

\$32.50

# **New York Insurance Law & Litigation Alert**

## **Reference Index**

**2007**

**Strafford**

**Strafford Publications**

590 Dutch Valley Road, P. O. Box 13729, Atlanta, GA 30324-0729 • (800) 926-7926 • [www.straffordpub.com](http://www.straffordpub.com)

**Index Editor:** Zahna Ellis  
**Production Editor:** Christina Sacco  
**Executive Editor:** Jennifer F. Vaughan, Esq.  
**Publisher:** Richard M. Ossoff

This publication is designed to provide accurate and authoritative information with regard to the subject matter covered. It is distributed with the understanding that the Publisher and Editors are not engaged in rendering legal, accounting or other professional service. If legal advice or other expert assistance is required, the services of a competent professional person should be obtained. (From a Declaration of Principles jointly adopted by a Committee of the American Bar Association and a Committee of Publishers.)

**Strafford Publications, Inc.**

590 Dutch Valley Road, N.E. P.O. Box 13729  
Atlanta, Georgia 30324-0729  
(800) 926-7926, ext. 10  
E-mail: [custserv@straffordpub.com](mailto:custserv@straffordpub.com)  
Web Address: [www.straffordpub.com](http://www.straffordpub.com)

All rights reserved. Reproduction in whole or part by any means, electronic or mechanical, including photocopying and recording, or by an information storage and retrieval system, without prior written permission of the publisher, is prohibited.

ISSN: 1552-5120

Printed in the United States of America

© Copyright 2007

# How To Use This Index

This reference index contains every case reported in 2007 in *New York Insurance Law & Litigation Alert*. The Index is organized into three sections:

## Section A - Cases Reported, by Parties

The parties in the style of each case are listed in alphabetical order, by both plaintiff and defendant.

## Section B - Cases Reported, by Jurisdiction

Each case is listed under the court jurisdiction in which the case was decided. First listed are the federal appellate courts, e.g., the U.S. Supreme Court and the circuit court. Next listed are the state's appellate courts and the federal district courts.

For the A and B sections, the case name is followed by the page number on which the case begins.

## Section C - Subject Matter Index

This section is organized alphabetically by major headings, and within each major heading by sub-topics. Topics are followed by references to the relevant case(s). Cases are cited to the page number on which the case begins.

## Also From Strafford Publications' Legal Publications Group

### Class Action Law Monitor

Twice-monthly digest of court filings and decisions, settlements, legislation and other legal news regarding the full range of class action litigation, including Annual Reference Index. \$1,387/one year; \$2,574/two years.

### Securities Class Action Reporter

Twice-monthly digest of court filings and decisions, settlements, legislation and other legal news regarding securities class action litigation, including Annual Reference Index. \$1,867/one year; \$3,534/two years.

### Health Law Week

Weekly digest of current court decisions, legislation and legal news covering the spectrum of healthcare law, includes Annual Reference Index. Published since 1992. \$1,697/one year; \$3,194/two years.

### Hospital Litigation Reporter

Monthly digest of key current court decisions, legislation, and news on all aspects of hospital legal operations, including U.S. Supreme Court bulletins and Annual Reference Index. Published since 1990. \$497/one year; \$894/two years.

### Insurance Law & Litigation Week

Weekly digest of current court decisions, legislation and legal news covering all facets of insurance law and litigation, which includes Annual Reference Index. Published since 2003. \$1,867/one year; \$3,534/two years.

### Municipal Litigation Reporter

Monthly digest of important current judicial decisions, legislation and news on all aspects of local government law,

including U.S. Supreme Court Bulletins and Annual Reference Index. Published since 1981. \$497/one year; \$894/two years.

### The Digest of Environmental Law

Monthly digest of significant court decisions on the full range of environmental law issues, including U.S. Supreme Court Bulletins and Annual Reference Index. Published since 1987. \$647/one year; \$1,194/two years.

### National Financing Law Digest

Monthly digest of significant court decisions involving financing transactions, including U.S. Supreme Court Bulletins and Annual Reference Index. Published since 1988. \$687/one year; \$1,274/two years.

### National Property Law Digests

Monthly digest of nationally significant court decisions involving real property, including U.S. Supreme Court Bulletins and Annual Reference Index. Published since 1975. \$787/one year; \$1,474/two years.

### Premises Liability Report

Monthly digest of important legal decisions on all aspects of premises liability, includes Annual Reference Index. Published since 1991. \$287/one year; \$474/two years.

### Security Law Newsletter

Monthly digest of court decisions and news on private security and premises liability, including Annual Reference Index. Published since 1982. \$297/one year; \$494/two years.

# Section A

Cases Reported,  
by Party



10 Ellicott Square Ct. Corp. v. Mountain Valley Indem. Co. 64  
 105 St. Assocs. L.L.C. v. Greenwich Ins. Co. 5  
 1199 Nat'l Benefit Fund of Health & Human Servs., Sewell v. 70  
 126 Mulberry St. Realty Corp. v. Diamond State Ins. Co. 50  
 1419 Tower L.P. v. Lexington Ins. Co. 8  
 178 Hester Street Realty Corp. v. Diamond State Ins. Co. 20  
 1877 AJ&J Restaurant Corp., Underw'rs at Lloyd's, London v. 19  
 37 Holding Co. L.L.C. v. St. Paul Travelers Ins. Co. 75  
 426-428 W. 46th St. Owners Inc. v. Greater N.Y. Mut. Ins. Co.  
 771 Horseblock Rd. Corp., Penn-Star Ins. Co. v. 106  
 A.S. Constr. Inc., Mt. Vernon Fire Ins. Co. v. 157  
 AARK Constr. Grp. LTP Inc., U.S. Underw'rs Ins. Co. v. 19  
 Abyssinian Dev. Corp., U.S. Underw'rs Ins. Co. v. 199  
 Academy at Ivy Ridge L.L.C. v. Lexington Ins. Co. 210  
 Ace Am. Ins. Co., Cont'l Cas. Co. v. 63  
 Ace Packing Co. Inc. v. Campbell Solberg Assocs. Inc. 104  
 Adams-Hendrick v. Liberty Mut. Ins. Co. 91  
 Adcom Express Inc., Vigilant Ins. Co. v. 63  
 Admiral Ins. Co., Worth Constr. Co. Inc. v. 114  
 Advance PCS, Bauer v. 4  
 Advanced Remodeling of Long Island Inc. v. Atl. Cas. Ins. Co. 64  
 AdvancePCS Inc., Glanton v. 175  
 AE&E-Von Roll Inc. v. Gerling Am. Ins. Co. 75  
 Aetna Life Ins. Co. v. Campino 39  
 Aetna Life Ins. Co., Clarke v. 62  
 Aetna U.S. Healthcare Inc., Bank of La. v. 70  
 Ahava Food Corp. v. Lexington Ins. Co. 142  
 AIU Ins. Co. v. TIG Ins. Co. 159  
 Alamia v. Nationwide Mut. Fire Ins. Co. 139  
 Allstate Ins. Co., Arias v. 210  
 Allstate Ins. Co., Brentwood Pain & Rehab. Servs. v. 178  
 Allstate Ins. Co. v. Hamilton Beach 38  
 Allstate Ins. Co., Long Island Radiology v. 45  
 Allstate Ins. Co., M.V.B. Collision Inc. v. 156  
 Allstate Ins. Co., Sebwrow v. 190  
 Allstate Tex. Lloyds Ins. Co., Ross v. 25  
 Am. Gen. Life Ins. Co. v. Constantino Presta Irrevocable Trust 106  
 Am. Gen. Life Ins. Co. Houston Tex. v. Hopkins 179  
 Am. Home Assur. Co. v. Babcock & Wilcox Co. 19  
 Am. Home Assur. Co. v. El AL Israel Airlines 106  
 Am. Home Assur. Co., Fed. Ins. Co. v. 150  
 Am. Home Assur. Co. v. Martinair Holland N.V. 63  
 Am. Int'l Grp. Inc., Phillips v. 44, 63  
 Am. Int'l Specialty Lines Ins. Co., AOL L.L.C. v. 100  
 Am. Med. Ass'n v. United Healthcare Corp. 26  
 Am. Mfrs. Mut. Ins. Co., Turner Constr. Co. v. 114  
 Am. Motorists Ins. Co., Conopco Inc. v. 85  
 Am. Nat'l Red Cross v. E. End Window Techs. Inc. 169  
 Am. Steamship Owners Mut. Protection & Indem. Ass'n Inc. v.  
 Lafarge N. Am. Inc. 19, 47  
 Am. United Life Ins. Co. v. Martinez 195  
 AMB Limo L.L.C., Liberty Mut. Ins. Co. v. 106  
 Amerex Grp. Inc. v. Lexington Ins. Co. 107  
 Americu Credit Union v. Cumis Ins. Soc'y Inc. 9  
 Amerisure Mut. Ins. Co., Lexington Ins. Co. v. 141  
 AOL L.L.C. v. Am. Int'l Specialty Lines Ins. Co. 100  
 Appalachian Ins. Co. v. Gen. Elec. Co. 71  
 April, Companion Life Ins. Co. v. 179  
 Arch Ins. Co., Swig v. 150  
 Arch Ins. Co., Yonkers Racing Corp. v. 96, 112, 141  
 Argonaut Ins. Co., Carucci v. 39  
 Arias v. Allstate Ins. Co. 210  
 Arias, Tokio Marine & Fire Ins. Co. Ltd. v. 74

Arrowood Surplus Lines Ins. Co. v. Bruckner Plaza Assocs.  
 L.P. 199  
 Assicurazioni Generali S.p.A. Holocaust Ins. Litig., In re 44  
 Atl. Cas. Ins. Co., Advanced Remodeling of Long Island Inc. v. 64  
 Atl. Cas. Ins. Co., Cont'l Ins. Co. v. 117  
 Atl. Cas. Ins. Co. v. Five Stone Constr. Inc. 209  
 Atl. Cas. Ins. Co. v. Forthright Constr. Inc. 130  
 Atl. Cas. Ins. Co. v. Gloria's Cleaning Servs. Inc. 118  
 Atl. Cas. Ins. Co., Herb Bazata Cabinets & Trim v. 159  
 Atl. Cas. Ins. Co., M. Martin Restoration Inc. v. 50  
 Atl. Cas. Ins. Co. v. Northway Pool Serv. Inc. 209  
 Atl. Cas. Ins. Co. v. Paulino 130  
 Atl. Cas. Ins. Co. v. Riveros Co. 209  
 Atl. Cas. Ins. Co. v. W. Park Assocs. Inc. 130  
 Atl. Cas. Ins. Co., Zeigler v. 200  
 Atl. Mut. Ins. Co. v. Universal Underw'rs Ins. Co. 107  
 Atlanta Int'l Ins. Co. v. Employers Ins. Co. of Wausau 96  
 Auerbach v. Otsego Mut. Fire Ins. Co. 57  
 Augustine Wine & Liquor Inc. v. U.S. Liab. Ins. Co. 159  
 AWL Indus. Inc. v. St. Paul Travelers Cos. Inc. 64  
 AXA Corp. Solutions Ins. Co. v. Lumbermens Mut. Cas. Co. 138  
 AXA Equitable Life Ins. Co., Richards v. 206  
 AXA Gen. Ins. Hong Kong Ltd., Peerless Indem. Ins. Co. v. 169  
 Axis Reinsurance Co. v. Bennett 179  
 Axis Surplus Ins. Co., CVT Prepaid Solutions Inc. v. 180  
 Babcock & Wilcox Co., Am. Home Assur. Co. v. 19  
 Baker v. Broadspire Nat'l Servs. Inc. 61  
 Balcerak, Union Labor Life Ins. Co. v. 95  
 Ballantyne RV & Marine Inc., Sentry Select Ins. Co. v. 95  
 Banc of Am. Ins. Servs. Inc., Romano v. 142  
 Bank of Am. Corp., Hartford Life Ins. Co. v. 167  
 Bank of La. v. Aetna U.S. Healthcare Inc. 70  
 Bauer v. Advance PCS 4  
 BBL Constr. Servs. L.L.C. v. Selective Ins. Co. of Am. 141  
 Bella Transp. Inc., Liberty Mut. Ins. Co. v. 74  
 Beltempo, Progressive N. Ins. Co. v. 131  
 Benderson v. Fireman's Fund Ins. Co. 180  
 Benesowitz v. Metro. Life Ins. Co. 140  
 Bennett, Axis Reinsurance Co. v. 179  
 Benoit v. Prudential Ins. Co. of Am. 170  
 Berkshire Life Ins. Co. v. Diperi 199  
 Berkshire Life Ins. Co. of Am., Gomes v. 75  
 Best Bus Ride Inc., Liberty Mut. Ins. Co. v. 84  
 Blakely Pumping Inc., NGM Ins. Co. v. 150  
 Blatney, Metro. Life Ins. Co. v. 95  
 Blue Cross & Blue Shield of Ne. Pa., Leuthner v. 56  
 Blue Cross & Blue Shield of Ne. Pa., Melley v. 56  
 Blumenfeld Dev. Grp. Constr. Corp. v. Gen. Star Indem. Co. 151  
 Bovis Lend Lease LMB Inc. v. U.S. Fire Ins. Co. 50  
 BP Air Conditioning Corp. v. One Beacon Ins. Grp. 138  
 Bread & Butter L.L.C. v. Certain Underw'rs at Lloyd's London 190  
 Brentwood Pain & Rehab. Servs. v. Allstate Ins. Co. 178  
 Bridgestone/Firestone Am. Holding Inc., DiMeglio v. 186  
 Broad Street L.L.C. v. Gulf Ins. Co. 15  
 Broadspire Nat'l Servs. Inc., Baker v. 61  
 Bronx Baptist Church Inc., Guideone Specialty Mut. Ins. Co. v. 209  
 Bronx Radiology P.C. v. N.Y. Cent. Mut. Fire Ins. Co. 196  
 Brookdale Univ. Hosp. & Med. Ctr. v. Health Ins. Plan of Greater  
 N.Y. 68  
 Brownstone Radio Grp. Inc., Liberty Mut. Ins. Co. v. 63  
 Bruckner Plaza Assocs. L.P., Arrowood Surplus Lines Ins.  
 Co. v. 199  
 Burlington Ins. Co., Colasanto Constr. Inc. v. 63  
 Burlington Ins. Co., Skill-Man Contracting Inc. v. 96

