

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NORTHWELL HEALTH, INC.,

Plaintiff,

-against-

LEXINGTON INSURANCE CO.
and INTERSTATE FIRE &
CASUALTY CO.,
Defendants.

21-cv-1104 (JSR)

ORDER

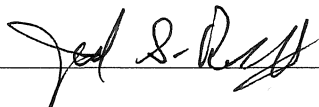
JED S. RAKOFF, U.S.D.J.

Plaintiff Northwell Health, Inc. ("Northwell"), a New York healthcare provider, purchased all-risks insurance policies with defendants Lexington Insurance Company and Interstate Fire & Casualty Company. Northwell brings claims for breach of contract and breach of the implied covenant of good faith and fair dealing, alleging that defendants improperly denied coverage claims for costs and losses related to the COVID-19 pandemic.

Before the Court are defendants' motion to dismiss the Complaint for failure to state a claim upon which relief can be granted and plaintiff's motion for partial summary judgment. Upon consideration, the Court grants the motion to dismiss and denies the motion for partial summary judgment as moot. An opinion explaining the reasons for this ruling will follow in due course.

SO ORDERED.

Dated: New York, NY
July 7, 2021


JED S. RAKOFF, U.S.D.J.