



HARTFORD FINANCIAL PRODUCTS

# Product Guide

---

*Your guide to financial and  
professional insurance solutions*



# Hartford Financial Products

---

## **Introduction**

Hartford Financial Products (HFP) represents The Hartford's significant presence in the financial and professional insurance markets. The Hartford is one of the largest providers of Directors & Officers (D&O), Employment Practices Liability (EPL) and Errors & Omissions (E&O) insurance in the nation.

Specializing in writing coverages for both private and public entities, The Hartford also offers targeted programs for financial services, technology, real estate operating companies, venture capital-backed companies and more.

Our team of dedicated professionals focuses our years of experience and underwriting capabilities on serving you, our valued agents and brokers.

## **About This Guide**

We created this guide to provide you with an overview of our product offerings, target markets, minimum premiums and coverage features.

## **Contact Us**

We invite you to learn all about HFP and our products by visiting us on the Web at [www.hfpinsurance.com](http://www.hfpinsurance.com). If you need additional copies of this product guide or have questions about HFP, contact:

Patricia Fitzgerald

National Marketing Director

Hartford Financial Products

Phone: 212-277-0457

e-mail: [HFPmarketing@thehartford.com](mailto:HFPmarketing@thehartford.com)

## Table of Contents

<u>Product</u>	<u>Page</u>
<b>D&amp;O, EPL and Fiduciary Liability for:</b>	
• Companies with Revenues Over \$350 Million .....	3
• Companies with Revenues Under \$350 Million .....	7
• Financial Services Companies .....	12
• Private Equity Funds, Venture Capital Funds, Trusts, Joint Ventures, and Limited Liability Companies .....	18
• Real Estate Investment Trusts .....	21
<b>Professional Liability</b>	
• Miscellaneous .....	23
• Lawyers .....	25
• Technology .....	26
<b>Transactional Risk</b>	
• Representations & Warranties Insurance .....	29
• Tax Insurance .....	29
• Specific Litigation Insurance .....	29
<b>International</b>	
• D&O, Fidelity and Fiduciary .....	30
• Errors & Omissions/Professional Indemnity .....	30

## D&O, EPL and Fiduciary Liability

### **Companies with Revenues Over \$350 Million**

**Capacity** – \$25 million per account

**Target** – all public and private commercial businesses, with a focus on Fortune 1000 companies

#### **D&O and Company Liability**

Coverage is for financially sound companies with established management teams and strong corporate governance. However, we will consider harder-to-place risks, such as financially distressed companies, IPOs, LBOs and mergers & acquisitions.

**Minimum premium** – \$25,000

**Minimum retention** – \$100,000 to \$250,000, depending on nature of risk

#### ***Policy Features***

- Entity coverage and pre-set allocation options for securities claims
- Punitive and multiple damages coverage where insurable
- No mandatory panel counsel list and no mandatory alternative dispute resolution mechanism
- All employees are covered in connection with securities claims

## **D&O**

The Hartford Priority Protection<sup>SM</sup>, also referred to as “Side A” coverage, protects individual directors and officers. This state-of-the-art policy provides coverage for non-indemnifiable situations where the individual’s personal assets are at stake. We target companies across all industries, from the most financially stable to the more challenging, harder-to-place risks.

### ***Policy Features***

- Full application severability
- Severability regarding fraud and personal profit exclusions
- State-of-the-art, non-rescindable language
- Settlements subject to insured’s consent (e.g., no “hammer clause”)
- “Difference in Conditions” drop-down coverage available by endorsement

---

## **Fiduciary Liability**

**Capacity** – \$25 million

Two Fiduciary Liability policies are available:

### **1. Pension & Benefit Plan Fiduciary Liability**

**Target** – public and private companies

**Minimum premium** – \$25,000

**Minimum retention** – \$25,000

### **2. Multi-Employer Pension and Benefit Plan Fiduciary Liability**

**Target** – union-sponsored pension and welfare plans, public retirement funds and multiple-employer plans for associations

**Minimum premium** – \$25,000

**Minimum retention** – \$10,000

Both policies provide coverage for breaches of fiduciary duty and administrative errors and omissions. There is a duty to defend option available, but the insured may select counsel with the insurer’s consent.

