



CAPTION

William Roverano, Appellant

v.

John Crane, Inc., Appellee

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Closed

Journal Number: J-10B-2019 March 6, 2019

Case Category: Civil

Case Type(s): Asbestos

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type
26 EAP 2018 Lower Court	Consolidated

COUNSEL INFORMATION

Attorney:	Rowe, Michael A.	
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Pro Se:	No	
IFP Status:		

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COUNSEL INFORMATION

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 IFP Status:

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 IFP Status:

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 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

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Pro Se: No
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Pro Se: No
IFP Status:



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 Pro Se: No
 IFP Status:
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 IFP Status:
 Representing: The American Insurance Association, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The American Tort Reform Association, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Chamber of Commerce of the United States of America, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Coalition for Litigation Justice, Inc., Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Insurance Federation of Pennsylvania, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
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 Pro Se: No
 IFP Status:
 Representing: The NFIB Small Business Legal Center, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Pennsylvania Association of Mutual Insurance Companies, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Pennsylvania Chamber of Business and Industry, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Pennsylvania Coalition for Civil Justice Reform, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Pennsylvania Manufacturers' Association, Appellee Amicus Curiae
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 IFP Status:



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IFP Status:		
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Pro Se:	No	
IFP Status:		
Representing:	The American Insurance Association, Appellee Amicus Curiae	
Pro Se:	No	
IFP Status:		
Representing:	The American Tort Reform Association, Appellee Amicus Curiae	
Pro Se:	No	
IFP Status:		
Representing:	The Chamber of Commerce of the United States of America, Appellee Amicus Curiae	
Pro Se:	No	
IFP Status:		
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Pro Se:	No	
IFP Status:		
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Pro Se:	No	
IFP Status:		
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Pro Se:	No	
IFP Status:		
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Pro Se:	No	
IFP Status:		
Representing:	The Pennsylvania Chamber of Business and Industry, Appellee Amicus Curiae	
Pro Se:	No	
IFP Status:		
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Representing:	The Pennsylvania Manufacturers' Association, Appellee Amicus Curiae	
Pro Se:	No	
IFP Status:		



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 Representing: The American Insurance Association, Appellee Amicus Curiae
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 Representing: The Pennsylvania Chamber of Business and Industry, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Pennsylvania Coalition for Civil Justice Reform, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Pennsylvania Manufacturers' Association, Appellee Amicus Curiae
 Pro Se: No
 IFP Status:

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 27 EAP 2018

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April 12, 2021

SUPREME COURT INFORMATION

Appeal From: the Judgment of Superior Court entered on December 28, 2017 at No. 2847 EDA 2016 affirming in part, reversing in part and remanding the Order entered on July 27, 2016 in the Court of Common Pleas, Philadelphia County, Civil Division at No. 1123 March Term, 2014.

Probable Jurisdiction Noted: Docketed Date: July 31, 2018
 Allocatur/Miscellaneous Granted: July 31, 2018 Allocatur/Miscellaneous Docket No.: 59 EAL 2018
 Allocatur/Miscellaneous Grant Order: AND NOW, this 31st day of July, 2018, the Petition for Allowance of Appeal is GRANTED. The issues, as stated by petitioner, are:

(1) Whether, under this issue of first impression, the Superior Court misinterpreted the Fair Share Act 42 Pa.C.S. Sec. 7102 in holding that the Act requires the jury to apportion liability on a percentage basis as opposed to a per capita basis in this strict liability asbestos case?

(2) Whether, under this issue of first impression, the Superior Court misinterpreted the Fair Share Act in holding that the Act requires the jury to consider evidence of any settlements by the plaintiffs with bankrupt entities in connection with the apportionment of liability amongst joint tortfeasors?