Burr, Safeco Ins. Co. of Am. v. 102  
 Bus. Loan Express L.L.C., Indian Harbor Ins. Co. v. 130  
 Butler, U.S. Life Ins. Co. in the City of N.Y. v. 84  
 C.C.&F. Realty Corp., Gen. Star Indem. Co. v. 159  
 Camp Generations, Nationwide Mut. Ins. Co. v. 8  
 Campbell, Metro. Life Ins. Co. v. 169  
 Campbell Solberg Assocs. Inc., Ace Packing Co. Inc. v. 104  
 Campino, Aetna Life Ins. Co. v. 39  
 Canora Family Inc. v. Universal Underw'rs Ins. Co. 29  
 Capitol Payment Plan Inc. v. Travelers Indem. Co. 75  
 Carlson v. Liberty Mut. Ins. Co. 8  
 Carnival Corp., Essex Ins. Co. v. 130  
 Carreras, U.S. Fid. & Guar. Co. v. 63  
 Carroll St. Transp. Servs. Inc., Liberty Mut. Ins. Co. v. 63  
 Carucci v. Argonaut Ins. Co. 39  
 Catalano v. State Farm Ins. Co. 60  
 Catholic Charities of Diocese of Albany v. Dinallo 174  
 Catholic Charities of Diocese of Albany v. Serio 174  
 Catholic Mut. Relief Soc'y of Am., New York, City of v. 39  
 Catsmo Corp. v. Mass. Bay Ins. Co. 50  
 Catucci v. Greenwich Ins. Co. 60  
 Cent. Freight Lines Inc., N.Y. Marine & Gen. Ins. Co. v. 63  
 Cent. Mut. Ins. Co., E. Baby Stores Inc. v. 118  
 Cent. Mut. Ins. Co. v. Rogowski 189  
 Century Indem. Co. v. Clearwater Ins. Co. 126  
 Century Indem. Co., Ingersoll-Rand Co. v. 131  
 Ceragem Int'l Inc. v. Seneca Ins. Co. 29  
 Certain Underw'rs at Lloyd's, London, Bread & Butter L.L.C. v. 190  
 Certain Underw'rs at Lloyd's, London, Martin v. 117  
 Certain Underw'rs at Lloyd's, London, Olin Corp. v. 6  
 Certain Underw'rs at Lloyd's, London, Railroad Ins. Underw'rs v. 107  
 Certain Underw'rs at Lloyd's, London v. Sterling Fin. Inv. Grp. Inc. 168  
 Certain Underw'rs at Lloyd's, London, Swiss Reinsurance Am. Corp. v. 106, 107  
 Charter Oak Fire Ins. Co., Everhome Mortgage Co. v. 39  
 Charter Oak Fire Ins. Co. v. Fleet Bldg. Maintenance Inc. 130  
 Charter Oak Fire Ins. Co., Spira v. 170  
 Children's Place Retail Stores Inc. v. Fed. Ins. Co. 58  
 Chubb Corp., Spagnola v. 93  
 Chubb Grp. of Ins. Cos., Home Depot U.S.A. v. 80, 117  
 Chubb Grp. of Ins. Cos., Mt. Sinai Hosp. v. 185  
 Church Ins. Co. v. Trippe Mfg. Co. Inc. 198  
 Cigna Life Ins. Co. of N.Y., Harnas v. 64  
 Citak & Citak, St. Paul Travelers Cos. Inc. v. 131  
 Citizens Ins. Co. of Am., Jay Birnbaum-EHA L.L.C. v. 19  
 City Carting of Westchester Inc., Employers Ins. Co. of Wausau v. 8  
 C-K Spring Creek L.L.C., Steadfast Ins. Co. v. 19  
 Clarendon Nat'l Ins. Co., VFS US L.L.C. v. 74, 75  
 Clark Moving & Storage Inc. v. Selective Ins. Co. of Am. 168, 169  
 Clarke v. Aetna Life Ins. Co. 62  
 Claud, Principal Life Ins. Co. v. 179  
 Clearwater Ins. Co., Century Indem. Co. v. 126  
 Clem, Estate of v. W. Heritage Ins. Co. 55  
 CNA Ins. Co., Marino v. 8  
 Cohen & Krassner, United Nat'l Ins. Co. v. 19  
 Colasanto Constr. Inc. v. Burlington Ins. Co. 63  
 Cole Mech. Corp. v. Nat'l Grange Mut. Ins. Co. 165  
 Commerce & Indus. Ins. Co. v. U.S. Bank Nat'l Ass'n 130  
 Commerce & Indus. Ins. Co., Denihan Ownership Co. L.L.C. v. 72  
 Commerce & Indus. Ins. Co. of Canada, Travelers Indem. Co. v. 46

Commercial Risk Reinsurance Co. v. Sec. Ins. Co. of Hartford 96  
 ComMet 380 Inc., TAG 380 L.L.C. v. 57  
 Companion Life Ins. Co. v. April 179  
 Conn. Gen. Life Ins. Co., Friedman v. 196  
 Conn. Indem. Co. v. Schindler 27  
 Conopco Inc. v. Am. Motorists Ins. Co. 85  
 Conopco Inc. v. Travelers Cas. & Sur. Co. 141  
 Constantino Presta Irrevocable Trust, Am. Gen. Life Ins. Co. v. 106  
 Cont'l Assur. Co. v. Malambri 8  
 Cont'l Assur. Co. v. Martinez 195  
 Cont'l Cas. Co. v. Ace Am. Ins. Co. 63  
 Cont'l Cas. Co., Kleyman v. 37  
 Cont'l Ins. Co. v. Atl. Cas. Ins. Co. 117  
 Cont'l Ins. Co. v. Coyne Int'l Enters. Corp. 84  
 Cont'l Ins. Co. v. Huff Enters. Inc. 189  
 Cook v. Provident Life & Cas. Ins. Co. 210  
 Corp. of Lloyd's, Tropp v. 50  
 Costco Wholesale Corp., Liberty Mut. Fire Ins. Co. v. 167, 190  
 Coyne Int'l Enters. Corp., Cont'l Ins. Co. v. 84  
 Crouse-Cmty. Ctr. Inc., Employers Ins. Co. of Wausau v. 104  
 Cumis Ins. Soc'y Inc., Americu Credit Union v. 9  
 Cumis Ins. Soc'y Inc., Progressive Credit Union v. 75  
 CVT Prepaid Solutions Inc. v. Axis Surplus Ins. Co. 180  
 D.C. USA Operating Co. L.L.C. v. Indian Harbor Ins. Co. 39, 82  
 Daneshjou Co. Inc. v. Mid-Continent Cas. Co. 125  
 Darling v. Travelers Ins. Co. 29  
 Delio, MetLife Life & Annuity Co. of Conn. v. 168  
 Delta Airlines Inc., Lloyd's Underw'rs Subscribing to Cover Note JC492803 v. 63  
 Denihan Ownership Co. L.L.C. v. Commerce & Indus. Ins. Co. 72  
 Diagnostic Med. Assocs. M.D. P.C. v. N.Y. City Dist. Council of Carpenters Welfare Fund 103  
 Diamond Glass Cos. Inc. v. Twin City Fire Ins. Co. 8  
 Diamond State Ins. Co., 126 Mulberry St. Realty Corp. v. 50  
 Diamond State Ins. Co., 178 Hester Street Realty Corp. v. 20  
 Diamond State Ins. Co. v. Pena 150  
 DiMeglio v. Bridgestone/Firestone Am. Holding Inc. 186  
 Dinallo, Catholic Charities of Diocese of Albany v. 174  
 Dinallo v. DiNapoli 197  
 DiNapoli, Dinallo v. 197  
 Diperi, Berkshire Life Ins. Co. v. 199  
 Dirtman Enters. Inc., Evanston Ins. Co. v. 130  
 Div. 1181 A.T.U.-N.Y. Welfare Fund, Noia v. 184  
 Doe Fund Inc. v. Royal Indem. Co. 16  
 Doe v. Paul Revere Ins. Corp. 118  
 Doe, Paul Revere Life Ins. Co. v. 117  
 Douglas v. First UNUM Life Ins. Co. 17  
 Dream Spa Inc. v. Fireman's Fund Ins. Co. 8  
 Duane Reade Inc. v. St. Paul Fire & Marine Ins. Co. 166  
 Duane Reade Inc. v. St. Paul Travelers Ins. Co. 64  
 Dukoff, Prudential Ins. Co. of Am. v. 84  
 E. Baby Stores Inc. v. Cent. Mut. Ins. Co. 118  
 E. End Window Techs. Inc., Am. Nat'l Red Cross v. 169  
 Eckelberry v. Reliastar Life Ins. Co. 101  
 Eddie v. Scottsdale Ins. Co. 107  
 El AL Israel Airlines, Am. Home Assur. Co. v. 106  
 Elmsford Raceway Inc. v. Fed. Emergency Mgmt. Agency 75  
 Employers Ins. Co. of Wausau, Atlanta Int'l Ins. Co. v. 96  
 Employers Ins. Co. of Wausau v. City Carting of Westchester Inc. 8  
 Employers Ins. Co. of Wausau v. Crouse-Cmty. Ctr. Inc. 104  
 Employers Ins. Co. of Wausau v. Peerless Importers Inc. 19  
 Employers Surplus Ins. Co. v. Global Reinsurance Corp. 95, 96  
 Employers' Surplus Lines Ins. Co. v. Global Reinsurance Corp. 39

English Bros. Funeral Home, Specialty Nat'l Ins. Co. v. 169  
 Enright v. Hanover Ins. Co. 210  
 Erie Ins. Exch. v. Home Depot U.S.A. 159  
 Essex Ins. Co. v. Carnival Corp. 130  
 Essex Ins. Co., Hardesty & Sons Sanitation Inc. v. 180  
 Essex Ins. Co., Herron v. 7  
 Essex Ins. Co. v. Meyer 130  
 Essex Ins. Co., Nascimento v. 130  
 Essex Ins. Co. v. Pingley 139  
 Essex Ins. Co., Wheadon v. 118  
 Evanston Ins. Co. v. Dirtman Enters. Inc. 130  
 Evanston Ins. Co., New York, City of v. 58  
 Evanston Ins. Co., Pac. Westeel Racking Inc. v. 20  
 Everhome Mortgage Co. v. Charter Oak Fire Ins. Co. 39  
 Factory Mut. Ins. Co., Retail Brand Alliance Inc. v. 126  
 Fair Price Med. Supply Corp. v. Travelers Indem. Co. 126  
 Falcon Constr. Corp., U.S. Underw'rs Ins. Co. v. 92  
 Fast Lane Car Serv. Inc., Liberty Mut. Ins. Co. v. 39  
 FC AM. Soccer Academy Inc., Ill. Union Ins. Co. v. 63  
 Fed. Emergency Mgmt. Agency, Elmsford Raceway Inc. v. 75  
 Fed. Ins. Co. v. Am. Home Assur. Co. 150  
 Fed. Ins. Co., Children's Place Retail Stores Inc. v. 58  
 Fed. Ins. Co., Murphy v. 175  
 Fed. Ins. Co. v. P.K. Carrier Corp. 60  
 Fed. Ins. Co. v. PGG Realty L.L.C. 104  
 Fed. Ins. Co., Rochdale Vill. Inc. v. 96  
 Fed. Ins. Co., Triboro Hardware & Supply Corp. v. 176  
 Fed. Ins. Co., U.S. Dredging Corp. v. 39  
 Fid. & Guar. Ins. Co. v. Republic Me Kong Delta Inc. 19  
 Files v. Geico Cas. Ins. Co. 210  
 Fire & Cas. Ins. Co. of Conn., Rector St. Food Enters. Ltd. v. 17  
 Fireman's Fund Ins. Co., Benderson v. 180  
 Fireman's Fund Ins. Co., Dream Spa Inc. v. 8  
 First Brighton Transp. Mgmt. Inc., Liberty Mut. Ins. Co. v. 74  
 First Fortis Life Ins. Co., Katzenberg v. 128  
 First Nat'l Ins. Co. of Am. v. Franbilt Inc. 106  
 First Reliance Standard Life Ins. Co., Graham v. 148  
 First UNUM Life Ins. Co., Douglas v. 17  
 Five Stone Constr. Inc., Atl. Cas. Ins. Co. v. 209  
 Fleet Bldg. Maintenance Inc., Charter Oak Fire Ins. Co. v. 130  
 Foremost Ins. Co. v. Hercules Chem. Co. 168  
 Forthright Constr. Inc., Atl. Cas. Ins. Co. v. 130  
 Franbilt Inc., First Nat'l Ins. Co. of Am. v. 106  
 Frazer Exton Dev. L.P. v. Kemper Envtl. Ltd. 19  
 Friedman v. Conn. Gen. Life Ins. Co. 196  
 Garcia, State Farm Mut. Auto Ins. Co. v. 8  
 Garland v. RLI Ins. Co. 75, 125  
 Garvin, Union Labor Life Ins. Co. v. 74  
 Gebbie v. Monarch Life Ins. Co. 29  
 Geico Cas. Ins. Co., Files v. 210  
 GEICO Gen. Ins. Co., Great Wall Acupuncture v. 115  
 Gen. Cas. Co. of Wis., Getty Petroleum Mktg. Inc. v. 19  
 Gen. Elec. Co., Appalachian Ins. Co. v. 71  
 Gen. Motors Acceptance Corp., Nyack Hosp. v. 83  
 Gen. Sec. Ins. Co., Guishard v. 177  
 Gen. Star Indem. Co., Blumenfeld Dev. Grp. Constr. Corp. v. 151  
 Gen. Star Indem. Co. v. C.C.&F. Realty Corp. 159  
 Generali Ins. Co., State of N.Y. Ins. Dep't, Liquidation Bureau v. 195  
 Genuth v. UNUM Provident Corp. 141  
 Gerling Am. Ins. Co., AE&E-Von Roll Inc. v. 75  
 Getty Petroleum Mktg. Inc. v. Gen. Cas. Co. of Wis. 19  
 Giugliano, Physicians' Reciprocal Insurers v. 59  
 Glanton v. AdvancePCS Inc. 175

