

**NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P. 65.37**

JOHN VINCENZI	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellant	:	
v.	:	
ROBERT M. MORGAN AND MORGAN	:	
COMPANY AND SELECTIVE INSURANCE	:	
Appellees	:	
	:	No. 2108 EDA 2015

Appeal from the Order Entered June 11, 2015  
In the Court of Common Pleas of Northampton County  
Civil Division at No(s): C-0048-CV-2013-11855

BEFORE: BOWES, OLSON and STRASSBURGER,\* JJ.

DISSENTING STATEMENT BY STRASSBURGER, J.:

**FILED NOVEMBER 18, 2016**

I respectfully dissent. Because I conclude that genuine issues of material fact exist as to whether Mr. Vincenzi was in the zone of danger and whether he feared physical impact, I would reverse and remand for trial on his claim for negligent infliction of emotional distress.

\*Retired Senior Judge assigned to the Superior Court.