

TRUE COPY

Robert G. Millenky
ROBERT G. MILLENKY, P.J. Cv.

WADE CLARK MULCAHY
By: Robert J. Cosgrove, Esq.
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Attorney for Nautilus Insurance Company
Our File No.: 812.7652.1RC

NURIA ALVAREZ-CASTANEDA AS
ADMINISTRATRIX OF THE ESTATE OF
BENJAMIN ALVAREZ, DECEASED AND
IN HER OWN RIGHT,

Plaintiffs,

vs.

ALVAN CONSTRUCTION, INC. and
MICHAEL J. WRIGHT CONSTRUCTION,
CO. INC.,

Defendants.

vs.

FORD GRIGG, JENNIFER GRIGG and
NAUTILUS INSURANCE COMPANY,

Third-Party Defendants.

SUPERIOR COURT OF NEW JERSEY
CAMDEN COUNTY: LAW DIVISION

DOCKET NO.: CAM-L-533-13

CIVIL ACTION

Order

ORDER

This matter having been opened before this Court by WADE CLARK MULCAHY, attorneys for NAUTILUS INSURANCE COMPANY ("Nautilus"), for an Order for Summary Judgment pursuant to R. 4:46-2, and the Court having reviewed all submitted papers and for good cause shown;

IT IS on this 1st day of June, 2015;

ORDERED that Third-Party Defendant Nautilus's Motion for Summary Judgment is **GRANTED,**

IT IS FURTHER ORDERED that all claims against Third-Party Defendant Nautilus are hereby dismissed with prejudice;

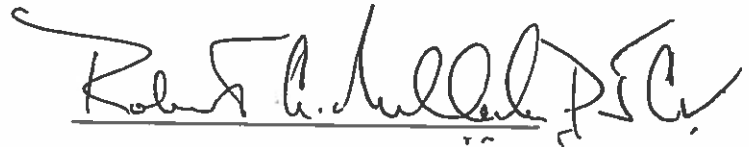
IT IS FURTHER ORDERED that Nautilus does not have a duty to defend or indemnify Michael J. Wright Construction Co., Inc. ("MJW") in connection with the above-captioned matter;

~~**IT IS FURTHER ORDERED** that a final judgment by default is entered against Alvan Construction Inc. ("Alvan") in connection with the above-captioned matter for its failure to plead or otherwise respond to Nautilus's outstanding cross-claims; and~~

IT IS FURTHER ORDERED that Nautilus does not have a duty to defend or indemnify Alvan in connection with the above-captioned matter.

IT IS FURTHER ORDERED that a copy of this Order shall be served on all parties within 7 days of the date hereof.

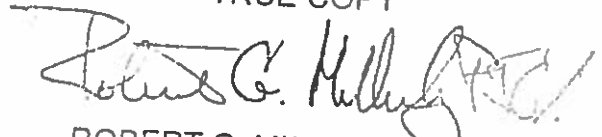
"Reasons Set Forth on Record"
e 5-29-15


ROBERT G. MILLENKY, R.J.Cv.

Opposed ()

Unopposed ()

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ROBERT G. MILLENKY, P.J.C.V.

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Attorneys for Defendant/Third-Party Plaintiff, Michael J. Wright Construction Co., Inc.
Our file no.: 21500.0-3890

Plaintiff

NURIA ALVAREZ-CASTANEDA, as
Administratrix of the Estate of
BENJAMIN ALVAREZ, deceased, and
in her own right

vs.

Defendants

ALVAN CONSTRUCTION, INC. and
MICHAEL J. WRIGHT CONSTRUCTION
CO., INC.

and

Defendant/Third-Party Plaintiff

MICHAEL J. WRIGHT CONSTRUCTION
CO., INC.

vs.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CAMDEN COUNTY

Docket No: L 533-13

CIVIL ACTION

ORDER

DENIED

Third-Party Defendants :
: FORD GRIGG and JENNIFER GRIGG :
: and NAUTILIS INSURANCE COMPANY :
: _____ :

This matter having been brought before the Court on May 29, 2015 by Margolis Edelstein, Esquires, on behalf of defendant/third-party plaintiff, Michael J. Wright Construction Co., Inc. and the Court having duly considered the moving papers submitted in support of their application in accordance with Rule 1:6-2, and finding merit in said application, and for other good cause appearing;

IT IS on this 1st day of June, 2015,

ORDERED that summary judgment be and hereby is entered in favor of defendant/third-party plaintiff, Michael J. Wright Construction Co., Inc. declaring denied

(1) that insurance policy number NC992323, issued to Alvan Construction by Nautilus Insurance Company was not properly cancelled in August 2010; and

(2) that Michael J. Wright Construction Co., Inc. is entitled to defense and indemnification as an Additional Insured under Policy No. NC992323 issued to Alvan by Nautilus Insurance Company.

IT IS FURTHER ORDERED that a copy of the within Order shall be sent to all counsel within 7 days of the date hereof.

Reasons Set Forth on Record"
5-29-15

ROBERT G. MILLENKY, P.J.C.V.

MOTION OPPOSED

MOTION UNOPPOSED