



2. XL and Greenwich's motion for summary judgment as to count II of Koons's complaint is **GRANTED** and judgment is **ENTERED** in favor of XL and Greenwich and against Koons as to this count.

3. The parties shall submit their proposals regarding the disposition of the bad-faith claim in count III of Koons's complaint by letter within 15 days of the date of this order.

/s/William H. Yohn Jr.

William H. Yohn Jr., Judge