

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

JOHN V. SALVATI

Appellant

v.

MILISSA C. SALVATI

Appellee

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

No. 417 EDA 2013

Appeal from the Order Entered January 11, 2013  
In the Court of Common Pleas of Monroe County  
Domestic Relations at No(s): 1031 DR 2001 & 8194 CV 2009

BEFORE: BOWES, J., PANELLA, J., and FITZGERALD, J.\*

MEMORANDUM BY PANELLA, J.

**FILED DECEMBER 04, 2013**

Appellant, John V. Salvati, ("Husband") appeals from the order denying his exceptions to the award of alimony to Appellee, Milissa C. Salvati ("Wife"). After careful review, we affirm.

Husband and Wife were married in 1992, had three children during their marriage, and separated in 2009, when Wife moved out of the marital residence. Wife took custody of the youngest child, while the two older children remained in Husband's custody at the marital home. During the final years of the marriage, Husband worked in the insurance industry, with gross earnings of approximately \$110,000 annually, while Wife worked as a

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\* Former Justice specially assigned to the Superior Court.

teacher's aide earning \$15.00 per hour for approximately 35 hours per week.

Husband filed a complaint in divorce in 2009, and Wife filed an Answer and Counterclaim with New Matter shortly thereafter. Husband and Wife entered an agreement regarding equitable distribution of marital assets and liabilities, and that the value of the marital home would be established by an appraisal by a named realtor. As a result, the issues presented to the divorce master were limited to alimony and payment of Wife's counsel fees, costs, and expenses by Husband. Ultimately, the divorce master awarded Wife \$1,275.00 per month in alimony for 36 months and \$3,000.00 in counsel fees and costs.

Husband filed exceptions to the master's report, which the trial court subsequently denied. Husband then filed this timely appeal. On appeal, Husband raises 5 issues, the first 4 of which challenge the award of alimony to Wife.

Our standard of review pertaining to an award of alimony is as follows:

The role of an appellate court in reviewing alimony orders is limited; we review only to determine whether there has been an error of law or abuse of discretion by the trial court. Absent an abuse of discretion or insufficient evidence to sustain the support order, this Court will not interfere with the broad discretion afforded the trial court.

***Smith v. Smith***, 904 A.2d 15, 20 (Pa. Super. 2006) (citation omitted).

An award of alimony aims to "ensure that the reasonable needs of the person who is unable to support himself or herself through appropriate

employment, are met.” ***Teodorski v. Teodorski***, 857 A.2d 194, 200 (Pa. Super. 2004) (citation omitted). “Alimony is based upon reasonable needs in accordance with the lifestyle and standard of living established by the parties during the marriage, as well as the payor’s ability to pay.” ***Id.*** (internal quotations omitted). Pursuant to the Divorce Code, when determining the nature, amount, duration and manner of payment of alimony, the court must consider all relevant factors, including those statutorily prescribed at 23 PA.CON.S.TAT.ANN. § 3701, Alimony, (b) Relevant Factors (1)-(17). ***See Smith***, 904 A.2d at 20; ***Isralsky***, 824 A.2d at 1188.

With our standard of review in mind, we have examined the certified record, the briefs of the parties, the trial court’s opinion, and the applicable law, and we find that the trial court ably addressed the first four issues Husband presents on appeal. Accordingly, we affirm on the basis of the trial court’s well-written memorandum opinion. ***See*** Trial Court Opinion, filed 11/21/2012.

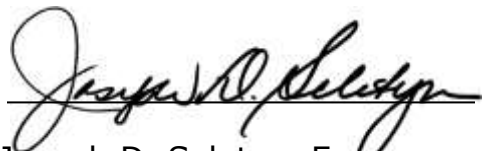
In his fifth and final issue on appeal, Husband challenges the award of counsel fees to Wife. This Court’s scope of review for the award or denial of counsel fees is limited to a determination of whether the trial court abused its discretion, or committed an error of law. ***See Prozzoly v. Prozzoly***, 475 A.2d 820, 823 (Pa. Super. 1984). Thus, a determination regarding counsel fees will be altered only when the judgment of the trial court is “manifestly unreasonable” or is the result of “prejudice, bias or ill-will.” ***Jayne***, 663 A.2d

at 174 (citation omitted). Generally, “[c]ounsel fees are not awarded automatically and the petitioning spouse must show actual need before such an award is justified. Counsel fees are appropriate when necessary to put the parties ‘on par’ in defending their rights or in allowing an action for divorce.” **Kohl v. Kohl**, 564 A.2d 222, 225 (Pa. Super. 1989) (internal citation and quotation marks omitted).

