

NEWSLETTER

JULY, 2008



CONCERNED ABOUT INSURANCE E&O COVERAGE FOR YOUR CLIENTS OR YOUR AGENCY?

Apogee has the Solution & Answers You've Been Looking For

COVERAGE HIGHLIGHTS

- Broad Definition of Professional Services including Claims Handling, Risk Management, Expert Witness and Web-Based Content
- Punitive Damages where Insurable by law
- Defense Outside the Limit
- First Dollar Defense
- No Mold or Pollution Exclusions
- Personal Injury
- Worldwide Coverage
- Limited Insolvency Exclusion
- Multi-Year Extended Reporting Options
- Automatic 60 Day Post Policy Reporting
- Optional Coverage for Independent Contractors
- Optional Coverage for Administrative Proceedings

Please Note: This is solely intended to be a summary of policy coverages available. Please reference the policy at all times. All terms and conditions of the policy supercede all representations made above.

CAPABILITIES

- Limits up to \$10 million
- Primary or Excess Coverage
- Admitted Policy in Most states/ A+ to A++ • Rated Carriers
- Expert Claims Handling
- Available in Most States

WHO IS COVERED?

- Property and Casualty Insurance • Agent/Broker
- Life, Accident And health Insurance

Agent/Broker

- Wholesale Broker
- Managing General Agent
- Program Administrator
- Third Party Administrator

PRIVATE COMPANY D&O (DIRECTOR & OFFICER) / EPLI (EMPLOYMENT PRACTICE LIABILITY INSURANCE)

"Why Not Discuss Your Clients Needs as they apply to D&O Coverage along with EPLI, Fiduciary, Crime and Kidnap & Ransom? They may sleep better! Your Choice....."

WHY THE NEED?

- Directors and Officers Personal Assets are at risk, even in a Private Company Environment
- Can they afford to defend a claim brought against them?
- They could face claims from Employees, Customers, Suppliers, Competitors, Lenders, Government Agencies and Non-Operations Shareholders
- Today Privately Owned Companies operate in an environment characterized by increasing Public and Government Vigilance as well as increasing Litigation against Directors and Officers
- 25% of all Private Companies have experienced a D&O Liability Lawsuit
- A D&O Lawsuit can be expensive to any private business. Average Loss is running above \$300,000 for Defense, Settlement, Judgment and Legal Costs

CLAIMS EXAMPLES

- Wrongful Interference with contact
- Failure to deliver services

- Disclosure of materially false or misleading information
- Unfair trade practices
- Self-Dealing and conflicts of interest
- Violation of State and Federal Loans Statutes
- Breach of Fiduciary Duty/ Management of the Business Operations
- Insurance Solutions(Premiums Lower Than You Think!)

BROAD DEFINITION OF INSURED

- Separate Directors and Officers and Employment Practices Liability Limits.
- Defense Outside the Limits for EPLI
- EPLI includes 3rd Party Sexual Harassment, Wrongful Termination, Discrimination, Retaliation, Employment Related Libel, Slander, Defamation and Invasion of Privacy
- Crisis Fund Coverage to help in PR Campaign
- Worldwide Coverage for acquired subsidiaries
- Coverage for Employed lawyers
- Unlimited expanded reporting period for Directors and Officers
- Fiduciary, Crime and Kidnap/Ransom coverage available
- Punitive Damages Coverage included automatically where insurable
- Monoline Coverage available
- Duty to Defend and Full Prior Acts coverage available

MARKET OPPORTUNITIES

- No One is talking about this to Private Companies
- 90% of Companies with 1-24 Employees have no coverage*
- 75% of Companies with 25-49

- Employees have no coverage*
- 62% of Companies with 50-249 Employees have no coverage*
- 49% of Companies with 250+ Employees have no coverage*

**From CHUBB Market Research Study 2005-06*

RECENT SUCCESSES WRITTEN BY APOGEE

- Collection Agency E&O / MD / **\$8630**
- Dairy Products Firm EPLI / NJ / **\$16,500**
- Insurance Agency EPLI / PA / **\$11,500**
- Construction Manager E&O / NJ / **\$15,200**
- Transportation Firm / D&O - EPLI / PA / **\$10,400**
- Public Entity / Fiduciary Liability / PA / **\$31,500**
- Healthcare / Technology E&O / OH / **\$47,400**
- College / Technology / Cyber E&O / PA / **\$15,700**
- Health Care Facility / D&O / PA / **\$10,100**
- Stock Broker / D&O / EPLI / PA / **\$18,600**
- A&E / E&O / NJ / **\$15,300**
- Managing General Agent / E&O / PA / **\$36,700**

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