## ***Optional Coverage Enhancements***

(available with both policies)

- I.R.S. CAP (Closing Agreement Programs) Penalties
- H.I.P.A.A. (Health Insurance Portability and Accountability Act)

---

## **Private Choice**

### **D&O, EPL and ODL in One Policy**

Private Choice coverage is only for privately-held companies and includes D&O, EPL and ODL in one policy form.

**Minimum premium** – \$25,000

**Minimum retention** – \$50,000

### ***Policy Features***

- Full coverage provided for corporate entity and subsidiaries
- Commitment to underwrite IPO exposure
- With respect to punitive damages, “most favorable venue” provision is available
- No mandatory arbitration/mediation provision
- Mandatory advancement of claim expense (excess of the retention)

---

## **Employment Practices Liability**

Coverage is for employment-related allegations, such as employment discrimination, sexual or other workplace harassment, wrongful dismissal, discharge and termination, retaliation and other workplace torts.

**Target** – Public and private companies that are financially sound with established and effective employment practices and controls

**Excluded classes** – Law firms and auto dealerships

## **Employment Practices Liability (continued)**

**Minimum premium** – \$10,000

**Minimum retention** – \$50,000, \$100,000 for California risks

### ***Policy Features***

- Broad definition of wrongful act
- Insureds are permitted to report claims as soon as practicable but no later than 60 days after termination of policy period or discovery period
- Policy is non-cancelable by insurer, except for non-payment of premium
- Indemnity policy with an option to tender the defense (a duty to defend option is available)
- Broad definition of insured person
- Automatic coverage provided for newly created or acquired subsidiary if the employee count is below specified threshold
- No mandatory arbitration/mediation provision
- No mandatory panel counsel
- Third-party claim coverage options are available
- Punitive damages coverage available where insurable by law, with most favorable jurisdiction to the insured

---

### **Universal Excess Policy**

HFP's streamlined excess policy is targeted at risks across all industries. This versatile, easy-to-use policy can provide excess coverage over many of the products underwritten by HFP including D&O Liability, Fiduciary Liability, Employment Practices Liability and various E&O lines.

### ***Policy Features:***

- Follows the primary policy with respect to key areas such as exclusions, definitions and severability clauses
- Allows the underlying limits to be paid by the insured in the event of the financial insolvency of an underlying insurer
- Recognizes depletion of underlying limits from a non-followed primary coverage that is subject to a sub-limit of liability
- Follows the primary policy with respect to election of an extended reporting period
- Non-cancelable by the insurer except for non-payment of premium; the insured may cancel in accordance with the primary policy

---

## **Companies with Revenues Under \$350 Million**

---

**Capacity** – \$10 million per account

### **Target**

- Publicly-traded commercial companies
- Privately-held (for profit) commercial companies
  - *Preferred classes include: distributors, food processors, manufacturers, plastic fabricators, printers, special trade contractors and wholesalers*
- Privately-held emerging growth firms, such as research and development stage companies, technology companies, venture capital or institutionally funded companies and more

### **Excluded Classes**

PPOs, law firms, temporary employment firms, and auto dealerships

### **D&O and Company Liability**

Coverage is for financially sound companies with established management teams and strong corporate governance. However, we will consider harder-to-place risks, such as financially-distressed companies, IPOs, LBOs and mergers & acquisitions.

For publicly-traded companies

**Minimum premium** – \$15,000

**Minimum retention** – \$50,000

For privately held companies

**Minimum premium** – \$7,500

**Minimum retention** – \$25,000

#### ***Policy Features***

- Punitive and multiple damages coverage where insurable
- No mandatory panel counsel list and no mandatory alternative dispute resolution mechanism
- No mandatory theory of allocation for non-securities claims
- All employees are covered in connection with securities claims
- State-of-the-art severability including “side A non-rescindable,” available for qualified risks

---

### **D&O**

The Hartford Priority Protection, also referred to as “Side A” coverage, protects individual directors and officers. This state-of-the-art policy provides coverage for non-indemnifiable situations where the individual’s personal assets are at stake. We target companies across all industries, from the most financially stable to the more challenging, harder-to-place risks.

#### ***Policy Features***

- Full application severability

- Severability regarding fraud and personal profit exclusions
- State-of-the-art, non-rescindable language
- Settlements subject to insured’s consent (e.g., no “hammer clause”)
- “Difference in Condition” drop-down coverage available by endorsement

---

### **Employment Practices Liability**

Coverage is for publicly-traded companies that are financially sound with established and effective employment practices and controls.

