

S236765

SUPREME COURT OF CALIFORNIA

LIBERTY SURPLUS INSURANCE
CORPORATION, et al.,

Plaintiffs and Appellees,

v.

LEDESMA AND MEYER
CONSTRUCTION COMPANY, INC.,
et al.,

Defendants and Appellants.

9th Cir. No. 14-56120

**SUPREME COURT
FILED**

JAN 12 2017

Jorge Navarrete Clerk

Deputy

**NOTICE OF ERRATA TO
OPENING BRIEF ON THE MERITS**

After Order Certifying Question by the
U.S. Court of Appeals for the Ninth Circuit

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Attorneys for Defendants and Appellants
Ledesma and Meyer Construction Company, Inc.;
Joseph Ledesma; and Kris Meyer

Appellants make this notice to correct a typographical error in a sentence in the Introduction section of their opening brief on the merits. At the bottom of page 1, continuing on to the top of page 2, the brief includes a sentence that says, “Indeed, the definition of *accident* that this Court adopted in 1989 for use in all liability policies defines that term as “an unexpected, unforeseen, or undesigned happening *or consequence* from either a known or an unknown cause.” (OBOM at p. 1, underscore added to show location of error.)

The reference to 1989 was an error; the sentence was intended to refer to 2009. Hence, the corrected sentence should say, “Indeed, the definition of *accident* that this Court adopted in 2009 for use in all liability policies defines that term as “an unexpected, unforeseen, or undesigned happening *or consequence* from either a known or an unknown cause.”

Counsel for L&M apologizes for the error.

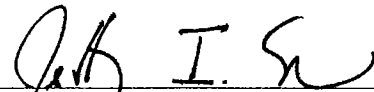
Dated: January 11, 2017

Respectfully submitted,

SHERNOFF BIDART

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THE EHRLICH LAW FIRM

By 

Jeffrey A. Ehrlich

Attorneys for Defendants and

Appellants

Liberty Surplus Insurance Corporation, et al. v. Ledesma and Meyer Construction, et al.
Supreme Court No. S236765
9th Circuit No. 14-56120
D.C. No. 2:12-cv-00900-RGK-SP

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 600 South Indian Hill Boulevard, Claremont, California 91711.

On **January 11, 2017**, I served the foregoing documents described as **NOTICE OF ERRATA TO OPENING BRIEF ON THE MERITS** on the interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

PLEASE SEE ATTACHED SERVICE LIST

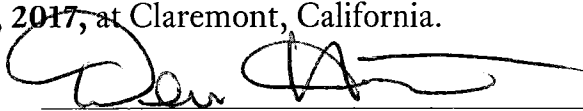
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ELECTRONIC Pursuant to CRC Rule 8.212(c)(2) and/or the Court's Local Rules, a copy was submitted electronically via the Court's website as indicated on the service list.

BY OVERNIGHT MAIL/COURIER To expedite service, copies were sent via FEDERAL EXPRESS.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **January 11, 2017**, at Claremont, California.



Debbie Hunter

Liberty Surplus Insurance Corporation, et al. v. Ledesma and Meyer Construction, et al.
Supreme Court No. S236765
9th Circuit No. 14-56120
D.C. No. 2:12-cv-00900-RGK-SP

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