

Simpson Thacher Wins Eleventh Summary Judgment Ruling for Travelers in Insurance Coverage Case

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On September 23rd, Judge Lorna G. Schofield of the U.S. District Court for the Southern District of New York awarded summary judgment to Firm client Travelers in a dispute concerning Northrop Grumman's claims for insurance coverage for a putative class action brought by Long Island residents and property owners. The claims stem from contamination generated by Northrop Grumman's historical operations at its Bethpage, New York facility. In this opinion, Judge Schofield ruled that Travelers has no obligation to defend Northrop Grumman under certain umbrella policies because the umbrella policies only provide a duty to defend when insurance is not "afforded" by the underlying primary policies. Judge Schofield ruled that coverage was "afforded" under the primary policies but forfeited by Northrop Grumman's late notice to Travelers—as determined in a prior summary judgment ruling that the Firm obtained for Travelers.

This latest win marks the Firm's eleventh summary judgment ruling establishing that Travelers has no obligation to provide coverage to Northrop Grumman for claims arising from this contamination.

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