

DAVID SPADE AND KATINA SPADE,
H/W, INDIVIDUALLY AND AS A CLASS
REPRESENTATIVE ON BEHALF OF OTHERS
SIMILARLY SITUATED,
APPELLANTS,

O R D E R

V.

SELECT COMFORT CORP., D/B/A
SLEEP NUMBER, LEGGETT & PLATT INC.,
APPELLEES.

FILED

APR -6 2017

Mark Henry
CLERK

CHRISTOPHER D. WENGER AND
EILEEN MULLER, ON BEHALF OF THEMSELVES
AND THOSE SIMILARLY SITUATED,
APPELLANTS,

V.

BOB'S DISCOUNT FURNITURE, LLC,
APPELLEES.

The United States Court of Appeals for the Third Circuit
having certified to this Court the following questions of law
pursuant to Rule 2:12A-3:

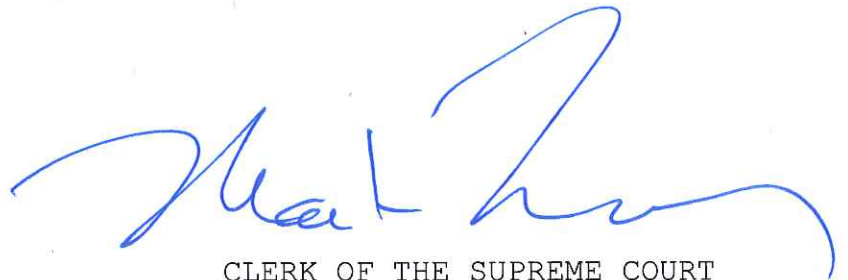
- 1) Is a consumer who receives a contract that does not comply with the Furniture Delivery Regulations, but has not suffered any adverse consequences from the noncompliance, an "aggrieved consumer" under the TCCWNA?
- 2) Does a violation of the Furniture Delivery Regulations alone constitute a violation of a clearly established right or responsibility of the seller under the TCCWNA and thus provide a basis for relief under the TCCWNA?

And the Court having determined to accept the questions as certified;

It is ORDERED that the appellants shall file an original and eight copies and serve a brief addressing the certified questions within thirty days after the filing date of this Order, respondents shall file and serve a like number of copies of its brief within thirty days after the filing of appellants' briefs, and appellants shall file and serve a reply brief within ten days after the filing of respondents' briefs; and it is further

ORDERED that upon completion of the briefing, the Clerk of the Court shall set the matter down for oral argument in due course.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this 4th day of April, 2017.



CLERK OF THE SUPREME COURT