**Minimum premium** – \$5,000, \$10,000 for California risks

**Minimum retention** – \$5,000, \$25,000 for California risks

#### ***Policy Features***

- Policy addresses issues associated with discrimination, workplace harassment, wrongful termination and other workplace torts
- Settlements subject to insured’s consent (e.g., no “hammer clause”)
- No mandatory arbitration/mediation provision
- No mandatory panel counsel
- Third-party claim coverage options are available
- No right or duty to defend but the insured has option of tendering the defense to the insurer
- With respect to punitive damages, “most favorable venue” provision is available

---

### **Fiduciary Liability**

The Pension & Benefit Plan Fiduciary Liability policy is available to publicly-traded companies only. Privately-held companies can access The Hartford’s fiduciary liability protection, Private Choice Encore<sup>SM</sup>.

### **Private Choice Encore**

This product is for privately-held companies only and can include the following coverages in one package policy form: D&O, EPL, ODL, Fiduciary, Fidelity, Kidnap, Ransom & Extortion and E&O.

**Minimum premium** – \$5,000, \$7,500 for California risks

**Minimum retention** – \$5,000, \$25,000 for California risks

#### ***Policy Features***

- Full coverage provided for corporate entity and subsidiaries
- Commitment to underwrite IPO exposure
- With respect to punitive damages, “most favorable venue” provision is available
- No mandatory arbitration/mediation provision
- Mandatory advancement of claims expense (excess of the retention)
- Worldwide coverage
- Flexibility to elect between one to four coverage parts and to purchase a separate limit for each coverage part
- Optional defense costs outside the limit for all coverage parts (50% of limit), or no “hammer clause” for the EPL, D&O and Fiduciary coverage parts

---

### **Private Choice Encore! For T.E.C.<sup>SM</sup>**

Designed to meet the needs of technology and emerging-growth, privately-held companies only, our policy can include D&O, EPL, ODL and Fiduciary coverages in one package policy form.

**Minimum premium** – \$5,000, \$7,500 for California risks

**Minimum retention** – \$25,000, \$50,000 for California risks

### ***Policy Features***

- Full coverage provided for corporate entity and subsidiaries
- Commitment to underwrite IPO exposure
- With respect to punitive damages, “most favorable venue” provision is available
- No mandatory arbitration/mediation provision
- Mandatory advancement of claims expense (excess of the retention)
- Settlements subject to insured’s consent (i.e., no “hammer clause”)
- Worldwide coverage
- Flexibility to elect between two, three or four coverage parts and to purchase a separate limit for each coverage part
- Road show coverage
- Advisory board coverage
- Subsidiary coverage, subject to a 30% acquisition threshold
- Optional duty to defend
- Private placements of securities coverage with no reporting requirements

---

### **Universal Excess Policy**

HFP’s streamlined excess policy is targeted at risks across all industries. This versatile, easy-to-use policy can provide excess coverage over many of the products underwritten by HFP including D&O Liability, Fiduciary Liability, Employment Practices Liability and various E&O lines.

#### ***Policy Features:***

- Follows the primary policy with respect to key areas such as exclusions, definitions and severability clauses
- Allows the underlying limits to be paid by the insured in the event of the financial insolvency of an underlying insurer

### **Universal Excess Policy (continued)**

- Recognizes depletion of underlying limits from a non-followed primary coverage that is subject to a sub-limit of liability
- Follows the primary policy with respect to election of an extended reporting period
- Non-cancelable by the insurer except for non-payment of premium; the insured may cancel in accordance with the primary policy

---

### **Financial Services Companies**

---

**Capacity** – \$25 million per account

**Target** – Banks, insurance companies, investment advisors, mutual funds, trust companies, finance companies, government-sponsored enterprises, merchant banks, investment banks and all other types of financial services organizations

**Minimum premium** – \$8,000 per million of coverage for primary accounts; \$4,000 per million of coverage for excess accounts

### **D&O and Company Liability**

Coverage is available for financially sound companies with established management teams and strong corporate governance. However, we will consider harder-to-place risks, such as financially distressed companies, IPOs, LBOs and mergers & acquisitions.

