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CLERK OF COURT  
SUPREME COURT OF OHIO

# The Supreme Court of Ohio

Westfield Insurance Co.

Case No. 2011-1486

v.

ENTRY

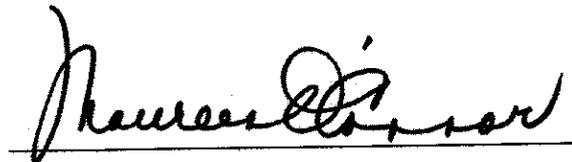
Custom Agri Systems, Inc.

This cause, here on the certification of a state law question from the United States Court of Appeals for the Sixth Circuit, was considered in the manner prescribed by law. Upon review pursuant to S.Ct. Prac. R. 18.6, the Court will answer the following questions:

- (1) Are claims of defective construction/workmanship brought by a property owner claims for "property damage" caused by an "occurrence" under a commercial general liability policy?
- (2) If such claims are considered "property damage" caused by an "occurrence," does the contractual liability exclusion in the commercial general liability policy preclude coverage for claims for defective construction/workmanship?

It is ordered by the Court that petitioner shall file its merit brief within 40 days of the date of this entry and the parties shall otherwise proceed in accordance with S.Ct. Prac. R. 6.2 - 6:4; and S.Ct. Prac. R. 18.7.

(United States Court of Appeals for the Sixth Circuit; No. 113213)



Maureen O'Connor  
Chief Justice