

1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA

3  
4 FREMONT REORGANIZING  
5 CORPORATION, a California  
6 Corporation,

7 Plaintiff,

8 v.

9 NATIONAL UNION FIRE  
10 INSURANCE COMPANY OF  
11 PITTSBURGH, a Delaware corporation;  
12 ZURICH AMERICAN INSURANCE  
13 COMPANY, a New York corporation;  
14 CONTINENTAL INSURANCE  
15 COMPANY, a Pennsylvania corporation,

16 Defendants.

CASE NO. SACV10-00310-JVS  
(ANx)

**JUDGMENT IN FAVOR OF  
DEFENDANT CONTINENTAL  
INSURANCE COMPANY**

17 WHEREAS, the parties' cross-motions for summary judgment came on  
18 regularly for hearing before this Court on December 20, 2011;

19 WHEREAS, the Court, having considered the papers filed in connection with  
20 the motions and argument of counsel, and having found there was no genuine issue  
21 of material fact, and good cause appearing therefor, issued its January 5, 2012 order  
22 (ECF No. 225), which, in part:

- 23 (1) DENIED Plaintiff Signature Group Holdings, Inc's ("Plaintiff") motion  
24 for summary judgment as to all claims against Defendant Continental  
25 Insurance Company ("Continental"), except declaratory relief which  
26 was GRANTED in part to the extent of the conclusions declared in the  
27 January 5, 2012 order;
- 28 (2) GRANTED Continental's motion for summary judgment brought on all  
causes of action asserted against it by Plaintiff; and

WHEREAS, the Court's January 9, 2012 order (ECF No. 226) DENIED  
Plaintiff's motion for leave to amend the complaint, which sought to add a cause of

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1 action for breach of contract under the Claims Expense coverage against  
2 Continental, and held that because Plaintiff has not incurred a direct loss under the  
3 terms of the applicable insurance policies, and because there is no valid claim  
4 asserted, no expenses associated with the asserted claims are payable by the  
5 Defendants under the terms of the Claims Expense coverage.

6 IT IS HEREBY ORDERED that pursuant to the Court's January 5, 2012  
7 order granting Continental's motion for summary judgment on all causes of action  
8 asserted against it by Plaintiff and denying Plaintiff's motion for summary judgment  
9 as to all claims against Continental (except declaratory relief which was granted in  
10 part to the extent of the conclusions declared in the January 5, 2012 order) and Rule  
11 54(b) of the Federal Rules of Civil Procedure, the Court finds there is no just reason  
12 for delay and that judgment is entered in favor of Defendant Continental Insurance  
13 Company and against Plaintiff Signature Group Holdings, Inc., successor in interest to  
14 Fremont Reorganizing Corporation. As the prevailing party, Continental is entitled  
15 to its costs pursuant to Rule 54.

16 **IT IS SO ORDERED.**

17  
18 Dated: February 09, 2012



19 \_\_\_\_\_  
20 Honorable James V. Selna  
21 United States District Court Judge