

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**AFFTON FABRICATING & WELDING CO.,  
INC., and AMERISURE MUTUAL INSURANCE  
COMPANY,**

**Plaintiffs/Counter-Defendants,**

**v.**

**CAROLINA CASUALTY INSURANCE  
COMPANY,**

**Defendant/Counter-Plaintiff.**

**No. 10-0084-DRH**

**JUDGMENT IN A CIVIL CASE**

**DECISION BY COURT.** This matter is before the court on cross motions for summary judgment.

**IT IS HEREBY ORDERED AND ADJUDGED** that pursuant to the Order entered by this Court on January 24, 2011, judgment is entered in favor of the Plaintiffs/Counter-Defendants, **AFFTON FABRICATING & WELDING CO., INC., and AMERISURE MUTUAL INSURANCE COMPANY**, and against the Defendant/Counter-Plaintiff, **CAROLINA CASUALTY INSURANCE COMPANY**, and the Court finds and declares that **CAROLINA CASUALTY INSURANCE COMPANY** owes a duty to defend and indemnify **AFFTON FABRICATING & WELDING CO., INC.**, for any liability it may have to any claimant for damages on account of the incident of June 29, 2008 involving the trailer owned by Parrish. Each party shall bear their own costs.-----

**NANCY J. ROSENSTENGEL,  
CLERK OF COURT**

**BY:           /s/Sandy Pannier            
Deputy Clerk**

Dated: January 24, 2011

  
David R. Herndon  
2011.01.24  
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APPROVED:  
CHIEF JUDGE  
U. S. DISTRICT COURT