Global Reinsurance Corp., Employers Surplus Ins. Co. v. 39, 95, 96  
 Global Transp. Mgmt. Corp., Liberty Mut. Ins. Co. v. 84  
 Gloria's Cleaning Servs. Inc., Atl. Cas. Ins. Co. v. 118  
 Gluck v. Roseman 210  
 Gomes v. Berkshire Life Ins. Co. of Am. 75  
 Gov't Emps. Ins. Co. v. Lopez 166  
 Graetz, Mass. Mut. Life Ins. Co. v. 74  
 Graham v. First Reliance Standard Life Ins. Co. 148  
 Grand Transp. Inc., Liberty Mut. Ins. Co. v. 82  
 Graves Bros. Inc. v. Nat'l Fire & Marine Co. 46  
 Great Am. Ins. Co., Shurtleff v. 56  
 Great Am. Ins. Co. v. Solomon 150  
 Great Lakes Reinsurance (UK) P.L.C., World Magic Entm't Inc. v. 190  
 Great N. Ins. Co., Stiler v. 85  
 Great Wall Acupuncture v. GEICO Gen. Ins. Co. 115  
 Greater N.Y. Mut. Ins. Co., 426-428 W. 46th St. Owners Inc. v.  
 Greater N.Y. Mut. Ins. Co., Seward Park Hous. Corp. v. 113  
 Greater N.Y. Mut. Ins. Co. v. U.S. Underw'rs Ins. Co. 37  
 Greenberg v. Paul Revere Life Ins. Co. 190  
 Greenberg Van Doren Gallery Inc. v. Huntington T. Block Ins. 75  
 Greenwich Ins. Co., 105 St. Assocs. L.L.C. v. 5  
 Greenwich Ins. Co., Catucci v. 80  
 Greenwich Ins. Co., Janart 55 W. 8th L.L.C. v. 20  
 Greenwich Ins. Co., Presidential Apts. & Zaka L.L.C. v. 169  
 Griffith Labs Inc., Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. v. 8  
 Grp. Health Inc., Schulman v. 92  
 Guglielmi v. Nw. Mut. Life Ins. Co. 148  
 Guideone Mut. Ins. Co., Second Church of Christ, Scientist of New York City v. 50  
 Guideone Specialty Mut. Ins. Co. v. Bronx Baptist Church Inc. 209  
 Guishard v. Gen. Sec. Ins. Co. 177  
 Gulf Ins. Co., Broad Street L.L.C. v. 15  
 Gulf Ins. Co., McGirt v. 91  
 Hallenbeck v. Tire Ctrs. L.L.C. 180  
 Hament v. State Farm Mut. Auto. Ins. Co. 48  
 Hamilton Beach, Allstate Ins. Co. v. 38  
 Hanover Ins. Co., Enright v. 210  
 Hardesty & Sons Sanitation Inc. v. Essex Ins. Co. 180  
 Harnas v. Cigna Life Ins. Co. of N.Y. 64  
 Hartford Fin. Servs. Grp. Inc., Lawless, Estate of v. 210  
 Hartford Fire Ins. Co., Millers Wood Dev. Corp. v. 200  
 Hartford Ins. Co., Poka v. 50  
 Hartford Ins. Co. of the Midwest, Montamer Corp. v. 151  
 Hartford Life & Accident Ins. Co., Osborne v. 176  
 Hartford Life Ins. Co. v. Bank of Am. Corp. 167  
 Hawkins-Dean, Metro. Life Ins. Co. v. 4  
 Hazardous Elimination Corp., Star Ins. Co. v. 61  
 Health Ins. Plan of Greater N.Y., Brookdale Univ. Hosp. & Med. Ctr. v. 68  
 Healthcare Underw'rs Mut. Ins. Co., Massena, Town of v. 115  
 Hennessey, Westport Ins. Corp. v. 159  
 Henry, Travelers Ins. Co. v. 18  
 Herb Bazata Cabinets & Trim v. Atl. Cas. Ins. Co. 159  
 Hercules Chem. Co., Foremost Ins. Co. v. 168  
 Herpaul, Sec. Mut. Life Ins. Co. of N.Y. v. 36  
 Herron v. Essex Ins. Co. 7  
 Highlands, Town of v. Travelers Indem. Co. 169  
 Hinckley v. Lincoln Gen. Ins. Co. 50  
 Hoffman, Provident Life & Cas. Ins. Co. v. 130  
 Hollywood Radio Dispatch Inc. v. U.S. Liab. Ins. Grp. 96  
 Home Depot U.S.A. v. Chubb Grp. of Ins. Cos. 80, 117  
 Home Depot U.S.A., Erie Ins. Exch. v. 159  
 Hopkins, Am. Gen. Life Ins. Co. Houston Tex. v. 179

Horizon Coach Inc., Liberty Mut. Ins. Co. v. 95  
 Houston Cas. Co., VCC Inc. v. 19  
 Huff Enters. Inc., Cont'l Ins. Co. v. 189  
 Huntington T. Block Ins., Greenberg Van Doren Gallery Inc. v. 75  
 IEAH Stables Inc., N. Am. Specialty Ins. Co. v. 106  
 Ill. Nat'l Ins. Co. v. Kaminski 95  
 Ill. Union Ins. Co. v. FC AM. Soccer Academy Inc. 63  
 Indian Harbor Ins. Co. v. Bus. Loan Express L.L.C. 130  
 Indian Harbor Ins. Co., D.C. USA Operating Co. L.L.C. v. 39, 82  
 Indian Harbor Ins. Co. v. J. Aqua Plumbing & Heating Inc. 168  
 Indian Harbor Ins. Co. v. Longhill Omega L.L.C. 106  
 Ingersoll-Rand Co. v. Century Indem. Co. 131  
 Ins. Co. of the State of Pa., Liberty Mut. Ins. Co. v. 176  
 Ins. Corp. of N.Y. v. U.S. Underw'rs Ins. Co. 199, 200  
 Interboro Mut. Indem. Ins. Co., Zeldin v. 197  
 Int'l Flavors & Fragrances Inc. v. Royal Ins. Co. of Am. 207  
 Iseman, Mass. Mut. Life Ins. Co. v. 95  
 Issacson, Westport Ins. Corp. v. 63  
 J. Aqua Plumbing & Heating Inc., Indian Harbor Ins. Co. v. 168  
 J.J.J. Props. Inc. v. Travelers Indem. Co. 39  
 J.P. Express Serv. Inc., St. Paul Fire & Marine Ins. Co. v. 209  
 Jabbour v. Penn Mut. Life Ins. Co. 180  
 Jacobowitz, Principal Life Ins. Co. v. 169  
 James, United States v. 90  
 Janart 55 W. 8th L.L.C. v. Greenwich Ins. Co. 20  
 Jay Birnbaum-EHA L.L.C. v. Citizens Ins. Co. of Am. 19  
 Jefferson Pilot Fin. Plan, Mahmoud v. 20  
 Jewelers Mut. Ins. Co., Nissim Inc. v. 204  
 JMZ USA Inc. v. Lumbermen's Mut. Cas. Co. 59  
 John Hancock Life Ins. Co. v. Ockun 95  
 Joseph Davis Inc., Travelers Indem. Co. v. 27  
 Kaesong Corp. v. United Nat'l Specialty Ins. Co. 151  
 Kaminski, Ill. Nat'l Ins. Co. v. 95  
 Karl Koch Erecting Corp. v. N.Y. Marine & Gen. Ins. Co. 9  
 Karlin v. Mt. Hawley Ins. Co. 19  
 Katchalova v. Perchikov 177  
 Katz, Principal Life Ins. Co. v. 74  
 Katzenberg v. First Fortis Life Ins. Co. 128  
 Kelleran & Assocs. Inc. v. Zurich Specialties London Inc. 16  
 Kellogg Marine Inc., St. Paul Fire & Marine Ins. Co. v. 9  
 Kemper Envtl. Ltd., Frazer Exton Dev. L.P. v. 19  
 Kemper Envtl. Ltd., Pure Tech Sys. Inc. v. 169  
 Kemper Ins. Cos., Lexington Ins. Co. v. 29  
 King, Metro. Life Ins. Co. v. 8  
 Kleyman v. Cont'l Cas. Co. 37  
 KS Bearings Inc., Travelers Indem. Co. v. 106  
 La. Health Serv. & Indem. Co. v. Rapides Healthcare Sys. 70  
 Laconia Props. L.L.C. v. Travelers Prop. Cas. Co. of Am. 142  
 LaCroix v. Syracuse Exec. Air Serv. Inc. 93  
 Lafarge N. Am. Inc., Am. Steamship Owners Mut. Protection & Indem. Ass'n Inc. v. 19, 47  
 Lancer Ins. Co., Lyons v. 169  
 Landmark Ins. Co., Lavandier v. 206  
 Latha Rest. Corp. v. Tower Ins. Co. 204  
 Lavandier v. Landmark Ins. Co. 206  
 Lawless, Estate of v. Hartford Fin. Servs. Grp. Inc. 210  
 Leccese v. Metro. Life Ins. Co. 103  
 Leuthner v. Blue Cross & Blue Shield of Ne. Pa. 56  
 Levy, Mass. Mut. Life Ins. Co. v. 189  
 Lexington Ins. Co., 1419 Tower L.P. v. 8  
 Lexington Ins. Co., Academy at Ivy Ridge L.L.C. v. 210  
 Lexington Ins. Co., Ahava Food Corp. v. 142  
 Lexington Ins. Co., Amerex Grp. Inc. v. 107  
 Lexington Ins. Co. v. Amerisure Mut. Ins. Co. 141

Lexington Ins. Co. v. Kemper Ins. Cos. 29  
 Lexington Ins. Co. v. Rochdale Ins. Co. 106, 107  
 Lexington Ins. Co., Wynn v. 170  
 Liberato, Mt. Hawley Ins. Co. v. 209  
 Liberty Ins. Corp. v. Max Rave L.L.C. 117  
 Liberty Mut. Fire Ins. Co. v. Costco Wholesale Corp. 167, 190  
 Liberty Mut. Fire Ins. Co. v. St. John's Univ. 168  
 Liberty Mut. Fire Ins. Co., WTC Captive Ins. Co. v. 74, 75  
 Liberty Mut. Holding Co. Inc., N.Y., State of v. 54  
 Liberty Mut. Ins. Co. v. AMB Limo L.L.C. 106  
 Liberty Mut. Ins. Co., Adams-Hendrick v. 91  
 Liberty Mut. Ins. Co. v. Bella Transp. Inc. 74  
 Liberty Mut. Ins. Co. v. Best Bus Ride Inc. 84  
 Liberty Mut. Ins. Co. v. Brownstone Radio Grp. Inc. 63  
 Liberty Mut. Ins. Co., Carlson v. 8  
 Liberty Mut. Ins. Co. v. Carroll St. Transp. Servs. Inc. 63  
 Liberty Mut. Ins. Co. v. Fast Lane Car Serv. Inc. 39  
 Liberty Mut. Ins. Co. v. First Brighton Transp. Mgmt. Inc. 74  
 Liberty Mut. Ins. Co. v. Global Transp. Mgmt. Corp. 84  
 Liberty Mut. Ins. Co. v. Grand Transp. Inc. 82  
 Liberty Mut. Ins. Co. v. Horizon Coach Inc. 95  
 Liberty Mut. Ins. Co. v. Ins. Co. of the State of Pa. 176  
 Liberty Mut. Ins. Co. v. Luxury Transp. Mgmt. Inc. 63  
 Liberty Mut. Ins. Co. v. Palace Car Servs. Corp. 155  
 Liberty Mut. Ins. Co. v. Priceless Transp. Inc. 74  
 Liberty Mut. Ins. Co. v. WaWa Tours Inc. 74  
 Lichtenstein v. Reassure Am. Life Ins. Co. 107  
 Lin v. Metro. Life Ins. Co. 107  
 Lincoln Gen. Ins. Co., Hinckley v. 50  
 Lincoln Gen. Ins. Co. v. Queens Rebar Inc. 84  
 Lisa Dawn Apts. Inc. v. Travelers Excess & Surplus Lines Co. 170  
 Lisowski, Nw. Mut. Life Ins. Co. v. 150  
 Lloyd's of London, Wynn v. 24  
 Lloyd's Underw'rs Subscribing to Cover Note JC492803 v. Delta Airlines Inc. 63  
 Lo v. United Nat'l Grp. 20  
 Long Island Radiology v. Allstate Ins. Co. 45  
 Longhill Omega L.L.C., Indian Harbor Ins. Co. v. 106  
 Lopez, Gov't Emps. Ins. Co. v. 166  
 Lumbermens Mut. Cas. Co., AXA Corp. Solutions Ins. Co. v. 138  
 Lumbermens Mut. Cas. Co., JMZ USA Inc. v. 59  
 Lumbermens Mut. Cas. Co., S. N.J. Rail Grp. L.L.C. v. 156  
 Luxury Transp. Mgmt. Inc., Liberty Mut. Ins. Co. v. 63  
 Lyons v. Lancer Ins. Co. 169  
 M. Martin Restoration Inc. v. Atl. Cas. Ins. Co. 50  
 M.V.B. Collision Inc. v. Allstate Ins. Co. 156  
 Madow, Penn Mut. Life Ins. Co. v. 159  
 Mahmoud v. Jefferson Pilot Fin. Plan 20  
 Makan Exports Inc. v. U.S. Underw'rs Ins. Co. 186  
 Malambri, Cont'l Assur. Co. v. 8  
 Malone v. Peerless Ins. Co. 39  
 Marceca v. St. Paul Travelers Ins. Co. 64  
 Marino v. CNA Ins. Co. 8  
 Mars Constr. Mgmt. Corp. v. U.S. Liab. Ins. Co. 107  
 Martin v. Certain Underw'rs at Lloyd's, London 117  
 Martinair Holland N.V., Am. Home Assur. Co. v. 63  
 Martinez, Am. United Life Ins. Co. v. 195  
 Martinez, Cont'l Assur. Co. v. 195  
 Mass. Mut. Life Ins. Co. v. Graetz 74  
 Mass. Mut. Life Ins. Co. v. Iseman 95  
 Mass. Mut. Life Ins. Co. v. Levy 189  
 Mass. Bay Ins. Co., Catsmo Corp. v. 50  
 Massena, Town of v. Healthcare Underw'rs Mut. Ins. Co. 115  
 Max Rave L.L.C., Liberty Ins. Corp. v. 117

McAlpin v. RLI Ins. Co. 178  
 McCrystal v. Trustmark Ins. Co. 75  
 McGirt v. Gulf Ins. Co. 91  
 McGowan v. U.S. Life Ins. Co. in the City of N.Y. 57  
 Md. Cas. Co., Odyssey Contracting Corp. v. 70  
 Melley v. Blue Cross & Blue Shield of Ne. Pa. 56  
 Mel-Mar Realty Corp., U.S. Underw'rs Ins. Co. v. 199  
 Merchants Mut. Ins. Co., N.Y. City Hous. Auth. v. 206  
 Merdjanian v. Nationwide Mut. Ins. Co. 113  
 MetLife Life & Annuity Co. of Conn. v. Delio 168  
 Metro. Life Ins. Co., Benesowitz v. 140  
 Metro. Life Ins. Co. v. Blatney 95  
 Metro. Life Ins. Co. v. Campbell 169  
 Metro. Life Ins. Co., Leccese v. 103  
 Metro. Life Ins. Co., Lin v. 107  
 Metro. Life Ins. Co., Robinson v. 207  
 Metro. Life Ins. Co. v. Hawkins-Dean 4  
 Metro. Life Ins. Co. v. King 8  
 Metro. Life Ins. Co. v. Zaccaro 49  
 Meyer, Essex Ins. Co. v. 130  
 Mid-Continent Cas. Co., Daneshjou Co. Inc. v. 125  
 Millers Wood Dev. Corp. v. Hartford Fire Ins. Co. 200  
 Mitsui Sumito Co. Ltd. v. Roaco L.L.C. 63  
 Mitsui Sumitomo Ins. Co., N. Am. Foreign Trading Corp. v. 102  
 Mitsui Sumitomo Ins. USA Inc., N. Am. Foreign Trading Corp. v. 5  
 Monarch Life Ins. Co., Gebbie v. 29  
 Monarch Life Ins. Co., Tsiampalis v. 47  
 Montamer Corp. v. Hartford Ins. Co. of the Midwest 151  
 Montefiore Med. Ctr., Prestige Props. & Dev. Co. Inc. v. 35  
 Mony Life Ins. Co., Rabin v. 81  
 Moslem, Vt. Mut. Ins. Co. v. 179  
 Mountain Valley Indem. Co., 10 Ellicott Square Ct. Corp. v. 64  
 Mt. Hawley Ins. Co., Karlin v. 19  
 Mt. Hawley Ins. Co. v. Liberato 209  
 Mt. Sinai Hosp. v. Chubb Grp. of Ins. Cos. 185  
 Mt. Vernon Fire Ins. Co. v. A.S. Constr. Inc. 157  
 Mt. Vernon Fire Ins. Co., Ward Realty Corp. v. 210  
 Mullen, N. Am. Specialty Ins. Co. v. 141  
 Munich Reinsurance Am. Inc., Zurich Am. Ins. Co. v. 106, 107  
 Murphy v. Fed. Ins. Co. 175  
 My-Way Contracting Corp., R.C. Dolner Inc. v. 128  
 N. Am. Foreign Trading Corp. v. Mitsui Sumitomo Ins. Co. 102  
 N. Am. Foreign Trading Corp. v. Mitsui Sumitomo Ins. USA Inc. 5  
 N. Am. Specialty Ins. Co. v. IEAH Stables Inc. 106  
 N. Am. Specialty Ins. Co. v. Mullen 141  
 N. Assur. Co. of Am. v. New Horizons Yacht Harbor Inc. 19  
 N.Y. Cent. Mut. Fire Ins. Co., Bronx Radiology P.C. v. 196  
 N.Y. Cent. Mut. Fire Ins. Co. v. Wood 36  
 N.Y. City Dist. Council of Carpenters Welfare Fund, Diagnostic Med. Assocs. M.D. P.C. v. 103  
 N.Y. City Hous. Auth. v. Merchants Mut. Ins. Co. 206  
 N.Y. Marine & Gen. Ins. Co. v. Cent. Freight Lines Inc. 63  
 N.Y. Marine & Gen. Ins. Co., Karl Koch Erecting Corp. v. 9  
 N.Y. State Ins. Fund, United Nat'l Ins. Co. v. 209  
 N.Y., City of v. Catholic Mut. Relief Soc'y of Am. 39  
 N.Y., City of v. Evanston Ins. Co. 58  
 N.Y., State of v. Liberty Mut. Holding Co. Inc. 54  
 Nager v. United of Omaha Life Ins. Co. 205  
 Nascimento v. Essex Ins. Co. 130  
 Nationwide Mut. Fire Ins. Co., Alamia v. 139  
 Nationwide Mut. Fire Ins. Co., Yudell v. 159  
 Nationwide Mut. Ins. Co. v. Camp Generations 8  
 Nationwide Mut. Ins. Co., Merdjanian v. 113