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
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INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Superior Docket Number: 2847 EDA 2016
 Date of Order: December 28, 2017 Rearg/Recon Disp Date:
 Rearg/Recon Disposition:
 Judge(s): Dubow, Alice B.
 Solano, Carl A.
 Ford Elliott, Kate
 Intermediate Appellate Court Action: Affirmed/Reversed/Remanded
 Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Philadelphia County Court of Common Pleas
 County: Philadelphia Division: Philadelphia County Civil Division
 Date of Agency/Trial Court Order: July 27, 2016
 Docket Number: March Term, 2014 No. 1123
 Judge(s): DiNubile, Victor J., Jr. OTN:
 Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Record Electronically Transmitted	August 07, 2018	
Record Remittal:	March 9, 2020	

BRIEFING SCHEDULE

Appellant

Appellee



BRIEFING SCHEDULE

Appellant**Roverano, William C.****Brief**

Due: October 17, 2018

Filed: October 16, 2018

Reply Brief

Due: December 17, 2018

Filed: December 13, 2018

Reproduced Record

Due: October 17, 2018

Filed: October 16, 2018

Appellant Amicus Curiae**American Association for Justice****Brief**

Due: October 17, 2018

Filed: October 17, 2018

Pennsylvania Association for Justice**Brief**

Due: October 17, 2018

Filed: October 17, 2018

Appellee**Brand Insulations, Inc.****Brief**

Due: November 19, 2018

Filed: November 19, 2018

John Crane, Inc.**Brief**

Due: November 19, 2018

Filed: November 19, 2018

Appellee Amicus Curiae**Pennsylvania Defense Institute****Brief**

Due: November 19, 2018

Filed: November 16, 2018

Philadelphia Association of Defense Counsel**Brief**

Due: November 19, 2018

Filed: November 16, 2018

The American Insurance Association**Brief**

Due: November 19, 2018

Filed: November 16, 2018

The American Tort Reform Association**Brief**

Due: November 19, 2018

Filed: November 16, 2018

The Chamber of Commerce of the United States of America**Brief**

Due: November 19, 2018

Filed: November 16, 2018

The Coalition for Litigation Justice, Inc.**Brief**

Due: November 19, 2018

Filed: November 16, 2018

The Insurance Federation of Pennsylvania**Brief**

Due: November 19, 2018

Filed: November 16, 2018

The National Association of Manufacturers**Brief**

Due: November 19, 2018

Filed: November 16, 2018

The NFIB Small Business Legal Center**Brief**

Due: November 19, 2018

Filed: November 16, 2018

The Pennsylvania Association of Mutual Insurance Companies



BRIEFING SCHEDULE

Appellee Amicus Curiae

**The Pennsylvania Association of Mutual Insurance
Companies
Brief**

Due: November 19, 2018 Filed: November 16, 2018

**The Pennsylvania Chamber of Business and Industry
Brief**

Due: November 19, 2018 Filed: November 16, 2018

**The Pennsylvania Coalition for Civil Justice Reform
Brief**

Due: November 19, 2018 Filed: November 16, 2018

**The Pennsylvania Manufacturers' Association
Brief**

Due: November 19, 2018 Filed: November 16, 2018

REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date:

Disposition:

Date:

Reargument Order:

Record Remittal: March 9, 2020

SESSION INFORMATION

Journal Number: J-10B-2019

Listed/Submitted Date: March 6, 2019

Consideration Type: Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No: J-10B-2019 Judgment Date: February 19, 2020

Category: Decided Disposition Author: Mundy, Sallie

Disposition: Affirmed/Reversed/Remanded Disposition Date: February 19, 2020

Dispositional Filing: **Majority Opinion** Author: Mundy, Sallie

Filed Date: February 19, 2020

Justice: Saylor, Thomas G. Vote: Joins

Justice: Baer, Max Vote: Join Majority Opinion

Justice: Todd, Debra Vote: Join Majority Opinion

Justice: Donohue, Christine Vote: Join Majority Opinion

Justice: Dougherty, Kevin M. Vote: Join Majority Opinion

Justice: Wecht, David N. Vote: Join Majority Opinion



DISPOSITION INFORMATION

Dispositional Filing: **Concurring Opinion** Author: Wecht, David N.
 Filed Date: February 19, 2020

Dispositional Filing: **Concurring/Dissenting Opinion** Author: Saylor, Thomas G.
 Filed Date: February 19, 2020