Similar to Husband’s first four issues on appeal, we have reviewed the relevant record and law, and find that the trial court’s memorandum opinion thoroughly and ably addresses Husband’s challenge to the award of counsel fees. Accordingly we affirm on the basis of the trial court’s well-written memorandum. **See id.**

Order affirmed. Jurisdiction relinquished.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn". The signature is written in a cursive style with a horizontal line underneath.

Joseph D. Seletyn, Esq.  
Prothonotary

Date: 12/4/2013

Peter J. Quigley, Esq.

COURT OF COMMON PLEAS OF MONROE COUNTY  
FORTY-THIRD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA

JOHN V. SALVATI,	:	No. 1031-DR-2001	21
	:	No. 8194-CV-2009	
Plaintiff	:		
	:		
vs.	:		
	:		
MILISSA C. SALVATI,	:		
	:		
Defendant	:	IN DIVORCE	

STATEMENT PURSUANT TO Pa.R.A.P. 1925(a)

This matter comes before the Court on Plaintiff John V. Salvati's appeal of our Order dated September 4, 2012. The facts and procedural history of the case are summarized as follows.

Plaintiff John V. Salvati (hereinafter "Husband") and Defendant Milissa C. Salvati (hereinafter "Wife") were married on June 20, 1992 in Edgewater, New Jersey. Within two years of the marriage, the parties moved to Pennsylvania. The Salvati's have three children: Samantha, age 19; John, age 17; and Sabrina, age 15. The parties separated in November 2009 when Wife moved out of the marital residence. Wife took custody of the parties' youngest child, Sabrina, while the two older children remained in the marital home with Husband.

During the marriage, Husband was employed by the Guardian Life Insurance Company in Bethlehem, Pennsylvania. His gross earnings as computed at the Divorce Master's hearing were approximately \$110,000

annually. Wife worked as a teacher's aide for Step by Step in Pennsylvania, earning \$15.00 per hour and working approximately thirty-five (35) hours per week. In July 2011, Wife quit her job and moved to Oakland, New Jersey. There, she took a job with The Children's Institute as an instructional aide, earning \$12.00 per hour and working approximately twenty-eight (28) hours per week.

Husband filed a Complaint in Divorce on September 3, 2009, alleging that the marriage was irretrievably broken and requesting that the Court enter a Decree of Divorce. Wife filed an Answer and Counterclaim with New Matter on October 6, 2009, in which she requested that the Court enter a Decree in Divorce and grant her equitable distribution of property rights, alimony, alimony pendente lite, and counsel fees and expenses. On April 15, 2010, Husband was directed to pay alimony pendente lite to Wife in the amount of \$658 per month. This Order terminated on January 25, 2011. Subsequently, the Court extended Wife's alimony pendente lite from January 25, 2011 to December 20, 2011, and increased the amount from \$658 per month to \$1,519 per month.

A hearing was held before Divorce Master Daniel M. Corveleyn, Esquire on December 20, 2011. At the Master's Hearing, the parties placed on the record a stipulation of settlement regarding the equitable distribution of marital assets and marital debts. Essentially, the parties agreed that Wife would receive 57% of the net assets, including 57% of the net equity in the marital home, as established by an appraisal to be performed by Thomas McKeown, Realtor. Thus, the only issues before the Master were the payment of alimony by

Husband to Wife, and the payment of counsel fees, costs, and expenses by Husband.

On April 5, 2012, the Master filed his report. The Master awarded Wife \$1,275 per month in alimony for thirty-six (36) months. Husband filed exceptions to the Master's Report on April 25, 2012 and Amended Exceptions on May 11, 2012. Wife filed a Brief in Opposition to Husband's Exceptions on June 27, 2012. Husband filed a Brief in Support on August 3, 2012. Wife also filed an Amended Brief in Opposition on August 3, 2012. On September 4, 2012, this Court entered an Order adopting the Master's Report and denying Husband's Exceptions thereto. Husband filed a Notice of Appeal on October 4, 2012. As directed by the Court, Husband filed a Concise Statement of Errors Complained of on Appeal pursuant to Pa.R.A.P. 1925(b) on October 31, 2012. The Court now files this Opinion pursuant to Pa.R.A.P. 1925(a).

