

SUPERIOR COURT OF PENNSYLVANIA

Denia Edwards, Personal Representative of the Estate of Douglas A. Edwards v. Norfolk Southern Railway Company

2025 Pa. Super. 103 · No. 826 EDA 2021 · Decided May 13, 2025

SUMMARY

The Pennsylvania Superior Court, sitting en banc, affirmed the denial of Norfolk Southern Railway Company's motion for summary judgment in a Federal Employers' Liability Act action. The court addressed whether the relation-back doctrine validated a complaint filed by a decedent's spouse before her appointment as personal representative and after the limitations period had expired. The court concluded that the doctrine applied under the circumstances presented.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Lazarus, P.J.; Bowes, J.; Stabile, J.; Dubow, J.; Kunselman, J.; Nichols, J.; King, J.; Sullivan, J.; Lane, J.
JURISDICTION	Pennsylvania Superior Court
DECIDED	May 13, 2025
DOCKET	826 EDA 2021
DISPOSITION	affirmed
PROCEDURAL POSTURE	Norfolk Southern appealed by permission from an interlocutory order denying its motion for summary judgment in a Federal Employers' Liability Act action. After a three-judge panel affirmed, the Superior Court granted en banc reargument.
STANDARD OF REVIEW	Summary judgment is reviewed de novo, with a plenary scope of review. Summary judgment is proper only when the record contains no genuine issue of material fact and the moving party is entitled to judgment as a matter of law; facts and reasonable inferences are viewed in the light most favorable to the nonmoving party.
PRECEDENTIAL VALUE	Published, precedential en banc opinion of the Superior Court of Pennsylvania.
PARTIES	Norfolk Southern Railway Company v. Denia Edwards, Personal Representative of the Estate of Douglas A. Edwards

TOPICS

summary judgment

statute of limitations

probate procedure

appellate procedure

civil procedure

PRACTICE AREAS

civil procedure

probate

torts

employment law

QUESTIONS PRESENTED

1. Whether summary judgment should have been granted because Edwards lacked legal authority to institute the FELA action when she filed it before being appointed personal representative.
2. Whether the FELA statute of limitations barred the action because Edwards did not seek appointment as personal representative until after the limitations period expired.
3. Whether the relation-back doctrine validated Edwards's timely filing after her later appointment as personal representative.

HOLDINGS

1. The relation-back doctrine applies where the plaintiff timely files the action, identifies herself as the estate's personal representative, sets out the elements of the claim, and is the named executor in the decedent's will, even though she does not seek formal appointment until after the limitations period expires.
2. Norfolk was not entitled to summary judgment because Edwards's timely complaint was validated by the relation-back doctrine and therefore was not barred by the FELA limitations period.

KEY QUOTATIONS

"Thus, where a plaintiff, acting as the personal representative of an estate, initiates an action before the statute of limitations has run, but also before [] her appointment as personal representative has been finalized, the doctrine of relation back may be applied in appropriate circumstances to validate the filing of the action, even though the plaintiff's appointment is not finalized until after the limitations period has expired." (5)

"Critically, just as the Lesho court recognized, the plaintiff's claims did not change because of Edwards' subsequent formal appointment as personal representative." (17)

"Like the defendants in McGuire, D'Orazio, Gasbarini, and Lesho, Norfolk was put on notice before the statute of limitations had expired that an action had been filed against it by a plaintiff "who was, at least putatively, the personal representative of the decedent's estate." (21)

FACTUAL BACKGROUND

Douglas A. Edwards worked for Norfolk Southern as a brakeman, conductor, and locomotive engineer from 1989 to 2010. He was later diagnosed with renal cell cancer allegedly caused by workplace exposure to toxic substances and died on October 27, 2015. His wife, Denia Edwards, filed a FELA action on October 26, 2018, identifying herself as the estate's personal representative, although she did not apply for appointment until

December 27, 2018. Edwards was the named executor in the decedent's will, which had been recorded in West Virginia probate proceedings.

PROCEDURAL HISTORY

Edwards filed a FELA action one day before the limitations period expired, identifying herself as personal representative of the decedent's estate even though she had not yet applied for appointment. She applied for appointment two months later, after the FELA limitations period had expired. The trial court denied Norfolk's motion for summary judgment based on lack of capacity and limitations, a panel affirmed, and the en banc Superior Court affirmed the denial of summary judgment.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

Case remanded for further proceedings consistent with the opinion; jurisdiction relinquished.

CASES CITED

- Khalil v. Williams, 278 A.3d 859 (Pa. 2022)
- Salvadia v. Askbrook, 923 A.2d 436 (Pa. Super. 2007)
- Prevish v. Northwest Med. Ctr. Oil City Campus, 692 A.2d 192 (Pa. Super. 1997) (en banc)
- McGuire v. Erie Lackawanna Ry. Co., 385 A.2d 466 (Pa. Super. 1978)
- Beckman v. Owens, 5 A.2d 626 (Pa. Super. 1939)
- Lovejoy v. Georgeff, 303 A.2d 501 (Pa. Super. 1973)
- D'Orazio v. Locust Lake Vill., Inc., 406 A.2d 550 (Pa. Super. 1979)
- Estate of Gasbarini v. Medical Ctr. of Beaver Cnty., 409 A.2d 343 (Pa. 1979)
- Wilkes-Barre Gen. Hospital v. Lesho, 435 A.2d 1340 (Pa. Cmwlth. 1981)
- Nicole B. v. School District of Philadelphia, 237 A.3d 986 (Pa. 2020)
- McCreesh v. City of Philadelphia, 888 A.2d 211 (Pa. 2005)
- Wilkerson v. McCarthy, 336 U.S. 53 (1949)
- Kulavic v. Chicago & Illinois Midland Ry. Co., 1 F.3d 507 (7th Cir. 1993)
- Atchison, Topeka and Santa Fe Ry. v. Buell, 480 U.S. 557 (1987)
- Lang v. Texas & Pacific Ry. Co., 624 F.2d 1275 (5th Cir. 1980)
- Cuth v. Cuth, 263 A.3d 1186 (Pa. Super. 2021)