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
July 31, 2018	Allocatur Granted		Per Curiam
Comments: AND NOW, this 31st day of July, 2018, the Petition for Allowance of Appeal is GRANTED. The issues, as stated by petitioner, are:			
(1) Whether, under this issue of first impression, the Superior Court misinterpreted the Fair Share Act 42 Pa.C.S. Sec. 7102 in holding that the Act requires the jury to apportion liability on a percentage basis as opposed to a per capita basis in this strict liability asbestos case?			
(2) Whether, under this issue of first impression, the Superior Court misinterpreted the Fair Share Act in holding that the Act requires the jury to consider evidence of any settlements by the plaintiffs with bankrupt entities in connection with the apportionment of liability amongst joint tortfeasors?			
August 7, 2018	Superior Court Record Electronically Transmitted		Superior Court of Pennsylvania
August 16, 2018	Designation of Contents of Reproduced Record	Appellant	Roverano, William C.
August 29, 2018	Order Exited		Office of the Prothonotary
August 29, 2018	Application for Extension of Time to File Brief - First Request	Appellant	Roverano, William C.
August 29, 2018	Order Granting Application for Extension of Time to File Brief and Reproduced Record		Person, John W., Jr.
Comments: AND NOW, this 29th day of August, 2018, Appellants William and Jacqueline Roverano's Application for 30 Day Extension of Time to File Appellants Brief and Reproduced Record Unopposed is GRANTED. Appellants' Brief is due on or before October 17, 2018.			
August 29, 2018	Order Exited		Office of the Prothonotary
October 16, 2018	Appellant's Brief	Appellant	Roverano, William C.



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 16, 2018	Appellant's Reproduced Record Filed	Appellant	Roverano, William C.
October 17, 2018	Amicus Curiae Brief	Appellant Amicus Curiae Appellant Amicus Curiae	Pennsylvania Association for Justice American Association for Justice
Comments: Praecipe for Entry of Appearance has been change from (on behalf of the appellees) to read "in support of the appellants" o.k. to change per Mr. Becker (Kline & Specter, PC) on 10-18-2018 2:20pm			
October 22, 2018	Praecipe for Withdrawal of Appearance Brand Insulations, Inc.	Appellee	Haase, Norman L.
October 30, 2018	Notice of Disclosure on Behalf of Chief Justice Saylor		Office of the Prothonotary
October 31, 2018	Notice of Disclosure on Behalf of Justice Mundy		Office of the Prothonotary
October 31, 2018	Notice of Disclosure on Behalf of Justice Todd		Office of the Prothonotary
November 12, 2018	Praecipe for Appearance Brand Insulations, Inc.	Appellee	Moriarty, John Everett
November 14, 2018	Application for Admission Pro Hac Vice of Michael A. Pollard John Crane, Inc.	Appellee	Adams, William Rudolph
November 14, 2018	Order Granting Application to be Admitted Pro Hac Vice		Person, John W., Jr.
Comments: AND NOW, this 14th day of November 2018 Application of Appellee, John Craine Inc. for Admission Pro Hac Vice of Michael A. Pollard, Esquire is GRANTED. Michael A. Pollard, Esquire is granted leave to participate pursuant to Pa.B.A.R. 301.			
November 14, 2018	Order Exited		Office of the Prothonotary
November 15, 2018	Application for Admission Pro Hac Vice of Michael C. McCutcheon John Crane, Inc.	Appellee	Adams, William Rudolph



