

### STATEMENT OF LEGAL ISSUES

The Trial Court committed errors and made rulings which raise the following appellate issues.

- I. WHETHER THE TRIAL COURT PROPERLY GRANTED SUMMARY JUDGMENT TO SHERIFF JUNG ON EITHER QUALIFIED IMMUNITY OR ON THE GOVERNMENT NOTICE STATUTE.

The Trial Court granted Summary Judgment without a written decision.

- II. WHETHER THE TRIAL COURT PROPERLY GRANTED SUMMARY JUDGMENT TO EQUITABLE BASED UPON THE DOCTRINE OF SUPERSEDING CAUSE.

The Trial Court granted Summary Judgment without a written decision.

### STATEMENT OF THE LEGAL ISSUE

WHETHER THE SHERIFF'S VIOLATION OF HIS LEGAL DUTY TO CANCEL THE SALE IN ACCORDANCE WITH EQUITABLE'S INSTRUCTIONS WAS A SUPERSEDING CAUSE OF ANY DAMAGES CLAIMED BY THE PLAINTIFFS.

The lower court granted Equitable's motion for summary judgment, holding that the sheriff's violation of his legal duty was a superseding cause in accordance with the Restatement (Second) of Torts, § 452(2) and *Braun v. New Hope Township*.