

COURT OF APPEALS NEW FILINGS

Preliminary Appeal Statements processed  
by the Court of Appeals Clerk's Office  
**May 18 through May 24, 2007**

Each week, the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rule 500.11.

**The Court welcomes motions for amicus curiae participation from those qualified and interested in the subject matter of these newly filed appeals. Please refer to Rule 500.23 and direct any questions to the Clerk's Office.**

LONG ISLAND LIGHTING COMPANY et al. v ALLIANZ UNDERWRITERS  
INSURANCE COMPANY, et al.:

1<sup>ST</sup> Dept. App. Div. order of 12/14/06; affirmance with dissents; leave to appeal granted by App. Div., 5/10/07;  
INSURANCE - EXCESS COVERAGE - WHETHER ISSUE OF ENVIRONMENTAL CONTAMINATION AT VARIOUS SITES IS "REASONABLY LIKELY" TO INVOLVE THE EXCESS POLICY OF A PARTICULAR INSURER; ENVIRONMENTAL CONTAMINATION - LIABILITY FOR CLEAN UP COSTS; DECLARATORY JUDGMENT ACTION AGAINST EXCESS INSURERS - JUSTICIABILITY; Supreme Court, New York County, on reargument and renewal, dismissed the action with prejudice as against defendant-appellant Continental Casualty Company as to all sites on three policies and as to all sites but Bay Shore for one policy; App. Div. affirmed.