IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

MICHAEL EGAN, JR. AND JILL EGAN, H/W AND MARK BUZBY	No. 338 EAL 2014
v.	Petition for Allowance of Appeal from the Order of the Superior Court
USI MID-ATLANTIC, INC. AND USI HOLDINGS CORPORATION AND BRISTOL TOWNSHIP AND ZURICH AMERICAN INS. COMPANY	

MICHAEL EGAN, JR. AND JILL EGAN, H/W AND MARK BUZBY	
v.	
USI MID-ATLANTIC, INC. AND ROBERT BROWN AND FREDA BATIPPS AND LINDA MAGOVERN AND DOUGLAS SCHROER AND LISA MCKERNAN AND USI HOLDINGS CORPORATION AND SUZANNE NEWSOME	
v.	
BRISTOL TOWNSHIP	
PETITION OF: USI MID-ATLANTIC, INC., USI HOLDINGS CORPORATION, ROBERT BROWN, FREDA BATTIPS, AND LINDA MAGOVERN	

MICHAEL EGAN, JR. AND JILL EGAN, H/W AND MARK BUZBY	No. 339 EAL 2014
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ORDER

PER CURIAM

AND NOW, this 21st day of January, 2015, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by Petitioners, are:

(1) When this Court held in Everhart v. PMA Insurance Co., 938 A.2d 301 (Pa. 2007), that a waiver is not required for a commercial insured to reject stacked uninsured and underinsured motorist (UM/UIM) coverage, did the Superior Court, as a matter of first impression, commit legal error by requiring a waiver for a commercial insured to reject non-stacked UM/UIM insurance when interpreting a nearly identical provision of the same statute (the Motor Vehicle Financial Responsibility Law)?

(2) Did Judge Panella correctly find in his dissent that the trial court's unquestionably erroneous jury instruction, that a signed waiver form is required for a commercial insured to reject stacked UM/UIM coverage, impermissibly disregarded Everhart and unfairly allowed the jury to base liability on conduct regarding a waiver form that was not required for rejection of stacked coverage?

(3) Did the Superior Court dilute the burden of proof for punitive damages contrary to hornbook law, by holding that a plaintiff need not demonstrate more than an intentional tort to submit the question of punitive damages to the jury?