

Advanced Environmental Recycling Technologies, Inc. vs. American International Speciality Lines Insurance Company

Year: 2009

Court: U.S. Court of Appeals, 5th Circuit

Case Number: 09-11075

This appeal addresses two issues of importance to policyholders across the country: (1) can “property damage” to the insured’s “product” be considered an “accident” or “occurrence” for purposes of coverage under an umbrella liability policy; and (2) do exclusions in an underlying primary policy apply to the true umbrella (as opposed to follow-form) coverage available under an umbrella policy.

UP's brief was written pro bono by John Ellison, Esq. of Reed Smith LLP.

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