

[J-2-2006]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

CAPPY, C.J., CASTILLE, NEWMAN, SAYLOR, EAKIN, BAER, BALDWIN, JJ.

THE FRIENDSHIP PRESERVATION	:	No. 20 WAP 2005
GROUP, INC., A PENNSYLVANIA	:	
CORPORATION, AZ, INC., A	:	
PENNSYLVANIA CORPORATION, D.B.A.	:	Appeal from the Order of the
CAFE SAM, AND ANDREW ZINS, AN	:	Commonwealth Court entered October 29,
INDIVIDUAL	:	2004 at No. 1020 CD 2004 reversing the
	:	Order of the Court of Common Pleas of
v.	:	Allegheny County entered April 14, 2004
	:	at No. SA-03-000189.
ZONING BOARD OF ADJUSTMENT OF	:	
THE CITY OF PITTSBURGH AND UPMC	:	
SHADYSIDE	:	
	:	
	:	
APPEAL OF: UPMC SHADYSIDE	:	ARGUED: February 28, 2006

ORDER

PER CURIAM:

DECIDED: OCTOBER 5, 2006

AND NOW, this 5th day of October 2006, the Court being evenly divided, the Order of the Commonwealth Court is affirmed.

Mr. Chief Justice Cappy did not participate in the consideration or decision of this case.

For affirmance, Messrs. Justice Castille, Saylor, and Baer.

For reversal, Madame Justice Newman, Mr. Justice Eakin, and Madame Justice Baldwin.