

DANA BURNLEY AND RALPH
BURNLEY, H/W

: IN THE SUPERIOR COURT OF
: PENNSYLVANIA

v.

LOEWS HOTEL, PHILADELPHIA
HOTEL OPERATING COMPANY, INC.,
TWELFTH STREET HOTEL
ASSOCIATES, AUDIO VISUAL
SERVICES GROUP, INC. D/B/A PSAV
PRESENTATION SERVICES, LAWALL
COMMUNICATIONS, CHECKERS
INDUSTRIAL PRODUCTS, CHECKERS
SAFETY GROUP, CHECKERS
INDUSTRIAL SAFETY PRODUCT,
FIREFLY CABLE PROTECTORS,
LINEBACKER CABLE MANAGEMENT
AND ASCENDANT VENTURES, INC.

: No. 370 EDA 2023

v.

INDUSTRY ADVANCED
TECHNOLOGIES, INC., ASCENDANT
VENTURES, INC., FALLINE
CORPORATION, FOH PRODUCTIONS,
EVAN ANDREWS, EVAN ANDREWS
DESIGN AND ALLEN PRICE, PRICE
PRODUCTIONS, LLC AND
CHRISTOPHER HASSFURTHER

APPEAL OF: CHECKERS INDUSTRIAL
PRODUCTS, LLC

Appeal from the Judgment Entered January 10, 2023
In the Court of Common Pleas of Philadelphia County Civil Division at
No(s): 160901257

DANA BURNLEY AND RALPH
BURNLEY, H/W

Appellants

v.

LOEWS HOTEL, PHILADELPHIA
HOTEL OPERATING COMPANY, INC.,
TWELFTH STREET HOTEL
ASSOCIATES, AUDIO VISUAL
SERVICES GROUP, INC. D/B/A PSAV
PRESENTATION SERVICES, LAWALL
COMMUNICATIONS, CHECKERS
INDUSTRIAL PRODUCTS, CHECKERS
SAFETY GROUP, CHECKERS
INDUSTRIAL SAFETY PRODUCT,
FIREFLY CABLE PROTECTORS,
LINEBACKER CABLE MANAGEMENT
AND ASCENDANT VENTURES, INC.

v.

INDUSTRY ADVANCED
TECHNOLOGIES, INC., ASCENDANT
VENTURES, INC., FALLINE
CORPORATION, FOH PRODUCTIONS,
EVAN ANDREWS, EVAN ANDREWS
DESIGN AND ALLEN PRICE, PRICE
PRODUCTIONS, LLC AND
CHRISTOPHER HASSFURTHER

IN THE SUPERIOR COURT OF
PENNSYLVANIA

No. 485 EDA 2023

Appeal from the Judgment Entered January 10, 2023
In the Court of Common Pleas of Philadelphia County Civil Division at
No(s): 160901257

BEFORE: LAZARUS, P.J., BOWES, J., PANELLA, P.J.E., DUBOW, J.,
McLAUGHLIN, J., KING, J., SULLIVAN, J., BECK, J., and LANE, J.

DISSENTING STATEMENT BY SULLIVAN, J.:

FILED MARCH 5, 2026

I respectfully dissent from the lead opinion. Like President Judge Lazarus, I believe the trial court committed reversible error by admitting evidence concerning whether IAT had insurance. Further, the trial court's refusal to give a limiting instruction compounded the trial court's error and compels the grant of a new trial.

I agree with Judges Beck, Bowes, and King that the Appellant waived its claims relating to the product line exception and whether a judge or jury determines the existence of successor liability.

For those reasons, I respectfully dissent.

President Judge Lazarus concurs in the result.