

STATE OF MAINE
CUMBERLAND, ss.

BUSINESS & CONSUMER DOCKET
DOCKET NO. BCD-CV-19-37

CORINTH PELLETS, LLC,)
)
 Plaintiff,)
)
 v.)
)
 ARCH SPECIALTY INSURANCE CO.,)
 et al.,)
)
 Defendants,)
)
 and)
)
 ATTORNEY GENERAL, STATE OF)
 MAINE, and MAINE)
 SUPERINTENDENT OF INSURANCE,)
)
 Intervenor.)

ORDER GRANTING ARCH
SPECIALTY INSURANCE CO.'s
MOTION TO DISMISS THE CROSS-
CLAIM

Pending before the Court is the Motion to Dismiss Cross-Claim of Varney Agency, Inc. by Defendant Arch Specialty Insurance Co. (“Arch”). In the companion Order issued in this case this same day, the Court determined that Arch did not fail to comply with the notice requirements of 24-A M.R.S. § 2009-A. For all the reasons set forth in the companion Order, the Court concludes that Arch did not violate 24-A M.R.S. 2009-A, and thus did not breach any obligation it owed to Varney Agency, Inc. Arch has no obligation to provide coverage for a fire that occurred on September 19, 2018, one day after expiration of the term of the surplus lines insurance policy issued by Arch. Varney Agency, Inc. is therefore not entitled to indemnification from Arch. Accordingly, the Court grants Arch’s Motion to Dismiss the Cross-Claim, and judgment is entered in favor of Arch Specialty Insurance Co. on the Cross-Claim.

Pursuant to M.R. Civ. P. 79(a), the Clerk is instructed to incorporate this Order by reference on the docket for this case.

So Ordered.

Dated: January 23, 2020_____

_____/s_____
Michael A. Duddy
Judge, Business and Consumer Docket