### **DISCUSSION**

Husband raises six issues in his 1925(b) Statement, all of which relate to the Court's adoption of the Divorce Master's Report. First, Husband alleges that the Court erred in accepting the appraisal of the marital residence performed by Thomas McKeown, as Mr. McKeown did not complete a second visual inspection of the property prior to his appraisal. Second, Husband alleges that the Court erred in failing to include in its calculations that Husband has custody of one child, and needs to provide support for that child. Third, Husband alleges that the Court erred in concluding that Husband has job security with the Guardian Life Insurance Company. Fourth, Husband alleges that the Court erred

in calculating the alimony that Husband is to pay to Wife, arguing that the Master failed to consider Wife's marital misconduct and incorrectly calculated the earning capacity of both parties. Next, Husband alleges that the Court erred in awarding Wife counsel fees and costs. Finally, Husband alleges that the Court erred in failing to credit Husband for paying for Wife's health insurance through the date of divorce. We will address Husband's assignments of error in turn.

We note that the master's report and recommendation, although only advisory, will be given the fullest consideration, particularly on the question of credibility of witnesses, because the master has the opportunity to observe and assess the behavior and demeanor of the parties. Simeone v. Simeone, 551 A.2d 219, 225 (Pa. Super.1988), Moran v. Moran, 839 A.2d 1091, 1095 (Pa. Super. 2003).

#### **I. Appraisal of the Marital Estate**

Pursuant to their stipulation of settlement, Husband and Wife agreed that a current appraisal conducted by Thomas G. McKeown would be submitted as part of the record in order to determine the parties' net equity in the marital residence. [N.T., p. 7]. A copy of Mr. McKeown's appraisal was submitted to the Master which stated the fair market value of the marital residence to be \$80,000. [Master's Report, p. 6]. Husband now alleges that the Master erred in utilizing this appraisal, as Mr. McKeown did not reappraise the property by visual inspection, but rather updated comparable property values on a prior appraisal conducted in 2009. Husband argues that this method of appraisal was not agreed upon by Husband and Wife.



We find Husband's argument without merit. While Husband is correct that he and Wife did not explicitly agree on this method of appraisal, the agreement did not set forth the method that was to be used to conduct the appraisal. Rather, the parties simply agreed that an appraisal was to be conducted by Thomas McKeown. Mr. McKeown, a Pennsylvania Certified General Real Estate Appraiser, conducted an appraisal using methods approved within the industry, exactly as contemplated by the parties. If Husband was concerned with the method to be used to conduct the appraisal, he should have bargained to include his preferred method in the stipulation of settlement. Further, Husband has not alleged that the marital residence was renovated or updated so as to require a second visual inspection to correctly determine its value. As such, we find that the Court did not err in adopting the Master's recommendation as to the appraisal of the marital estate and request that the Superior Court affirm same.

## **II. Support Calculations**

The parties have three children, one of whom is an adult. As to the minor children, Husband has custody of John, age 16, while Wife has custody of Sabrina, age 14. At the Master's Hearing, the parties stipulated that Husband currently owes Wife \$1,082.09 per month in child support and that Wife currently owes Husband \$263.37 per month in child support. [N.T., p. 54]. Thus, Husband owes Wife a total of \$818.72 per month in child support. [Id.]. This amount is further reduced by \$86.50 per month for a health insurance adjustment credited to Husband. [Id.]. Additionally, Husband owes wife \$48.00 per month in

arrearages, leaving a net payable from Husband to Wife in the sum of \$780.22, rounded up by the Master to \$781. [N.T., p. 56-57; Master's Report, p. 9].

Husband now argues that the Court erred in failing to include in its income calculations the fact the Husband has custody of one child whom he needs to support.

We find Husband's argument without merit. While the Master did not expressly indicate in his report that he considered Husband's custody of John in his calculations, it is clear from the numbers used by the Master that the parties' custody arrangements were indeed taken into consideration. As discussed above, Husband is currently required to pay Wife \$1,082.09 per month in child support. In calculating the parties' income in his report, the Master uses the \$781 per month support figure that includes the deduction for child support owed by Wife to Husband. If, as alleged by Husband, the Master failed to consider the fact that Husband has custody of John in his calculations, he would have used the baseline child support figured owed by Husband to Wife of \$1,082.09. While not discussed or broken down, it is inherent in the Master's calculations that Husband's custody of John was considered. Thus, we find that the Court did not err in adopting the Master's recommendation as to the support calculations and request that the Superior Court affirm same.

