

**FILED**  
10 JAN 2024 11:25 am  
**Civil Administration**  
A. CLARKE

CITY OF PHILADELPHIA, a municipal corporation,  
1515 Arch Street 15<sup>th</sup> Floor  
Philadelphia, PA 19102,

*Plaintiff,*

v.

WRT MANAGEMENT, INC. f/k/a  
TANNER'S SPORT CENTER INC.,  
2660 Dark Hollow Road,  
Jamison, PA 18929,

FRANK'S GUN SHOP & SHOOTING  
RANGE LLC,  
4730 Blakiston Street  
Philadelphia, PA 19136,

MAD MINUTE ENTERPRISES, LLC d/b/a  
DELIA'S GUN SHOP, and DELIA'S GUN  
SHOP, INC.  
6104 Torresdale Avenue  
Philadelphia, PA 19135,

*Defendants.*

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

Civil Action No. 230702394

CIVIL DIVISION

230702394-City Of Philadelphia Vs Tanner Operations, Llc Eta



23070239400097

**ORDER**

AND NOW this 20<sup>th</sup> day of March, 2024, upon consideration of the Preliminary Objections to the Amended Complaint filed by Defendant WRT Management, Inc. f/k/a Tanner's Sport Center Inc. (Control No. 23123703), and Plaintiff's response thereto, it is hereby ORDERED that the Preliminary Objections are **OVERRULED**.<sup>1</sup>

BY THE COURT:

1. The language about which Tanner complains pertains to the City's claims. *Breslin v. Mountain View Nursing Home, Inc.*, 171 A.3d 818, 829 (Pa. Super. 2017) (allegations that nursing home operated facility "to maximize profits and/or excess revenues' to the peril of facility residents'" not scandalous and impertinent because references could bear on defendant's duties). Tanner, moreover, has not affirmatively shown prejudice. *Com., Dep't of Env't Res. v. Hartford Acc. & Indem. Co.*, 396 A.2d 885, 888 (Pa. Cmwlth. 1979) (no prejudice from possible pleading of improper damages)

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