

Rule 1308*(d)-*(e). Appeal

*(d) When an appeal from an award is taken in accordance with Pa.R.C.P. 1308:

(1) The party appealing the award shall file, at the same time the notice of appeal is filed, an omnibus praecipe for trial.

(2) The total fees per case under this rule are declared to be \$300 for the purpose of this section, provided however, that if the appellant should improve his position by reason of a jury verdict, or by a judge sitting without a jury, or by reason of a settlement in which the appellant improves his position by an amount equal to or greater than 10% of the principal amount of the award, then the appellant, upon application to the Court, shall be entitled to a refund of two-thirds of the fees paid on appeal.

*(e) Any party may file exceptions with the Court from the decision of the board of arbitrators within 20 days from the filing of the report for either or both of the following reasons and for no other:

(1) That the arbitrators misbehaved themselves in the conduct of the case;

(2) That the action of the board was procured by corruption or other undue means.

If such exceptions shall be sustained the report of the board shall be vacated by the Court.