

ExecSuite®

Directors and Officers Liability

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.

ExecSuite® Features¹

- Automatic 60-day Extended Reporting Period
- Automatic coverage for subsidiaries up to 35% of assets and/or employees, created or acquired during the policy period and new U.S. locations
- 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 (80%/20% 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 Features¹

- Insuring Agreement D: Sublimit for security holder derivative demand investigations
- Modification to securities exclusion to clarify intent for crowdfunding
- Coverage extends to the entity, its subsidiaries and directors and officers
- Pre-IPO "Road Show" coverage
- Automatic coverage for private placements
- Additional \$1 million Side A limit
- Severability of all exclusions
- Side A pollution carve-back
- 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

Optional Coverage Provided by Endorsement²

- Sublimits for:
 - Recovery audit contractor claims
 - HIPAA penalties
 - Service of a subpoena against an insured person
- Waiver of deductible
- Co-defendant liability
- Costs of defense in addition to the limit of liability
- For-profit outside directorship liability
- Non-rescindable Side A

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 \$250 million

¹ 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.

² Subject to underwriter approval.

Contact Us

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