

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

ADAM BRIGGS, PAULA BRIGGS, HIS	:	No. 443 MAL 2018
WIFE, JOSHUA BRIGGS AND SARAH H.	:	
BRIGGS,	:	
	:	
Respondents	:	Petition for Allowance of Appeal from
	:	the Order of the Superior Court
	:	
	:	
v.	:	
	:	
	:	
SOUTHWESTERN ENERGY	:	
PRODUCTION COMPANY,	:	
	:	
	:	
Petitioner	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 20<sup>th</sup> day of November, 2018, the Petition for Allowance of Appeal is **GRANTED**. The issue, as rephrased, is:

Does the rule of capture apply to oil and gas produced from wells that were completed using hydraulic fracturing and preclude trespass liability for allegedly draining oil or gas from under nearby property, where the well is drilled solely on and beneath the driller's own property and the hydraulic fracturing fluids are injected solely on or beneath the driller's own property?