

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SCOTTSDALE INSURANCE COMPANY,

Plaintiff,

v.

JAMES BURKS, individually and d/b/a Burks
Hardwood Lumber, and ROBERT WHITE,

Defendants.

Case No. 17-cv-668-JPG

JUDGMENT

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision,

IT IS HEREBY ORDERED AND ADJUDGED that judgment on Counts III and IV is entered in favor of plaintiff Scottsdale Insurance Company and against defendants James Burks d/b/a Burks Hardwood Lumber and Robert White;

IT IS FURTHER ORDERED AND ADJUDGED that the alternative claims in Counts I and II are dismissed without prejudice in light of entry of judgment on Counts III and VI; and

IT IS HEREBY DECLARED that:

Under Commercial General Liability Policy No. CPS2152497, plaintiff Scottsdale Insurance Company has no duty to defend or indemnify its insured, defendant James Burks d/b/a Burks Hardwood Lumber, in the underlying lawsuit, *Robert White v. James Burks*, No. 2017-L-11, brought by defendant Robert White in the Circuit Court for the Fourth Judicial Circuit, Marion County, Illinois.

DATED: January 4, 2021

MARGARET M. ROBERTIE, Clerk of Court

s/ Tina Gray, Deputy Clerk

Approved: s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE