UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION

Employers Mutual Casualty Company,

Plaintiff,

VS.

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HT3 Construction Company, Inc.;
Tiffany Construction Company;
T & S Materials, L.L.C.; Terra Lago
Community Association; Indio Land
Ventures, LLC; CWC, Inc. dba SunCal

21 Defendants.

Companies,

Case No. 8:15-CV-02103-CJC

DECLARATORY JUDGMENT AGAINST HT3 CONSTRUCTION COMPANY, INC.

The Court has reviewed the Stipulation for Entry of Declaratory Judgment ("Stipulation") against HT3 Construction Company, Inc. ("HT3"), Indio Land Ventures, LLC ("Indio"), and CWC, Inc. dba SunCal Companies ("CWC"), which

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was filed by Plaintiff Employers Mutual Casualty Company ("Employers Mutual"), HT3, Tiffany Construction Company, and T & S Materials, L.L.C.. Based on the Stipulation and all other matters of record in this case, and for good cause shown, the Court finds that a declaratory judgment in favor of Employers Mutual should be entered as requested in the Stipulation.

IT IS THEREFORE ORDERED that judgment is entered in favor of Employers Mutual and against HT3 declaring that:

- 1. The Employers Mutual commercial general liability policies numbered 3D1-06-14-05 for the period from July 1, 2004 to July 1, 2005 ("the 2004 Policy"), and 3D1-06-14-06 for the period of July 1, 2005 to July 1, 2006 ("the 2005 Policy") do not provide insurance coverage for HT3.
- 2. Employers Mutual owes no defense, indemnity, or any other obligation to HT3, Indio, and CWC in connection with *Terra Lago Community Association v. Indio Land Ventures, LLC, et al.*, Riverside County Superior Court Case No. RIC1513496 (the "Lawsuit").
- 3. Employers Mutual does not have a duty to indemnify HT3, Indio, or CWC for any settlement or judgment resulting from or due to the Lawsuit.
- 4. Employers Mutual, HT3, Indio, and CWC shall each bear their own attorneys' fees, litigation expenses, and court costs for this lawsuit.

Dated: March 2, 2017

Cormac J. Carney

United States District Judge