In today’s complex business environment, executives at privately-held companies face significant management liability exposures – from the way they run their operations, store sensitive information, implement employment practices, and oversee key accounting and finance positions.

To help address these risks, The Hartford offers **Private Choice Premier** – a convenient package of some of the most sought-after coverage features in the insurance industry. Private Choice Premier offers important features including coverage for emerging needs created by the Jumpstart Our Business Startups (JOBS) Act, reimbursement for expenses related to data breach, and modified claims reporting requirements. In addition, coverage parts and limits can be customized to meet the specific business needs of the insured.

**FIVE CUSTOMIZABLE COVERAGES CRITICAL TO PROTECT BUSINESS**

For privately-held companies of all sizes and operations, Private Choice Premier includes these five valuable coverages:

1. Directors, Officers & Entity Liability (D&O)
2. Employment Practices Liability (EPL)
3. Fiduciary Liability
4. Crime (Non-liability)
5. Kidnap & Ransom/Extortion (Non-liability)

**KEY FEATURES PROVIDE MORE COMPLETE COVERAGE**

- Automatic coverage for newly acquired/created subsidiaries or mergers with no mid-term changes to premium or coverage terms
- No default hammer clause
- Coverage for punitive and exemplary damages with “most favorable venue” provision
- Greater flexibility in claims reporting provisions when coverage is renewed with The Hartford
- Coverage extensions for spousal/domestic partner liability and estates and legal representatives

**FLEXIBLE COVERAGE THAT WORKS**

Private Choice Premier offers the flexibility to customize policies. For example, it’s possible to:

- Elect anywhere between one through five coverage parts
- Purchase a separate limit for each liability coverage part, or a single aggregate limit for all liability coverage parts
- Purchase optional defense costs outside the limit of liability (100 percent of the limit of liability)
SUBMIT, QUOTE AND BIND WITH HFP PRONTO℠

Our innovative web portal, HFP PRONTO℠, makes quoting management liability insurance a cinch for you and your clients! Start quoting online today at ebc.thehartford.com.

1 D&O LIABILITY

Protects against everyday management and business decisions.

• Coverage for securities and fundraising techniques and other emerging exposures related to the JOBS Act
• $500,000 sublimit for derivative demand investigation costs
• $1,000,000 additional limit of liability for certain Side A claims
• No exclusion for antitrust claims (certain restrictions apply)
• Coverage for certain penalties relating to the Foreign Corrupt Practices Act (FCPA), where permissible
• Coverage for defense costs for individuals compelled to testify in covered claims
• Available sublimit for Legal Services Wrongful Acts for the rendering of professional and notary services to the entity when an insured person acts within insured capacity
• Multiple exceptions to the insured vs. insured exclusion, including claims from former managers who have not served in such capacity for one year, and claims brought by any bankruptcy trustee or creditor committee
• $50,000 reimbursement for notification costs and other expenses associated with a data privacy breach
• Final adjudication standard preserved in the fraud and personal profit exclusions
• Waiver of retention provision for claims that are resolved with no liability to the insureds

2 EMPLOYMENT PRACTICES LIABILITY

Protects against costly employment-related lawsuits.

• Expanded optional third-party employment practices liability insurance to include coverage for allegations of discrimination, sexual or other types of harassment
• Sublimit for defense costs related to wage and hour allegations (coverage only available by endorsement and only in certain jurisdictions)
• Coverage for allegations of workplace bullying and Employee Data Privacy Wrongful Acts
• Sublimit for certain diversity or training costs when required by a judgment or settlement
• Broad definition of employee also includes temporary, seasonal, part-time, leased or loaned employees and independent contractors when the insured agrees to provide indemnification
• Audits by the Office of Federal Contract Compliance included in the definition of “claim”
• Waiver of retention provision – for class action claims resolved with a finding of no liability for the insured

3 FIDUCIARY LIABILITY

Protects against losses from claims alleging breach of fiduciary duty.

• Coverage for certain ERISA and UK Pension Act penalties
• Definition of “claim” includes investigations by the Department of Labor or the Pension Benefit Guaranty Corporation
• ERISA section 502 (i) and 502 (l) penalties coverage
• Coverage available for certain civil penalties imposed under HIPAA
• IRS voluntary settlement program coverage available ($100,000 sublimit). Higher sublimits may be available in certain states
• Definition of “insured plan” includes:
  » Government-mandated programs (except workers’ compensation)
  » Welfare and pension benefit plans sponsored by the company (ESOP coverage may be available by endorsement)
  » Non-ERISA (Title 1) plans sponsored by the company (including excess benefit plans)
CRIME (NON-LIABILITY)

Protects against loss after a breach of trust.

- Two new insuring agreements:
  - Computer systems restoration expenses – reimbursement of expenses to duplicate damaged or destroyed data/computer programs
  - Identity recovery expenses reimbursement – reimbursement for various expenses incurred resulting from an identity theft
- Coverage for deception fraud and virtual currency
- Coverage for forgery of credit/debit cards issued for business purposes – no sublimit
- Coverage for certain employee benefit plans – no sublimit
- Available coverage for theft of client’s property off premises – blanket or scheduled coverage for a specific contract need
- Coverage for terminated employees up to 90 days after their termination
- Prior dishonest employee act threshold raised from excess of $1,000 to excess of $25,000

KIDNAP & RANSOM/EXTORTION (NON-LIABILITY)

Protects against a wide range of threats, both at home and abroad.

- Crisis management is provided by a large, established response service provider
- Extortion includes Bodily Injury Exclusion, Property Damage Exclusion, Computer Threat and Trade Secrets Extortion
- Persons covered can include employees, their relatives and guests
- Covered expenses and fees include those of a security consultant and public relations advisor, and also the cost of communication equipment, travel and accommodations

TOP CARRIER YOU CAN RELY ON

- Long history in the management and professional liability insurance market
- Experienced team of underwriters and managers located across the country in regional offices of The Hartford
- 200+ years delivering on our promises to pay claims
- Dedicated claims staff widely recognized for superior customer service
- Specialized risk engineering services

LEARN MORE. Contact your agent from The Hartford today or visit us at thehartford.com/premier.