

MARKS & WEINBERG, P.C.

**Home Insurance Company v.
Chicago and Northwestern Transportation Company
56 F.3d 763 (7th Cir., 1995)**

Following the destruction of locomotives on lease to CNW, Home Insurance made a payment to the lessor and sued CNW for subrogation. The payment was in excess of the amount of the casualty value provided in the lease. Apparently, the lessee and lessor were parties to additional agreements outside the lease, which led Home Insurance to make the excess payment. Applying Illinois law, the Circuit Court of Appeals held in favor of CNW, stating that the lease unambiguously limited CNW's liability to casualty value.

Marks & Weinberg, PC is a law firm with significant experience in dealing with virtually every type of equipment and facility lease financing. The lawyers of the firm have participated in leasing financings for more than a billion dollars of equipment and are recognized throughout the industry. If you would like more cases or articles on leasing, or have any questions or comments about this Article or other leasing issues, please visit leaselawyer.com or contact Barry Marks at 205.251.8303 or Ken Weinberg at 205.251.8307.

