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Insurers fight paying for injuries from prank [The Lima News, Ohio]

Sept. 30--ADA -- Insurance companies for five teenagers who placed a decoy deer on a road in 2005, which led to a crash that seriously injured two other teens, said they should not have to pay injury claims.

The teenagers want their insurance companies in the lawsuit to cover any claims that could result. The insurance companies, however, said their policies only cover accidents not intentional acts.

The teens said they were pulling a prank and never meant to hurt anyone so therefore it was not an intentional act.

The law is unclear so the Ohio Supreme Court heard oral arguments Wednesday on the case during a session held at Ohio Northern University.

Attorneys for the insurance companies argued there was a strong chance the act by the Kenton teens of placing the decoy deer on a rural road created a substantial chance to cause harm therefore excluding the insurance companies from paying claims.

But attorneys for the teens argued the only intentions of the teens were to play a prank and not to hurt anyone.

A trial court judge dismissed the case on behalf of the insurance companies but the 10th Ohio District Court of Appeals reinstated it.

The Ohio Supreme Court will issue a ruling that will affect not only this case but any case with similar circumstances that arises in the state.

There have been no judgments awarded in the case. Personal injury lawsuits stemming from the incident were placed on hold while the issue of whether insurance companies could be held liable played out.

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