Nat'l Cas. Co. v. Vigilant Ins. Co. 26  
 Nat'l Fire & Marine Co., Graves Bros. Inc. v. 46  
 Nat'l Grange Mut. Ins. Co., Cole Mech. Corp. v. 165  
 Nat'l Grange Mut. Ins. Co. v. T.C. Concrete Constr. Inc. 187  
 Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. v. Griffith Labs Inc. 8  
 Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. v. Titeflex Corp. 95  
 Nat'l Union Fire Ins. Co. of Pittsburgh, Pa., Tonicstar Ltd. v. 96  
 New Horizons Yacht Harbor Inc., N. Assur. Co. of Am. v. 19  
 New Image Roller Dome Inc. v. Travelers Indem. Co. of Ill. 180  
 NGM Ins. Co. v. Blakely Pumping Inc. 150  
 Nichols v. Stonebridge Life Ins. Co. 64  
 Nissim Inc. v. Jewelers Mut. Ins. Co. 204  
 Noia v. Div. 1181 A.T.U.-N.Y. Welfare Fund 184  
 Norfolk S. Railway Co., Sampo Japan Ins. Co. of Am. v. 95  
 Northway Pool Serv. Inc., Atl. Cas. Ins. Co. v. 209  
 Nw. Mut. Ins. Co., Wilson v. 96  
 Nw. Mut. Life Ins. Co., Guglielmi v. 148  
 Nw. Mut. Life Ins. Co. v. Lisowski 150  
 Nyack Hosp. v. Gen. Motors Acceptance Corp. 83  
 NYP Holdings Inc. v. Twin City Fire Ins. Co. 190  
 O&E Growers Inc. v. Selective Ins. Co. of Am. 85  
 Ocean World Lines Inc., Royal & Sun Alliance Ins. P.L.C. v. 95  
 Ockun, John Hancock Life Ins. Co. v. 95  
 Odyssey Contracting Corp. v. Md. Cas. Co. 70  
 Old Williamsburg Candle Corp., One Beacon Ins. Co. v. 4  
 Olin Corp. v. Certain Underw'rs at Lloyd's London 6  
 One Beacon Ins. Co. v. Old Williamsburg Candle Corp. 4  
 One Beacon Ins. Grp., BP Air Conditioning Corp. v. 138  
 One Beacon Ins. Grp. v. Penske Truck Leasing Canada Inc. 118  
 Osborne v. Hartford Life & Accident Ins. Co. 176  
 Otsego Mut. Fire Ins. Co., Auerbach v. 57  
 P.K. Carrier Corp., Fed. Ins. Co. v. 60  
 Pa. Mfrs. Ass'n Ins. Co., Rainbow USA Inc. v. 141  
 Pac. Westeel Racking Inc. v. Evanston Ins. Co. 20  
 Padavano Serv. Station v. Universal Underw'rs Ins. Co. 131  
 Palace Car Servs. Corp., Liberty Mut. Ins. Co. v. 155  
 Paul Revere Ins. Corp., Doe v. 118  
 Paul Revere Life Ins. Co. v. Doe 117  
 Paul Revere Life Ins. Co., Greenberg v. 190  
 Paulino, Atl. Cas. Ins. Co. v. 130  
 Peerless Importers Inc., Employers Ins. of Wausau v. 19  
 Peerless Indem. Ins. Co. v. AXA Gen. Ins. Hong Kong Ltd. 169  
 Peerless Ins. Co., Malone v. 39  
 Peerless Ins. Co., Penna v. 187  
 Pena, Diamond State Ins. Co. v. 150  
 Penn Mut. Life Ins. Co., Jabbour v. 180  
 Penn Mut. Life Ins. Co. v. Madow 159  
 Penna v. Peerless Ins. Co. 187  
 Penn-Star Ins. Co. v. 771 Horseblock Rd. Corp. 106  
 Penske Truck Leasing Canada Inc., One Beacon Ins. Grp. v. 118  
 Perchikov, Katchalova v. 177  
 PGG Realty L.L.C., Fed. Ins. Co. v. 104  
 Phila. Indem. Ins. Co. v. Servs. for the Underserved Inc. 150  
 Phillips v. Am. Int'l Grp. Inc. 44, 63  
 Phoenix Home Life Mut. Ins. Co., Wilkes v. 4  
 Physicians' Reciprocal Insurers v. Giugliano 59  
 Pine, Preferred Mut. Ins. Co. v. 198  
 Pingley, Essex Ins. Co. v. 139  
 Podlofsky, Westport Ins. Corp. v. 95  
 Poka v. Hartford Ins. Co. 50  
 Preferred Mut. Ins. Co. v. Pine 198  
 Preferred Mut. Ins. Co., Ryan v. 92  
 Preferred Mut. Ins. Co. v. United States 117  
 Premis Co. Inc. v. Travelers Indem. Co. 73

Presidential Apts. & Zaka L.L.C. v. Greenwich Ins. Co. 169  
 Prestige Props. & Dev. Co. Inc. v. Montefiore Med. Ctr. 35  
 Priceless Transp. Inc., Liberty Mut. Ins. Co. v. 74  
 Principal Life Ins. Co. v. Claud 179  
 Principal Life Ins. Co. v. Jacobowitz 169  
 Principal Life Ins. Co. v. Katz 74  
 Pritchett, United States v. 100  
 Progressive Credit Union v. Cumis Ins. Soc’y Inc. 75  
 Progressive Ins. Co. v. Sheri Torah Inc. 208  
 Progressive Ins. Cos., In re 116  
 Progressive N. Ins. Co. v. Beltempo 131  
 Provident Life & Cas. Ins. Co., Cook v. 210  
 Provident Life & Cas. Ins. Co. v. Hoffman 130  
 Prudential Ins. Co. of Am. v. Dukoff 84  
 Prudential Ins. Co. of Am., Benoit v. 170  
 PSEG Techs. Asset Mgmt. Co. L.L.C. v. Raffles Ins. Ltd. 8  
 Pure Tech Sys. Inc. v. Kemper Envtl. Ltd. 169  
 QBE Ins. Corp., Stonewall Contracting Corp. v. 141  
 QBE Ins. Corp., Wausau Underw’rs Ins. Co. v. 147  
 Queens Rebar Inc., Lincoln Gen. Ins. Co. v. 84  
 R&G Laundromat Inc. v. U.S. Fid. & Guar. Co. 75  
 R.C. Dolner Inc. v. My-Way Contracting Corp. 128  
 Rabin v. Mony Life Ins. Co. 81  
 Raffles Ins. Ltd., PSEG Techs. Asset Mgmt. Co. L.L.C. v. 8  
 Railroad Ins. Underw’rs v. Certain Underw’rs at Lloyd’s  
 London 107  
 Rainbow USA Inc. v. Pa. Mfrs. Ass’n Ins. Co. 141  
 RAL Indus. Inc., Tudor Ins. Co. v. 141  
 Rapides Healthcare Sys., La. Health Serv. & Indem. Co. v. 70  
 RCDolner L.L.C. v. United Nat’l Ins. Co. 50  
 Reassure Am. Life Ins. Co., Lichtenstein v. 107  
 Rector St. Food Enters. Ltd. v. Fire & Cas. Ins. Co. of Conn. 17  
 Reinsurance Co. of Am. v. United Contractors Ins. Co. 49, 50  
 Reliance Ins. Co., In re 16  
 Reliastar Life Ins. Co., Eckelberry v. 101  
 Republic Me Kong Delta Inc., Fid. & Guar. Ins. Co. v. 19  
 Retail Brand Alliance Inc. v. Factory Mut. Ins. Co. 126  
 Rhodes, White v. 6  
 Richards v. AXA Equitable Life Ins. Co. 206  
 Richman v. Stonebridge Cas. 142  
 Riveros Co., Atl. Cas. Ins. Co. v. 209  
 RLI Ins. Co., Garland v. 75, 125  
 RLI Ins. Co., McAlpin v. 178  
 Roaco L.L.C., Mitsui Sumito Co. Ltd. v. 63  
 Robinson v. Metro. Life Ins. Co. 207  
 Rochdale Ins. Co., Lexington Ins. Co. v. 106, 107  
 Rochdale Vill. Inc. v. Fed. Ins. Co. 96  
 Rogowski, Cent. Mut. Ins. Co. v. 189  
 Rohrbaugh v. U.S. Mgmt. Inc. 137  
 Romano v. Banc of Am. Ins. Servs. Inc. 142  
 Roseman, Gluck v. 210  
 Ross v. Allstate Tex. Lloyds Ins. Co. 25  
 Royal & Sun Alliance Ins. P.L.C. v. Ocean World Lines Inc. 95  
 Royal Indem. Co., Doe Fund Inc. v. 16  
 Royal Ins. Co. of Am., Int’l Flavors & Fragrances Inc. v. 207  
 Ryan v. Preferred Mut. Ins. Co. 92  
 S. N.J. Rail Grp. L.L.C. v. Lumbermens Mut. Cas. Co. 156  
 Safeco Ins. Co. of Am. v. Burr 102  
 Safeco Ins. Co. of Am., Uptown Grp. Assocs. Inc. v. 180  
 Safeco Ins. Co., Vintillia v. 175  
 Sanchez v. Travelers Cos. Inc. 200  
 Savarino/Mollenberg-Betz Joint Venture for the Lakeview Homes  
 Phase II Project v. Selective Way Ins. Co. 150  
 Scarth Constr. Corp., Selective Ins. Co. v. 117

Schepp, Travelers Indem. Co. v. 90  
 Schindler, Conn. Indem. Co. v. 27  
 Schulman v. Grp. Health Inc. 92  
 Scottsdale Ins. Co., Eddie v. 107  
 Scottsdale Ins. Co., St. Paul Mercury Ins. Co. v. 95, 96  
 Seamon v. UNUM Provident Corp. 96  
 Sebrow v. Allstate Ins. Co. 190  
 Sec. Ins. Co. of Hartford, Commercial Risk Reinsurance Co. v. 96  
 Sec. Mut. Ins. Co., Stein v. 72  
 Second Church of Christ, Scientist of New York City v. Guideone  
 Mut. Ins. Co. 50  
 Sec. Mut. Life Ins. Co. of N.Y. v. Herpaul 36  
 Selective Ins. Co. v. Scarth Constr. Corp. 117  
 Selective Ins. Co., United Nat’l Ins. Co. v. 141  
 Selective Ins. Co. of Am., BBL Constr. Servs. L.L.C. v. 141  
 Selective Ins. Co. of Am., Clark Moving & Storage Inc. v. 168, 169  
 Selective Ins. Co. of Am., O&E Growers Inc. v. 85  
 Selective Ins. Co. of N.Y., Whitehead v. 169  
 Selective Way Ins. Co., Savarino/Mollenberg-Betz Joint Venture  
 for the Lakeview Homes Phase II Project v. 150  
 Seneca Ins. Co., Ceragem Int’l Inc. v. 29  
 Seneca Ins. Co. v. Wilcock 56  
 Sentry Select Ins. Co. v. Ballantyne RV & Marine Inc. 95  
 Sept. 11th Liab. Ins. Coverage Cases, In re 129  
 Serio, Catholic Charities of Diocese of Albany v. 174  
 Serio v. U.S. Fire Ins. Co. 127  
 Servs. for the Underserved Inc., Phila. Indem. Ins. Co. v. 150  
 Seward Park Hous. Corp. v. Greater N.Y. Mut. Ins. Co. 113  
 Sewell v. 1199 Nat’l Benefit Fund of Health & Human Servs. 70  
 Sheri Torah Inc., Progressive Ins. Co. v. 208  
 Shurtleff v. Great Am. Ins. Co. 56  
 Singco v. USF Ins. Co. 190  
 Singpurwala v. State Farm Ins. Co. 64  
 Sirius Am. Ins. Co., Temple Constr. Corp. v. 127  
 Skill-Man Contracting Inc. v. Burlington Ins. Co. 96  
 Solomon, Great Am. Ins. Co. v. 150  
 Sompo Japan Ins. Co. of Am. v. Norfolk S. Railway Co. 95  
 Spagnola v. Chubb Corp. 93  
 Specialty Nat’l Ins. Co. v. English Bros. Funeral Home 169  
 Spira v. Charter Oak Fire Ins. Co. 170  
 SR Int’l Bus. Ins. Co. v. World Trade Ctr. Props. L.L.C. 54  
 St. John’s Univ., Liberty Mut. Fire Ins. Co. v. 168  
 St. Paul Fire & Marine Ins. Co., Duane Reade Inc. v. 166  
 St. Paul Fire & Marine Ins. Co. v. J.P. Express Serv. Inc. 209  
 St. Paul Fire & Marine Ins. Co. v. Kellogg Marine Inc. 9  
 St. Paul Fire & Marine Ins. Co. v. U.S. Airways 209  
 St. Paul Fire & Marine Ins. Co. v. United Arab Shipping Co. 190  
 St. Paul Mercury Ins. Co. v. Scottsdale Ins. Co. 95, 96  
 St. Paul Surplus Lines Ins. Co., T. & R. Constr. Corp. v. 210  
 St. Paul Surplus Lines Ins. Co., Ward Realty Corp. v. 159  
 St. Paul Travelers Cos. Inc., AWL Indus. Inc. v. 64  
 St. Paul Travelers Cos. Inc. v. Citak & Citak 131  
 St. Paul Travelers Ins. Co., 37 Holding Co. L.L.C. v. 75  
 St. Paul Travelers Ins. Co., Duane Reade Inc. v. 64  
 St. Paul Travelers Ins. Co., Marceca v. 64  
 Star Ins. Co. v. Hazardous Elimination Corp. 61  
 Star-Brite Painting & Paperhanging, Utica First Ins. Co. v. 46  
 State Farm Fire & Cas. Co., Williams v. 200  
 State Farm Ins. Co., Catalano v. 60  
 State Farm Ins. Co., Singpurwala v. 64  
 State Farm Ins. Co. v. Travelers Indem. Co. 20  
 State Farm Mut. Auto. Ins. Co. v. Garcia 8  
 State Farm Mut. Auto. Ins. Co. v. Willes 112  
 State Farm Mut. Auto. Ins. Co., Hament v. 48

