

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

|   |   |  |
|---|---|--|
| LINDSAY FRAN CZYK,  | : | No. 315 WAL 2021   |
|   | : |  |
| Respondent  | : |  |
|   | : |  |
| v.  | : | Petition for Allowance of Appeal<br>from the Order of the Superior Court |
|   | : |  |
|   | : |  |
| THE HOME DEPOT, INC. D/B/A HOME<br>DEPOT, PHILIP ROGERS, AND THOMAS<br>MASON, | : |  |
|   | : |  |
| Petitioners   | : |  |

**ORDER**

**PER CURIAM**

**AND NOW**, this 16<sup>th</sup> day of March, 2022, the Petition for Allowance of Appeal is **GRANTED**. The issues, rephrased for clarity, are:

- (1) Where an employee suffers a workplace injury fairly attributable to a non-employer third party, is the employee precluded by 77 P.S. § 481's exclusive remedy provision from bringing a tort claim against the employer for affirmative conduct that impedes the employee's ability to seek relief against the third-party?
  
- (2) Does the Superior Court's decision in this case conflict with its decision in *Kalik v. Mash*, 982 A.2d 85 (Pa. Super. 2009)?