

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

TERENCE D. TINCHER AND JUDITH R.	:	No. 842 MAL 2012
TINCHER,	:	
	:	
Respondents	:	Petition for Allowance of Appeal from the Order of the Superior Court
	:	
	:	
v.	:	
	:	
	:	
OMEGA FLEX, INC.,	:	
	:	
Petitioner	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 26<sup>th</sup> day of March 2013, the Petition for Allowance of Appeal is **GRANTED, LIMITED TO** the issue set forth below. Allocatur is **DENIED** as to all remaining issues. The issue, slightly rephrased, is:

Whether this Court should replace the strict liability analysis of Section 402A of the Second Restatement with the analysis of the Third Restatement.

In addition, the parties are directed to brief the question of whether, if the Court were to adopt the Third Restatement, that holding should be applied prospectively or retroactively. See generally Bugosh v. I.U. North America, Inc., 971 A.2d 1228, 1242-43 (Pa. 2009) (Saylor, J., dissenting, joined by Castille, C.J.).

The Motion to File a Reply Brief is **DENIED**.