

[J-100A-D-2011]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

DUANE REOTT AND PATTY REOTT, : No. 27 WAP 2011
HUSBAND AND WIFE :
 :
 : Appeal from the Order of the Superior
v. : Court entered September 21, 2010 at No.
 : 2 WDA 2010, reversing the Order of the
 : Court of Common Pleas of Butler County
ASIA TREND, INC., CLAM : entered December 14, 2009, at No. AD
CORPORATION (AS SUCCESSOR-IN- : 06-11440 and remanding.
INTEREST TO USL OUTDOOR :
PRODUCTS, INC.), USL OUTDOOR :
PRODUCTS, INC., REMINGTON ARMS :
COMPANY, INC., RA BRANDS, LLC, :
AND THE SPORTSMAN'S GUIDE :
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APPEAL OF: ASIA TREND, INC., :
REMINGTON ARMS COMPANY, INC. , :
RA BRANDS, LLC AND THE :
SPORTSMAN'S GUIDE : ARGUED: October 19, 2011

DUANE REOTT AND PATTY REOTT, : No. 28 WAP 2011
HUSBAND AND WIFE :
 :
 : Appeal from the Order of the Superior
v. : Court entered September 21, 2010 at No.
 : 109 WDA 2010, reversing the Order of the
 : Court of Common Pleas of Butler County
ASIA TREND, INC., CLAM : entered December 14, 2009, at No. AD
CORPORATION (AS SUCCESSOR-IN- : 06-11440 and remanding.
INTEREST TO USL OUTDOOR :
PRODUCTS, INC.), USL OUTDOOR :
PRODUCTS, INC., REMINGTON ARMS :
COMPANY, INC., RA BRANDS, LLC, :
AND THE SPORTSMAN'S GUIDE :
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APPEAL OF: ASIA TREND, INC., :
REMINGTON ARMS COMPANY, INC. , :
RA BRANDS, LLC AND THE :
SPORTSMAN'S GUIDE : ARGUED: October 19, 2011

DUANE REOTT AND PATTY REOTT,
HUSBAND AND WIFE

v.

ASIA TREND, INC., CLAM
CORPORATION (AS SUCCESSOR-IN-
INTEREST TO USL OUTDOOR
PRODUCTS, INC.), USL OUTDOOR
PRODUCTS, INC., REMINGTON ARMS
COMPANY, INC., RA BRANDS, LLC,
AND THE SPORTSMAN'S GUIDE

APPEAL OF: ASIA TREND, INC.,
REMINGTON ARMS COMPANY, INC. ,
RA BRANDS, LLC AND THE
SPORTSMAN'S GUIDE

: No. 29 WAP 2011
:
: Appeal from the Order of the Superior
: Court entered September 21, 2010 at No.
: 112 WDA 2010, reversing the Order of the
: Court of Common Pleas of Butler County
: entered December 14, 2009, at No. AD
: 06-11440 and remanding.
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: ARGUED: October 19, 2011

DUANE REOTT AND PATTY REOTT,
HUSBAND AND WIFE

v.

ASIA TREND, INC., CLAM
CORPORATION (AS SUCCESSOR-IN-
INTEREST TO USL OUTDOOR
PRODUCTS, INC.), USL OUTDOOR
PRODUCTS, INC., REMINGTON ARMS
COMPANY, INC., RA BRANDS, LLC,
AND THE SPORTSMAN'S GUIDE

APPEAL OF: ASIA TREND, INC.,
REMINGTON ARMS COMPANY, INC. ,
RA BRANDS, LLC AND THE
SPORTSMAN'S GUIDE

: No. 30 WAP 2011
:
: Appeal from the Order of the Superior
: Court entered September 21, 2010 at No.
: 113 WDA 2010, reversing the Order of the
: Court of Common Pleas of Butler County
: entered December 14, 2009, at No. AD
: 06-11440 and remanding.
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: ARGUED: October 19, 2011

CONCURRING OPINION

MR. JUSTICE SAYLOR

DECIDED: NOVEMBER 26, 2012

I join the majority opinion, as applied to a manufacturing-defect case. However, particularly in light of the idiosyncratic fashion in which strict-liability jurisprudence has been applied in Pennsylvania, see generally Bugosh v. I.U. N. Am., Inc., 601 Pa. 277, 279-98, 971 A.2d 1228, 1229-40 (2009) (Saylor, J., dissenting), I would not extend such holding to other scenarios (such as strict-liability, design-defect litigation) without careful consideration of the fundamental fairness of doing so in a case or cases presenting material facts. In this regard, I note that strict products liability was originally fashioned with manufacturing defects in mind, and its uncritical extension to other areas, including the design-defect arena, has resulted in tremendous uncertainty, controversy, and instability, which continue to require this Court's attention to remediate beginning at a foundational level. See id.