

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

SEPTA, :
 :
 Petitioner :
 :
 v. : No. 1359 C.D. 2008
 :
 Workers' Compensation Appeal :
 Board (Specca), :
 Respondent :

ORDER

NOW, September 29, 2009, having considered petitioner SEPTA's application for reargument *nunc pro tunc* to which no answer has been filed, reargument is denied, but reconsideration is granted. See *Gajkowski v. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America*, 519 Pa. 320, 548 A.2d 533 (1988). The opinion and order filed April 8, 2009 are withdrawn.

A new opinion and order shall follow based upon the briefs previously filed. The parties are not required to file additional briefs pursuant to Pa. R.A.P. 2140.

BY THE COURT:

BONNIE BRIGANCE LEADBETTER,
President Judge