

# Insurance Law Update, “Construction Insureds Should Beware Faulty Work Exclusions,” Law360

## Publications

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In their *Insurance Law Update*, Partner David M. Kroeger and Associate Catherine L. Doyle focus on two exclusions frequently found in commercial general liability policies in the construction industry: 1) excluding property damage to “that particular part” of real property on which the insured performs operations, if the property damage arises out of those operations; and (2) excluding property damage to “that particular part” of property that must be restored, repaired, or replaced because the insured’s work was incorrectly performed on it. They explain that courts’ interpretation of “that particular part” has not always been favorable to policyholders. They then examine a recent South Carolina case in which the district court permitted an insurer to avoid defense and indemnity obligations over arguments that the phrase should limit the exclusion to the smallest possible unit of property.

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