

Summit Hospitality Group, LTD. v. The Cincinnati Ins. Co.

Year: 2021

Court: United States Court of Appeals Fourth Circuit

Case Number: 21-1362

In its brief, UP explores the district court ruling that Summit had not pleaded a claim for relief, holding that Summit did not plausibly allege that access to its property was “specifically denied” due to COVID-19 and the government orders limiting access to the business. Citing no authority, the district court summarily held that access to Summit’s properties had to be completely barred for all people in order for the Civil Authority coverage to be triggered. UP argues the following points:

- I. The District Court Erred in Holding That Summit’s Policy Unambiguously Required a Total Denial Of Access.
- II. Summit Pleaded Allegations Establishing That the Coronavirus Causes ‘Loss Or Damage’ to Property.

This brief was authored pro bono by Jad Khazem, Rani Gupta, Allison Hawkins, and Sylvia Huang of Covington & Burling LLP