

Steele Quoted in *Law360 Insurance Authority* Story Titled “Ohio High Court Majority Nixes OK Of Sewer Backup Claim”

Related Attorneys

Natalia Steele

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Natalia Steele, a partner in the Vorys Cleveland office, was quoted in a *Law360 Insurance Authority* story about a recent Ohio Supreme Court decision in *AKC Inc. v. United Specialty Insurance Co.* According to the story, the court reversed an appeals court's decision and found that damage caused by a 2014 sewage backup fits within the insurance policy at the center of the case's water backup exclusion.

The story states:

“5-2 majority of Ohio's high court agreed that language in the exclusion in United Specialty Insurance Co.'s policy unambiguously precludes coverage for damage caused by “water that backs up or overflows from a sewer, drain or sump.” The majority explained that an intermediate state appeals panel mistakenly applied ‘a hyperliteral meaning of the term water’ when finding that the sewage was not part of the exclusion.

As a result of the high court's ruling, United Specialty does not have to reimburse Bank Nightclub for more than \$63,000 in cleanup services it paid to AKC Inc., which does business as Cleantech.

‘The standard water backup exclusion in property insurance contracts clearly includes damage caused by sewage,’ Natalia Steele of Vorys Sater Seymour & Pease LLP, who represented two insurance industry trade groups as amici curiae for United Specialty, told Law360. ‘It is very gratifying to see that the majority of the Supreme Court of Ohio agreed and sided with our client on this question.’”

To read the entire story on the *Law360* website, [click here](#). (Subscription may be required).