Supreme Court of Pennsylvania

Allocatur Docket Sheet

Docket Number: 23 MAL 2026

November 20, 2026

CAPTION

Antoine Poteat
v.
Gary Asteak and Nino V. Tinari

Petition of: Gary Asteak

CASE INFORMATION

Initiating Document: Petition for Allowance of Appeal

Case Status: Closed

Journal Number:

Case Category: Civil

Case Type(s): Contracts

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type
24 MAL 2026 Same Record Below Poteat, A. v. Asteak, G., Pet of: Tinari, N.	Related

COUNSEL INFORMATION

Attorney: Troy, Paul Christopher
Kane, Pugh, Knoell, Troy & Kramer, LLP
Address: 4 Sentry Pkwy E Ste 100
Blue Bell, PA 19422
Phone No: (610) 275-2000
Receive Mail: Yes
Receive EMail: Yes Email:
Representing: Asteak, Gary, Petitioner
Pro Se: No
IFP/Waiver:

Attorney: Schu, James G., Jr.
Kane, Pugh, Knoell, Troy & Kramer, LLP
Address: Kane Pugh Et Al
4 Sentry Pkwy E Ste 100
Blue Bell, PA 19422
Phone No: (610) 275-2000
Receive Mail: Yes
Receive EMail: Yes Email:
Representing: Asteak, Gary, Petitioner
Pro Se: No
IFP/Waiver:

Neither the Appellate Courts nor the Administrative Office of Pennsylvania Courts assumes any liability
for inaccurate or delayed data, errors or omissions on the docket sheets.

COUNSEL INFORMATION

Attorney:	Byrne, Josh J. T.	
	Marshall Dennehey Warner Coleman & Goggin, PC	
Address:	Marshall Dennehey Warner 2000 Market St Ste 2300 Philadelphia, PA 19103	
Phone No:	(215) 575-2600	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Tinari, Nino V., Respondent	
Pro Se:	No	
IFP/Waiver:		

Attorney:	Weisberg, Matthew B.	
	Weisberg Law	
Address:	7 S Morton Ave Morton, PA 19070-1707	
Phone No:	(610) 690-0801	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Poteat, Antoine, Respondent	
Pro Se:	No	
IFP/Waiver:		

Attorney:	Albert, Kenneth David	
Address:	1650 Market Street 55th Floor Philadelphia, PA 19103	
Phone No:	(215) 545-9660	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Poteat, Antoine, Respondent	
Pro Se:	No	
IFP/Waiver:		

Attorney:	Cohn, Clifford B.	
	Cohn & Associates	
Address:	1650 Market St 55th Fl Philadelphia, PA 19102	
Phone No:	(215) 545-9660	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Poteat, Antoine, Respondent	
Pro Se:	No	
IFP/Waiver:		

Neither the Appellate Courts nor the Administrative Office of Pennsylvania Courts assumes any liability
for inaccurate or delayed data, errors or omissions on the docket sheets.

Supreme Court of Pennsylvania

Allocatur Docket Sheet

Docket Number: 23 MAL 2026

November 20, 2026

COUNSEL INFORMATION

Attorney:	Copeland, Audrey Jacobsen
	Marshall Dennehey Warner Coleman & Goggin, PC
Address:	620 Freedom Business Ctr Dr Ste 400
	King Of Prussia, PA 19406
Phone No:	(610) 354-8274
Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Tinari, Nino V., Respondent
Pro Se:	No
IFP/Waiver:	

SUPREME COURT INFORMATION

Appeal From:
Appeal Filed Below:

Probable Jurisdiction Noted: Docketed Date: January 9, 2026
Allocatur/Miscellaneous Granted: Allocatur/Miscellaneous Docket No.:
Allocatur/Miscellaneous Grant Order:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
01/09/2026	Petition for Allowance of Appeal Filed	91.25	01/09/2026	2026-SUP-M-000024	91.25

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name:	Superior	Docket Number:	729 EDA 2023
Date of Order:	December 11, 2025	Rearg/Recon Disp Date:	
		Rearg/Recon Disposition:	

