

2017 PA Super 407

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| TAWNY L. CHEVALIER AND ANDREW | : | IN THE SUPERIOR COURT OF |
| HILLER, ON BEHALF OF THEMSELVES | : | PENNSYLVANIA |
| AND ALL OTHERS SIMILARLY | : | |
| SITUATED | : | |

v.

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| GENERAL NUTRITION CENTERS, INC. | : |
| AND GENERAL NUTRITION | : |
| CORPORATION, | : |

Appellants

No. 1437 WDA 2016

Appeal from the Judgment Entered September 6, 2016
in the Court of Common Pleas of Allegheny County,
Civil Division at No(s): G.D. 13-017194

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| HILLER, ON BEHALF OF THEMSELVES | : | PENNSYLVANIA |
| AND ALL OTHERS SIMILARLY | : | |
| SITUATED | : | |

v.

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| GENERAL NUTRITION CENTERS, | : |
| INC., AND GENERAL NUTRITION | : |
| CORPORATION, | : |

Appellants

No. 92 WDA 2017

Appeal from the Order Entered December 29, 2016
in the Court of Common Pleas of Allegheny County,
Civil Division at No(s): G.D. 13-017194

BEFORE: MOULTON, J., SOLANO, J., and MUSMANNO, J.

CONCURRING AND DISSENTING STATEMENT BY MUSMANNO, J.:

FILED DECEMBER 22, 2017

I respectfully disagree, and would affirm the judgment of the trial court, in its entirety, for the reasons stated in its Opinion. Further, I would affirm the trial court's Order with respect to the award of counsel fees and costs.