

**THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA, PHILADELPHIA COUNTY
IN THE COURT OF COMMON PLEAS**

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JOHNNY BRONSON and TRACY HARRIS	:	TRIAL DIVISION - CIVIL
Plaintiffs/Appellants,	:	SEPTEMBER TERM, 2006
	:	No. 1198
VS.	:	
	:	Superior Court Docket No.
DENNIS STASEN and SHIRLEY STASEN	:	404 EDA 2008
Defendants/Appellees.	:	
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OPINION

Plaintiff appeals from a Discovery Order dated January 3, 2008, wherein this Court granted Defendants' Motion for Sanctions requiring the law firm of Spear & Greenfield to reimburse Goldberg, Miller and Rubin the amount of \$665.00 as a result of Plaintiff, Johnnie Bronson's failure to appear for an Independent Medical Exam in Dr. Stephen Horowitz's office three(3) times without notice. In addition, the Order directed Spear & Greenfield to pay an additional \$400.00 made payable to Goldberg, Miller & Rubin representing counsel fees associated with the preparation and presentation of the discovery motions.

Although Plaintiff Johnnie Bronson has subsequently discontinued his action against Defendants, the action on behalf of Plaintiff Tracy Harris is still pending. The Discovery Order of January 3, 2008 is not a final Order that disposes of all claims and of all parties pursuant to Pa.R.A.P. 341, nor has this Court granted Mr. Bronson permission to appeal this interlocutory Order to the Superior Court pursuant to Pa.R.A.P. 312.

Thus, the Discovery Order of January 3, 2008 is not an Order that is properly

before the appellate Court and should be quashed as interlocutory.

BY THE COURT:

ALLAN L. TERESHKO, J.

DATE

cc:
Marc Fredric Greenfield, Esq., for Appellant
Cy Goldberg, Esq., for Appellees