

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

EMCOR GROUP, INC., ET AL.

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v.

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Civil No. – JFM-12-142

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GREAT AMERICAN INSURANCE CO.

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**MEMORANDUM**

Emcor Group, Inc. and related entities (“Plaintiffs”) has brought this action against Great American Insurance Company (“GAIC”). Plaintiffs seek recovery under the employee dishonesty provision of a commercial crime insurance policy issued to them by GAIC. Discovery has been completed, and plaintiffs have filed a motion for partial summary judgment and defendant has filed a motion for summary judgment. Defendant’s motion will be granted, and plaintiffs’ motion will be denied.<sup>1</sup>

In a memorandum issued by Judge Ellen Hollander, to whom this case was then assigned, on March 27, 2013, the claims asserted by plaintiffs were severely limited in time. The only remaining claim is one in the amount \$1,305,000 for an unpaid loan made by The Poole and Kent Corporation (“PKC”) to Regional Air Systems, Inc. (“RAS”). RAS completed the work under several-multi-million dollar subcontracts entered into by PKC with Air Conduction Systems, Inc., which subsequently became bankrupt.

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<sup>1</sup> Also pending is a motion for sanctions filed by defendant. In accordance with the Local Rules of this court, that motion has not been fully briefed. It is denied as moot. If, however, plaintiffs pursue their claim despite the fact that it does not fall within the ambit of the employee dishonesty coverage, GAIC may renew the motion and plaintiffs will be directed to respond to it.

