

SUPREME COURT OF LOUISIANA

No. 98-CC-2003

SHERRY ADAMS AND TERRY BRYANT

Versus

WILLIAM THOMAS, KELLY THOMAS, GEORGE MICHLER
LYNN MICHLER ET AL

Consolidated with

No. 98-C-2005

STEVEN SEARCY AND BARBARA H. SMITH

Versus

AUTOMOTIVE CASUALTY INSURANCE COMPANY, KENYETTA BROWN
AND STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

LEMMON, J., Concurring

The narrow holding in this case is that this particular policy exclusion, which denies liability coverage for any person who does not have a valid driver's license, is not valid. I join in that holding for the cogent and thorough reasons expressed in the majority opinion.

I write separately only to reserve judgment for future cases in which this court may be presented with denials of coverage based on other exclusions or definitions of coverage that have a more compelling basis than the present cases.¹ Moreover, other denials of coverage, such as those based on material misrepresentations by the insured or failure of the insured to comply with policy obligations, may present different considerations.

¹These cases involve, and most previous cases have involved, conflicts between exclusions and the omnibus clause. Denials of coverage of the named insured or of other insureds under policy definitions arguably may present different considerations.