State of N.Y. Ins. Dep't, Liquidation Bureau v. Generali Ins. Co. 195  
 Steadfast Ins. Co. v. C-K Spring Creek L.L.C. 19  
 Steadfast Ins. Co., STV Inc. v. 29  
 Stein v. Sec. Mut. Ins. Co. 72  
 Sterling Fin. Inv. Grp. Inc., Certain Underw'rs at Lloyd's  
 London v. 168  
 Stiler v. Great N. Ins. Co. 85  
 Stonebridge Cas., Richman v. 142  
 Stonebridge Life Ins. Co., Nichols v. 64  
 Stonewall Contracting Corp. v. QBE Ins. Corp. 141  
 STV Inc. v. Steadfast Ins. Co. 29  
 Sun Life Ins. & Annuity Co. of N.Y., Wattsman v. 8  
 Super Laundryland Inc. v. U.S. Underw'rs Ins. Co. 85  
 Swig v. Arch Ins. Co. 150  
 Swiss Reinsurance Am. Corp. v. Certain Underw'rs at Lloyd's  
 London 106, 107  
 Syracuse Exec. Air Serv. Inc., LaCroix v. 93  
 T. & R. Constr. Corp. v. St. Paul Surplus Lines Ins. Co. 210  
 T.C. Concrete Constr. Inc., Nat'l Grange Mut. Ins. Co. v. 187  
 TAG 380 L.L.C. v. ComMet 380 Inc. 57  
 Tauber, U.S. Underw'rs Ins. Co. v. 84  
 Temple Constr. Corp. v. Sirius Am. Ins. Co. 127  
 Thibeault v. Travelers Ins. Co. 71  
 TIG Ins. Co., AIU Ins. Co. v. 159  
 TIG Ins. Co., Tully Constr. Co. Inc. v. 188  
 Tire Ctrs. L.L.C., Hallenbeck v. 180  
 Titeflex Corp., Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. v. 95  
 Tokio Marine & Fire Ins. Co. Ltd. v. Arias 74  
 Tonicstar Ltd. v. Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. 96  
 Tower Ins. Co., Latha Rest. Corp. v. 204  
 Trance Nite Club Inc., U.S. Liab. Ins. Co. v. 188  
 Travelers Cas. & Sur. Co., Conopco Inc. v. 141  
 Travelers Cos. Inc., Sanchez v. 200  
 Travelers Excess & Surplus Lines Co., Lisa Dawn Apts. Inc. v. 170  
 Travelers Indem. Co., Capitol Payment Plan Inc. v. 75  
 Travelers Indem. Co. v. Commerce & Indus. Ins. Co. of Canada 46  
 Travelers Indem. Co., Fair Price Med. Supply Corp. v. 126  
 Travelers Indem. Co., Highlands, Town of v. 169  
 Travelers Indem. Co., J.J.J. Props. Inc. v. 39  
 Travelers Indem. Co. v. Joseph Davis Inc. 27  
 Travelers Indem. Co. v. KS Bearings Inc. 106  
 Travelers Indem. Co. v. Schepp 90  
 Travelers Indem. Co., Premis Co. Inc. v. 73  
 Travelers Indem. Co., State Farm Ins. Co. v. 20  
 Travelers Indem. Co. of Ill., New Image Roller Dome Inc. v. 180  
 Travelers Ins. Co., Darling v. 29  
 Travelers Ins. Co. v. Henry 18  
 Travelers Ins. Co., Thibeault v. 71  
 Travelers Prop. Cas. Co. of Am., Laconia Props. L.L.C. v. 142  
 Triboro Hardware & Supply Corp. v. Fed. Ins. Co. 176  
 Trippe Mfg. Co. Inc., Church Ins. Co. v. 198  
 Tropp v. Corp. of Lloyd's 50  
 Trustmark Ins. Co., McCrystal v. 75  
 Tsiampalis v. Monarch Life Ins. Co. 47  
 Tudor Ins. Co. v. RAL Indus. Inc. 141  
 Tully Constr. Co. Inc. v. TIG Ins. Co. 188  
 Turner Constr. Co. v. Am. Mfrs. Mut. Ins. Co. 114  
 Twin City Fire Ins. Co., Diamond Glass Cos. Inc. v. 8  
 Twin City Fire Ins. Co., NYP Holdings Inc. v. 190  
 U.S. Airways, St. Paul Fire & Marine Ins. Co. v. 209  
 U.S. Bank Nat'l Ass'n, Commerce & Indus. Ins. Co. v. 130  
 U.S. Dredging Corp. v. Fed. Ins. Co. 39  
 U.S. Fid. & Guar. Co. v. Carreras 63  
 U.S. Fid. & Guar. Co., R&G Laundromat Inc. v. 75

U.S. Fire Ins. Co., Bovis Lend Lease LMB Inc. v. 50  
 U.S. Fire Ins. Co., Serio v. 127  
 U.S. Liab. Ins. Co., Augustine Wine & Liquor Inc. v. 159  
 U.S. Liab. Ins. Co., Mars Constr. Mgmt. Corp. v. 107  
 U.S. Liab. Ins. Co. v. Trance Nite Club Inc. 188  
 U.S. Liab. Ins. Grp., Hollywood Radio Dispatch Inc. v. 96  
 U.S. Life Ins. Co. in the City of N.Y. v. Butler 84  
 U.S. Life Ins. Co. in the City of N.Y., McGowan v. 57  
 U.S. Mgmt. Inc., Rohrbaugh v. 137  
 U.S. Underw'rs Ins. Co. v. AARK Constr. Grp. LTP Inc. 19  
 U.S. Underw'rs Ins. Co. v. Abyssinian Dev. Corp. 199  
 U.S. Underw'rs Ins. Co. v. Falcon Constr. Corp. 92  
 U.S. Underw'rs Ins. Co., Greater N.Y. Mut. Ins. Co. v. 37  
 U.S. Underw'rs Ins. Co., Ins. Corp. of N.Y. v. 199, 200  
 U.S. Underw'rs Ins. Co., Makan Exports Inc. v. 186  
 U.S. Underw'rs Ins. Co. v. Mel-Mar Realty Corp. 199  
 U.S. Underw'rs Ins. Co. v. Tauber 84  
 U.S. Underw'rs Ins. Co., Super Laundryland Inc. v. 85  
 Underw'rs at Lloyd's, London v. 1877 AJ&J Restaurant Corp. 19  
 Union Labor Life Ins. Co. v. Balcerak 95  
 Union Labor Life Ins. Co. v. Garvin 74  
 United Arab Shipping Co., St. Paul Fire & Marine Ins. Co. v. 190  
 United Contractors Ins. Co., Reinsurance Co. of Am. v. 49, 50  
 United Healthcare Corp., Am. Med. Ass'n v. 26  
 United Nat'l Grp., Lo v. 20  
 United Nat'l Ins. Co. v. Cohen & Krassner 19  
 United Nat'l Ins. Co. v. N.Y. State Ins. Fund 209  
 United Nat'l Ins. Co. v. Selective Ins. Co. 141  
 United Nat'l Ins. Co., RCDolner L.L.C. v. 50  
 United Nat'l Specialty Ins. Co., Kaesong Corp. v. 151  
 United of Omaha Life Ins. Co., Nager v. 205  
 United States v. James 90  
 United States, Preferred Mut. Ins. Co. v. 117  
 United States v. Pritchett 100  
 Universal Underw'rs Ins. Co., Atl. Mut. Ins. Co. v. 107  
 Universal Underw'rs Ins. Co., Canora Family Inc. v. 29  
 Universal Underw'rs Ins. Co., Padavanos Serv. Station v. 131  
 UNUM Provident Corp., Genuth v. 141  
 UNUM Provident Corp., Seamon v. 96  
 UPS Supply Chain Solutions Inc., Vigilant Ins. Co. v. 95  
 Uptown Grp. Assocs. Inc. v. Safeco Ins. Co. of Am. 180  
 USF Ins. Co., Singco v. 190  
 Utica First Ins. Co. v. Star-Brite Painting & Paperhanging 46  
 VCC Inc. v. Houston Cas. Co. 19  
 VFS US L.L.C. v. Clarendon Nat'l Ins. Co. 74, 75  
 Vigilant Ins. Co. v. Adcom Express Inc. 63  
 Vigilant Ins. Co., Nat'l Cas. Co. v. 26  
 Vigilant Ins. Co. v. UPS Supply Chain Solutions Inc. 95  
 Vintillia v. Safeco Ins. Co. 175  
 Vt. Mut. Ins. Co. v. Moslem 179  
 W. Heritage Ins. Co., Clem, Estate of v. 55  
 W. Park Assocs. Inc., Atl. Cas. Ins. Co. v. 130  
 Walcott v. WTC Captive Ins. Co. Inc. 146  
 Ward Realty Corp. v. Mt. Vernon Fire Ins. Co. 210  
 Ward Realty Corp. v. St. Paul Surplus Lines Ins. Co. 159  
 Wattsman v. Sun Life Ins. & Annuity Co. of N.Y. 8  
 Wausau Underw'rs Ins. Co. v. QBE Ins. Corp. 147  
 WaWa Tours Inc., Liberty Mut. Ins. Co. v. 74  
 Westport Ins. Corp. v. Hennessy 159  
 Westport Ins. Corp. v. Issacson 63  
 Westport Ins. Corp. v. Podlofsky 95  
 Wheadon v. Essex Ins. Co. 118  
 White v. Rhodes 6  
 Whitehead v. Selective Ins. Co. of N.Y. 169

Wilcock, Seneca Ins. Co. v. 56  
Wilkes v. Phoenix Home Life Mut. Ins. Co. 4  
Willes, State Farm Mut. Auto Ins. Co. v. 112  
Williams v. State Farm Fire & Cas. Co. 200  
Wilson v. Nw. Mut. Ins. Co. 96  
Wood, N.Y. Cent. Mut. Fire Ins. Co. v. 36  
World Magic Entm't Inc. v. Great Lakes Reinsurance (UK)  
P.L.C. 190  
World Trade Ctr. Props. L.L.C., SR Int'l Bus. Ins. Co. v. 54  
Worth Constr. Co.Inc. v. Admiral Ins. Co. 114  
WTC Captive Ins. Co. v. Liberty Mut. Fire Ins. Co. 74, 75

WTC Captive Ins. Co., Walcott v. 146  
Wynn v. Lexington Ins. Co. 170  
Wynn v. Lloyd's of London 24  
Yonkers Racing Corp. v. Arch Ins. Co. 96, 112, 141  
Yudell v. Nationwide Mut. Fire Ins. Co. 159  
Zaccaro, Metro. Life Ins. Co. v. 49  
Zeigler v. Atl. Cas. Ins. Co. 200  
Zeldin v. Interboro Mut. Indem. Ins. Co. 197  
Zurich Am. Ins. Co. v. Munich Reinsurance Am. Inc. 106, 107  
Zurich Specialties London Inc., Kelleran & Assocs. Inc. v. 16

# Section B

---

Cases Reported,  
by Jurisdiction



## U.S. SUPREME COURT

Adams-Hendrick v. Liberty Mut. Ins. Co. 91  
Am. United Life Ins. Co. v. Martinez 195  
Bank of La. v. Aetna U.S. Healthcare Inc. 70  
Bauer v. Advance PCS 4  
Catholic Charities of Diocese of Albany v. Dinallo 174  
Catholic Charities of Diocese of Albany v. Serio 174  
Clem, Estate of v. W. Heritage Ins. Co. 55  
Cont'l Assur. Co. v. Martinez 195  
Daneshjou Co. Inc. v. Mid-Continent Cas. Co. 125  
Eckelberry v. Reliastar Life Ins. Co. 101  
Glanton v. AdvancePCS Inc. 175  
La. Health Serv. & Indem. Co. v. Rapides Healthcare Sys. 70  
Latha Rest. Corp. v. Tower Ins. Co. 204  
Leuthner v. Blue Cross & Blue Shield of Ne. Pa. 56  
McGirt v. Gulf Ins. Co. 91  
Melley v. Blue Cross & Blue Shield of Ne. Pa. 56  
Merdjianian v. Nationwide Mut. Ins. Co. 113  
Metro. Life Ins. Co. v. Hawkins-Dean 4  
Murphy v. Fed. Ins. Co. 175  
N.Y., State of v. Liberty Mut. Holding Co. Inc. 54  
Odyssey Contracting Corp. v. Md. Cas. Co. 70  
Osborne v. Hartford Life & Accident Ins. Co. 176  
Ross v. Allstate Tex. Lloyds Ins. Co. 25  
Safeco Ins. Co. of Am. v. Burr 102  
Sewell v. 1199 Nat'l Benefit Fund of Health & Human Servs. 70  
Shurtleff v. Great Am. Ins. Co. 56  
State Farm Mut. Auto Ins. Co. v. Willes 112  
Vintillia v. Safeco Ins. Co. 175  
Wilkes v. Phoenix Home Life Mut. Ins. Co. 4

## SECOND CIRCUIT

Allstate Ins. Co. v. Hamilton Beach 38  
AXA Corp. Solutions Ins. Co. v. Lumbermens Mut. Cas. Co. 138  
Church Ins. Co. v. Trippe Mfg. Co. Inc. 198  
Diagnostic Med. Assocs. M.D. P.C. v. N.Y. City Dist. Council of  
Carpenters Welfare Fund 103  
Olin Corp. v. Certain Underw'rs at Lloyd's London 6  
SR Int'l Bus. Ins. Co. v. World Trade Ctr. Props. L.L.C. 54  
Travelers Ins. Co. v. Henry 18

## NEW YORK

426-428 W. 46th St. Owners Inc. v. Greater N.Y. Mut. Ins. Co.  
Ace Packing Co. Inc. v. Campbell Solberg Assocs. Inc. 104  
Appalachian Ins. Co. v. Gen. Elec. Co. 71  
Auerbach v. Otsego Mut. Fire Ins. Co. 57  
Benesowitz v. Metro. Life Ins. Co. 140  
BP Air Conditioning Corp. v. One Beacon Ins. Grp. 138  
Broad Street L.L.C. v. Gulf Ins. Co. 15  
Bronx Radiology P.C. v. N.Y. Cent. Mut. Fire Ins. Co. 196  
Catucci v. Greenwich Ins. Co. 60  
Children's Place Retail Stores Inc. v. Fed. Ins. Co. 58  
Conn. Indem. Co. v. Schindler 27  
Denihan Ownership Co. L.L.C. v. Commerce & Indus. Ins. Co. 72  
Dinallo v. DiNapoli 197  
Doe Fund Inc. v. Royal Indem. Co. 16  
Essex Ins. Co. v. Pingley 139  
Fair Price Med. Supply Corp. v. Travelers Indem. Co. 126  
Friedman v. Conn. Gen. Life Ins. Co. 196  
Gov't Emps. Ins. Co. v. Lopez 166  
Great Wall Acupuncture v. GEICO Gen. Ins. Co. 115  
Greater N.Y. Mut. Ins. Co. v. U.S. Underw'rs Ins. Co. 37  
Guishard v. Gen. Sec. Ins. Co. 177  
Herron v. Essex Ins. Co. 7  
Int'l Flavors & Fragrances Inc. v. Royal Ins. Co. of Am. 207

