

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

DONNA DAVIS JAVITZ,	:	No. 480 MAL 2021
	:	
Petitioner	:	
	:	
v.	:	Petition for Allowance of Appeal
	:	from the Order of the
	:	Commonwealth Court
	:	
	:	
LUZERNE COUNTY, ROBERT LAWTON,	:	
AND DAVID PARSHNIK,	:	
	:	
Respondents	:	

ORDER

PER CURIAM

AND NOW, this 16th day of November, 2021, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by petitioner, are:

- (1) Whether this Court should allow this appeal to proceed where the Commonwealth Court in this case has rejected the well-established holding of the Supreme Court in *O'Rourke v. Commonwealth*, 778 A.2d 1194, 1200 (Pa. 2001) and *Golashevsky v. Department of Environmental Protection*, 720 A.2d 757, 759 (Pa. 1998) and instead determined that in order to establish a prima facie case under the Whistleblower Law a litigant must establish causation with direct evidence proving (1) the County directly threatened [Petitioner] with adverse employment action for filing a report or (2) specifically directed [Petitioner] not to file the report, in effect nullifying the Whistleblower Law?

- (2) Did the Commonwealth Court err in entering an order dismissing this appeal by limiting its finding of facts and misapplying the law established by the Supreme Court?