



# Business Law Alert

## Insurance ordered to pay Murderer for Victim's funeral expenses

A homeowner, McKernan, purchased a homeowner's insurance policy from Brethren Mutual Insurance. Later, while at home, she stabbed and killed her live-in partner. She was found guilty and ordered to pay the victims' funeral expenses. She filed a claim with Brethren to reimburse her for the funeral expenses; Brethren denied the claim. McKernan sued Brethren and she won.

Our Pennsylvania Superior court ruled that McKernan was entitled to reimbursement. The Court pointed to a specific provision of her homeowner's policy. The insurance company promised to reimburse McKernan for costs connected with any bodily injury caused by an "occurrence" while on her property.

As such, McKernan was entitled to reimbursement because the funeral expenses were a costs connected to a bodily injury on her property.

The Court stressed that McKernan's criminal convictions were for conduct that constituted an "occurrence" under the terms of the policy.

Brethren Mutual Insurance Company made an expensive mistake in failing to exclude "intentional torts" from the definition of "occurrence", such as stabbing your partner to death. As a result, they have to pay McKernan for the damages she caused by stabbing her partner to death. Insurance policies are contracts. The language in a contract binds a judge.

Therefore, the judge had no choice but to force the insurance company to honor its promise to pay, even though they did not want to reimburse a murderer.

What is the lesson for you, as a business owner?

Purchase an insurance policy today. And if your insurance company does not pay the claim, then take your policy to your attorney.

By: [Sharmil McKee, Esq.](#)

If you have questions, please contact Ms. McKee at 215-242-5260 ext. 2 or [sm@mckeeoffice.com](mailto:sm@mckeeoffice.com)

## Firm News

McKee Law Office is proud to welcome back **Ronmil Hoop**. She is returning from maternity leave. She coordinates the firm's marketing and business development activities. Contact her at [rh@mckeeoffice.com](mailto:rh@mckeeoffice.com) or 215-242-5260 ext 5.

Congratulations to **Thread Philadelphia**, our client, for the successful grand opening of its first salon, **Thread Beauty Bar**. Thread is the first to offer Philadelphia the painless and revolutionary eyebrow threading. The salon is located at 1903 Chestnut St and are open from Monday through Saturday from 10 am to 7 pm. Visit [www.threadphiladelphia.com](http://www.threadphiladelphia.com) for more information.

We also welcome **Project 4everstriving, Inc.**, our client, to Philadelphia. Project 4everstriving is an ex-offender program committed to helping ex-offenders find and maintain employment. For more information, contact the Founder, Letitia Mack at [letitiams.realtist@verizon.net](mailto:letitiams.realtist@verizon.net)

Congratulations to our client, **Pampering Plus, Inc.** for their recent Minority-owned Business Enterprise and Woman-owned Business Enterprise state certification. We wish them much success. **Pampering Plus** provides special, personal in-home care for all ages.

## Our Practice Areas

- Start up's and formation
- Contracts/Agreements
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- Angel/Venture/Debt/Capital
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- MBE and WBE certifications and denials
- Franchise Formation and Purchase
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Who Can Help Grow Your Business?

March 25th at 5:30p

Free

Host: Center City Proprietors Assoc.

Call 215-545-7766

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6th Annual Song of Equality Gala (Black Tie)

June 7th

5:30 pm

PA Convention Center

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*Guest contributors to the Business Law Alert are always welcome.*

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