JMZ USA Inc. v. Lumbermen's Mut. Cas. Co. 59  
Katchalova v. Perchikov 177  
LaCroix v. Syracuse Exec. Air Serv. Inc. 93  
Lavandier v. Landmark Ins. Co. 206  
Liberty Mut. Ins. Co. v. Ins. Co. of the State of Pa. 176  
Long Island Radiology v. Allstate Ins. Co. 45  
Makan Exports Inc. v. U.S. Underw'rs Ins. Co. 186  
Massena, Town of v. Healthcare Underw'rs Mut. Ins. Co. 115  
Mt. Sinai Hosp. v. Chubb Grp. of Ins. Cos. 185  
N.Y. Cent. Mut. Fire Ins. Co. v. Wood 36  
N.Y. City Hous. Auth. v. Merchants Mut. Ins. Co. 206  
N.Y., City of v. Evanston Ins. Co. 58  
Nager v. United of Omaha Life Ins. Co. 205  
Nat'l Grange Mut. Ins. Co. v. T.C. Concrete Constr. Inc. 187  
Nyack Hosp. v. Gen. Motors Acceptance Corp. 83  
Physicians' Reciprocal Insurers v. Giugliano 59  
Preferred Mut. Ins. Co. v. Pine 198  
Premins Co. Inc. v. Travelers Indem. Co. 73  
Prestige Props. & Dev. Co. Inc. v. Montefiore Med. Ctr. 35  
Progressive Ins. Co. v. Sheri Torah Inc. 208  
Progressive Ins. Cos., In re 116  
R.C. Dolner Inc. v. My-Way Contracting Corp. 128  
Rector St. Food Enters. Ltd. v. Fire & Cas. Ins. Co. of Conn. 17  
Reliance Ins. Co., In re 16  
Ryan v. Preferred Mut. Ins. Co. 92  
Schulman v. Grp. Health Inc. 92  
Sec. Mut. Life Ins. Co. of N.Y. v. Herpaul 36  
Serio v. U.S. Fire Ins. Co. 127  
Seward Park Hous. Corp. v. Greater N.Y. Mut. Ins. Co. 113  
State of N.Y. Ins. Dep't, Liquidation Bureau v. Generali Ins. Co. 195  
Stein v. Sec. Mut. Ins. Co. 72  
TAG 380 L.L.C. v. ComMet 380 Inc. 57  
Temple Constr. Corp. v. Sirius Am. Ins. Co. 127  
Thibeault v. Travelers Ins. Co. 71  
Travelers Indem. Co. v. Commerce & Indus. Ins. Co. of Canada 46  
Triboro Hardware & Supply Corp. v. Fed. Ins. Co. 176  
Tully Constr. Co. Inc. v. TIG Ins. Co. 188  
Utica First Ins. Co. v. Star-Brite Painting & Paperhanging 46  
White v. Rhodes 6  
Worth Constr. Co. Inc. v. Admiral Ins. Co. 114  
Zeldin v. Interboro Mut. Indem. Ins. Co. 197

## U.S.D.C.—EASTERN DISTRICT

Advanced Remodeling of Long Island Inc. v. Atl. Cas. Ins. Co. 64  
Ahava Food Corp. v. Lexington Ins. Co. 142  
Am. Home Assur. Co. v. Babcock & Wilcox Co. 19  
Am. Nat'l Red Cross v. E. End Window Techs. Inc. 169  
Arias v. Allstate Ins. Co. 210  
Atl. Cas. Ins. Co. v. Five Stone Constr. Inc. 209  
Atl. Cas. Ins. Co. v. Gloria's Cleaning Servs. Inc. 118  
Atl. Cas. Ins. Co. v. Northway Pool Serv. Inc. 209  
Atl. Cas. Ins. Co. v. Paulino 130  
Atl. Cas. Ins. Co. v. Riveros Co. 209  
Atl. Cas. Ins. Co. v. W. Park Assocs. Inc. 130  
Augustine Wine & Liquor Inc. v. U.S. Liab. Ins. Co. 159  
Blumenfeld Dev. Grp. Constr. Corp. v. Gen. Star Indem. Co. 151  
Bread & Butter L.L.C. v. Certain Underw'rs at Lloyd's London 190  
Brookdale Univ. Hosp. & Med. Ctr. v. Health Ins. Plan of Greater  
N.Y. 68  
Capitol Payment Plan Inc. v. Travelers Indem. Co. 75  
Charter Oak Fire Ins. Co. v. Fleet Bldg. Maintenance Inc. 130  
Colasanto Constr. Inc. v. Burlington Ins. Co. 63  
Companion Life Ins. Co. v. April 179  
Cont'l Ins. Co. v. Huff Enters. Inc. 189  
CVT Prepaid Solutions Inc. v. Axis Surplus Ins. Co. 180

Diamond State Ins. Co. v. Pena 150  
 DiMeglio v. Bridgestone/Firestone Am. Holding Inc. 186  
 Employers Ins. of Wausau v. Peerless Importers Inc. 19  
 Enright v. Hanover Ins. Co. 210  
 Essex Ins. Co. v. Meyer 130  
 Everhome Mortgage Co. v. Charter Oak Fire Ins. Co. 39  
 Gen. Star Indem. Co. v. C.C.&F. Realty Corp. 159  
 Getty Petroleum Mktg. Inc. v. Gen. Cas. Co. of Wis. 19  
 Gluck v. Roseman 210  
 Gomes v. Berkshire Life Ins. Co. of Am. 75  
 Greenberg v. Paul Revere Life Ins. Co. 190  
 Herb Bazata Cabinets & Trim v. Atl. Cas. Ins. Co. 159  
 Ill. Union Ins. Co. v. FC AM. Soccer Academy Inc. 63  
 Indian Harbor Ins. Co. v. J. Aqua Plumbing & Heating Inc. 168  
 Indian Harbor Ins. Co. v. Longhill Omega L.L.C. 106  
 John Hancock Life Ins. Co. v. Ockun 95  
 Kaesong Corp. v. United Nat'l Specialty Ins. Co. 151  
 Karlin v. Mt. Hawley Ins. Co. 19  
 Katzenberg v. First Fortis Life Ins. Co. 128  
 Kelleran & Assocs. Inc. v. Zurich Specialties London Inc. 16  
 Kleyman v. Cont'l Cas. Co. 37  
 Lawless, Estate of v. Hartford Fin. Servs. Grp. Inc. 210  
 Liberty Mut. Fire Ins. Co. v. St. John's Univ. 168  
 Liberty Mut. Ins. Co. v. AMB Limo L.L.C. 106  
 Liberty Mut. Ins. Co. v. Bella Transp. Inc. 74  
 Liberty Mut. Ins. Co. v. Best Bus Ride Inc. 84  
 Liberty Mut. Ins. Co. v. Brownstone Radio Grp. Inc. 63  
 Liberty Mut. Ins. Co. v. Carroll St. Transp. Servs. Inc. 63  
 Liberty Mut. Ins. Co. v. Fast Lane Car Serv. Inc. 39  
 Liberty Mut. Ins. Co. v. First Brighton Transp. Mgmt. Inc. 74  
 Liberty Mut. Ins. Co. v. Global Transp. Mgmt. Corp. 84  
 Liberty Mut. Ins. Co. v. Grand Transp. Inc. 82  
 Liberty Mut. Ins. Co. v. Horizon Coach Inc. 95  
 Liberty Mut. Ins. Co. v. Luxury Transp. Mgmt. Inc. 63  
 Liberty Mut. Ins. Co. v. Palace Car Servs. Corp. 155  
 Liberty Mut. Ins. Co. v. Priceless Transp. Inc. 74  
 Liberty Mut. Ins. Co. v. WaWa Tours Inc. 74  
 Lichtenstein v. Reassure Am. Life Ins. Co. 107  
 Lincoln Gen. Ins. Co. v. Queens Rebar Inc. 84  
 Lo v. United Nat'l Grp. 20  
 M. Martin Restoration Inc. v. Atl. Cas. Ins. Co. 50  
 M.V.B. Collision Inc. v. Allstate Ins. Co. 156  
 Mahmoud v. Jefferson Pilot Fin. Plan 20  
 Marceca v. St. Paul Travelers Ins. Co. 64  
 Marino v. CNA Ins. Co. 8  
 Mars Constr. Mgmt. Corp. v. U.S. Liab. Ins. Co. 107  
 Martin v. Certain Underw'rs at Lloyd's, London 117  
 McCrystal v. Trustmark Ins. Co. 75  
 Metro. Life Ins. Co. v. King 8  
 Mt. Hawley Ins. Co. v. Liberato 209  
 Mt. Vernon Fire Ins. Co. v. A.S. Constr. Inc. 157  
 N. Am. Specialty Ins. Co. v. IEAH Stables Inc. 106  
 Nationwide Mut. Ins. Co. v. Camp Generations 8  
 Nissim Inc. v. Jewelers Mut. Ins. Co. 204  
 Padavano Serv. Station v. Universal Underw'rs Ins. Co. 131  
 Penn Mut. Life Ins. Co. v. Madow 159  
 Penn-Star Ins. Co. v. 771 Horseblock Rd. Corp. 106  
 Presidential Apts. & Zaka L.L.C. v. Greenwich Ins. Co. 169  
 Principal Life Ins. Co. v. Claud 179  
 Principal Life Ins. Co. v. Katz 74  
 Prudential Ins. Co. of Am. v. Dukoff 84  
 R&G Laundromat Inc. v. U.S. Fid. & Guar. Co. 75  
 Rainbow USA Inc. v. Pa. Mfrs. Ass'n Ins. Co. 141  
 Rohrbaugh v. U.S. Mgmt. Inc. 137

Romano v. Banc of Am. Ins. Servs. Inc. 142  
 Sebrow v. Allstate Ins. Co. 190  
 Skill-Man Contracting Inc. v. Burlington Ins. Co. 96  
 Spira v. Charter Oak Fire Ins. Co. 170  
 St. Paul Fire & Marine Ins. Co. v. J.P. Express Serv. Inc. 209  
 St. Paul Fire & Marine Ins. Co. v. Kellogg Marine Inc. 9  
 St. Paul Fire & Marine Ins. Co. v. United Arab Shipping Co. 190  
 Star Ins. Co. v. Hazardous Elimination Corp. 61  
 State Farm Mut. Auto Ins. Co. v. Garcia 8  
 T. & R. Constr. Corp. v. St. Paul Surplus Lines Ins. Co. 210  
 Tokio Marine & Fire Ins. Co. Ltd. v. Arias 74  
 Travelers Indem. Co. v. Schepp 90  
 Tsiampalis v. Monarch Life Ins. Co. 47  
 Tudor Ins. Co. v. RAL Indus. Inc. 141  
 U.S. Dredging Corp. v. Fed. Ins. Co. 39  
 U.S. Liab. Ins. Co. v. Trance Nite Club Inc. 188  
 U.S. Underw'rs Ins. Co. v. AARK Constr. Grp. LTP Inc. 19  
 U.S. Underw'rs Ins. Co. v. Tauber 84  
 Union Labor Life Ins. Co. v. Balcerak 95  
 United Nat'l Ins. Co. v. N.Y. State Ins. Fund 209  
 United States v. James 90  
 Ward Realty Corp. v. Mt. Vernon Fire Ins. Co. 210  
 Ward Realty Corp. v. St. Paul Surplus Lines Ins. Co. 159  
 Westport Ins. Corp. v. Podlofsky 95  
 Yudell v. Nationwide Mut. Fire Ins. Co. 159

#### U.S.D.C.—NORTHERN DISTRICT

Academy at Ivy Ridge L.L.C. v. Lexington Ins. Co. 210  
 Am. Gen. Life Ins. Co. Houston Tex. v. Hopkins 179  
 Americu Credit Union v. Cumis Ins. Soc'y Inc. 9  
 BBL Constr. Servs. L.L.C. v. Selective Ins. Co. of Am. 141  
 Catsmo Corp. v. Mass. Bay Ins. Co. 50  
 Cont'l Assur. Co. v. Malambri 8  
 Cont'l Ins. Co. v. Coyne Int'l Enters. Corp. 84  
 Darling v. Travelers Ins. Co. 29  
 Doe v. Paul Revere Ins. Corp. 118  
 Employers Ins. Co. of Wausau v. Crouse-Cmty. Ctr. Inc. 104  
 Files v. Geico Cas. Ins. Co. 210  
 Hallenbeck v. Tire Ctrs. L.L.C. 180  
 Hardesty & Sons Sanitation Inc. v. Essex Ins. Co. 180  
 Malone v. Peerless Ins. Co. 39  
 Metro. Life Ins. Co. v. Blatney 95  
 Millers Wood Dev. Corp. v. Hartford Fire Ins. Co. 200  
 New Image Roller Dome Inc. v. Travelers Indem. Co. of Ill. 180  
 Nichols v. Stonebridge Life Ins. Co. 64  
 Preferred Mut. Ins. Co. v. United States 117  
 PSEG Techs. Asset Mgmt. Co. L.L.C. v. Raffles Ins. Ltd. 8  
 Reinsurance Co. of Am. v. United Contractors Ins. Co. 49, 50  
 Singpurwala v. State Farm Ins. Co. 64  
 State Farm Ins. Co. v. Travelers Indem. Co. 20  
 Wattsman v. Sun Life Ins. & Annuity Co. of N.Y. 8  
 Wheadon v. Essex Ins. Co. 118  
 Whitehead v. Selective Ins. Co. of N.Y. 169

#### U.S.D.C.—SOUTHERN DISTRICT

105 St. Assocs. L.L.C. v. Greenwich Ins. Co. 5  
 126 Mulberry St. Realty Corp. v. Diamond State Ins. Co. 50  
 1419 Tower L.P. v. Lexington Ins. Co. 8  
 178 Hester Street Realty Corp. v. Diamond State Ins. Co. 20  
 37 Holding Co. L.L.C. v. St. Paul Travelers Ins. Co. 75  
 AE&E-Von Roll Inc. v. Gerling Am. Ins. Co. 75  
 Aetna Life Ins. Co. v. Campino 39  
 AIU Ins. Co. v. TIG Ins. Co. 159  
 Alamia v. Nationwide Mut. Fire Ins. Co. 139  
 Am. Gen. Life Ins. Co. v. Constantino Presta Irrevocable Trust 106