#### ***Policy Features***

- Entity coverage and pre-set allocation options available for securities claims
- Punitive and multiple damages coverage where insurable
- No mandatory panel counsel list and no mandatory alternative dispute resolution mechanism

- No mandatory theory of allocation for non-securities claims
- All employees are covered in connection with securities claims

---

### **D&O**

The Hartford Priority Protection, also referred to as “Side A” coverage, protects individual directors and officers. This state-of-the-art policy provides coverage for non-indemnifiable situations where the individual’s personal assets are at stake. We target companies across all industries, from the most financially stable to the more challenging, harder-to-place risks.

#### ***Policy Features***

- Full application severability
- Severability regarding fraud and personal profit exclusions
- State-of-the-art, non-rescindable language
- Settlements subject to insured’s consent (i.e., no “hammer clause”)
- “Difference in Condition” drop-down coverage available by endorsement

---

### **Insurance Company D&O Liability and E&O Policy**

Policies are written for property and casualty, life or accident & health insurance companies. We will write either public or mutual companies that have strong financial ratings and solid management teams. However, we will consider distressed companies, IPOs and mergers and acquisitions.

### **Insurance Company D&O Liability and E&O Policy (continued)**

#### ***Policy Features***

- Coverage may be purchased as stand-alone D&O, stand-alone E&O, or on a combined shared-aggregate-limit basis

- Punitive and multiple damages coverage where insurable
- Broad definition of claim and professional services

---

### **Investment Advisor and Investment Company Professional Liability and D&O Liability**

Coverage forms are available for investment advisors, investment companies and a combination of the two.

#### ***Policy Features***

- Pay on behalf with right, but not duty, to defend
- Automatic 60-day coverage for newly formed investment companies (available via endorsement)
- Worldwide coverage
- Merger/consolidation clause providing run-off coverage if the named insured is not the surviving entity

---

### **Small Advisors and Investment Companies**

Specialized coverage is available for investment advisors with assets under management up to \$500 million and investment companies with up to \$500 million. Coverage can be written on either a primary or an excess basis and may be structured as monoline E&O or combined E&O/D&O with a shared aggregate limit. Coverage extensions available on a shared limit basis include EPL and Fiduciary Liability for in-house pension plans.

**Minimum premium** – \$3,000

**Minimum retention** – \$25,000

#### ***Policy Features***

- Prior acts coverage available
- Bilateral discovery provision
- Policy is non-cancelable by insurer except for non-payment of premium

- Spousal coverage extension
- Worldwide territory

---

### **Financial Institutions Professional Liability**

Coverage is for claims made by third-party customers against the corporation, its directors and officers and employees while acting within the scope of their duties on behalf of the corporation.

**Target** – banking and depository institutions with total assets of at least \$500 million

#### ***Policy Features***

- Pay on behalf of coverage
- Expanded definition of insured and of claim
- Expanded professional services coverage
- Worldwide coverage

---

### **Blended Programs**

Blended risk programs are written on a manuscript basis and can include D&O, EPL, E&O, Fidelity and/or Fiduciary Liability coverages.

---

### **Universal Excess Policy**

HFP's streamlined excess policy is targeted at risks across all industries. This versatile, easy-to-use policy can provide excess coverage over many of the products underwritten by HFP including D&O Liability, Fiduciary Liability, Employment Practices Liability and various E&O lines.

#### ***Policy Features:***

- Follows the primary policy with respect to key areas such as exclusions, definitions and severability clauses
- Allows the underlying limits to be paid by the insured in the event of the financial insolvency of an underlying insurer

### **Universal Excess Policy (continued)**

- Recognizes depletion of underlying limits from a non-followed primary coverage that is subject to a sub-limit of liability
  - Follows the primary policy with respect to election of an extended reporting period
  - Non-cancelable by the insurer except for non-payment of premium; the insured may cancel in accordance with the primary policy
- 

### **Private Choice**

Coverage is for privately-held companies only and includes D&O, EPL and ODL coverages in one policy form.

#### ***Policy Features***

- Full coverage provided for corporate entity and subsidiaries
  - Commitment to underwrite IPO exposure
  - With respect to punitive damages, “most favorable venue” provision is available
  - No mandatory arbitration/mediation provision
  - Mandatory advancement of claims expense (excess of the retention)
- 

### **Trust E&O**

Coverage is available on a monoline basis, or can be incorporated into the Financial Institutions Professional Liability Insurance Policy.

---

### **Fiduciary Liability**

The Pension and Benefit Plan Fiduciary Liability Policy is available to financial services companies (both public and private) based on the size and scope of their plans.

