

**[J-26A&B-2019][M.O. - Baer, J.]**  
**IN THE SUPREME COURT OF PENNSYLVANIA**  
**WESTERN DISTRICT**

TAWNY L. CHEVALIER AND ANDREW HILLER, ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED,	:	Nos. 22 & 23 WAP 2018
	:	
Appellees	:	Appeal from the Order of the Superior Court entered 12/22/17 at Nos. 1437 WDA 2016 and 92 WDA 2017, affirming in part and reversing in part the judgment of the Court of Common Pleas of Allegheny County entered 12/29/16 at No. GD 13-017194 and remanding
v.	:	
	:	ARGUED: April 10, 2019
GENERAL NUTRITION CENTERS, INC. AND GENERAL NUTRITION CORPORATION,	:	
	:	
Appellants	:	

***CONCURRING AND DISSENTING OPINION***

**CHIEF JUSTICE SAYLOR**

**DECIDED: NOVEMBER 20, 2019**

I agree with the reasoning set forth in the concurring and dissenting opinion in the Superior Court, authored by Judge Solano, and would adopt that position here. See *Chevalier v. Gen. Nutrition Ctrs., Inc.*, 177 A.3d 280, 303-08 (Pa. Super. 2017) (Solano, J., concurring and dissenting).