



## FINANCIAL LINES

# Allianz Private Company Protect Policy

Private companies face unique challenges navigating today's business environment from increased litigation risk to regulatory scrutiny and oversight. Managing the business, while facing these challenges, requires private companies to implement comprehensive and effective risk management programs. Management liability insurance can play a key role in mitigating risk. The experienced underwriting team at Allianz understands the risks facing private companies today and has developed a comprehensive modular management liability insurance policy that provides market-leading coverage to address the exposures facing private companies.

Our Private Company Protect policy is a fully modular policy from which the client may select the following coverages: Directors, Officers, and Company Liability; Employment Practices including Third Party Liability; Fiduciary Liability, and Crime. The policy form is flexible and gives the client options to tailor the products to their specific requirements.

Standard & Poor's

AA

A.M. Best

A+

### Private company protect policy highlights Liability Coverage Part Extensions Include:

- Emergency Defense Costs and Expenses – retroactively applied if incurred prior to written consent
- Supplemental limit for Personal and Company Crisis Events (no retention applies)
- E-Discovery Consultant Services for claims in which class action certification is being sought
- Insured Person Discovery Period (at Insured Person's election)

### General policy features

- Optional Duty to Defend with no panel counsel requirement
- Advancement of Defense Costs on a current basis
- Insured maintains authority to settle Claims within the retention
- Conduct Exclusion includes final nonappealable adjudication language
- Worldwide Coverage
- Global Liberalization: most favorable coverage extended to Insured Persons for Claims brought in an Int'l Jurisdiction
- International capabilities with the ability to place local policies in over 200 countries

### **Directors, officers and company Liability coverage part features**

- Limited Entity v. Insured Exclusion
- Broad definition of claim
- Broad definition of Loss, including civil penalties related to the Foreign Corrupt Practices Act, Sarbanes- Oxley Act of 2002 and UK Bribery Act 2010
- Definition of Securities Claim includes Title II, III and IV of Jumpstart Our Business Startups Act (“JOBS Act”)
- Full Side A carve-back to the Pollution Exclusion

### **D&O Coverage Extensions Include:**

- Additional Protection Coverage for Insured Persons includes the following: Coverage for Pre-Claim Inquiries, Asset and Liberty Protection Costs, Extradition Proceedings Costs, UK Corporate Manslaughter Investigation Costs
- Cyber Event coverage for Insured Person
- Kidnap Response Costs coverage for the Company (no retention applies)
- Employed Lawyer Extension
- Guaranteed IPO quote - inclusive of road show coverage
- Environmental Mismanagement Event coverage for Insured Person

### **Employment practices liability Coverage part features**

- Broad definition of Employment Practices Claim and Third Party Claim
- Broad definition of Loss, including punitive, exemplary and multiplied damages, in applicable jurisdiction most favorable to Insured
- Contract Exclusion inclusive of Defense Costs Carve-back
- Risk Management Solutions provided through Jackson Lewis inclusive of an EPL Hotline, Webinars, EPL Checklist and more

### **Fiduciary liability coverage part features**

- Broad definition of Plan
- Coverage for specified civil penalties
- Coverage for Voluntary Compliance Program Loss
- Fiduciary coverage extensions include: Settlor Capacity
- Disproven Allegation Protection
- Investigations by the Department of Labor or US Pension Benefit Guarantee Corp
- Internal Appeals (adverse benefit determinations)
- Managed Care (negligent selection of Managed Care Services) / Labor Management Relations Act (Loss arising out of allegations of violations)
- Outside Entity Executive Coverage

### **Crime coverage part features**

In addition to the standard Insuring Agreements, policy affords:

- Social engineering fraud coverage
- Identity fraud coverage for executives
- Forgery/alteration of executive personal instruments

### **Other Features:**

- ERISA plan coverage
- Broad Definition of Employee
- Broad definitions of Money and Securities

For more information please contact:  
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### **About Allianz**

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