

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

|                                  |   |                                       |
|----------------------------------|---|---------------------------------------|
| GEORGE R. BOUSAMRA, M.D.         | : | No. 318 WAL 2017                      |
|                                  | : |                                       |
|                                  | : |                                       |
| v.                               | : | Petition for Allowance of Appeal from |
|                                  | : | the Order of the Superior Court       |
|                                  | : |                                       |
| EXCELA HEALTH, A CORPORATION;    | : |                                       |
| WESTMORELAND REGIONAL            | : |                                       |
| HOSPITAL, DOING BUSINESS AS      | : |                                       |
| EXCELA WESTMORELAND HOSPITAL,    | : |                                       |
| A CORPORATION; ROBERT ROGALSKI;  | : |                                       |
| JEROME E. GRANATO, M.D., LATROBE | : |                                       |
| CARDIOLOGY ASSOCIATES, INC., A   | : |                                       |
| CORPORATION; ROBERT N. STAFFEN,  | : |                                       |
| M.D.; MERCER HEALTH & BENEFITS,  | : |                                       |
| LLC; AND AMERICAN MEDICAL        | : |                                       |
| FOUNDATION FOR PEER REVIEW AND   | : |                                       |
| EDUCATION, INC., A CORPORATION.  | : |                                       |
|                                  | : |                                       |
|                                  | : |                                       |
| PETITION OF: EXCELA HEALTH,      | : |                                       |
| WESTMORELAND REGIONAL            | : |                                       |
| HOSPITAL, ROBERT ROGALSKI,       | : |                                       |
| JEROME E. GRANATO, M.D., AND     | : |                                       |
| LATROBE CARDIOLOGY ASSOCIATES,   | : |                                       |
| INC.                             | : |                                       |

**ORDER**

**PER CURIAM**

**AND NOW**, this 30<sup>th</sup> day of January, 2018, the Application to File Ex Parte and Under Seal Volume II of the Reproduced Record and the Petition for Allowance of Appeal are **GRANTED**. The issues, as stated by Petitioners, are:

- (1) Did the Superior Court commit an error of law when holding that a client waives the work-product protection of its counsel's pre-litigation e-mail by forwarding the e-mail to its public relations consultant?
- (2) Did the Superior Court commit an error of law when holding that, to qualify as a privileged person within the attorney-client privilege, a third party must provide legal advice and have the lawyer or client control its work?