

03/24/2017 "See News Release 018 for any Concurrences and/or Dissents."

SUPREME COURT OF LOUISIANA

NO. 2017-C-152

**KERRY KIRBY AND LORI KIRBY, INDIVIDUALLY AND ON BEHALF
OF THEIR MINOR CHILDREN, A.C. KIRBY, HEIDI MAYEAUX, KERRY
KIRBY, JR., AND HANNA KIRBY**

VERSUS

MIKE ASHFORD, EXIDE TECHNOLOGIES, INC., AND ABC MAN. CO.

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FIRST CIRCUIT, PARISH OF EAST BATON ROUGE**

Hughes, J., dissents and would grant the writ.

The Employer's Liability Exclusion is not ambiguous. But neither is the Contractual Liability Exclusion. One provides coverage, one does not. The policy therefore is ambiguous as a whole.