Am. Home Assur. Co. v. El AL Israel Airlines 106  
 Am. Home Assur. Co. v. Martinair Holland N.V. 63  
 Am. Med. Ass'n v. United Healthcare Corp. 26  
 Am. Steamship Owners Mut. Protection & Indem. Ass'n Inc. v. Lafarge N. Am. Inc. 19, 47  
 Amerex Grp. Inc. v. Lexington Ins. Co. 107  
 AOL L.L.C. v. Am. Int'l Specialty Lines Ins. Co. 100  
 Arrowood Surplus Lines Ins. Co. v. Bruckner Plaza Assocs. L.P. 199  
 Assicurazioni Generali S.p.A. Holocaust Ins. Litig., In re 44  
 Atl. Cas. Ins. Co. v. Forthright Constr. Inc. 130  
 Atl. Mut. Ins. Co. v. Universal Underw'rs Ins. Co. 107  
 Atlanta Int'l Ins. Co. v. Employers Ins. of Wausau 96  
 AWL Indus. Inc. v. St. Paul Travelers Cos. Inc. 64  
 Axis Reinsurance Co. v. Bennett 179  
 Berkshire Life Ins. Co. v. Diperi 199  
 Bovis Lend Lease LMB Inc. v. U.S. Fire Ins. Co. 50  
 Brentwood Pain & Rehab. Servs. v. Allstate Ins. Co. 178  
 Canora Family Inc. v. Universal Underw'rs Ins. Co. 29  
 Carlson v. Liberty Mut. Ins. Co. 8  
 Cent. Mut. Ins. Co. v. Rogowski 189  
 Century Indem. Co. v. Clearwater Ins. Co. 126  
 Ceragem Int'l Inc. v. Seneca Ins. Co. 29  
 Certain Underw'rs at Lloyd's London v. Sterling Fin. Inv. Grp. Inc. 168  
 Clarke v. Aetna Life Ins. Co. 62  
 Cole Mech. Corp. v. Nat'l Grange Mut. Ins. Co. 165  
 Commerce & Indus. Ins. Co. v. U.S. Bank Nat'l Ass'n 130  
 Commercial Risk Reinsurance Co. v. Sec. Ins. Co. of Hartford 96  
 Conopco Inc. v. Am. Motorists Ins. Co. 85  
 Conopco Inc. v. Travelers Cas. & Sur. Co. 141  
 Cont'l Cas. Co. v. Ace Am. Ins. Co. 63  
 Cont'l Ins. Co. v. Atl. Cas. Ins. Co. 117  
 Cook v. Provident Life & Cas. Ins. Co. 210  
 D.C. USA Operating Co. L.L.C. v. Indian Harbor Ins. Co. 39, 82  
 Diamond Glass Cos. Inc. v. Twin City Fire Ins. Co. 8  
 Douglas v. First UNUM Life Ins. Co. 17  
 Dream Spa Inc. v. Fireman's Fund Ins. Co. 8  
 Duane Reade Inc. v. St. Paul Fire & Marine Ins. Co. 166  
 Duane Reade Inc. v. St. Paul Travelers Ins. Co. 64  
 E. Baby Stores Inc. v. Cent. Mut. Ins. Co. 118  
 Eddie v. Scottsdale Ins. Co. 107  
 Elmsford Raceway Inc. v. Fed. Emergency Mgmt. Agency 75  
 Employers Ins. Co. of Wausau v. City Carting of Westchester Inc. 8  
 Employers Surplus Ins. Co. v. Global Reinsurance Corp. 39, 95, 96  
 Essex Ins. Co. v. Carnival Corp. 130  
 Evanston Ins. Co. v. Dirtman Enters. Inc. 130  
 Fed. Ins. Co. v. Am. Home Assur. Co. 150  
 Fed. Ins. Co. v. P.K. Carrier Corp. 60  
 Fed. Ins. Co. v. PGG Realty L.L.C. 104  
 Fid. & Guar. Ins. Co. v. Republic Me Kong Delta Inc. 19  
 Foremost Ins. Co. v. Hercules Chem. Co. 168  
 Frazer Exton Dev. L.P. v. Kemper Envtl. Ltd. 19  
 Gebbie v. Monarch Life Ins. Co. 29  
 Genuth v. UNUM Provident Corp. 141  
 Graham v. First Reliance Standard Life Ins. Co. 148  
 Great Am. Ins. Co. v. Solomon 150  
 Greenberg Van Doren Gallery Inc. v. Huntington T. Block Ins. 75  
 Guglielmi v. Nw. Mut. Life Ins. Co. 148  
 Guideone Specialty Mut. Ins. Co. v. Bronx Baptist Church Inc. 209  
 Hament v. State Farm Mut. Auto. Ins. Co. 48  
 Hartford Life Ins. Co. v. Bank of Am. Corp. 167  
 Highlands, Town of v. Travelers Indem. Co. 169

Hinkley v. Lincoln Gen. Ins. Co. 50  
 Hollywood Radio Dispatch Inc. v. U.S. Liab. Ins. Grp. 96  
 Home Depot U.S.A. v. Chubb Grp. of Ins. Cos. 80, 117  
 Indian Harbor Ins. Co. v. Bus. Loan Express L.L.C. 130  
 Ingersoll-Rand Co. v. Century Indem. Co. 131  
 Ins. Corp. of N.Y. v. U.S. Underw'rs Ins. Co. 199, 200  
 J.J.J. Props. Inc. v. Travelers Indem. Co. 39  
 Jabbour v. Penn Mut. Life Ins. Co. 180  
 Janart 55 W. 8th L.L.C. v. Greenwich Ins. Co. 20  
 Karl Koch Erecting Corp. v. N.Y. Marine & Gen. Ins. Co. 9  
 Laconia Props. L.L.C. v. Travelers Prop. Cas. Co. of Am. 142  
 Lexington Ins. Co. v. Amerisure Mut. Ins. Co. 141  
 Lexington Ins. Co. v. Kemper Ins. Cos. 29  
 Lexington Ins. Co. v. Rochdale Ins. Co. 106, 107  
 Liberty Ins. Corp. v. Max Rave L.L.C. 117  
 Liberty Mut. Fire Ins. Co. v. Costco Wholesale Corp. 167  
 Lin v. Metro. Life Ins. Co. 107  
 Lisa Dawn Apts. Inc. v. Travelers Excess & Surplus Lines Co. 170  
 Lloyd's Underw'rs Subscribing to Cover Note JC492803 v. Delta Airlines Inc. 63  
 Lyons v. Lancer Ins. Co. 169  
 Mass. Mut. Life Ins. Co. v. Graetz 74  
 Mass. Mut. Life Ins. Co. v. Iseman 95  
 Mass. Mut. Life Ins. Co. v. Levy 189  
 McGowan v. U.S. Life Ins. Co. in the City of N.Y. 57  
 MetLife Life & Annuity Co. of Conn. v. Delio 168  
 Metro. Life Ins. Co. v. Campbell 169  
 Metro. Life Ins. Co. v. Zaccaro 49  
 Mitsui Sumito Co. Ltd. v. Roaco L.L.C. 63  
 Montamer Corp. v. Hartford Ins. Co. of the Midwest 151  
 N. Am. Foreign Trading Corp. v. Mitsui Sumitomo Ins. Co. 102  
 N. Am. Foreign Trading Corp. v. Mitsui Sumitomo Ins. USA Inc. 5  
 N. Am. Specialty Ins. Co. v. Mullen 141  
 N.Y. Marine & Gen. Ins. Co. v. Cent. Freight Lines Inc. 63  
 N.Y., City of v. Catholic Mut. Relief Soc'y of Am. 39  
 Nascimento v. Essex Ins. Co. 130  
 Nat'l Cas. Co. v. Vigilant Ins. Co. 26  
 Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. v. Griffith Labs Inc. 8  
 Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. v. Titeflex Corp. 95  
 NGM Ins. Co. v. Blakely Pumping Inc. 150  
 Noia v. Div. 1181 A.T.U.-N.Y. Welfare Fund 184  
 Nw. Mut. Life Ins. Co. v. Lisowski 150  
 NYP Holdings Inc. v. Twin City Fire Ins. Co. 190  
 One Beacon Ins. Co. v. Old Williamsburg Candle Corp. 4  
 Pac. Westeel Racking Inc. v. Evanston Ins. Co. 20  
 Paul Revere Life Ins. Co. v. Doe 117  
 Peerless Indem. Ins. Co. v. AXA Gen. Ins. Hong Kong Ltd. 169  
 Phila. Indem. Ins. Co. v. Servs. for the Underserved Inc. 150  
 Phillips v. Am. Int'l Grp. Inc. 44, 63  
 Poka v. Hartford Ins. Co. 50  
 Principal Life Ins. Co. v. Jacobowitz 169  
 Progressive Credit Union v. Cumis Ins. Soc'y Inc. 75  
 Progressive N. Ins. Co. v. Beltempo 131  
 Provident Life & Cas. Ins. Co. v. Hoffman 130  
 Pure Tech Sys. Inc. v. Kemper Envtl. Ltd. 169  
 Rabin v. Mony Life Ins. Co. 81  
 Railroad Ins. Underw'rs v. Certain Underw'rs at Lloyd's London 107  
 RCDolner L.L.C. v. United Nat'l Ins. Co. 50  
 Retail Brand Alliance Inc. v. Factory Mut. Ins. Co. 126  
 Richards v. AXA Equitable Life Ins. Co. 206  
 Richman v. Stonebridge Cas. 142  
 Robinson v. Metro. Life Ins. Co. 207  
 Rochdale Vill. Inc. v. Fed. Ins. Co. 96

Royal & Sun Alliance Ins. P.L.C. v. Ocean World Lines Inc. 95  
 S. N.J. Rail Grp. L.L.C. v. Lumbermens Mut. Cas. Co. 156  
 Seamon v. UNUM Provident Corp. 96  
 Second Church of Christ, Scientist of New York City v. Guideone  
 Mut. Ins. Co. 50  
 Selective Ins. Co. v. Scarth Constr. Corp. 117  
 Seneca Ins. Co. v. Wilcock 56  
 Sept. 11th Liab. Ins. Coverage Cases, In re 129  
 Singco v. USF Ins. Co. 190  
 Sompo Japan Ins. Co. of Am. v. Norfolk S. Railway Co. 95  
 Spagnola v. Chubb Corp. 93  
 Specialty Nat'l Ins. Co. v. English Bros. Funeral Home 169  
 St. Paul Fire & Marine Ins. Co. v. U.S. Airways 209  
 St. Paul Travelers Cos. Inc. v. Citak & Citak 131  
 Steadfast Ins. Co. v. C-K Spring Creek L.L.C. 19  
 Stiler v. Great N. Ins. Co. 85  
 Stonewall Contracting Corp. v. QBE Ins. Corp. 141  
 STV Inc. v. Steadfast Ins. Co. 29  
 Super Laundryland Inc. v. U.S. Underw'rs Ins. Co. 85  
 Swig v. Arch Ins. Co. 150  
 Swiss Reinsurance Am. Corp. v. Certain Underw'rs at Lloyd's  
 London 106, 107  
 Tonicstar Ltd. v. Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. 96  
 Travelers Indem. Co. v. KS Bearings Inc. 106  
 Tropp v. Corp. of Lloyd's 50  
 Turner Constr. Co. v. Am. Mfrs. Mut. Ins. Co. 114  
 U.S. Fid. & Guar. Co. v. Carreras 63  
 U.S. Life Ins. Co. in the City of N.Y. v. Butler 84  
 U.S. Underw'rs Ins. Co. v. Abyssinian Dev. Corp. 199  
 U.S. Underw'rs Ins. Co. v. Falcon Constr. Corp. 92  
 U.S. Underw'rs Ins. Co. v. Mel-Mar Realty Corp. 199  
 Underw'rs at Lloyd's, London v. 1877 AJ&J Restaurant Corp. 19  
 Union Labor Life Ins. Co. v. Garvin 74  
 United Nat'l Ins. Co. v. Cohen & Krassner 19  
 United Nat'l Ins. Co. v. Selective Ins. Co. 141  
 United States v. Pritchett 100  
 VCC Inc. v. Houston Cas. Co. 19  
 VFS US L.L.C. v. Clarendon Nat'l Ins. Co. 74, 75  
 Vigilant Ins. Co. v. Adcom Express Inc. 63  
 Vigilant Ins. Co. v. UPS Supply Chain Solutions Inc. 95  
 Vt. Mut. Ins. Co. v. Moslem 179  
 Walcott v. WTC Captive Ins. Co. 146

Wausau Underw'rs Ins. Co. v. QBE Ins. Corp. 147  
 Westport Ins. Corp. v. Hennessey 159  
 Westport Ins. Corp. v. Issacson 63  
 Wilson v. Nw. Mut. Ins. Co. 96  
 World Magic Entm't Inc. v. Great Lakes Reinsurance (UK)  
 P.L.C. 190  
 WTC Captive Ins. Co. v. Liberty Mut. Fire Ins. Co. 74, 75  
 Wynn v. Lexington Ins. Co. 170  
 Wynn v. Lloyd's of London 24  
 Yonkers Racing Corp. v. Arch Ins. Co. 96, 112, 141  
 Zeigler v. Atl. Cas. Ins. Co. 200  
 Zurich Am. Ins. Co. v. Munich Reinsurance Am. Inc. 106, 107

U.S.D.C.—WESTERN DISTRICT

10 Ellicott Square Ct. Corp. v. Mountain Valley Indem. Co. 64  
 Baker v. Broadspire Nat'l Servs. Inc. 61  
 Benderson v. Fireman's Fund Ins. Co. 180  
 Benoit v. Prudential Ins. Co. of Am. 170  
 Carucci v. Argonaut Ins. Co. 39  
 Catalano v. State Farm Ins. Co. 60  
 Clark Moving & Storage Inc. v. Selective Ins. Co. of Am. 168, 169  
 Erie Ins. Exch. v. Home Depot U.S.A. 159  
 First Nat'l Ins. Co. of Am. v. Franbilt Inc. 106  
 Garland v. RLI Ins. Co. 75, 125  
 Graves Bros. Inc. v. Nat'l Fire & Marine Co. 46  
 Harnas v. Cigna Life Ins. Co. of N.Y. 64  
 Ill. Nat'l Ins. Co. v. Kaminski 95  
 Jay Birnbaum-EHA L.L.C. v. Citizens Ins. Co. of Am. 19  
 Leccese v. Metro. Life Ins. Co. 103  
 McAlpin v. RLI Ins. Co. 178  
 N. Assur. Co. of Am. v. New Horizons Yacht Harbor Inc. 19  
 O&E Growers Inc. v. Selective Ins. Co. of Am. 85  
 One Beacon Ins. Grp. v. Penske Truck Leasing Canada Inc. 118  
 Penna v. Peerless Ins. Co. 187  
 Sanchez v. Travelers Cos. Inc. 200  
 Savarino/Mollenberg-Betz Joint Venture for the Lakeview Homes  
 Phase II Project v. Selective Way Ins. Co. 150  
 Sentry Select Ins. Co. v. Ballantyne RV & Marine Inc. 95  
 St. Paul Mercury Ins. Co. v. Scottsdale Ins. Co. 95, 96  
 Travelers Indem. Co. v. Joseph Davis Inc. 27  
 Uptown Grp. Assocs. Inc. v. Safeco Ins. Co. of Am. 180  
 Williams v. State Farm Fire & Cas. Co. 200

# **Section C**

---

Subject Matter Index



ACCIDENTAL DEATH  
 Beneficiaries 205  
 Coverage potentiality 101

ADDITIONAL INSURED  
 Business liability 58  
 Commercial liability 35, 46, 114, 138  
 Duty to defend 58, 114, 138, 147

ADJUSTER  
 Negligent misrepresentation 92

AGENTS  
 Bid-rigging 54  
 Breach of contract 206  
 Discovery misconduct, sanctions 56  
 Fraud, criminal law 90  
 Misrepresentation 56, 82  
 Negligence 177, 206  
 Notice 125, 156

ALL-RISK INSURANCE  
 Marine 104

ANNUITIES  
 Class action 44  
 Fraud 44

ANTITRUST  
 Health 26

APPLICATIONS  
 Disability 186  
 Fraud 186  
 Homeowners 72  
 Misrepresentation 72

