

**FIRST DIVISION
PHIPPS, C. J.,
ELLINGTON, P. J., and DILLARD, J.**

**NOTICE: Motions for reconsideration must be
physically received in our clerk's office within ten
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August 21, 2014

In the Court of Appeals of Georgia

A12A1125. LLOYD'S SYNDICATE NO. 5820 d/b/a CASSIDY
DAVIS v. AGCO CORPORATION.

PHIPPS, Chief Judge.

In *Lloyd's Syndicate No. 5820 d/b/a Cassidy Davis v. AGCO Corp.*,¹ the Supreme Court reversed our rulings in Divisions 1 and 2 of *Lloyd's Syndicate No. 5820 d/b/a Cassidy Davis v. AGCO Corp.* ("*Lloyd's Syndicate I*").² In *Lloyd's Syndicate I*, we pertinently affirmed the grant of AGCO's motion for partial summary judgment and the denial of Cassidy Davis's motion for summary judgment on the

¹ ___ Ga. __ (___ SE2d ___) (Case No. S13G0582, decided March 17, 2014).

² 319 Ga. App. 260 (734 SE2d 899) (2012). In *Lloyd's Syndicate I*, we disposed of three cases, which we had consolidated for the purposes of appeal: Case Nos. A12A1125, A12A1126, and A12A1281. The Supreme Court granted certiorari in and considered our judgment only in Case No. A12A1125. Divisions 1 and 2 of *Lloyd's Syndicate I* constituted the entire judgment of Case No. A12A1125. Our rulings in the other two cases became final upon the return of the remittiturs to the trial court.

issue of whether an extended protection plan provided coverage for equipment failures caused by certain types of defects.³ We also affirmed the denial of Cassidy Davis's motion for summary judgment on AGCO's claims for bad faith related to an indemnity provision.⁴ The Supreme Court held that we erred in these rulings, concluding that Cassidy Davis was entitled to summary judgment on the extended protection plan issue and the bad faith claim.⁵

Accordingly, Divisions 1 and 2 of *Lloyd's Syndicate I* are vacated, and the judgment of the Supreme Court is adopted in their stead. Thus, regarding the issue of whether coverage is provided for failures resulting from design or engineering defects, the judgment of the trial court is reversed. Regarding AGCO's claims for bad faith, the judgment of the trial court is reversed.

The case is remanded to the trial court for proceedings consistent with the opinion of the Supreme Court.

Judgment reversed and case remanded. Ellington, P. J., and Dillard, J., concur.

³ Id. at 262-263 (1).

⁴ Id. at 263-264 (2).

⁵ *Lloyd's Syndicate No. 5820 d/b/a Cassidy Davis*, ___ Ga. at ___ (1), (2) (Case No. S13G0582, decided March 17, 2014).