Judge(s):
Lazarus, Anne E.
Panella, Jack A.
Stabile, Victor P.
Dubow, Alice B.
Kunselman, Deborah A.
Murray, Mary P.
King, Megan
Sullivan, Megan
Beck, Jill

Intermediate Appellate Court Action: Reversed/Remanded
Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Lehigh County Court of Common Pleas
County: Lehigh Division: Lehigh County Civil Division
Date of Agency/Trial Court Order: February 7, 2023
Docket Number: 2022-C-02045
Judge(s): Pavlack, Melissa T. OTN:

Neither the Appellate Courts nor the Administrative Office of Pennsylvania Courts assumes any liability
for inaccurate or delayed data, errors or omissions on the docket sheets.

Supreme Court of Pennsylvania

Allocatur Docket Sheet

Docket Number: 23 MAL 2026

November 20, 2026

Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description

Record Remittal:

DISPOSITION INFORMATION

Related Journal No:		Judgment Date:	
Category:	Decided	Disposition Author:	Per Curiam
Disposition:	Order Granting Petition for Allowance of Appeal	Disposition Date:	July 13, 2026
Dispositional Filing:		Author:	
Filed Date:			

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 9, 2026	**Petition for Allowance of Appeal**	Petitioner	Asteak, Gary
January 9, 2026	**Reproduced Record**	Petitioner	Asteak, Gary
January 14, 2026	**Praecipe for Appearance** Tinari, Nino V.	Respondent	Copeland, Audrey Jacobsen
January 22, 2026	**Answer to Petition for Allowance of Appeal**	Respondent	Poteat, Antoine
July 13, 2026	**Order Granting Petition for Allowance of Appeal**		Per Curiam

Comments:
AND NOW, this 13th day of July, 2026, the Petition for Allowance of Appeal docketed at 23 MAL 2026 is GRANTED. The issue, rephrased and condensed for clarity, is:

Whether the Superior Court majority's holding conflicts with this Court's holding in Bruno v. Erie Insurance Co., 160 A.3d 48 (Pa. 2014), as well as Superior Court opinions that applied Bruno, and departs from almost 200 years of controlling precedent that distinguishes between causes of action in contract and tort based upon the nature of the duty that was allegedly breached?

The Petition for Allowance of Appeal docketed at 24 MAL 2026 is GRANTED. The issues, as phrased by the petitioner, are:

(1) Does the Gist[-]of[-]the[-]Action Doctrine apply to contract claims and prohibit a plaintiff from recasting a claim of negligence as a breach of contract, when a plaintiff does not allege a breach of a specific term of the contract?

(2) Whether an implied duty to represent a client in a manner that comports with professional standards exists in all

Neither the Appellate Courts nor the Administrative Office of Pennsylvania Courts assumes any liability
for inaccurate or delayed data, errors or omissions on the docket sheets.

Supreme Court of Pennsylvania

Allocatur Docket Sheet

Docket Number: 23 MAL 2026

November 20, 2026

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By

written agreements to perform legal services for a client, and whether that duty alone, may satisfy the duty element of a claim for breach of a contract for legal services without a breach of a specific executory promise in the agreement?

The Application for Leave to File Supplement to Petition for Allowance of Appeal docketed at 24 MAL 2026 is DENIED.

The Prothonotary is directed to consolidate these cases and to schedule them to be argued together.

July 13, 2026 **Order Exited**

Office of the Prothonotary

July 13, 2026 **Case was transferred to 41 MAP 2026**

Office of the Prothonotary

Comments:
Case was transferred to 41 MAP 2026

CROSS COURT ACTIONS

Docket Number:	24 MAL 2026
Docket Number:	41 MAP 2026
Docket Number:	42 MAP 2026
Docket Number:	729 EDA 2023

Neither the Appellate Courts nor the Administrative Office of Pennsylvania Courts assumes any liability
for inaccurate or delayed data, errors or omissions on the docket sheets.