

[J-117-2006]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

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| VICTOR M. SACKETT AND DIANA L. SACKETT, | : | No. 8 WAP 2006 |
| | : | |
| Appellants | : | Application for Reargument |
| | : | |
| v. | : | Application Of Amici Curiae, The |
| | : | Pennsylvania Defense Institute, The |
| | : | Insurance Federation Of Pennsylvania, |
| | : | And The Property Casualty Insurers |
| | : | Association of America, For Leave To File |
| NATIONWIDE MUTUAL INSURANCE COMPANY, | : | Statement In Support of Application For |
| | : | Reargument Filed By Nationwide |
| Appellee | : | Insurance |
| | : | |
| | : | Application Of Amicus Curiae, The |
| | : | Pennsylvania Trial Lawyers Association, |
| | : | For Leave To File Statement Opposing |
| | : | Application For Reargument Filed By |
| | : | Nationwide Mutual Insurance Company |
| | : | |
| | : | Application of Victor M. Sackett and Diana |
| | : | L. Sackett, Appellants, for Leave to File a |
| | : | Brief in Response to the Amicus Brief |
| | : | Previously Filed by the Insurance |
| | : | Commissioner and the Department of |
| | : | Insurance of the Commonwealth of |
| | : | Pennsylvania |
| | : | |

ORDER

PER CURIAM

AND NOW, this 16th day of October, 2007, upon consideration of Appellee's Application for Reargument, Appellants' Response in Opposition, and the Statement of

Amicus Curiae in Support of Reargument filed by the Commonwealth of Pennsylvania Insurance Commissioner and Department (“Insurance Commissioner”) in response to this Court’s June 27, 2007 order, it is **HEREBY ORDERED** that the Application for Reargument is **GRANTED**, and this matter is **RESUBMITTED** on the existing briefs and reargument pleadings. Appellants Victor M. Sackett and Diana L. Sackett are hereby **GRANTED** twenty (20) days to file a Brief in Response to the substantive points made in the Application for Reargument and the points made in the Insurance Commissioner’s Amicus Statement.

*The Application Of Amici Curiae, The Pennsylvania Defense Institute, The Insurance Federation Of Pennsylvania, And The Property Casualty Insurers Association of America, For Leave To File Statement In Support of Application For Reargument Filed By Nationwide Insurance is **DENIED**. The Application Of Amicus Curiae, The Pennsylvania Trial Lawyers Association, For Leave To File Statement Opposing Application For Reargument Filed By Nationwide Mutual Insurance Company is **DENIED**.*

Mr. Justice Fitzgerald did not participate in the consideration or decision of this matter.

Madame Justice Baldwin files a dissenting statement which is joined by Mr. Chief Justice Cappy.