



ANATOMY OF A CLAIM - TRIAL

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This article is the third of Gallagher Sharp's "Anatomy of a Claim" series, and will provide an overview of the trial process. Our first article outlined the initial steps in claim handling from first notice to suit. Our second article discussed the discovery process and exploring mediation. The next step is trial.

[Read the full article](#)



SUPREME COURT OF OHIO

LGR Realty, Inc. v. Frank and London Ins. Agency, 2018-Ohio-334

Delayed-damage rule is not applied in an action alleging that an insurance broker was negligent in procuring a client's liability coverage.

[Read the Case Synopsis](#)

OHIO STATE COURTS

Conway, et al. v. Cincinnati Ins. Cos., et al., 2017-Ohio-8787

A vehicle may be deemed a "temporary substitute vehicle" if the insured intends for the vehicle to substitute an out-of-service covered vehicle.

American Family Ins. v. James Phillips, et al., 6th Dist. No. OT-17-004, 2017 WL 5626218 (Nov. 22, 2017)

Business-pursuit exclusion applies when the activity at issue is the type of work customarily performed and the purpose is to make a profit.

Founders Ins. Co. v. Gurung, 2017-Ohio-8983

Language excluding coverage where the insured is operating a vehicle in violation of his/her "driving privileges" is not ambiguous and excludes coverage where the insured violates the terms of his/her learner's permit.

Intergroup Internatl. Ltd. v. Cincinnati Ins. Cos., 2017-Ohio-8660

Whether an insured should have been aware of rot and decay is a question of fact and an improper determination for summary judgment stage.

GrafTech Internatl., Ltd. v. Pacific Emps. Ins. Co., 2017-Ohio-9271

A pollution exclusion unambiguously excludes coverage for personal injury actions based on localized exposure as well as large scale environmental contamination.

Bowen v. Farmers Ins. Co., 2018-Ohio-1638

Class certification is proper for assessing multiple UM premiums for UM coverage, after a UM premium was paid on a first vehicle.

[Read the Case Synopses](#)

U.S. SIXTH CIRCUIT

Gonakis v. Medmarc Cas. Ins. Co., 6th Cir. No. 17-3463, 2018 WL 721673 (Feb. 6, 2018)

Sixth Circuit reverses district court's summary judgment ruling for insurer, finding an underlying legal malpractice suit was not "reasonably foreseeable" after a lawyer receives and investigates claim but fails to report it under a claims made and reported policy.

[Read the Case Synopsis](#)



Steven Strang Named Insurance Practice Group Manager

In January of 2018, Steven D. Strang was named the Insurance Practice Group Manager at Gallagher Sharp. He was also recently certified as an Insurance Coverage Law Specialist by the Ohio State Bar Association. He can be reached at sstrang@gallaghersharp.com.

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Meet Rema Ina

The author of our featured article, Rema Ina, is a big fan of the Cavs and loves all things Cleveland. In her spare time, she practices yoga,

travels, and takes care of her Yorkie pup. She has extensive experience representing insurance carriers in coverage matters.

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