ARBITRATION  
 Reinsurance 126

ASSIGNMENT  
 Auto 126  
   No-fault 185  
   Notice 197  
 ERISA preemption 70  
 Health 70  
 No-fault 185  
 Notice, auto 197  
 PIP 45

ATTORNEYS  
 Disqualification 165

ATTORNEY'S FEES  
 Bad faith 4  
 Indemnity 187  
 Workers' compensation 91

AUTO INSURANCE  
 Agents, misrepresentation 82  
 Assignment 44, 126  
   No-fault 185  
   Notice 197  
 Bad faith 156  
 Breach of contract 126, 155  
 Cancellation  
   Notice 166  
   Premiums 73  
 Constitutional law/rights, settlements 175

Duty to defend 6, 36, 46  
 Evidence, accident reconstruction 196  
 Excess, insolvency 91  
 Exclusions 6, 36, 46, 56, 60  
 Fraud 90, 156  
 Indemnity 36  
 Insolvency 16  
   Excess 91  
 Misrepresentation 155  
 Negligence 155  
 No-fault 196  
   Assignment 185  
 Notice  
   Assignment 197  
   Cancellation 166  
 PIP 44, 83  
 Policy limits 48  
 Premiums  
   Cancellation 73  
   Fair Credit Reporting Act 112  
 Reformation, underinsurance 113  
 Settlements 208  
   Constitutional law/rights 175  
 Subrogation 208  
 Underinsurance 48, 116  
   Reformation 113

BAD FAITH  
 Auto 156  
 Commercial liability 46  
 Estoppel 102  
 Homeowners 4

BENEFICIARIES  
 Accidental death 205  
 Life 205

BOND REQUIREMENTS  
 Attorney disqualification 165  
 Notice 176

BREACH OF CONTRACT  
 Agents 206  
 Annuities 44  
 Auto 126, 155  
 Business liability 16, 166, 204  
 Class action 44  
   Disability 196  
 Commercial liability 46  
 Disability 57  
   Class action 196  
 Duty to defend 80  
 ERISA preemption 70  
 Exclusions 82  
 Health, ERISA preemption 70  
 Homeowners 57, 139, 198  
   Premiums 93  
 Indemnity 80  
 Life 81  
   Premiums 206  
 Marine 5  
 Pollution policy 82  
 Premiums 137  
   Homeowners 93  
 Property 7, 57, 60, 113

Reinsurance 126, 138  
 Statute of limitations 104  
 Workers' compensation 137

**BROKERS** *see* AGENTS

**BUSINESS INSURANCE/COMMERCIAL LIABILITY**

9/11 litigation, discovery 129

Additional insured 35, 46, 58, 114, 147

    Duty to defend 138

Allocation of coverage 6, 26

Asbestos litigation, excess 71

Attorney's fees 187

Bad faith 46

Breach of contract 16, 46, 166, 204

Construction defects, duty to defend 125

Deductibles 207

Duty to defend 6, 26, 35, 46, 58, 59, 92, 112, 114, 127, 139, 147, 148, 177, 186, 206

    Additional insured 138

    Construction defects 125

    Settlements 100

Excess 6, 167

    Asbestos litigation 71

Exclusions 16, 26, 139, 157, 177, 186

Indemnity 16, 27, 35, 46, 92, 112, 147, 186

    Attorney's fees 187

Insolvency 127

Investigations 104

Misrepresentation, rescission 188

Notice 16, 92, 104, 114, 127, 128, 148, 167

Rescission, misrepresentation 188

Settlements, duty to defend 100

Subrogation 27, 198

Terrorism 15, 58, 126, 166

Venue 167

**BUSINESS INTERRUPTION**

Commercial liability 15

Terrorism 15, 126, 166

    Coverage until pre 9/11 income reached 58

**CANCELLATION**

Auto

    Notice 166

    Premiums 73

Homeowners 71, 72

Misrepresentation 72

Notice 71

    Auto 166

    Premiums 71

    Auto 73

**CIVIL PROCEDURE**

Intervention 25

**CLASS ACTION**

Breach of contract 44

    Disability 196

ERISA preemption 4

Health 4

Holocaust litigation 44

Katrina litigation 47

Life 4

Settlements 4

**COMMERCIAL LIABILITY** *see* BUSINESS INSURANCE/COMMERCIAL LIABILITY

**CONSTITUTIONAL LAW/RIGHTS**

Auto, settlements 175

Department liquidation bureau audit 197

Health, contraceptive coverage 174

Settlements, auto 175

**CONSTRUCTION DEFECTS**

Business liability 125

**COVERAGE**

*see also* DUTY TO DEFEND

Allocation 6, 26, 184, 195

Asbestos litigation 71, 126

Exclusions *see* EXCLUSIONS

Holocaust litigation 44

Hurricane litigation 47

Lead contamination 195

Mold litigation 60, 187

Pollution 6

Potentiality 4, 6, 15, 16, 17, 24, 27, 35, 36, 37, 44, 47, 54, 55, 56, 57, 59, 60, 61, 62, 70, 73, 80, 82, 83, 92, 93, 101, 103, 104, 114, 115, 116, 128, 129, 138, 148, 156, 157, 167, 174, 175, 176, 178, 184, 204, 206, 72

Terrorism 15, 54, 58, 126, 129, 166

    9/11 cleanup workers fund 124

    Fund management 146

**CRIMINAL LAW**

Agents 90

Fraud 100

    Life 90

**DAMAGES**

Homeowners 25

**DESIGN DEFECTS**

Subrogation 38

**DISABILITY BENEFITS**

Applications, fraud 186

Breach of contract 57

    Class action 196

Class action, breach of contract 196

ERISA 4, 17, 57, 61, 103, 207

Evidence 61, 103, 128, 148, 207

Exclusions 148

    Preexisting condition 140

Fraud, applications 186

Misrepresentation 57

Notice 17

Premiums 47

Relation of earning clause 196

Termination 47, 62

    Evidence 176

**DUTY TO DEFEND**

*see also* COVERAGE

Additional insured 35, 58, 114, 138, 147

Allocation of coverage 26

Auto 6, 36, 46

Breach of contract 80

Business liability 26, 46, 58, 59, 100, 125

Commercial liability 6, 35, 46, 92, 112, 114, 127, 138, 139, 147, 148, 177, 186, 206

- Construction defects 125
- Excess 188, 206
- Exclusions 46, 59, 139, 177
- Insolvency 127
- Notice 114
- Professional liability 59, 115
- Property 5, 7
  - Lead contamination 195
- Settlements 100

ENVIRONMENTAL INSURANCE

- Exclusions 72

ERISA

- Disability 4, 17, 57, 61, 103, 207
- Health 4, 56, 103
  - Preemption 70
  - Standing to sue 175
- Jurisdiction 57
- Preemption 4
  - Assignment 70
- Standing to sue 56
  - Health 175

ESTOPPEL

- Bad faith 102

EVIDENCE

- Attorney-client privilege 5
- Auto, accident reconstruction 196
- Disability 61, 103, 128, 148, 176, 207
- Discovery 175
  - Misconduct, sanctions 56
  - Sanctions, 9/11 litigation 129
- Fraud
  - Property 204
  - Securities 167
- No-fault, accident reconstruction 196
- Subrogation 198

EXCESS INSURANCE

- Asbestos litigation 71
- Auto, insolvency 91
- Business liability 167, 176
- Commercial liability 6
- Duty to defend 188, 206
- Environmental 72
- Exclusions 72
- Indemnity 188
- Insolvency, auto 91
- Notice 178, 188
- Venue 167

EXCLUSIONS

- Auto 6, 36, 46, 56, 60
- Business liability 26
- Commercial liability 16, 139, 157, 177, 186
- Disability 148
- Duty to defend 59
- Environmental insurance 72
- Health 92
- Homeowners 60
  - “Earth movement” 139
- Intentional acts 36
- Mold litigation 60
- Pollution 6, 82

- Preexisting condition *see* PREEXISTING CONDITION
- Professional liability 59
- Property 60, 113
- Public liability 55

FAIR CREDIT REPORTING ACT

- Premiums 112
  - Notice 102

FRAUD

- Annuities 44
- Applications, disability 186
- Auto 90, 156
- Class action 44
- Criminal law
  - Health 100
  - Life 90
- Disability, applications 186
- Evidence 167, 204
- Health 26
  - Criminal law 100
- Life 36
  - Criminal law 90
  - Premiums 206
- Limitations clause, viaticals 195
- Premiums, life 206
- Property 204
- Securities 167
- Viaticals, limitations clause 195

HEALTH INSURANCE

- Antitrust 26
- Assignment 70
- Breach of contract 70
- Class action 4
- Constitutional law/rights 174
- Contraceptive coverage 174
- Coverage allocation 184
- Criminal law, fraud 100
- ERISA 4, 103
  - Preemption 70
  - Standing to sue 175
- Exclusions, cosmetic surgery 92
- Fraud 26
  - Criminal law 100
- Overpayments 70
- RICO 26, 68
- Standing to sue, ERISA 175

HOMEOWNERS INSURANCE *see* PROPERTY INSURANCE

IMMUNITY

- Terrorism fund management 146

INDEMNITY

- Attorney’s fees 187
- Auto 36
- Breach of contract 80
- Business liability 27, 46, 187
- Commercial liability 16, 35, 92, 112, 114, 147, 186
- Excess 188
- Marine 104
- Property 5
  - Lead contamination 195

## INSOLVENCY

- Auto 16, 91
- Department liquidation bureau audit 197
- Duty to defend 127
- Excess, auto 91

## JURISDICTION

- ERISA 57
- Katrina litigation 47
- Workers' compensation 91, 137

## LIFE INSURANCE

- Beneficiaries 205
- Breach of contract 81
  - Premiums 206
- Class action 4
- Coverage potentiality 101
- Fraud 36
  - Criminal law 90
  - Premiums 206
- Limitations clause 36
- Material duties 81
- Negligence 177
- Premiums
  - Breach of contract 206
  - Fraud 206
- Settlements 4

## LIMITATIONS CLAUSE

- see also* STATUTE OF LIMITATIONS
- Fraud, viaticals 195
- Homeowners 187
- Life 36
- Marine 5, 102

## MARINE INSURANCE

- All-risk 104
- Breach of contract 5
- Indemnity 104
- Limitations clause 5, 102

## MATERIAL DUTIES

- Life 81

## MISREPRESENTATION

- Adjuster 92
- Agents 56, 82
- Annuities 44
- Applications 72
- Auto 82, 155
- Breach of contract 44
- Business liability, rescission 188
- Cancellation, homeowners 72
- Disability 57
- Health 56
- Homeowners 92
  - Cancellation 72
- Rescission 72
  - Business liability 188

## NEGLIGENCE

- Adjuster 92
- Agents 177, 206
- Auto 155
- Life 177
- Statute of limitations 206

## NO-FAULT INSURANCE

- see also* AUTO INSURANCE
- Auto 196
  - Assignment 185
- Evidence 115
  - Auto 196
- Regulatory action 178
- Workers' compensation 115, 178

## NOTICE

- Agents 125, 156
- Auto
  - Assignment 197
  - Cancellation 166
- Bond requirements 176
- Business liability 16, 104, 127, 128
- Cancellation
  - Auto 166
  - Homeowners 71
- Commercial liability 92, 114, 148, 167
- Disability 17
- Excess 178, 188
- Fair Credit Reporting Act, premiums 102
- Homeowners, cancellation 71
- Professional liability 37, 156
- Settlements 4
- Surety 176
- Termination 37
- Workers' compensation 61

## POLICY LIMITS

- Professional liability 27
- Underinsurance 48

## POLLUTION INSURANCE

- Exclusions, remediation 82

## PREEMPTION

- ERISA 4
  - Breach of contract 70
  - Health 70

## PREEXISTING CONDITION

- Disability 140

## PREMIUMS

- Auto
  - Cancellation 73
  - Fair Credit Reporting Act 112
- Breach of contract
  - Homeowners 93
  - Life 206
  - Workers' compensation 137
- Cancellation
  - Auto 73
  - Homeowners 71
- Disability 47
- Fair Credit Reporting Act
  - Auto 112
  - Notice 102
- Financing, cancellation 166
- Fraud 206
- Homeowners
  - Breach of contract 93
  - Cancellation 71
- Life, breach of contract 206

- Workers' compensation 70, 104
  - Breach of contract 137
- PROFESSIONAL LIABILITY
  - Duty to defend 59, 115
  - Exclusions 59
  - Notice 37, 156
  - Policy limits 27
  - Termination 37
- PROPERTY INSURANCE
  - Attorney's fees 4
  - Bad faith 4
  - Breach of contract 7, 57, 60, 113, 139, 198
    - Homeowners 93
  - Cancellation
    - Homeowners 72
    - Notice 71
  - Coverage allocation 195
  - Discovery 175
  - Duty to defend 5, 7, 195
  - Exclusions 60, 113, 139
  - Fraud, evidence 204
  - Homeowners 4, 25, 38, 57, 60, 71, 92
    - Breach of contract 93
    - Cancellation 72
    - Exclusions 139
    - Limitations clause 187
    - Misrepresentation 72
    - Mold litigation 187
    - Premiums 93
    - Rescission 72
    - Subrogation 198
  - Indemnity 5, 195
  - Intervention 25
  - Limitations clause, homeowners 187
  - Misrepresentation 92
    - Homeowners 72
  - Mold litigation 60, 187
  - Notice, cancellation 71
  - Premiums 93
  - Reformation 7, 17, 37
  - Rescission, homeowners 72
  - Subrogation 38, 198
  - Terrorism coverage 54
    - Tenant duty to obtain 57
- PUBLIC LIABILITY
  - Exclusions 55
- RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
  - ACT (RICO)
    - Health 26, 68
- REFORMATION
  - Property 7, 17, 37
- REGULATORY ACTION
  - Department liquidation bureau audit 197
  - No-fault 178
- REINSURANCE
  - Arbitration 126
  - Breach of contract 126, 138

- RESCISSION
  - Business liability, misrepresentation 188
  - Homeowners, misrepresentation 72
  - Misrepresentation
    - Business liability 188
    - Homeowners 72
- SETTLEMENTS
  - Auto 175, 208
  - Class action 4
  - Constitutional law/rights 175
  - Duty to defend 100
  - Holocaust litigation 44
  - Notice 4
  - Terrorism coverage 54
  - Workers' compensation 93
- STANDING TO SUE
  - ERISA 56, 175
  - Health 175
- STATUTE OF LIMITATIONS
  - see also* LIMITATIONS CLAUSE
  - Breach of contract 104
  - Negligence, agents 206
  - RICO 26
- SUBROGATION
  - Auto 208
  - Business liability 27, 198
  - Homeowners 38, 198
  - Underinsurance 18
  - Workers' compensation 18
- SURETY
  - Attorney disqualification 165
  - Notice 176
- TERMINATION
  - see also* CANCELLATION
  - Disability 47, 62
    - Evidence 176
  - Evidence, disability 176
  - Notice 37
- UNDERINSURANCE
  - Auto 48, 113, 116
  - Policy limits 48
  - Reformation 113
  - Subrogation 18
- VENUE
  - Excess 167
- VIATICALS *see* LIFE INSURANCE
- WORKERS' COMPENSATION
  - Attorney's fees 91
  - Breach of contract 137
  - Jurisdiction 91, 137
  - No-fault 115, 178
  - Notice 61
  - Premiums 70, 104
    - Breach of contract 137
  - Settlements 93
  - Subrogation 18