

**NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P. 65.37**

PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY,	:	IN THE SUPERIOR COURT OF PENNSYLVANIA
	:	
Appellant	:	
	:	
v.	:	
	:	
KAREN HIGHLANDS, ADMINISTRATOR OF THE ESTATE OF LAUREN E. THOMPSON, DECEASED, AND EARL C. HIGHLANDS,	:	
	:	
Appellees	:	No. 432 WDA 2014

Appeal from the Order Entered February 18, 2014, in the Court of Common Pleas of Westmoreland County, Civil Division at No(s): 2524 of 2013

BEFORE: FORD ELLIOTT, P.J.E., ALLEN and STRASSBURGER,\* JJ.

JUDGMENT ORDER BY STRASSBURGER, J.: **FILED NOVEMBER 24, 2014**

Pennsylvania National Mutual Casualty Insurance Company (Penn National) appeals from an order that denied its motion for judgment on the pleadings and granted the motion for judgment on the pleadings filed by Karen Highlands, administrator of the estate of Lauren E. Thompson, deceased, and Earl C. Highlands (Appellees). We affirm.

Penn National filed a declaratory judgment action against Appellees. Penn National asked the trial court to declare that it is not responsible for providing stacked underinsured motorist benefits to Appellees. The parties filed competing motions for judgment on the pleadings. The trial court

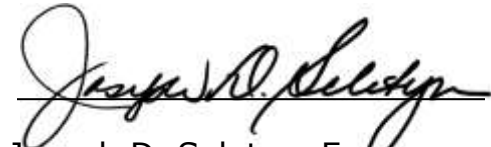
\* Retired Senior Judge assigned to the Superior Court.

denied Penn National's motion and granted Appellees' motion. Penn National timely filed a notice of appeal.

On appeal, Penn National concedes that this Court's recent *en banc* opinion in ***Bumbarger v. Peerless Indem. Ins. Co.***, 93 A.3d 872 (Pa. Super. 2014) (*en banc*), is fatal to its position that it should not be required to provide Appellees with stacked underinsured motorist benefits. Penn National asks this three judge panel to overrule ***Bumbarger***. It is well established that three judge panels of this Court are bound by this Court's *en banc* decisions. ***See, e.g., Commonwealth v. Bucknor***, 657 A.2d 1105, 1107 n.1 (Pa. Super. 1995) (noting that a three judge panel is bound by *en banc* rulings). Consequently, we affirm the trial court's order.

Order affirmed.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn", written over a horizontal line.

Joseph D. Seletyn, Esq.  
Prothonotary

Date: 11/24/2014