

**[J-12-2014] [MO: Castille, C.J.]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

NORENE M. MILLER, EXECUTRIX OF THE ESTATE OF DAVID MILLER, DECEASED AND I26 HOTEL CORPORATION,	:	No. 58 MAP 2013
	:	
Appellants	:	Appeal from the Order of the Commonwealth Court dated March 7, 2013 at No. 1876 C.D. 2011 affirming the Order of the Court of Common Pleas of Montgomery County, Civil Division, dated April 20, 2011 at Docket No. 2003-10787.
v.	:	
	:	ARGUED: March 12, 2014
	:	
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY,	:	
	:	
Appellee	:	

DISSENTING OPINION

MR. JUSTICE EAKIN

DECIDED: October 30, 2014

I would affirm based on the rationale of the Commonwealth Court's majority opinion. See Miller v. Southeastern Pennsylvania Transportation Authority, 65 A.3d 1006, 1007-18 (Pa. Cmwlth. 2013) (en banc).