### **Employment Practices Liability**

Coverage is for financially sound companies with established and effective employment practices and controls.

**Minimum premium** – \$10,000

**Minimum retention** – \$25,000, \$50,000 for California risks

#### ***Policy Features***

- Policy addresses issues associated with discrimination, workplace harassment, wrongful termination and other workplace torts
  - Settlements subject to insured’s consent (i.e., no “hammer clause”)
  - No mandatory arbitration/mediation provision
  - No right or duty to defend but the insured has option of tendering the defense to the insurer
  - No mandatory panel counsel
  - With respect to punitive damages, “most favorable venue” provision is available
- 

### **Excess Depositors Liability**

Coverage is for financial institution deposits in excess of the current available \$100,000 FDIC insurance limit. The policy is designed to protect a financial institution if it is declared insolvent and unable to meet its depository obligations.

**Capacity** – \$5 million per depositor, subject to \$10 million aggregate per institution

**Target** – Large individual and commercial depositors

---

## **Private Equity Funds, Venture Capital Funds, Trusts, Joint Ventures and Limited Liability Companies**

---

**Capacity** – \$25 million

**Minimum premium** – \$10,000

**Minimum retention** – \$25,000

### **D&O and Company Liability**

Coverage is for financially sound companies with established management teams and strong corporate governance. However, we will consider harder-to-place risks, such as financially-distressed companies, IPOs, LBOs and mergers & acquisitions.

#### ***Policy Features***

- Punitive and multiple damages coverage where insurable
- No mandatory panel counsel list and no mandatory alternative dispute resolution mechanism
- No mandatory theory of allocation for non-securities claims
- All employees are covered in connection with securities claims
- State-of-the-art severability including “side A non-rescindable,” available for qualified risks

---

### **General Partners Liability**

Covers general partners of limited partnerships. The policy provides entity coverage for any organization general partner and extends to the directors and officers of an organization general partner. Entity coverage for the partnership may be provided by endorsement. Specialized product capabilities for partnerships in the real estate, energy and telecommunications industries, including publicly traded master limited partnerships.

#### ***Policy Features***

- Settlements subject to insured’s consent (i.e., no “hammer clause”)
- Final adjudication language with respect to the dishonesty/fraud exclusion
- Non-profit ODL may be added by endorsement
- “Best efforts” allocation language
- Bilateral discovery
- Definition of loss may be amended to include punitive damages, where insurable
- State-of-the-art severability including “side A non-rescindable,” available for qualified risks

---

### **Private Equity Fund and Management Liability**

Management Liability and Professional Liability (E&O) coverage for private equity funds and venture capital funds. Comprehensive coverage for the Fund(s), the general partners(s) and all affiliated entities.

#### ***Policy Features***

- Entity coverage for all claims
- Affirmative coverage for insured entities in their controlling or selling shareholder capacities (by endorsement)
- Coverage for portfolio company outside directorship liability and non-profit outside position liability
- Professional services coverage for advice and other services rendered to investment funds and portfolio companies
- Coverage for punitive and multiple damages where insurable

### **Employment Practices Liability**

Coverage is for financially sound companies with established and effective employment practices and controls.

**Minimum premium** – \$10,000

**Minimum retention** – \$25,000, \$50,000 for California risks

#### ***Policy Features***

- Policy addresses issues associated with discrimination, workplace harassment, wrongful termination and other workplace torts
- Settlements subject to insured’s consent (i.e., no “hammer clause”)
- No mandatory arbitration/mediation provision
- No right or duty to defend but the insured has option of tendering the defense to the insurer
- No mandatory panel counsel
- With respect to punitive damages, “most favorable venue” provision is available

---

### **Real Estate Investment Trusts**

---

**Capacity** – \$25 million per account

**Minimum premium** – \$20,000

**Minimum retention** – \$50,000

#### **D&O and Company Liability for Members of NAREIT**

Coverage is available exclusively to members of the National Association of Real Estate Investment Trusts (NAREIT).

#### ***Policy Features***

- Punitive and multiple damages coverage where insurable
- No mandatory panel counsel list and no mandatory alternative dispute resolution mechanism
- Option for Investigative Cost Coverage and for Regulation Full Disclosure Information Investigations
- Expanded definition of operating entity

#### **D&O and Company Liability**

Coverage is available to all Real Estate Investment Trusts (REITs) that are not members of the National Association of Real Estate Investment Trusts (NAREIT).

