

New York State Elec. & Gas Corp. v. Century Indem. Co., No. 5:13-CV-976, 2017 WL 11454848 (N.D.N.Y. March 31, 2017), aff'd 767 Fed. Appx. 188 (2d Cir. 2019), pet. for reh'g and reh'g en banc denied, No. 18-1012 (2d Cir. May 20, 2019)

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May 20, 2019

Environmental liability insurance coverage litigation. Insured public utility sought to recover defense, investigation and remediation costs incurred as a result of historical manufactured gas plant operations. The parties engaged in extensive motion practice on issues of late notice, statute of limitations and trigger of coverage. The U.S. District Court for the Northern District of New York dismissed the Plaintiff's claims against the insurers and the dismissal was affirmed by the U.S. Court of Appeals for the First Circuit.