

# United States Court of Appeals For the First Circuit

Nos. 07-2806  
07-2821

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EMHART INDUSTRIES, INC.,

Plaintiff-Appellee, Cross-Appellant,

v.

CENTURY INDEMNITY COMPANY, as an indirect successor to  
Insurance Company of North America,

Defendant-Appellant, Cross-Appellee,

HOME INSURANCE COMPANY; NORTH RIVER INSURANCE CO.;  
ONEBEACON AMERICA INSURANCE COMPANY; US FIRE INSURANCE CO.,

Defendants, Cross-Appellees,

LIBERTY MUTUAL INSURANCE COMPANY,

Defendant.

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## ERRATA SHEET

The opinion of this Court issued on March 13, 2009, is amended as follows:

On p. 47, lines 5-8: **Replace** "State Farm Mut. Ins. Co. v. Campbell, 538 U.S. 408 (2003) (striking down \$145 million punitive damages award against insurance carrier, where jury held that plaintiff was entitled to only \$1 million in compensatory damages)." **with** "BMW of N. Am., Inc. v. Gore, 517 U.S. 559, 580 (1996) (noting that one "indicium of an unreasonable or excessive punitive damages award [under the Due Process Clause] is its ratio to the actual harm inflicted on the plaintiff," citing cases)."