Bond Case Briefs

Municipal Finance Law Since 1971

INSURANCE - CALIFORNIA

City of Riverside v. RLI Insurance Company

Court of Appeal, Fourth District, Division 1, California - March 20, 2026 - Cal.Rptr.3d - 2026 WL 787529

Surviving family members of pedestrian killed by vehicle brought action against city and others, alleging roadway near where accident occurred was unreasonably dangerous.

City filed cross-complaint against streetlight consultant, consultant's liability insurer, and others, seeking indemnification, breach of contract, and insurance bad faith, alleging city was additional insured on consultant's liability policy.

The Superior Court sustained insurer's demurrer to city's cross-complaint without leave to amend on grounds that insurer was improperly joined in same action with its insured, and entered judgment of dismissal. City appealed.

The Court of Appea held that city's claims against insurer arose in contract, not in tort, and thus city could name both consultant and insurer in its cross-complaint.

City's claims against lighting consultant's liability insurer arose in contract, not in tort, and thus city could name both consultant and insurer in its cross-complaint for indemnification, breach of contract, and bad faith following fatal accident along roadway where consultant performed work for city, where city had entered into contract with consultant that required consultant to obtain insurance policies to protect the city against claims arising out of consultant's work, including its negligence, and endorsement indicated that city was listed as an additional named insured on the policy consultant obtained from insurer such that city was a first-party additional insured with privity of contract and standing to sue insurer.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com