### **III. Husband's Job Security**

At the Master's Hearing, Husband testified that he is currently employed by the Guardian Life Insurance Company and has been with that company for thirteen (13) years. [N.T., p. 66]. He stated that he is fifty-two (52)

years old and has twenty-five (25) years experience in the insurance industry. [Id.]. When asked about his job security, Husband stated that while he is secure for the next year or so, his department has been losing money and that companies today make reorganization changes all the time. [Id.]. He further stated that he has had friends lose their jobs in recent years. [Id.]. Husband alleges that, contrary to his testimony, the Divorce Master essentially concluded that he has job security with Guardian. Husband argues that the Court erred in adopting this recommendation.

We find Husband's argument without merit. Husband has worked in the same industry for twenty-five (25) years and has been with his current employer for the last thirteen (13) years. He testified that he was in no immediate danger of losing his current job. This is the very definition of job security. The future is uncertain by its very nature and nearly every employee could potentially lose his job in a few years—if this were the standard for determining job security almost no one would be deemed secure. The fact that Husband's friends have lost their jobs recently or that Husband's department is losing money does not change this determination. In today's economic climate, many workers can only dream of being as secure in their jobs as Husband is in his. As such, we find that we did not err in adopting the Master's recommendation as to Husband's job security and request that the Superior Court affirm same.

#### **IV. Alimony**

The Master determined that Husband should pay Wife \$1,275 per month in alimony for a period of thirty-six (36) months. [Master's Report, p. 11].

Husband alleges that the Court erred in adopting this recommendation, arguing that the Court failed to consider Wife's marital misconduct, failed to adjust wife's earning capacity to that of her Pennsylvania income, relied on faulty support hearing calculations to determine the net incomes of the respective parties, and failed to take into consideration Husband's obligation to support the child in his custody. As we previously discussed the support calculations in Section II, we will not address that issue again. We will address Husband's remaining arguments in turn.

Section 3701 of the Pennsylvania Divorce Code provides the relevant factors in determining whether or not an award of alimony is appropriate. Those factors include: the relative earnings and earning capacities of the parties; the sources of income of both parties, including, but not limited to, medical, retirement, insurance or other benefits; the duration of the marriage; the extent to which the earning power, expenses or financial obligations of a party affected by reason of serving as the custodian of a minor child; the standard of living of the parties established during the marriage; the relative education of the parties and the time necessary to acquire sufficient education or training to enable the party seeking alimony to find appropriate employment; the relative assets and liabilities of the parties; the property brought to the marriage by either party; the contribution of a spouse as homemaker; the relative needs of the parties; the marital misconduct of either of the parties during the marriage; whether the party seeking alimony lacks sufficient property, including, but not limited to, property distributed under Chapter 35 (relating to property rights), to provide for the party's

reasonable needs; and whether the party seeking alimony is incapable of self-support through appropriate employment.

We note that “[t]he purpose of alimony is not to reward one party and to punish the other, but rather to ensure that the reasonable needs of the person who is unable to support himself or herself through appropriate employment, are met.” Twilla v. Twilla, 664 A.2d 1020, 1022 (Pa. Super. 1995). Alimony “is based upon reasonable needs in accordance with the lifestyle and standard of living established by the parties during the marriage, as well as the payor’s ability to pay.” Id. Moreover, “[a]limony following a divorce is a secondary remedy and is available only where economic justice and the reasonable needs of the parties cannot be achieved by way of an equitable distribution award and development of an appropriate employable skill.” Id.

**A. Wife’s Alleged Marital Misconduct**

Husband alleges that the Master erred in failing to take Wife’s marital misconduct into consideration in determining alimony. He alleges that Wife testified at the Master’s Hearing that she had affairs outside of the marriage and admitted to abusing the parties’ children to the point of having criminal charges filed against her. We disagree.

First, we note that Husband has embellished the alleged marital misconduct admitted by Wife. Husband, not Wife, testified that Wife had affairs outside of the marriage. [N.T., p. 63]. Wife was not asked about extramarital affairs and thus made no admissions on the topic. Further, while Wife admitted that she pleaded guilty to harassment and disorderly conduct as the result of an

incident with her oldest daughter, she never “admitted to abusing the parties’ children.” [Id. at 50-51]. Both parties testified that the marriage was extremely “volatile” and fraught with problems. [Id. at 43; 63]. Husband admitted that he himself was volatile at times. [Id. at 63].

