

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

CAMSOFT DATA SYSTEMS, INC.

NO. 2017 CW 0732

VERSUS

SOUTHERN ELECTRONICS SUPPLY,  
INC. AND ACTIVE SOLUTIONS,  
LLC

**SEP 18 2017**

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In Re: Zurich American Insurance Company and American Zurich Insurance Company, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 582741.


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**BEFORE: McCLENDON, WELCH AND THERIOT, JJ.**

**WRIT GRANTED IN PART; WRIT DENIED IN PART.** We grant the writ in part and vacate the portion of the June 1, 2017 judgment that is directed to and addresses the issue of insurance coverage under the pertinent insurance policies. Louisiana Code of Civil Procedure Art. 966(F) provides that "(a) summary judgment may be rendered or affirmed only as to those issues set forth in the motion under consideration by the court at that time." Further, "a court cannot render a motion for summary judgment dismissing a claim that has not been challenged by the pleading." **Cason v. Saniford**, 13-1825 (La. App. 1 Cir. 6/6/14), 148 So.3d 8, 14. The motion for summary judgment under review did not raise the issue of insurance coverage; therefore, the June 1, 2017 judgment is vacated as to any decree directed to or addressing the issue of insurance coverage. In all other respects, the writ is denied.

**PMc  
JEW  
MRT**

COURT OF APPEAL, FIRST CIRCUIT

  
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DEPUTY CLERK OF COURT  
FOR THE COURT