

American and Foreign Insurance Company et. al. vs. Jerry's Sport Center, Inc. et. al.

Year: 2007

Court: Pennsylvania Supreme Court

Case Number: 88 MAP 2008

A claim is potentially covered, thus triggering the duty to defend, when there is uncertainty as to coverage. Once this uncertainty is eliminated through a declaratory judgment action it does not retroactively eliminate the ambiguity that triggered the insurer's duty to defend during the period of uncertainty.

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