Based on this testimony, we find that the Master was well within his discretion in determining that Wife’s alleged marital misconduct was either too insignificant, or not supported by sufficient facts to have an effect on the award of alimony. The Master was certainly aware of Husband’s allegations and Wife’s admissions and we defer to his judgment in concluding that they should not have an influence on the award of alimony. It is well-settled that a Master’s Report should be given the fullest consideration, particularly on the question of credibility of witnesses, because the master has the opportunity to observe and assess the behavior and demeanor of the parties. Simeone v. Simeone, 551 A.2d 219, 225 (Pa. Super. 1988), Moran v. Moran, 839 A.2d 1091, 1095 (Pa. Super. 2003). As such, we find that the Court did not err in adopting the Master’s recommendation as to Wife’s alleged marital misconduct and request that the Superior Court affirm same.

#### **B. Wife’s Earning Capacity**

Wife is currently employed as an instructional aide at The Children’s Institute in Verona, New Jersey. [N.T., p. 21]. She earns \$12.00 per hour and works approximately twenty-seven and one-half (27.5) hours per week, for a gross monthly income of approximately \$1,419. [Id.]. Prior to starting this job in August 2011, Wife worked in a therapy staff support position for a

Pennsylvania agency called Step by Step. [Id.]. There, she earned \$15.00 per hour and worked a varied number of hours each week. Based on a workweek of thirty-five (35) hours, her gross monthly income at Step by Step totaled approximately \$2,257.50. Husband alleges that the Court erred by accepting the Divorce Master's calculation of Wife's earnings based on her current job.

Husband argues that Wife voluntarily left a higher paying job at Step by Step for her current job, and thus her earning capacity should be calculated based on what she earned at Step by Step. We find Husband's argument without merit.

Courts traditionally view with suspicion any sudden reduction in income. A party cannot reduce earnings in an attempt to alter support payments. Snively v. Snively, 212 A.2d 905 (Pa. Super. 1965). However, this is not a case in which Wife purposefully reduced her income in order to increase Husband's alimony obligations. See Perlberger v. Perlberger, 626 A.2d 1186, 1205 (Pa. Super 1993). Wife articulated several valid motives for leaving Step by Step and accepting a lower paying position at The Children's Institute. She testified that she has a New Jersey teaching license and would like to become a teacher, but that she needs to work her way up the ladder, starting as a teacher's aide. [N.T., p. 38-40]. She stated that there was no opportunity for advancement at her previous job, but that her current job as a teacher's aide is a pipeline to a teaching position. [Id.]. Further, unlike her previous employer, Wife testified that her current employer will contribute to her graduate education. [Id.]. Finally, Wife testified that if she would have retained her previous job after relocating to New Jersey, she would have had a round-trip commute of approximately 160 miles.

[Id. at 53]. The Master found this testimony credible and we will not disturb his findings. We find that while Wife's salary may be lower at her current job, because of the advancement opportunities available and the other benefits provided, all things considered, that job is arguably more appealing. Thus, we find that we did not err in adopting the Master's recommendation as to Wife's earning capacity and ask the Superior Court to affirm same.

### **C. Support Hearing Calculations**

Husband alleges that the Divorce Master erred in relying on faulty support hearing calculations in determining the net incomes of the respective parties. Husband sets forth a table in which he argues that based on the faulty calculations relied on by the Master, after subtracting child support and alimony, Husband's net income is \$462.76 per month less than Wife's. We disagree.

Despite Husband's allegations, the numbers set forth in Husband's 1925(b) Statement—alleged to be faulty support hearing calculations—do not appear in the Master's Report. Indeed, nowhere in his Report does the Master refer to Husband's monthly net income; instead, the Master simply states that Husband admitted earning \$110,249.00 in actual gross income in 2011. [Master's Report, p. 9; N.T., p. 68-69]. The Master goes on to base his alimony calculations on the fact that Husband earns over \$110,000 per year, has the benefit of two retirement plans, and will likely continue to work and accumulate assets for another twelve (12) to fifteen (15) years. [Master's Report, p. 10]. Thus, as there is no evidence that the alleged faulty calculations were relied upon by the Master in determining alimony, Husband's assignment of error is without merit. As such,



we find that we did not err in adopting the Master's Report and request that the Superior Court affirm same.

