

**IN THE SUPREME COURT OF PENNSYLVANIA  
WESTERN DISTRICT**

EARL JOHN DWYER AND CHRISTINE	:	No. 209 WAL 2022
DWYER, HUSBAND AND WIFE,	:	
	:	
Petitioners	:	Petition for Allowance of Appeal
	:	from the Order of the Superior Court
	:	
v.	:	
	:	
	:	
AMERIPRISE FINANCIAL, INC.,	:	
AMERIPRISE FINANCIAL SERVICES, INC.,	:	
RIVERSOURCE LIFE INSURANCE	:	
COMPANY, JAMES E. ANDERSON, JR.,	:	
AND DUANE DANIELS,	:	
	:	
Respondents	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 9th day of January, 2023, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by petitioner, are:

- (1) UTPCPL treble damages are remedial. Where intentional misconduct is found, the statutory goal of eradicating unfair business practices is supported by courts trebling damages. Here, intentional misconduct was found, yet the trial court refused to treble damages based upon improper consideration of the award of common law punitive damages and statutory attorneys' fees. Did the Superior Court err by affirming the use of these improper considerations to replace the award of statutory remedial treble damages?
- (2) Whether the law has been misapplied involves a purely legal question. It is reviewed de novo and the scope of review is plenary. Whether an award of common law punitive damages and statutory attorneys' fees can replace an award of remedial treble damages under the UTPCPL is a question of law. Did the Superior Court err by applying an abuse of discretion standard to the question of law instead of a de novo standard?