

Comprehensive Executive Liability Insurance for Privately Held Companies

Directors and
Officers Liability

Employment
Practices Liability

Fiduciary Liability

Privately held companies face risks – from employment decisions to administering employee benefit plans to the management of overall operations – the way directors and officers run their businesses is under increased scrutiny. ExecSuite® offers expanded coverage that addresses the risks these companies face.

Flexible Coverage

With ExecSuite®, companies can choose any combination of Directors and Officers Liability, Employment Practices Liability and Fiduciary Liability Insurance to build the coverage that best suits their business needs on a primary or excess basis.

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

D&O Directors and Officers

- Guaranteed quote for crowdfunding activities under the JOBS Act
- Pre-IPO “Road Show” coverage
- Additional \$500,000 Side A limit
- Optional waiver of deductible
- Insured vs. insured carve-back for:
 - Bankruptcy trustees
 - Whistleblower claims
 - Former insured persons

EPL Employment Practices

- All exclusions include carve-back for retaliation
- Definition of insured includes independent contractors, where indemnifiable
- Coverage for claims made by current, former and potential employees
- Optional third party liability
- Optional sublimit for costs of defense for claims alleging wage and hour violations
- Optional sublimit for third party claims resulting from the use of social media

FL Fiduciary

- Coverage extends to any director, officer, trustee or employee and any defined employee benefit plan
- Automatic coverage for new employee benefit plans up to 10% of total assets, created or acquired during the policy period
- \$100,000 sublimit for compliance resolutions costs with no deductible
- Definition of damages includes penalties pursuant to section 502(i) and 502(l) under ERISA

MyHRHelp™

Complimentary services include:

- Unlimited toll-free helpline calls that provide basic workplace issue consultation
- MyHRHelp website with employment resources
- Free monthly risk management webinars and an archived webinar library
- Two free California AB 1825 compliant online sexual harassment awareness trainings annually

About Monitor Liability Managers

Monitor is a member company of W. R. Berkley Corporation specializing in executive and professional liability insurance. We have provided insurance to middle market risks on a nationwide basis since 1992. Experienced leadership, comprehensive insurance knowledge and a well-established reputation for solid underwriting standards allow us to provide coverage unsurpassed in the marketplace.

A+ Rated Insurance Carriers

Admiral Insurance Company (Nonadmitted)
Berkley Insurance Company (Admitted)

➤ Rated A+ (Superior) by A.M. Best Company

Claim Management

Monitor's claim management services are the cornerstone of the insurance coverage we offer to our policyholders. Mendes and Mount, LLP is the claim administrator for Monitor. They have the primary claim management responsibility on behalf of Monitor for all active claims. We strive to resolve claims promptly and to provide the best possible outcome for our policyholders and their agent or broker.



Monitor Liability Managers



monitorliability.com

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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.

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

¹This 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.

27%

Percentage of private companies with a recent D&O claim

\$372

Millions of dollars collected by the EEOC for employment related fines

40%

Percentage of claims filed against private companies with less than 100 employees