

Public D&O Product Overview

Policy Features

Sub-limits for Books and Records Costs and Derivative Demand Investigation Costs

- Choice of Counsel (no panel)
- Full limit Employed Lawyers coverage
- Sox 304 / Sox 308 / Dodd-Frank 954 Costs coverage
- Plaintiffs Attorneys' fees covered for derivative demands
- Carve-outs to the Insured v. Insured exclusion include whistleblower language, claims brought by 3+ year former Directors or Officers, claims brought by a receiver, liquidator, trustee, examiner or creditors' committee in the event of financial insolvency, claims brought and maintained in foreign jurisdictions
- Insuring Agreement I.A. and Securities Claim carve-outs to the Pollution Exclusion
- Full severability of the exclusions for Insured Persons with only facts pertaining to conduct of a past, present or future CEO or CFO of the corporation imputing to the Insured Entity
- Full severability of the Proposal Form for Insured Persons, with only the signor of the proposal form, CEO and CFO imputing to the entity under Insuring Agreement I.C., and coverage provided under Insuring Agreement I.A. is non-rescindable
- SEC documents are limited to the last twelve months plus the most recent Form 10-K and annual report
- Conditional 90-day advancement of Costs of Defense
- 90-day post policy reporting period for claims
- Order of Payments Provision
- Coverage provided under the policy shall apply worldwide

Optional coverages available via endorsement include

- **Investigative Costs Coverage** – With up to a \$500,000 sublimit, this option provides coverage for the costs associated with the investigation of a shareholder derivative demand
- **Outside Directorship Liability** – For for-profit entities
- **Extradition Coverage** – Provides Costs of Defense in opposing, challenging, resisting or defending, including appeals, any official request for extradition of an Insured Person
 - A dedicated \$500,000 Additional Limit of Liability to Directors and Officers for claims made under Insuring Agreement I.A., available

We are D&O experts, customizing coverage to fit the differing needs of public companies, for nearly 40 years.

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