

ExecPro® A-Side Protection Policy

For Businesses, Financial Institutions, and Nonprofit Organizations

The ExecPro® A-Side Protection Policy is designed to offer broad coverage provisions to private and publicly traded for profit commercial businesses, financial institutions, and nonprofit organizations.

The ExecPro® A-Side Protection Policy provides follow form excess coverage for non-indemnifiable loss of Insured Persons and has limits up to \$25 million for excess protection against non-indemnifiable claims.

In addition the policy provides non-follow form Difference in Condition (DIC) coverage, on a non-rescindable basis, if the primary or other underlying excess carrier:

- Files for or intends to rescind coverage
- Wrongfully refuses to indemnify an Insured Person
- Is financially unable to indemnify an Insured Person
- Is unable to pay as a result of court order in bankruptcy proceeding
- Fails to Indemnify within 60 days
- Is not liable for the loss and claim

DIC Coverage Highlights *(in policy or available via endorsement)*

- Claim includes regulatory investigation of an Insured Person, regulatory proceeding, request to toll statute of limitations
- Insured Persons include directors, officers and management committee and board members of joint ventures and LLCs
- Separate coverage determination for each Insured Person
- Proposal Form limited to last 12 months & 10K SEC documents
- Exclusions limited to prior and pending litigation, BI/PD, less restrictive conduct, personal profit/fraud exclusion for each Insured Person with final adjudication & defense cost carve out, I v. I broadened with creditor committee, whistleblower carve outs
- Worldwide coverage provision
- 90 Day advancement of Costs of Defense
- Non-rescindable policy
- Affirmative coverage language for Section 11 & 12 claims, Punitive Damages, pre/post judgment interest
- Extradition coverage

At the ELD, we are committed to providing industry leading service to our business partners. Our underwriters, marketers and claims attorneys are experienced, dedicated professionals prepared to take an active role in helping you grow your clientele. We take pride in providing the responsiveness, market knowledge, and expertise you need to be successful.

The ExecPro® product suite also includes:

Directors' & Officers' Liability Insurance

Employment Practices Liability Insurance

Fiduciary Liability Insurance

Private Equity Liability Insurance

Miscellaneous Professional Liability Insurance

Great American Insurance Group, 580 Walnut Street, Cincinnati, OH 45202. Coverage features described in this brochure are summarized. Refer to the actual policy for a full description of applicable terms, conditions, limits and exclusions. Coverage is underwritten by Great American Insurance Company. The underwriting insurers are authorized in the fifty states and the District of Columbia. Great American Insurance Company is the owner of the following registered service marks: the Great American Insurance eagle logo, and the word marks Great American®, ExecPro®, and Great American Insurance Group®. ©2010 Great American Insurance Company. All rights reserved. 0429-02-ELD (11/10)