#### ***Policy Features***

- Entity coverage and pre-set allocation options for securities claims
- Punitive and multiple damages coverage where insurable
- No mandatory panel counsel list and no mandatory alternative dispute resolution mechanism
- All employees are covered in connection with securities claims

---

#### **Employment Practices Liability for Members of NAREIT**

Coverage is available exclusively to members of the National Association of Real Estate Investment Trusts (REITs).

### *Policy Features*

- Policy addresses issues associated with discrimination, including workplace harassment, wrongful termination and other workplace torts
- Settlements subject to insured's consent (i.e., no "hammer clause")
- No right or duty to defend but the insured has option of tendering the defense to the insurer
- Waiver of retention on any claim that is finally resolved with no liability as to the insured defendants

## Professional Liability

---

### Miscellaneous Professional Liability

---

**Capacity** – \$25 million per account

**Minimum premium** – \$10,000

**Minimum retention** – \$10,000

#### Targets

- Media liability – contest managers, incentive games/promotions, printers, public relations firms, publishers, direct marketing companies
- Real estate – asset managers, farm managers, hotel managers, lease brokers, property managers, real estate consultants, real estate agents & brokers, real estate appraisers
- Consultants – all miscellaneous consultants, communication consultants, loss control consultants, market researchers, management consultants and technology consultants
- Insurance – claims adjusters, insurance auditors, premium finance companies, third party administrators, title agents/title abstractors
- Other sample classes – answering services, appraisers, arbitrators, associations, auctioneers, business brokers, coin/gem/art dealers, electronic data processors, employment agents, escrow agents, franchisers, notaries, process servers, rehabilitation firms, student loan administrators, temporary help agencies, travel agents, trustees

#### Excluded Classes

Medical malpractice, accountants, architects & engineers, freight forwarders, law firms, insurance agents, mortgage brokers

## **Professional Liability Insurance Policy**

### ***Policy Features***

- Prior acts coverage available
- Primary or excess coverage available
- Protection for negligent acts, errors and omissions in the performance of covered services
- Defense within the limit
- Claims-made coverage form
- Punitive damages covered where insurable by law

---

## **Universal Excess Policy**

HFP's streamlined excess policy is targeted at risks across all industries. This versatile, easy-to-use policy can provide excess coverage over many of the products underwritten by HFP including D&O Liability, Fiduciary Liability, Employment Practices Liability and various E&O lines.

### ***Policy Features:***

- Follows the primary policy with respect to key areas such as exclusions, definitions and severability clauses
- Allows the underlying limits to be paid by the insured in the event of the financial insolvency of an underlying insurer
- Recognizes depletion of underlying limits from a non-followed primary coverage that is subject to a sub-limit of liability
- Follows the primary policy with respect to election of an extended reporting period
- Non-cancelable by the insurer except for non-payment of premium; the insured may cancel in accordance with the primary policy

---

## **Lawyers Professional Liability**

---

**Capacity** – minimum \$1 million; maximum \$10 million

**Minimum premium** – \$25,000 for primary and \$50,000 for excess

**Minimum retention** – \$25,000

**Target** – firms with 10 or more attorneys

**Excluded classes** – firms specializing in intellectual property, securities, personal injury plaintiff and class action (state-sponsored programs are not eligible)

### ***Policy Features***

- Primary and excess coverage available
- Prior acts coverage available
- Coverage for professional services on behalf of the named insured or any qualifying predecessor firm
- Expanded definition of professional services for acts as a title agent, abstractor, arbitrator and mediator
- Coverage for firm attorneys, “of counsel” and non-attorney employees
- Coverage for contract attorneys available
- Awareness Provision, allows insured to report “incidents” which may potentially lead to a claim
- Innocent insured coverage
- Insured’s consent to settle is required
- Multiple extended reporting period options available
- Bilateral extended reporting period
- Mutual choice of defense counsel available
- Exclusive arrangement for Florida risks (for information, contact Craig Howser at Proquest, 312.930.1472)

## **Lawyers Professional Liability (continued)**

- Exclusive arrangement for Connecticut, Rhode Island and Massachusetts risks (for information contact Pat Gilberto at S.H. Smith, 860.561.3600)
- Exclusive arrangement for Federation of Defense and Corporate Counsel members (for information contact Greg Gamble at Frank Crystal & Co., 800.221.5830)

---

## **Technology Professional Liability**

**Target** – hardware/software development, consulting/programming services, systems outsourcing/systems facilities management and Web site design

**Excluded classes** – include technology companies involved in aerospace/defense, medical diagnostic/patient care and environmental testing

### **FailSafe® Technology Professional Liability**

The Hartford offers three products to meet the professional liability needs of technology companies.

