

**[J-93A-2020, J-93B-2020 and J-93C-2020] [MO: Dougherty, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

ALWAYS BUSY CONSULTING, LLC,	:	No. 11 WAP 2020
	:	
Appellant	:	Appeal from the Order of the
	:	Superior Court entered September
v.	:	6, 2019 at No. 94 WDA 2019,
	:	quashing the Appeal from the Order
	:	of the Court of Common Pleas of
	:	Allegheny County entered
BABFORD & COMPANY, INC.,	:	December 28, 2018 at Nos. GD-18-
	:	005205 and GD-18-005466.
	:	
Appellee	:	ARGUED: October 22, 2020
	:	
ALWAYS BUSY CONSULTING, LLC,	:	No. 12 WAP 2020
	:	
Appellant	:	Appeal from the Order of the
	:	Superior Court entered September
v.	:	6, 2019 at No. 330 WDA 2019,
	:	quashing the Appeal from the
	:	Judgment of the Court of Common
	:	Pleas of Allegheny County entered
BABFORD & COMPANY, INC.,	:	January 31, 2019 at Nos. GD-18-
	:	005205 and GD-18-005466.
	:	
Appellee	:	ARGUED: October 22, 2020
	:	
ALWAYS BUSY CONSULTING, LLC,	:	No. 13 WAP 2020
	:	
Appellant	:	Appeal from the Order of the
	:	Superior Court entered September
v.	:	6, 2019 at No. 387 WDA 2019,
	:	quashing the Appeal from the
	:	Judgment of the Court of Common
	:	Pleas of Allegheny County entered
BABFORD & COMPANY, INC.,	:	February 26, 2019 at Nos. GD-18-
	:	005205 and GD-18-005466.
	:	
Appellee	:	ARGUED: October 22, 2020

CONCURRING OPINION

JUSTICE MUNDY

DECIDED: MARCH 25, 2021

The majority holds that “filing a single notice of appeal from a single order entered at the lead docket number for consolidated civil matters where all record information necessary to adjudication of the appeal exists, and which involves identical parties, claims and issues” does not warrant quashal, as it does not run afoul of the holding announced in *Commonwealth v. Walker*, 185 A.3d 969 (Pa. 2018) (holding separate notices of appeal must be filed where a single order resolves issues arising on more than one docket number). Maj. Op. at 16-17. The majority reaches this conclusion by distinguishing *Walker* from the instant case, which involves consolidated cases with identical parties and claims. *Id.* at 16. I join the majority opinion, as I agree with the ultimate conclusion reached in this case. However, I write to express my continued disagreement with the bright-line rule announced in *Walker*. In that case, I authored a concurring and dissenting opinion explaining:

In the interests of justice and judicial economy, I favor continuing the practice of addressing the merits of an appeal, despite a procedural error, where the circumstances permit. Specifically, when the issues are substantially identical, where there is no objection or no prejudice would ensue, and where quashing the appeal would result in a total preclusion of the issue being addressed.

Walker, 185 A.3d at 978 (Mundy, J. dissenting). My concerns regarding the strict *Walker* rule appear well founded in light of the case before us. Both parties have now expended a significant amount of resources, only for this Court to conclude that the harsh rule announced in *Walker* is not so rigid at all. I therefore concur.