# Boulevard Carroll Entertainment Group v. Fireman's Fund Insurance Company

Year: 2021
Court: United States Court of Appeals for the Third Circuit
Case Number: 21-1061

In its amicus curiae brief, UP supports coverage for an insured's business interruption losses related to the SARS-CoV-2 virus and COVID-19. UP's brief provides the Court with 50 years of history and case law in New Jersey and across the country showing that the standard insuring language used in property insurance policies applies to noxious substances and health hazards such as the coronavirus. UP's brief also argues that the lower federal court's dismissal of Boulevard Carroll's claims misapplied the 12(b)(6) standard for motions to dismiss and ran afoul of the longstanding *Erie* doctrine by relying heavily on other federal court decisions as opposed to the decisions of New Jersey state courts.

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