**V. Counsel Fees, Costs, and Expenses**

At the Master's Hearing, Wife asserted a claim for counsel fees, costs, and expenses. She submitted evidence that she has been billed in excess of \$9,500 in counsel fees since the commencement of the divorce action. [Master's Report, p. 11]. Wife testified that she has paid less than \$1,000 of those fees and that her family has made substantial contributions to her legal expenses. [N.T., p. 64-65]. She stated that although her family has not requested that she reimburse them for payment of these fees, she feels obligated to do so at some point in the future. [Id. at 66]. The Master awarded Wife \$3,000 in counsel fees, citing the vast disparities in the parties' respective incomes and future earning potential. [Master's Report, p.11]. Husband now alleges that the Court erred in awarding Wife counsel fees, arguing that Wife is not obligated to repay her family and that she is receiving substantial assets as a result of the equitable distribution settlement. We find Husband's argument without merit.

Factors that the Court may consider in determining whether an award of counsel fees is appropriate include whether the financial positions and the financial needs of the parties are disparate. Kraisinger v. Kraisinger, 34 A.3d 168 (Pa. Super. 2011). An award of counsel fees pursuant to the Domestic Relations Code is reviewed only for an abuse of discretion. Id. An abuse of discretion is not merely an error of judgment, but rather if in reaching a conclusion, the law is overridden or misapplied, or the judgment exercised is

manifestly unreasonable, or the result indicates a showing of prejudice, bias, or ill-will. Id.

Here, the Master determined that the disparity in the earning capacities of the parties warranted an award of counsel fees. We note that the Master awarded Wife less than one-third of the amount requested. While Husband is correct that Wife testified that she was not obligated to repay her family, we do not find this fact to require the denial of counsel fees to Wife. It is uncontested that Wife earns \$12.00 an hour working twenty-eight (28) hours a week, while Husband earns over \$110,000 per year. Despite the fact that Wife is receiving cash as a result of the equitable distribution settlement, the Master determined that this vast disparity in the parties' incomes warranted an award to Wife of approximately one-third of her counsel fees. We find that the Master's recommendation was well within the confines of the law and thus conclude that the Court did not err in adopting it. We request that the Superior Court affirm same.

#### **VI. Health Insurance Credit**

During the Master's Hearing, after the parties placed on the record the stipulation regarding equitable distribution of the marital estate, a question arose as to whether Husband was obligated to pay for an additional two months of health insurance for Wife, pending the entry of the final divorce decree. [N.T., p. 15-16]. The Master advised Husband to make those payments and informed Husband that he would set forth in his report and recommendation whether or not Husband was entitled to a credit for those payments. [Id.]. The payments were

\$200.00 per month for a total of \$400.00. [Id.]. Husband alleges that the Master erred in failing to award Husband a credit for the health insurance payments. We find Husband's argument without merit.

The Domestic Relations Code provides that: "a party's payment of a premium to provide health insurance coverage on behalf of the other party or the children shall be allocated between the parties in proportion to their net incomes." Pa.R.C.P. 1910.16-6(b)(1). However, both the question of whether to require the obligor spouse to pay the other spouse's health care expenses, as well as the question of the proper percentage to assess, is within the discretion of the trial court. Kessler v. Helmick, 672 A.2d 1380 (1996); 23 Pa.C.S.A. § 4324. The Superior Court has held that a trial court did not abuse its discretion in finding one spouse solely responsible for health insurance when there was a vast disparity in the income of the parties. See Diament v. Diament, 816 A.2d 256, 276-76 (Pa. Super. 2003).

Here, the Master did not address the \$400.00 health insurance credit requested by Husband in his report. However, based on the vast disparities in income between the parties, as discussed above, we find that it is not unreasonable to require Husband to pay for Wife's health insurance through the pendency of the divorce. Further, even if the Master erred in failing to award Husband a health insurance credit, we find that the \$400.00 requested by Husband is such an insignificant amount in the grand scheme of the divorce action that the error is *de minimis* and non-prejudicial. Thus, we find that the

Court did not err in adopting the Master's recommendation and request that the Superior Court affirm same.

BY THE COURT:

November 21, 2012

  
JENNIFER HARLACHER SIBUM, J.

cc: Peter J. Quigley, Esquire  
Barry J. Cohen, Esquire  
Daniel M. Corveleyn, Esquire, Master

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