

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA
CIVIL DIVISION

CASE NO. 2020-CA-000723
UCN: 532020CA000723000000

PROGRESSIVE SELECT INSURANCE
COMPANY, an Ohio corporation,

Plaintiff(s),

vs.

ASHLEY RENEE RODGERS A/K/A ASHLEY
ROGERS, SHERYL L. RODGERS A/K/A
SHERYL ROGERS, NATASHA N. BASS,
HEATHER D. KARR, AND GARRISON
PROPERTY AND CASUALTY INSURANCE
COMPANY, a Texas corporation,

Defendant(s). _____ /

**ORDER ON PLAINTIFF'S AMENDED MOTION FOR FINAL SUMMARY
JUDGMENT/AMENDED MOTION FOR FINAL DEFAULT JUDGMENT**

THIS CAUSE having come on to be heard before this Honorable Court on Tuesday, October 12, 2021, upon the Plaintiff, PROGRESSIVE SELECT INSURANCE COMPANY's Amended Motion for Final Summary Judgment/Amended Motion for Final Default Judgment, and the Court having considered the submissions of the parties, having heard argument of counsel, and being otherwise fully advised in the premises, finds that there is no genuine issue as to any material fact and that Progressive Select Insurance Company is entitled to a judgment as a matter of law. Accordingly, it is

ORDERED AND ADJUDGED as follows:

1. That the 2008 Volkswagen operated by Ashley Rogers at the time of the motor vehicle accident on August 10, 2017, was not a "covered auto" as described in the policy of insurance issued by Progressive Select Insurance Company to Sheryl Rogers.

2. That the 2008 Volkswagen described in Paragraph 1 above was furnished or was available for the regular use of Sheryl Rogers and Ashley Rogers such that bodily injury liability coverage is excluded to Sheryl Rogers and Ashley Rogers pursuant to Exclusions 12 and 13 of policy of insurance of issued by Progressive Select Insurance Company to Sheryl Rogers
3. That Progressive Select Insurance Company has no duty to indemnify Sheryl Rogers or Ashley Rogers for any damages awarded to Heather D. Karr in the underlying litigation brought in the Circuit Court of the Tenth Judicial Circuit in and for Polk County, Florida, Case No. 2019-CA-003588.
4. That Progressive Select Insurance Company has no duty to defend Sheryl Rogers nor Ashley Rogers nor Natasha N. Bass in the underlying litigation.
5. Accordingly, Progressive Select Insurance Company's Amended Motion for Final Summary Judgment/Amended Motion for Final Default Judgment is GRANTED.

DONE AND ORDERED in Chambers, at Bartow, Polk County, Florida on this NOV 01 2021 day of

October, 2021.

William D. Sites
CIRCUIT COURT JUDGE

Copies furnished to all parties listed on the attached Service List:

SERVICE LIST

CASE NO. 2020-CA-000723

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