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 16, 2018	Amici Curiae Brief in Support of Appellees	Appellee Amicus Curiae	The Pennsylvania Chamber of Business and Industry
		Appellee Amicus Curiae	The Pennsylvania Manufacturers' Association
		Appellee Amicus Curiae	The Insurance Federation of Pennsylvania
		Appellee Amicus Curiae	The Pennsylvania Association of Mutual Insurance Companies
		Appellee Amicus Curiae	Pennsylvania Defense Institute
		Appellee Amicus Curiae	Philadelphia Association of Defense Counsel
		Appellee Amicus Curiae	The Pennsylvania Coalition for Civil Justice Reform
		Appellee Amicus Curiae	The Coalition for Litigation Justice, Inc.
		Appellee Amicus Curiae	The National Association of Manufacturers
		Appellee Amicus Curiae	The American Tort Reform Association
		Appellee Amicus Curiae	The Chamber of Commerce of the United States of America
		Appellee Amicus Curiae	The American Insurance Association
		Appellee Amicus Curiae	The NFIB Small Business Legal Center
November 16, 2018	Order Granting Application to be Admitted Pro Hac Vice		Person, John W., Jr.
	Comments:		
	AND NOW, this 16th day of November, 2018, Application of Appellee, John Crane Inc for Admission Pro Hac Vice of Michael C. McCutcheon, Esquire, is GRANTED. Michael C. McCutcheon, Esquire, is granted leave to participate pursuant to Pa. B.A.R. 301.		
November 16, 2018	Order Exited		Office of the Prothonotary
November 19, 2018	Appellee's Brief	Appellee	Brand Insulations, Inc.
November 19, 2018	Appellee's Brief	Appellee	John Crane, Inc.
November 27, 2018	Aplts. William and Jacqueline Roverano's Appl. for 14 Day Ext. of Time to File Aplts. Reply Brief	Appellant	Roverano, William C.
	Comments:		
	AND NOW, this 28th day of November, 2018, Appellants William and Jacqueline Roverano's Application for 14 Day Extension of Time to File Appellants Reply Brief-Unopposed is GRANTED. Appellants' Reply Brief is due on or before December 17, 2018.		



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 28, 2018	Order Granting Application for Extension of Time to File Brief		Person, John W., Jr.
Comments: AND NOW, this 28th day of November, 2018, Appellants William and Jacqueline Roverano's Application for 14 Day Extension of Time to File Appellants Reply Brief-Unopposed is GRANTED. Appellants' Reply Brief is due on or before December 17, 2018.			
November 28, 2018	Order Exited		Office of the Prothonotary
December 13, 2018	Appellant's Reply Brief	Appellant	Roverano, William C.
January 14, 2019	Acknowledgement of Argument Notice John Crane, Inc.	Appellee	Adams, William Rudolph
January 14, 2019	Acknowledgement of Argument Notice Brand Insulations, Inc.	Appellee	Byer, Robert L.
January 17, 2019	Acknowledgement of Argument Notice Roverano, William C.	Appellant	Rowe, Michael A.
January 22, 2019	Acknowledgement of Argument Notice John Crane, Inc.	Appellee	Pollard, Michael A.
February 7, 2019	Acknowledgement of Argument Notice Roverano, William C.	Appellant	Nass, Edward M.
March 6, 2019	Argued Roverano, William C. Brand Insulations, Inc.	Appellant Appellee	Nass, Edward M. Byer, Robert L.
February 19, 2020	Affirmed/Reversed/Remanded		Mundy, Sallie
Comments: The decision of the Superior Court is reversed in part and affirmed in part. We conclude liability must be apportioned on a per capita basis in strict liability asbestos cases. Further, we conclude the Fair Share Act permits a trial court to transmit to the factfinder, upon appropriate requests and proofs, the question of the liability of both a bankruptcy trust that was joined as an additional defendant and a nonparty bankruptcy trust that has entered into a release with the plaintiff. Accordingly, we remand to the trial court for further proceedings consistent with this opinion. Justices Baer, Todd, Donohue, Dougherty and Wecht join the opinion, and Chief Justice Saylor joins Part IV of the opinion. Justice Wecht files a concurring opinion. Chief Justice Saylor files a concurring and dissenting opinion.			
February 19, 2020	Judgment Entered		Office of the Prothonotary
March 9, 2020	Original Record Record Remitted to Court of Common Pleas Phila County - Civil Division		Office of the Prothonotary



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 9, 2020	Acknowledgement of Record Remittal		Philadelphia County Civil Division

CROSS COURT ACTIONS

Docket Number:	2847 EDA 2016
Docket Number:	59 EAL 2018
Docket Number:	83 EAL 2018
Docket Number:	86 EAL 2018