

Caroline Ford in Law360 on California Liability Coverage Dispute

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Law360 quoted Haynes Boone Counsel [Caroline Ford](#) on insurer liability for a company whose employee committed sexual assault, in a case before the California Supreme Court raising broad issues about business insurance coverage.

Law360 [reported](#) that the case came to the California Supreme Court via a certified question from the 9th U.S. Circuit Court of Appeals in Ledesma & Meyer Construction Co. Inc.'s insurance dispute with Liberty Surplus Insurance Corp.

According to the report, Liberty denied coverage to L&M in litigation that resulted from an L&M employee sexually assaulting a student at a school where the company was handling a construction project. *Law360* reported that, while criminal conduct is uninsurable under California law, the case raises questions about what types of events constitute an "occurrence," or accident, that qualifies for general liability insurance coverage.

"I think the fundamental question as to whether there is an occurrence — defined as an accident — is of paramount significance in insurance coverage law," said Caroline Ford, counsel in the Orange County, California, office of Haynes & Boone, LLP, who is not involved in the case. "The Ninth Circuit recognized the importance of that concept, and the need for it to be well-defined by the California Supreme Court." ...

Excerpted from *Law360*. To read the full article, click [here](#). (Subscription required)