE PARKER, JAMES
WALLACE, CHESTER NETHING, CHERYL
SCHUPPLER, SANDRA THEDFORD, Personal

Representative of the Estate of RONNIE
THEDFORD, WILLIAM SPOHN, DEANATRIS
ARMSTRONG, Personal Representative of the
Estate of RETINA HARRISTON, and BETTY
ROBINSON,

Plaintiffs-Appellees,

and

ROBERT A. MARSAC,

Intervening Plaintiff,

v

GENERAL MOTORS CORPORATION,
CINCINNATI MILACRON d/b/a CINCINNATI
MILACRON MARKETING, PRODUCTS
DIVISION, and CASTROL INDUSTRIAL, INC.,

Defendants,

and

QUAKER CHEMICAL CORPORATION,

Defendant-Appellant.

No. 272666
Genesee Circuit Court
LC No. 99-066364-NO

Before: Schuette, P.J., and Borrello and Gleicher, JJ.

SCHUETTE, P.J. (*concurring*).

I agree with my distinguished colleague, Judge Borrello, that the trial court's grant of summary disposition in this case should be affirmed under the sophisticated user doctrine and that the trial court's failure to address plaintiffs' argument under MCL 600.2948(2) and defendant's proximate cause argument were harmless. However, I write separately because I do not believe that we need to reach the statute of limitations issue in this case or interpret our Supreme Court's holding in *Trentadue v Buckler Automatic Lawn Sprinkler Co*, 479 Mich 378; 738 NW2d 664 (2007).

/s/ Bill Schuette