

Monitor's Directors and Officers Liability Insurance is designed to protect not only the personal assets of directors and officers of privately held companies in the event of a claim or lawsuit; it also extends to the entity itself. Monitor provides comprehensive coverage that meets the unique needs of the privately held company and its directors and officers.<sup>1</sup>

### ExecSuite® Features

- Automatic 60-day Extended Reporting Period
- Spouse and domestic partner extension
- Automatic coverage for subsidiaries up to 35% of assets and/or employees, created or acquired during the policy period
- 90 days to report a claim after the policy period
- Pre-determined allocation for costs of defense at 100%
- Coverage extends to any nonprofit controlled by the entity
- Modified settlement clause (75%/25% coinsurance)
- Damages include punitive or exemplary damages up to the limit of liability, where insurable
- Duty to defend policy language
- Full prior acts coverage
- Worldwide coverage
- Broadened definition of claim to include tolling
- Easy-to-read policy form

### Coverage Features

- Coverage extends to the entity, its subsidiaries and directors and officers
- Guaranteed quote for crowdfunding activities under the JOBS Act
- Pre-IPO "Road Show" coverage
- Automatic coverage for private placements
- Additional \$500,000 Side A limit
- Severability of all exclusions
- Side A pollution coverage
- Insured vs. insured carve-back for:
  - Bankruptcy trustees
  - Whistleblower claims
  - Former insured persons
- Insured persons include members of the board of managers and management committee of a limited liability company

Products and services are provided by one or more insurance company subsidiaries of W. R. Berkley Corporation. Not all products and services are available in every jurisdiction, and the precise coverage afforded by any insurer is subject to the actual terms and conditions of the policies as issued. Certain coverages may be provided through surplus lines insurance company subsidiaries of W. R. Berkley Corporation through licensed surplus lines brokers. Surplus lines insurers do not generally participate in state guaranty funds and insureds are therefore not protected by such funds.

### Optional Coverage Provided by Endorsement

- Non-rescindable options available
- Waiver of deductible
- Co-defendant liability coverage
- Costs of defense in addition to the limit of liability
- For-profit outside directorship liability coverage
- Broader settlement clause options

### Coverage Specifics

- Limits of liability up to \$5 million
  - Primary or excess
- Low minimum premiums and deductibles

### Target Market

Privately held companies with total assets up to \$100 million

### Contact Us

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For additional information concerning W.R. Berkley Corporation's insurance subsidiaries, refer to <https://www.wrberkley.com/siteservices/legal.aspx>

<sup>1</sup>This coverage overview is not part of an insurance contract and does not supersede the policy. Please read the policy form for complete terms, conditions and exclusions. Premiums and terms depend on the size and type of organization and other factors.