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Day Pitney Secures Summary Judgment Win for Clients in Louisiana Direct Action

Day Pitney Insurance and Reinsurance Partner Jonathan S. Zelig and Associate Jason E. Rusche scored a decisive win in a Louisiana direct action against insurer clients Beazley Insurance Company, Inc. and Syndicates 2623/623 at Lloyd's. The coverage dispute concerned whether a lawsuit pending against the Syndicates' policyholder in Louisiana state court was covered by one of the Syndicates' annual liability insurance policies, each of which could be triggered only by a claim both "made" and "reported" during a single policy period. Plaintiffs' claim against the policyholder, however, was first made in July 2017, when the 2017 policy was in effect, but not reported to the Syndicates until November 2020, when the 2020 policy was in effect. Beazley and the Syndicates moved for summary judgment. The Plaintiffs raised several arguments in opposition, including new arguments asserted for the first time at the motion hearing. The judge rejected all of the Plaintiffs' arguments and granted Beazley's and the Syndicates' motions with costs.

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