

**THE COURT OF COMMON PLEAS OF
ALLEGHENY IN COUNTY, PENNSYLVANIA**

JOSEPH TAMBELLINI, INC. D/B/A
JOSEPH TAMBELLINI RESTAURANT
5701 Bryant Street
Pittsburgh, PA 15206,

CIVIL DIVISION

Plaintiff,

No. GD-20-005137

v.

ERIE INSURANCE EXCHANGE
100 Erie Insurance Place
Erie, PA 16530,

JURY TRIAL DEMANDED

Defendant.

HTR RESTAURANTS, INC. D/B/A SIEBS
PUB, INDIVIDUALLY AND ON BEHALF
OF A CLASS OF SIMILARLY SITUATED
PERSONS
3382 Babcock Boulevard
Pittsburgh, PA 15327,

CIVIL DIVISION

No. GD-20-006901

Plaintiff,

v.

JURY TRIAL DEMANDED

ERIE INSURANCE EXCHANGE
100 Erie Insurance Place
Erie, PA 16530,

Defendant.

ORDER

AND NOW, this 23__ day of _____ July _____, 2020, upon consideration of the Joint Motion for Coordination filed by Plaintiffs in these actions (the “Allegheny County Actions”), HTR Restaurants, Inc. d/b/a Siebs Pub, individually and on behalf of a class of similarly situated persons, and Joseph Tambellini, Inc. d/b/a Joseph Tambellini Restaurant

(collectively, the “Allegheny County Plaintiffs”), together with Plaintiffs Capriccio Parkway, LLC d/b/a Capriccio Cafe and Bar at Cret Park, and Capriccio, Inc. d/b/a Capriccio Café at Wills Eye Hospital, on behalf of themselves and all others similarly situated (the “Philadelphia County Plaintiffs” and the “Philadelphia County Action”), and Plaintiff Perfect Pots, LLC (the “Lancaster County Plaintiff” and the “Lancaster County Action”), and any response thereto, it is hereby **ORDERED** that the Motion is **GRANTED**.

It is further **ORDERED** that the Philadelphia County Action and the Lancaster County Action are hereby **COORDINATED** in the Allegheny County Court of Common Pleas pursuant to Pennsylvania Rule of Civil Procedure 213.1 as follows:

1. The Allegheny County Action, Philadelphia County Action, and the Lancaster County Action are coordinated for all pre-trial matters, trial, and full and final resolution;
2. Pursuant to Pennsylvania Rule of Civil Procedure 213.1(e), the Clerk of this Court shall immediately send a certified copy of this Order to the respective courts in the actions set forth in Paragraphs 1 and a notice to all Plaintiffs and Defendant of this Order immediately upon its entry. Defendant shall also serve this Order on counsel for all parties in the actions set forth in Paragraph 1 and all other similarly situated Plaintiffs;
3. Defendant shall notify this Court of any further similar actions filed against Defendant, and those actions will be transferred to this Court and made part of the proceedings coordinated by this Order;
4. Any party in an action identified in a notice filed with this Court as raising common questions of fact or law can within thirty (30) days of this Order or

within fourteen (14) days after the notice is filed (whichever is later), file an objection to being part of the coordinated proceedings with this Court. If no objection is filed within the thirty (30) day period, the Clerk shall send a certified copy of this Order and the notice that the case is part of this proceeding to the court where the action was initially filed to implement the transfer to this Court. If a party files an objection, any party to the coordinated proceeding may file a response to the objection within fourteen (14) days. If the Court rules that the action should not be part of the coordinated proceedings, the action will not be transferred. If the Court finds that the action shall be part of the coordinated proceedings, the Clerk shall send a certified copy of the Order denying the objection to the court where the action was initially filed to implement the transfer to this coordinated proceeding; and

5. All parties shall bear their own costs in connection with coordination and the litigation of the coordinated actions.

The Allegheny County Plaintiffs are hereby **ORDERED** to together send a copy of this Order to Defendant within 7 days of the docketing of this Order.

The Allegheny County Office of the Prothonotary shall send a certified copy of this Order to the Philadelphia County Court of Common Pleas and the Lancaster County Court of Common Pleas immediately after entering the Order onto the docket.

BY THE COURT:

Christine Ward

J.