- 
1. **FailSafe® MEGA** – an E&O coverage part to The Hartford's Spectrum® small business insurance package

**Capacity** – \$1 million

**Minimum premium** – \$800 to \$1,250

**Minimum retention** – \$2,500

#### ***Policy Features***

- Universal coverage territory
- Defense within the limits
- Coverage for failure of the technology services to perform as intended

- Protection for negligent acts, errors or omissions in the performance of covered services
  - Agency quote capability in ICON
- 

2. **FailSafe® GIGA** – a monoline E&O policy that includes breach of warranty

**Capacity** – \$10 million

**Minimum premium** – \$1,500

**Minimum retention** – \$2,500

#### ***Policy Features***

- Universal coverage territory
  - Coverage for failure of the technology services to perform as intended
  - Protection for negligent acts, errors or omissions in the performance of covered services
  - Breach of warranty coverage
  - Basic and optional extended reporting periods
- 

3. **FailSafe® TERA** – a robust technology liability policy, including E&O and specified content, security and personal injury coverages

**Capacity** – \$10 million

**Minimum premium** – \$2,000

**Minimum retention** – \$2,500

#### ***Policy Features***

- Universal coverage territory
- Coverage for failure of the technology services to perform as intended
- Protection for negligent acts, errors or omissions in the performance of covered services
- Breach of warranty coverage
- Subsidiaries included in the definition of named insured
- Specified coverage for independent contractors and clients

### **Technology Professional Liability (continued)**

- Specified content (e.g., copyright and trademark infringement), personal injury (e.g., invasion of privacy, libel and slander) and security coverages (e.g., failure to prevent unauthorized access or introduction of malicious codes into data, software, systems or networks)
- 

### **Universal Excess Policy**

HFP's streamlined excess policy is targeted at risks across all industries. This versatile, easy-to-use policy can provide excess coverage over many of the products underwritten by HFP including D&O Liability, Fiduciary Liability, Employment Practices Liability and various E&O lines.

#### ***Policy Features:***

- Follows the primary policy with respect to key areas such as exclusions, definitions and severability clauses
- Allows the underlying limits to be paid by the insured in the event of the financial insolvency of an underlying insurer
- Recognizes depletion of underlying limits from a non-followed primary coverage that is subject to a sub-limit of liability
- Follows the primary policy with respect to election of an extended reporting period
- Non-cancelable by the insurer except for non-payment of premium; the insured may cancel in accordance with the primary policy

## **Transactional Risk**

### **Representations & Warranties Insurance**

Insures a loss that results from an inaccuracy in the seller's representations and warranties made to the buyer in a merger or acquisition. Coverage can be seller-based, protecting the seller for its misrepresentations made to the buyer, or buyer-based, providing first-party coverage to the buyer.

**Capacity** – \$25 million

**Target** – companies involved in the purchase or sale of business or capital infusion

**Minimum retention** – generally, lowest of 3% purchase price, 5% of gross assets or 5% of annual revenues

---

### **Tax Insurance**

Insures loss from the failure to achieve certain expected tax consequences.

**Capacity** – \$25 million

**Target** – companies or individuals uncertain about a particular tax position

---

### **Specific Litigation Insurance**

Insures loss resulting from, or expectations connected with, a pending or threatened litigation disclosed to the buyer.

**Capacity** – \$15 million

**Target** – plaintiff or defendant in a pending or threatened lawsuit or arbitration

#### ***Policy Features***

- All policies are assignable
- Representations & Warranties Insurance policies expressly insure “bring-down” certificates and define “net provable damages”
- All policies are underwritten “in house” with quick turnaround





This product guide is intended to provide only an overview of the coverage features and services offered. Coverage may not be available in all states. For a complete description of all coverages, terms and conditions, refer to the policy. In the event of a conflict, the terms, conditions and exclusions of the policy prevail.

Please note that each policy is individually underwritten. While a risk may fit within the general parameters of our target markets, we are not obligated to offer coverage.

[www.thehartford.com](http://www.thehartford.com)



*Always thinking ahead.®*