



602 A.2d 733  
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INDUSTRIAL DEV. v. COMMERCIAL UNION N.J., 1992.  
Supreme Court of New Jersey.  
INDUSTRIAL DEVELOPMENT ASSOCIATES, INC., a/k/a Industrial Development Association, A New Jersey Limited Partnership, Plaintiff-Respondent,  
v.  
COMMERCIAL UNION SURPLUS LINES INSURANCE COMPANY, A Corporation of the State of Delaware; Executive Excess Ltd.; Antonio Suarez, d/b/a I.C.P.; Associated Financial Services, A New Jersey Corporation; P.P.G. Industries, Inc., A Corporation of the State of Pennsylvania, and Pugliese Swimming Pools Corporation, A New Jersey Corporation, Defendants,  
and F.T.P., Inc., A Corporation of the State of New Jersey, Defendant-Appellant.  
Argued Feb. 19, 1992.  
Decided March 19, 1992.

\*94 On appeal from the Superior Court, Appellate Division, whose opinions are reported at [248 N.J.Super. 468, 591 A.2d 682 \(1991\)](#).

[Robert H. Tell](#), Mountainside, for defendant-appellant (Lynch, Martin, Philibosian & Chansky, New Brunswick, attorneys).  
[Glenn A. Bergenfield](#), East Brunswick, for plaintiff-respondent (Chazkel & Bergenfield, attorneys).

\*95 PER CURIAM.  
The judgment is affirmed, substantially for the reasons expressed in Judge Gruccio's opinion, reported at [248 N.J.Super. 468, 591 A.2d 682 \(1991\)](#).

For *affirmance*-Chief Justice [WILENTZ](#) and Justices [CLIFFORD](#), [HANDLER](#), [POLLOCK](#), [O'HERN](#), [GARIBALDI](#) and [STEIN](#)-7.  
For *reversal*-None.  
N.J., 1992.

Industrial Development Associates, Inc. v. Commercial Union Surplus Lines Ins. Co.  
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