

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

CONSTRUCTION & DESIGN, INC.

: No. 739 MAL 2011

v.

: Petition for Allowance of Appeal from the
: Order of the Superior Court

KORESKO & ASSOCIATES, P.C. AND
JOCELYN PROPERTIES, INC. AND FIRST
STATE PROPERTIES NO. 16, LLC

PETITION OF: KORESKO &
ASSOCIATES, P.C., JOCELYN
PROPERTIES, INC. AND BNB
PROPERTIES

CONSTRUCTION & DESIGN, INC.

: No. 740 MAL 2011

v.

: Petition for Allowance of Appeal from the
: Order of the Superior Court

BNB PROPERTIES, LLC AND JOCELYN
PROPERTIES, INC.

PETITION OF: KORESKO &
ASSOCIATES, P.C., JOCELYN
PROPERTIES, INC. AND BNB
PROPERTIES

ORDER

PER CURIAM

DECIDED: December 13, 2012

AND NOW, this 13th day of December, 2012, the Petition for Allowance of Appeal is **GRANTED**. The order of the Superior Court is **VACATED**, and this matter is **REMANDED** for reconsideration in light of Newman Development Group of Pottstown, LLC v. Genuardi's Family Market, Inc., 52 A.3d 1233 (Pa. 2012).