

Questions Agents Frequently Ask About the Management Liability Product

Who is Monitor Liability Managers, Inc.?

Monitor Liability Managers, Inc. underwrites professional liability insurance on behalf of W. R. Berkley Corporation subsidiaries. Monitor issues policies through Carolina Casualty Insurance Company, an admitted carrier, rated "A" (Excellent) by A.M. Best, and Admiral Insurance Company, a non-admitted carrier, rated "A+" (Superior) by A.M. Best.

Is the Management Liability product admitted or non-admitted and for what states?

Quotes will be issued, where admitted, on Carolina Casualty Insurance Company or on Admiral Insurance Company, our non-admitted carrier.

For the most current information about where we are admitted, refer to Monitor's Web site at www.monitorliability.com and use the "Products Available by State" search tool found at the top of the Web page.

To check the status in a particular state, please speak with your underwriter.

What class of business qualifies for the Management Liability product?

This product is offered to an array of privately owned businesses in various industry segments.

Coverage is not currently available to risks in the following industries:

- Credit reporting or collection agencies
- Employment agencies/Professional employer organizations
- Financial institutions
- Governmental entities
- Hospitals, HMOs or PPOs
- Insurance companies
- Labor organizations
- Political organizations
- Schools/Universities
- Temporary employment agencies
- Tobacco companies.

What limits are available? What is the minimum premium/deductible?

Limits range from \$1 million to \$5 million, with a minimum deductible of \$0 for D&O; \$2,500 for EPL; and \$0 or \$2,500 for Fiduciary Liability coverage. Premiums and deductibles will vary depending on risk characteristics.

What is covered/addressed on the Management Liability product?

Monitor's Management Liability product combines features of our Directors, Officers and Corporate Liability Insurance and Employment Practices Liability Insurance products, with optional Fiduciary Liability Insurance coverage.

D&O Coverage

The comprehensive policy covers the insured entity and any past, present or future directors and officers of the corporation.

Our broad definition of claim includes a written demand for monetary or non-monetary relief, including a civil, criminal, administrative or arbitration proceeding.

The policy includes coverage for any actual or alleged breach of duty, neglect, error, misstatement, misleading statement, omission or act by any insured person.

The policy also includes automatic outside directorship coverage for any insured person serving as a director, officer or trustee of eligible non-profit organizations.

EPL Coverage

The comprehensive policy includes broad coverage for the company and its full-time, part-time, leased, seasonal and temporary employees.

The policy includes coverage for discrimination, harassment, retaliation, termination and constructive discharge. It also includes coverage for allegations of failure to hire, negligent supervision and wrongful demotion. Coverage is included for personal injury such as infliction of emotional distress and humiliation, defamation and invasion of privacy.

Covered claims include demands for monetary and non-monetary relief, regulatory investigation and proceedings such as Equal Employment Opportunity Commission (EEOC) charges.

Fiduciary Coverage

This policy is designed as coverage for fiduciary liability exposures for privately held for-profit entities and covers the insured company, employee benefits plans and insured persons.

The policy includes coverage for any employee welfare benefit plan as defined by ERISA, which is sponsored by the insured entity or jointly by the insured entity and a labor organization.

Insured persons include any past, present or future duly elected or appointed directors, trustees, officers or employees of the insured entity or of any employee benefit plan.

The policy includes coverage for any actual or alleged breach of duty, neglect, error, misstatement, misleading statement, omission or act by any insured person.

Covered claims include demands for monetary and non-monetary relief, formal administrative or regulatory proceedings or investigations conducted by federal, state or local government agencies, including but not limited to the Department of Labor or the Pension Benefits Guaranty Corporation.

Common Coverage Features

The Management Liability product also includes the following features:

- Damages include punitive or exemplary damages up to the limit of liability, where insurable
- Automatic coverage for qualified subsidiaries created or acquired during the policy period
- Automatic coverage for private placements
- Guarantee to quote IPO
- \$500,000 excess limit for insured persons for non-indemnifiable acts
- Duty to defend policy language. Monitor has a panel of well-respected defense attorneys who are ready to work with the insured.
- Full prior acts coverage
- Worldwide coverage
- No intentional acts or downsizing exclusion
- Bilateral discovery.

Is third party liability coverage available?

Yes, third party coverage is available. Should you desire a quote for this coverage, please contact your underwriter.

Are there risk management resources available with this product?

Yes, Monitor supplies all new policyholders with an interactive CD titled, "Guidelines for Reducing Exposure to Employment Lawsuits." This CD provides a sample handbook with policies and procedures and in-depth information about reducing exposure to employment practices liability. In addition, we provide unlimited access to a toll-free employment practices liability hotline. This hotline is administered by Jackson Lewis, a prominent national employment law firm, and provides expert advice about specific EPL questions, issues or concerns.

How do we obtain a quote?

Monitor can provide a quote with or without a completed application. Contact your underwriter to begin the process.

Can I access forms/applications/marketing materials via your Web site?

Yes, Management Liability forms, applications and marketing materials are available on the Monitor Web site at www.monitorliability.com. For forms and applications, use the "Form Finder" search tool found at the top of the Web page. Marketing materials can be found in the Management Liability product section.

Are examples of claims cases that pertain to your product available?

Yes, examples of actual management liability and employment practices claims cases are available on the Monitor Web site at www.monitorliability.com and can be found in the Management Liability product section.

How do I go about becoming an appointed agent with Monitor?

If you are not yet an appointed agent with Monitor Liability Managers, Inc., please contact David Aller, Vice President, Producer Development, at (847) 806-6590, ext. 502, or daller@monitorliability.com.

For more information regarding our Management Liability coverage or to request a quote, please send your request to mlisubmissions@monitorliability.com or fax it to (847) 806-6282.

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