


Fw: Ercolano Cleaning & Restoration, LLC EV20183963-05

Brendan Mullally <bnullally@canewengland.com>

Thu 5/2/2024 3:26 PM

To: Robert Coleman <robert@coleman-insurance.com>

 1 attachments (22 MB)

Epson_04242024124134.pdf;

Here is more info on the two larger claims.

From: Chris Fields <cfields@capspecialty.com>**Sent:** Thursday, May 2, 2024 3:08 PM**To:** Ronnie Gibberman <rgibberman@capspecialty.com>**Subject:** RE: Ercolano Cleaning & Restoration LLC EV20183963 05 Exp: 6/23/24

Hello Ronnie,

Claim 304068 pertains to a subrogation lawsuit involving Plaintiffs Kingstone Insurance Company a/s/ o David Your and Katherine York v. Defendants Crystal Restoration Services of Connecticut, Inc, ("Crystal") Enviromed Services, Inc., ("Enviromed") and Ercolano Cleaning & Restoration LLC. ("Ercolano") The demand for damages is over \$400k.

On or around 4/20/22021 at or near the residence belonging to David and Katherine York ("York") located at 290 Bradley Avenue in Meriden, CT a bathroom water supply valve broke causing water damage to the residence. Kingstone Insurance Company ("Kingstone") was notified, and Crystal was retained to perform the mitigation. Sometime during the mitigation, lead was found in the residence and Enviromed was brought in for testing and investigation. York fired Crystal and hired Ercolano to finish the mitigation related to the water damage and remediate the lead.

Ercolano's codefendants are appearing to be the targets and they are in fighting and filing claims against one another regarding the work at the York's property. They are also taking the lead in scheduling out depositions. Given the fact that this is a litigated claim involving a substantial demand and several co-defendants there is a high degree of probability that this claim will remain open for several months. Accordingly, I reserved this file for indemnity of \$50k due to the amount of damages claimed and potential pre-trial settlement and \$20k for defense attorney involvement.

Claim 306203 – Defense Counsel (Jesse Conrad) who is defending Ercolano in claim (304068) was contacted by an attorney who represents a co-defendant in another CT lawsuit that Ercolano is named. Holly Hunter ("Plaintiff") v. Ercolano Cleaning & Restoration LLC and Pacific Specialty Insurance Company. Upon review of the lawsuit, we determined that we would have a duty to

defend under the CGL (allegations of PD resulting from the NI's water remediation work). Since a default motion is pending and we have a duty to defend, we asked Jesse to also handle this matter for the insured. As such, I reserved this file for indemnity of \$50k for potential pre-trial settlement and \$20k for defense attorney involvement.

Ecolano's involvement pertains to an incident on 8/23/2021 where rainwater collected in the window of the second floor at the residence belonging to Holly Connor located at 100 Pioneer Drive in West Hartford CT. The residence sustained water damage from a small leak caused by the pooling rainwater. Shortly afterward, the water heater burst causing a leak in certain areas in the basement. Ecolano was retained on August 30, 2021, to perform water mitigation and cleanup the property. Ecolano performed these tasks between August 30 and August 31, 2021. Demolition work was performed in the bathroom, kitchen, office, basement and laundry room and Personal property was disposed. The above-mentioned Complaint alleges negligence, negligent hiring/retention, negligent training/supervision, and breach of contract. The plaintiff is claiming damages including punitive damages and attorney's fees

Sincerely,

Chris Fields, AIC

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