

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 09-15890  
Non-Argument Calendar

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FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MAY 30, 2013 JOHN LEY CLERK
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D. C. Docket No. 09-21453-CV-ASG

KARA MAUGHON,  
on behalf of herself and  
all others similarly situated,  
LEVI BLASDEL,

Plaintiffs-Appellants,

versus

CARNIVAL CORPORATION,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Florida

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(May 30, 2013)

Before HULL, JORDAN and ANDERSON, Circuit Judges.

PER CURIAM:

Since the filing of this appeal in 2009, the Supreme Court and our Court have touched on the precise issues raised in this appeal. Under our prior precedent rule, “we are bound to follow a prior binding precedent ‘unless and until it is overruled by this court en banc or by the Supreme Court.’” United States v. Vega-Castillo, 540 F.3d 1235, 1236 (11th Cir. 2008) (quoting United States v. Brown, 342 F.3d 1245, 1246 (11th Cir. 2003)); see also id. (“Even if the reasoning of an intervening high court decision is at odds with a prior appellate court decision, that does not provide the appellate court with a basis for departing from its prior decision.”).

We hold that we are bound by our decision in Pendergrast v. Sprint Nextel Co., 691 F.3d 1224 (11th Cir. 2012), to affirm the district court’s Order compelling arbitration. See Vega-Castillo, 540 F.3d at 1236.

**AFFIRMED.**