

# Recent Court of Appeals Ruling Makes Anti-Stacking Provisions in UM Policies a Must

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Almost fifty years after the Mississippi Supreme Court first decided the stacking of UM policies was permissible in 1971, the Court of Appeals has now broadened the scope even further through its decision in *Brewer, et al. v. Mississippi Farm Bureau Casualty Insurance Company*.

Plaintiff, Shelby Brewer, was a passenger in a car driven by Allison McLain when she was injured in an accident involving an underinsured vehicle. Plaintiff's medical expenses exceeded the limits of the underlying liability policy and Plaintiff's own UM limits. However, Plaintiff learned Mississippi Farm Bureau insured Ms. McLain's vehicle involved in the accident, as well as three additional vehicles in the McLain household, for a total of \$100,000 in UM benefits. Thus, the issue became whether Plaintiff could "stack" the UM benefits of all four vehicles insured under the same policy.

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