

Philadelphia Indemnity Ins. Co. v. Montes-Harris, S130717

#05-50 Philadelphia Indemnity Ins. Co. v. Montes-Harris, S130717. (9th Cir. Nos. 03-56651, 03-56652; 395 F.3d 1046; Central District of California; CV 02-3616-RSWL.) Request under California Rules of Court, rule 29.8, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The question presented is: “Does the duty of an insurer to investigate the insurability of an insured, as recognized by the California Supreme Court in *Barrera v. State Farm Mut. Auto. Ins. Co.* (1969) 71 Cal.2d 659, apply to an automobile liability insurer that issues an excess liability insurance contract in the context of a rental car transaction?”

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