

[J-62-2016]
IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

**CHIEF JUSTICE SAYLOR, JUSTICE WECHT, AND JUDGES COLINS, FRIEDMAN,
LEADBETTER, BROBSON, AND STRASSBURGER**

JOHN J. DOUGHERTY,	:	No. 6 EAP 2015
	:	
Appellant	:	Appeal from the Judgment of the
	:	Superior Court entered on 8/14/14 at
v.	:	No. 1333 EDA 2012 affirming the order
	:	entered on 4/11/12 in the Court of
KAREN HELLER,	:	Common Pleas, Civil Division,
	:	Philadelphia County at No. 00699
Appellee	:	December Term 2009
	:	
	:	ARGUED: May 9, 2016

CONCURRING AND DISSENTING OPINION

SENIOR JUDGE FRIEDMAN

DECIDED: June 14, 2016

I join in parts I, II, and III of the majority opinion. I respectfully dissent from part IV of the majority and join the dissenting opinion of Judge Colins.

I write separately only to emphasize that based on the parties' protracted adversarial history, Appellant's fears are real and not speculative. From the evidence presented, I would conclude that because the harm alleged is more likely than not to occur, Appellant has established good cause, thus warranting the limited protective order requested.