

REAL ESTATE

CLAIMS Solutions

Class Action Lawsuit for TCE Contamination

When a pollution release, spill or other incident occurs, you want to make sure you have the carrier with the most experienced environmental claims counsel and technical consultants handling your claim. XL's Environmental group has 25+ years of environmental expertise. Our environmental claims staff has experience responding to and remediating pollution incidents as well as expertise in managing environmental litigation and interacting with regulators.

The information contained herein is intended for informational purposes only. Insurance coverage in any particular case will depend upon the type of policy in effect, the terms, conditions and exclusions in any such policy, and the facts of each unique situation. No representation is made that any specific insurance coverage would apply in the circumstances outlined herein. Please refer to the individual policy forms for specific coverage details.

"XL Insurance" is the global brand used by XL Group plc's (NYSE: XL) insurance companies. Coverages underwritten by Greenwich Insurance Company, Indian Harbor Insurance Company, XL Insurance America, Inc., XL Specialty Insurance Company and XL Insurance Company Limited—Canadian Branch. Coverages not available in all jurisdictions

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THE CLAIM

An XL insured purchased a property formerly used as an independent testing facility for a wide range of aerospace, military and commercial purposes. The insured's intention was to re-sell the property to a developer for residential housing. Litigation was filed by more than 90 nearby residents claiming bodily injury and property damage as a result of trichloroethylene (TCE) contamination emanating from the subject property.

THE RESPONSE

XL's environmental claims counsel retained local defense counsel to defend the insured. Defense counsel undertook an exposure evaluation and made reductions for the percentage of exposure that occurred prior to the insured's ownership. XL claims counsel worked closely with the insured to accurately assess the insured's liability.

THE SOLUTION

The litigation ultimately settled. The insured's Pollution and Remediation Legal Liability Policy paid \$800,000 for all costs and expenses associated with the contamination attributable to the insured.

For more information on how XL can help you manage your exposures, please contact your environmental underwriter or Sales & Marketing at:

800-327-1414

www.xlinsurance.com/environmental

