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(856) 429-5507
ATTORNEY FOR PLAINTIFF
Our File No.: 17420.21660



SALON 360, INC.
1940 COUNTY LINE RD
HUNTINGDON VALLEY PA 19006

PLAINTIFF
vs.

SENTINEL INSURANCE COMPANY,
LIMITED
One Hartford Plaza
Hartford, CT 06155

and

THE HARTFORD INSURANCE GROUP
One Hartford Plaza
Hartford, CT 06155

DEFENDANT(S)

COURT OF COMMON PLEAS
CIVIL DIVISION
PHILADELPHIA COUNTY

DOCKET NO.

COMMERCE PROGRAM
JURY TRIAL DEMANDED

COMPLAINT - CIVIL ACTION

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS

OFFICE CAN PROVIDE YOU WITH THE INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCE FEE OR NO FEE.

LAWYER REFERRAL SERVICE
PHILADELPHIA COUNTY BAR ASSOCIATION
ONE READING CENTER
PHILADELPHIA, PA 19107
(215) 238-1701

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo a partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demadadas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandato y requiere que usted crumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIAL LEGAL.

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COMPLAINT

Plaintiff, Salon 360, Inc. (“360” or “Plaintiff”), through its undersigned counsel, by way of Complaint, avers the following:

PARTIES

1. Plaintiff, 360, is a corporation, lawfully registered to conduct business in the Commonwealth of Pennsylvania, with a mailing address of 1940 County Line Rd, Huntingdon Valley PA 19006.

2. Defendant, Sentinel Insurance Company, Limited (“Sentinel”), is located at One Hartford Plaza, Hartford, CT 06155.

3. Defendant, The Hartford Insurance Group (“Hartford”), is located at One Hartford Plaza, Hartford, CT 06155 (Hartford and Sentinel are collectively referred to as “Defendant”).

JURISDICTION AND VENUE

4. Jurisdiction and venue properly lay in the Philadelphia County because Defendant regularly conducts business in Philadelphia County.

COMMON FACTUAL ALLEGATIONS

5. Plaintiff repeats each and every allegation contained in the foregoing paragraphs of this Complaint as if same were set forth at length herein.

6. 360 is a full-service salon.

7. 360’s salon is located at 1940 County Line Rd, Huntingdon Valley PA 19006 (“Huntingdon Location”).

8. 360 purchased a Spectrum Business Owner’s Policy from The Hartford bearing Policy No.: 39 SBA UK3925 (the “Policy”). A true and accurate copy of the Policy is attached hereto as Exhibit “A.”

9. The insurer under the Policy is Sentinel.

10. The Policy is contained on form SS 00 02 12 06.

11. The Policy Period is from August 13, 2019 to August 13, 2020.

12. The Policy provides coverage for the Will Grove Location.

13. The Policy provides coverage for “Action of Civil Authority.”

14. The Policy provides coverage for “Business Income and Extra Expense.”

15. On March 11, 2020, COVID-19 was declared to be a global pandemic by the World Health Organization.

16. On March 13, 2020, the President of the United States of America declared a national emergency as a result of COVID-19.

17. On March 19, 2020, the Governor of Pennsylvania, Tom Wolf, ordered the closure of all businesses that are not life sustaining. (The averments contained within paragraphs 15 through 17 are collectively referred to as “Governmental Actions”).

18. As a result of the above-referenced Governmental Actions, 360 as suffered a direct physical loss of and damage to its property because it has been unable to use its property for its intended purpose.

19. As a result of the Governmental Actions, 360 was required to close its salon.

20. On or about March 23, 2020, 360 submitted a claim for coverage to The Hartford for the losses it suffered.

21. On June 16, 2020, The Hartford denied 360’s claim for coverage. A true and accurate copy of the denial letter is attached hereto as Exhibit “B.”

COUNT I – BREACH OF CONTRACT

22. Plaintiff hereby incorporates by reference paragraphs 1 through 21 above as if set forth in full.

23. The Policy is an enforceable contract between 360 and Sentinel.

24. The Policy provides “Action of Civil Authority” coverage.

25. The Policy provides coverage for “Business Income and Extra Expense” coverage.

26. 360 suffered an insured loss.

27. Defendant’s refusal to provide coverage for losses suffered constitutes breach of contract.

WHEREFORE, Plaintiff demands judgment in its favor and against Defendant as follows:

- a. An award of Consequential and Compensatory Damages;
- b. Attorneys' fees and costs; and
- c. Such other relief as the Court deems just and proper.

COUNT II – DECLARATORY JUDGMENT (42 Pa.C.S.A. § 7532 ET SEQ.)

28. Plaintiff hereby incorporates by reference paragraphs 1 through 27 above as if set forth in full herein.

29. Plaintiff has fully complied with its obligations under the Policy.

30. Plaintiff's losses continue to accrue as of the filing of this complaint as a result of the Governmental Actions.

31. Defendant's June 16, 2020 disclaimer letter precludes coverage for both past, present, and future losses.

32. An actual controversy exists as to the extent and scope of coverage provided by the Policy.

WHEREFORE, Plaintiff demands a declaratory judgment in its favor and against Defendant as follows:

- a. Declaring that Plaintiff's losses as a result of the Governmental Actions are insured losses under the Policy; and
- b. Declaring that Defendant is obligated to pay the full amount of losses incurred as a result of the Governmental Actions.

MATTLEMAN, WEINROTH & MILLER, P.C
Attorneys for Plaintiff

/s/ Robert W. Williams
By: Robert W. Williams, Esq.

/s/ Ashley S. Nechemia
By: Ashley S. Nechemia, Esq.

Dated: August 4, 2020

MATTLEMAN, WEINROTH & MILLER, P.C.
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VERIFICATION

The undersigned hereby states that he/she is an authorized officer, representative or agent for Plaintiff in this action and that he/she is authorized to make this Verification on behalf of Plaintiff, and that the facts set forth in the foregoing Complaint are true and correct to the best of his/her knowledge, information and belief.

THE UNDERSIGNED UNDERSTANDS THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF 18 PA.C.S. '4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

Date: July 28, 2020



MiMi Levy

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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

MATTLEMAN, WEINROTH & MILLER

BY: /s/ Robert W. Williams August 4, 2020
ROBERT W. WILLIAMS, ESQUIRE
ATTORNEY I.D. NO.: 315501

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