

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

**FIRST PROFESSIONALS
INSURANCE COMPANY,**

Plaintiff,

v.

OSCAR F. FLORENDO, M.D.;
**OSBEC MEDICAL OF SOUTHERN
ILLINOIS, LLC; WAL-MART STORES, INC.;**
**and KARA MANLEY, Adm. of the Estate of
Gary W. Manley, deceased,**

Defendants.

No. 11-cv-00197-DRH

ORDER

HERNDON, Chief Judge:

Pending before this Court is plaintiff First Professionals Insurance Company ("FPIC")'s complaint for declaratory judgment (Doc. 2). In accordance with the verdict of the jury, the Court **DENIES** plaintiff's complaint for declaratory judgment, finding that plaintiff owes defendant, Dr. Oscar Florendo, a duty to defend and insure in the underlying suit.

IT IS SO ORDERED.

Signed this 6th day of March, 2013.

Digitally signed
by David R.
Herndon
Date: 2013.03.06
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**Chief Judge
United States District Court**