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# Sandberg Phoenix Attorneys Granted Summary Judgment

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Sandberg Phoenix attorney Tim O'Leary was granted summary judgment in a declaratory judgment action filed in the Circuit Court for St. Clair County, Illinois.

The plaintiff, an Illinois resident, was a passenger in a rented motor vehicle which was involved in a single vehicle accident in Vermont. The driver lost control of the vehicle, causing it to leave the roadway and rollover. The plaintiff sustained extensive personal injuries. After settling with the driver's insurance carrier, the plaintiff made a claim against his employer's insurance policy for underinsured motorist coverage, ultimately filing a declaratory judgment action seeking a declaration the policy afforded him coverage. The insurer argued the policy did not provide UIM coverage for rented vehicles, and moved for summary judgment on that ground.

The Honorable Judge Stephen McGlynn of the St. Clair County Circuit Court granted the defendant insurer's Motion for Summary Judgment on the issue of UIM coverage and made the further finding that there was no coverage under the general liability provisions of the policy.