**FC&S Legal Newsletter for February 22, 2016**

**CASE LAW**

**Commercial General Liability**

[**11th Circuit: “Occurrence” Was Ambiguous and Policy Covered Dealer’s Negligent Repair of Auto Although Injury Did Not Manifest until After Coverage Period**](http://www.fcandslegal.com/2016/02/18/11th-circuit-occurrence-was-ambiguous-and-policy-c)

The U.S. Court of Appeals for the Eleventh Circuit, affirming a decision by the U.S. District Court for the Northern District of Georgia, has ruled that the term “occurrence” in an insurance policy issued to an auto dealership was ambiguous and that the policy covered the “occurrence” of the allegedly negligent repair that took place during the coverage period, even though injury did not manifest until after the coverage period. [Read more](http://www.fcandslegal.com/2016/02/18/11th-circuit-occurrence-was-ambiguous-and-policy-c)

**Homeowners Insurance**

[**Reversing Trial Court, N.Y. Appeals Court Finds No Coverage for “Collapse” Where Home Was Still Standing**](http://www.fcandslegal.com/2016/02/18/reversing-trial-court-ny-appeals-court-finds-no-co)

An appellate court in New York, reversing a trial court’s decision, has ruled that a homeowners’ insurance policy that defined the term “collapse” did not provide coverage to the insureds where their home was still standing, notwithstanding that posts supporting a structurally important deck allegedly were damaged by hidden decay and rot. [Read more](http://www.fcandslegal.com/2016/02/18/reversing-trial-court-ny-appeals-court-finds-no-co)

**Excess**

[**Court Not Prepared to Rule on Boy Scouts’ Coverage Claim for Potential Sexual Abuse Lawsuits**](http://www.fcandslegal.com/2016/02/18/court-not-prepared-to-rule-on-boy-scouts-coverage)

The U.S. District Court for the Northern District of Texas has rejected, as unripe, the effort of the Boy Scouts of America to obtain a declaratory judgment obligating its excess insurance carrier to pay future defense costs and indemnity payments for currently unfiled potential future lawsuits. [Read more](http://www.fcandslegal.com/2016/02/18/court-not-prepared-to-rule-on-boy-scouts-coverage)

**Commercial Property**

[**“Surface Water” Exclusion Encompassed Water from Natural and Man-Made Sources, Pennsylvania District Court Decides**](http://www.fcandslegal.com/2016/02/18/surface-water-exclusion-encompassed-water-from-nat)

A federal district court in Pennsylvania has dismissed an insured’s breach of contract action against its insurer, finding that a “surface water” exclusion in a commercial property insurance policy encompassed water from natural sources and from man-made sources, such as a broken water main. [Read more](http://www.fcandslegal.com/2016/02/18/surface-water-exclusion-encompassed-water-from-nat)

Browse [Case Law Developments](http://www.fcandslegal.com/case-law-developments)

**LEGISLATIVE/REGULATORY DEVELOPMENTS**

**In the States**

[**Janet Grace Named to Lead Connecticut Captive Insurance Regulatory Unit**](http://www.fcandslegal.com/2016/02/18/janet-grace-named-to-lead-connecticut-captive-insu)

Janet Grace has been named to oversee the Connecticut Insurance Department’s captive insurance unit. [Read more](http://www.fcandslegal.com/2016/02/18/janet-grace-named-to-lead-connecticut-captive-insu)

**Health Insurance**

[**North Carolina Insurance Department to Examine Blue Cross and Blue Shield of North Carolina**](http://www.fcandslegal.com/2016/02/18/north-carolina-insurance-department-to-examine-blu)

North Carolina Insurance Commissioner Wayne Goodwin has met with executives of Blue Cross and Blue Shield of North Carolina to discuss what he characterized as the insurer’s “ongoing payment and enrollment problems.” [Read more](http://www.fcandslegal.com/2016/02/18/north-carolina-insurance-department-to-examine-blu)

Browse [**Legislative/Regulatory Developments**](http://www.fcandslegal.com/legislative-regulatory-developments)

**INDUSTRY NEWS**

**Benefitfocus Study Shows Half of Large Employers Now Offer High-Deductible Health Insurance Plans; Millennials Top Takers** [Read more](http://www.fcandslegal.com/2016/02/18/benefitfocus-study-shows-half-of-large-employers-n)

**QBE North America Appoints Daniel Franzetti Chief Claims Officer** [Read more](http://www.fcandslegal.com/2016/02/18/qbe-north-america-appoints-daniel-franzetti-chief)

**Berkshire Hathaway Shareholders Meeting to Stream Live on Yahoo Finance** [Read more](http://www.fcandslegal.com/2016/02/18/berkshire-hathaway-shareholders-meeting-to-stream)

**Sandy Weill Retires from Hamilton Board; Brian Duperreault Now Chairman & CEO** [Read more](http://www.fcandslegal.com/2016/02/18/sandy-weill-retires-from-hamilton-board-brian-dupe)

**Professional Insurance Marketing Association Elects 2016 Board of Directors** [Read more](http://www.fcandslegal.com/2016/02/18/professional-insurance-marketing-association-elect)

Browse[**Industry News**](http://www.fcandslegal.com/industry-news)