

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-10216

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT FEBRUARY 20, 2009 THOMAS K. KAHN CLERK
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D. C. Docket No. 06-22628-CV-FAM

CONTINENTAL CASUALTY COMPANY,
an Illinois corporation,

Plaintiff-Appellant,

versus

OLD REPUBLIC INSURANCE COMPANY,
a Pennsylvania corporation,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida

(February 20, 2009)

Before EDMONDSON, Chief Judge, ANDERSON, Circuit Judge, and COHILL,*
District Judge.

PER CURIAM:

*Honorable Maurice B. Cohill, Jr., United States District Judge for the Western District of
Pennsylvania, sitting by designation.

Under the circumstances of this case, and in light of the fact that the escape clause appeared in an endorsement to the Old Republic policy, we cannot conclude that the district court erred.

Accordingly, the judgment of the district court is

AFFIRMED.