

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

BORO DEVELOPERS, INC., BRUCE H. SHAPIRO AND FREDERICK J. SHAPIRO,	:	No. 161 MAL 2007
	:	
Petitioners	:	Petition for Allowance of Appeal from the memorandum opinion and order of the Superior Court at No. 1831 EDA 2005, dated November 30, 2006, affirming the order of the Court of Common Pleas of Montgomery County at 03-03833, dated June 8, 2005.
v.	:	
	:	
BONOVITACOLA ELECTRIC CONTRACTOR, INC., LOCAL UNION NO. 654 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION NO. 98 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, STEVEN F. MARINO, ESQUIRE, DAVID H. CONROY, ESQUIRE AND MARINO & ASSOCIATES,	:	
	:	
Respondents	:	

ORDER

PER CURIAM

DECIDED: September 17, 2007

The Petition of Allowance of Appeal is **GRANTED**, and the Order of the Superior Court is **REVERSED**. It is also ordered that this case be **REMANDED** to the Superior Court to remand this matter to the trial court with instructions to **VACATE** its order, sustaining the preliminary objections filed by Local Union No. 654 International Brotherhood of Electrical Workers and transferring the action to the Court of Common Pleas of Philadelphia County. Pa.R.C.P. No. 1006(c)(1),(e); Zappala v. Brandolini Property Management, Inc., 909 A.2d 1272, 1281 (Pa. 2006).

Mr. Justice Saylor would allow the appeal and address the matter by written opinion after briefing and argument.