



## *Delaware Court Holds Excess Insurers May Not Rely on Exhaustion Clauses Absent Risk of 'Actual Prejudice,' Insurance Coverage Law Center*

*Michael Zigelman, Co-Managing Partner of the New York City office and Chair of KD's General Liability Coverage practice group, and Aaron Cargain, SF Of Counsel, had their article on the Delaware Court Pfizer decision published in Insurance Coverage Law Center on November 3, 2020.*

*The Delaware Superior Court recently held in Pfizer Inc. v. U.S. Specialty Ins. Co. that Pfizer Inc.'s ("Pfizer") settlement with one of its insurers, for less than the policy limit, was not subject to an exhaustion clause in a policy issued by U.S. Specialty Insurance Co. ("U.S. Specialty").*

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