

TYLER A. MILLS

v.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

Argued February 9, 2022  
Decided February 17, 2022

Panel: STANFILL, C.J., and MEAD, GORMAN, HUMPHREY, HORTON, and  
CONNORS, JJ.

## MEMORANDUM OF DECISION

Tyler A. Mills appeals from a summary judgment entered by the Superior Court (Sagadahoc County, *Billings, J.*) in favor of State Farm Mutual Automobile Insurance Company on Mills's complaint seeking underinsured motorist coverage. In this appeal, two State Farm automobile insurance policies are at issue—a policy issued to Mills and a policy issued to Mills's grandmother with whom Mills lives. Although Mills was an insured under both policies, State Farm invoked the unambiguous, intra-family anti-stacking provisions contained in the policies and made a single uninsured motorist payment that it allocated to Mills's policy. Mills contends that, where the policies were issued to different named insureds, application of the intra-family anti-stacking provisions violates Maine's uninsured motorist statute, 24-A M.R.S. § 2902 (2021). Contrary to Mills's contention, the intra-family anti-stacking provisions, as applied here, do not violate the statute or public policy, and, therefore, the court did not err in granting summary judgment to State Farm. *See* 24-A M.R.S. § 2902; *Pease v. State Farm Mut. Auto. Ins. Co.*, 2007 ME 134, ¶ 7, 931 A.2d 1072; *Moody v. Horace Mann Ins. Co.*, 634 A.2d 1309, 1310-11

(Me. 1993); *Dufour v. Metropolitan Prop. & Liab. Ins. Co.*, 438 A.2d 1290, 1291-93 (Me. 1982).

The entry is:

Judgment affirmed.

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Sheldon J. Tepler, Esq., and Sean V. Walton, Esq. (orally), Hardy Wolf & Downing, P.A., Lewiston, for appellant Tyler A. Mills

Laura A. Maher, Esq. (orally), Monaghan Leahy, LLP, Portland, for appellee State Farm Mutual Automobile Insurance Company

Sagadahoc County Superior Court docket number CV-2020-12  
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