

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

David Zerby,	:	
	:	
Petitioner	:	
	:	
v.	:	No. 812 C.D. 2002
	:	
Workers' Compensation Appeal	:	
Board (Reading Anthracite Company),	:	
	:	
Respondent	:	

ORDER

NOW, October 25, 2002, the petition for reargument/reconsideration in the above-captioned matter is hereby granted and the Chief Clerk is directed to list this case for argument before the court en banc in Harrisburg in December 2002.

The parties are directed to file supplemental briefs addressing any possible inconsistency between Culpetzer v. Workers' Compensation Appeal Board (Standard Steel), 802 A.2d 1233 (Pa. Cmwlth. 2002) and Merkle v. Workers' Compensation Appeal Board (Hofmann Indus.), 796 A.2d 1034 (Pa. Cmwlth. 2002).

Petitioner's supplemental brief (15 copies) shall be filed and served on or before November 8, 2002.

Respondent's supplemental brief (15 copies) shall be filed and served on or before November 22, 2002.

JAMES GARDENER COLINS, President Judge