

[J-26-2013]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

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|---------------------------------------|---|--|
| CARL J. BARRICK AND BRENDA L. BARRICK | : | No. 76 MAP 2012 |
| | : | |
| | : | Appeal from the order of the Superior |
| | : | Court dated November 23, 2011 at Docket |
| v. | : | No. 1856 MDA 2009 reversing the order of |
| | : | Cumberland County Court of Common |
| | : | Pleas, Civil Division, dated October 16, |
| | : | 2009 at No. 07-3604 and remanding. |
| HOLY SPIRIT HOSPITAL OF THE | : | |
| SISTERS OF CHRISTIAN CHARITY, | : | |
| INDIVIDUALLY AND DOING BUSINESS | : | ARGUED: April 10, 2013 |
| AS HOLY SPIRIT HOSPITAL, SODEXHO | : | |
| MANAGEMENT, INC., SODEXHO | : | |
| OPERATIONS, LLC AND LINDA J. | : | |
| LAWRENCE | : | |
| | : | |
| | : | |
| | : | |
| APPEAL OF: SODEXHO MANAGEMENT | : | |
| INC., SODEXHO OPERATIONS LLC, | : | |
| AND LINDA J. LAWRENCE | : | |

ORDER

PER CURIAM

DECIDED: April 29, 2014

AND NOW, this 29th day of April 2014, the Court being evenly divided, the Order of the Superior Court is **AFFIRMED**.

Former Justice Orie Melvin did not participate in the consideration or decision of this case.

Mr. Justice Baer files an opinion in support of affirmance in which Madame Justice Todd and Mr. Justice McCaffery join.

Mr. Justice Saylor files an opinion in support of reversal in which Mr. Chief Justice Castille and Mr. Justice Eakin join.