

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GENERAL REFRACTORIES COMPANY	:	CIVIL ACTION
	:	
v.	:	
	:	
FIRST STATE INSURANCE CO., et al.	:	No. 04-3509

ORDER

AND NOW, this 21st day of March 2012, the following summary judgment motions are denied in that each one involves triable issues:

- “Motion for Summary Judgment of Defendant, Travelers Casualty & Surety Company (f/k/a The Aetna Casualty & Surety Company and Incorrectly Designated in the Complaint as ‘St. Paul Travelers’” (doc. no. 338).
- “Sentry Insurance, a Mutual Company’s, Motion for Summary Judgment as to Application of Asbestos Exclusion” (doc. no. 339).
- “AIU Insurance Company’s Motion for Partial Summary Judgment Regarding 1985-1986 Excess Policy” (doc. no. 340).
- “Lexington Insurance Company’s Motion for Partial Summary Judgment Regarding 1983 to 1984 Excess Policy” (doc. no. 341).
- “Motion for Summary Judgment of Continental Insurance Company, as Successor-In-Interest to Certain Policies Issued by Harbor Insurance Company” (doc. no. 342 (sealed)).
- “Defendant Westchester Fire Insurance Company’s Motion for Summary Judgment Concerning the Application of Its Asbestos Exclusions to the Underlying Asbestos Claims” (doc. no. 343 (sealed)).
- “Defendant Republic Insurance Company’s Motion for Summary Judgment Concerning the Application of Its Asbestos Exclusions to the Underlying Asbestos Claims” (doc. no. 344 (sealed)).

- “Defendant Government Employees Insurance Company’s Motion for Summary Judgment Concerning the Application of the Asbestos Exclusions to the Underlying Asbestos Claims” (doc no. 345 (sealed)).
- “Defendant Hartford Accident and Indemnity Company, First State Insurance Company, Westport Insurance Company, and Lexington Insurance Company’s Motion for Summary Judgment on the Ground That Asbestos Exclusions Bar Coverage” (doc. nos. 347-350 (sealed)).

As to defendants’ affirmative defenses that the insurance policy exclusions are clear and unambiguous and preclude coverage for the underlying asbestos-related actions against plaintiff, these rulings are reserved until trial.

BY THE COURT:

/s/ Edmund V. Ludwig
Edmund V. Ludwig, J.