

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CA 02-711
BANKRUPTCY NO. 00-33364
ADV. 01-656

IN RE
NORTHWESTERN INSTITUTE OF PSYCHIATRY, INC.
Chapter 11
NORTHWESTERN INSTITUTE OF PSYCHIATRY, INC.
Debtor/Plaintiff/Appellee

v.

THE TRAVELERS INDEMNITY COMPANY
Defendant/Appellant

MEMORANDUM

ROBERT F. KELLY, Sr. J.

JUNE 4, 2002

Appellant, The Travelers Indemnity Company (“Travelers”) appeals from an order of the Bankruptcy Court which granted Northwestern Institute of Psychiatry, Inc.’s (“Northwestern”) Motion for Summary Judgment and denied Traveler’s Motion for Summary Judgment. Appellant also appeals from an order of Bankruptcy Court denying Traveler’s Motion for Reconsideration. Appellant alleges as error the issues listed in paragraph I, taken from its brief. Because I conclude that the Bankruptcy Court did not err, I will affirm.

I.

The allegations of error asserted by the Appellant are as follows:

1. Did the Bankruptcy Court commit reversible error in its interpretation of The Travelers insurance policy, particularly, by concluding that the Supplemental Coverage Declarations control the Flood Coverage Endorsement?

2. Did the Bankruptcy Court commit reversible error by holding “. . . that a certain part of the loss is not within the flood zone and that payment as to that part of the loss will be forthcoming”?

II

The facts and procedural history of this case are well known to the parties and the Court, therefore, it is not necessary that I restate them here. I have concluded that a full memorandum explanation is indicated because of the very extensive and thorough opinion filed by Judge Diane Weiss Sigmund of the Bankruptcy Court. Judge Sigmund’s opinion adequately explains and fully supports its order and refutes the Appellant’s allegations of error. Therefore, I believe it wholly unnecessary to further opine or offer additional explanations and reasons to those given by the Bankruptcy Court, why I affirm. Therefore, I will affirm for the reasons given by the Bankruptcy Court in its opinion dated the 2nd day of November, 2001.

III

In sum, for the foregoing reasons, I will affirm the order of the Bankruptcy Court dated November 2, 2001.

TO THE CLERK:

Please file the foregoing opinion.

BY THE COURT:

ROBERT F. KELLY,

Sr. J.