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For immediate release

**FACTORY MUTUAL INSURANCE WINS
CASE AGAINST HARTFORD FIRE**

Factory Mutual Insurance Co., represented by John Hart and Bruce Rogers of Brown, Dean, Wiseman, Liser, Proctor & Hart, L.L.P., of Fort Worth, TX, has been awarded \$1.1 million against its reinsurer, Hartford Fire Insurance Company, based on damages sustained by Factory Mutual's client in a fire in a Lewisville, TX regional shopping mall.

A three-member panel composed of former insurance and reinsurance company executives recently heard the case involving the terms of a reinsurance contract for a week in Newark, N.J.

Smoke caused from a 1999 fire in Dillard's permeated much of the store's soft goods resulting in a \$15 million claim under the Factory Mutual policy. All of Factory Mutual's reinsurers except Hartford paid on their policies.

Hartford declined to pay on the basis that the loss was "a boiler and machinery" loss which was excluded from coverage. Factory Mutual agreed that damaged electrical equipment was excluded from the coverage, but contended that the smoke damage to the inventory and fixtures was from an ensuing fire and not excluded by the Hartford policy

The panel awarded Factory Mutual the million-dollar Hartford policy limit plus more than \$100,000 in prejudgment interest.

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