

New York Court Issues Landmark Decision in Non- Products Insurance Coverage Case

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On May 8, 2007, the Supreme Court for New York County upheld the claims of 20,000 individuals seeking insurance coverage from Continental Casualty Company for asbestos-related personal injuries. The decision confirmed that aggregate limits in general commercial liability (CGL) policies do not apply to all claims that arise during the course of business operations. Although the case dealt specifically with asbestos claims, the impact of the decision will likely be much broader in scope, as it may apply to any policyholder seeking insurance coverage for third-party claims.

This client advisory provides an overview of the case against Continental Casualty Company and the likely implications for similar coverage disputes.