

Crime Pack[®]Directors and
Officers LiabilityEmployment
Practices Liability**EpackSM**Epack EZSM

Fiduciary Liability

Media Liability

Miscellaneous
Professional Liability

EpackSM is a comprehensive package policy which provides flexibility and various benefits.

- Available coverages include:
 - Directors & Officers Liability
 - Entity Liability (only available with D&O)
 - Employment Practices Liability
 - Fiduciary Liability
 - Miscellaneous Professional Liability (E&O)
 - Media Liability
- Multiple coverages are combined on one policy form
- Policy limits can be shared among coverages or provided on a scheduled limit basis
- A multi-line discount is available when more than one coverage is purchased

EpackSM provides broad policy language including:

- Duty to Defend
- Claims made and reported with a 90 day post-policy reporting window (Media Liability is occurrence based)
- Mediation Provision, which can reduce the policy retention by 50%, up to \$10,000
- Worldwide Coverage – claims can be brought anywhere in the world
- "Final Adjudication" language in the fraud and illegal profit exclusions
- Severability provision of the application and policy (in the personal conduct exclusion)
- Punitive Damages coverage (most favorable venue) for D&O, EPL, Fiduciary, MPL and Media
- Continued coverage through bankruptcy which extends to the bankruptcy trustee(s)

Refer to the individual product summary sheets for more detail on each coverage.

Qualifying risks may also be eligible for the following additional features:

- Automatic renewal
- Two-year policy term with annual installments and fresh aggregate limit for the second year
- Capped defense outside the limit of liability
- \$0 D&O retention for indemnified loss

The EpackSM Enhancement Endorsement

- Provides improved coverages
- Can be included at no additional cost to qualifying risks

See other side for more information.

CNAManagement and
Professional Liability**800-852-0393****www.cnapro.com**

The EpackSM Enhancement Endorsement can be included at no additional cost to qualifying risks and provides increased coverage. Key enhancements by coverage part are:

General Terms and Conditions

- Domestic Partner Coverage
- Consent to Settle provision set at 80/20
- Priority of Payments language
- Amended "Notice of Circumstance"
- New Subsidiary and Plan coverage – 50% acquisition threshold
- Clarified allocation wording between covered and uncovered claims

Employment Practices Liability

- Reduced retention by 50%, up to \$10,000, with evidence of key HR policies in place and completion of sexual harassment prevention training
- Expanded definition of Employee to include Volunteers and Independent Contractors
- Deleted Personal Profit Exclusion
- Coverage for employment-related libel, slander or humiliation
- Coverage for negligent hiring and negligent supervision
- Amended Lockout/Strike/WARN exclusion to provide retaliation carve back
- More specific and narrower exclusion for violations of law (applies to violations of ERISA only)
- Amended definition of Claim to include request to toll or waive statute of limitations

Directors & Officers Liability

- Additional \$1 million Limit for Non-Indemnified Loss (Side A)
- Investigative costs coverage for Securities Claims (\$250,000 sublimit)
- Amended definition of Claim to waive statute of limitations
- Definition of Insured Person to include employees
- ODL coverage extended to non-profits beyond 501c(3) entities to include 501c(3), (4), (6), (7), (10)
- Affirmative Private Placement coverage
- Carve back to the insured v. insured exclusion for claims brought by former D's and O's that have not been a D or O for at least four years
- Carve back to the insured v. insured exclusion for whistleblower protection in regard to derivative or securities holder claims
- Provides a carve back to the IPO Exclusion for failure to go public

Entity Liability

- Definition of Loss includes punitive damages
- Narrower and less restrictive BI/PD exclusion
- Affirmative private placement coverage and a carve back to the IPO Exclusion for failure to go public

Fiduciary Liability

- Sublimit of \$100,000 added for fines and penalties imposed by the IRS' Voluntary Compliance Resolution program "VCR", Closing Agreement Program "CAP", or Tax Shelter Annuity Voluntary Correction Program "TVC" to correct defects
- Coverage for civil fines and penalties up to \$25,000 for HIPAA related claims
- Failure to Maintain Insurance exclusion deleted

To learn more about CNA's Management and Professional Liability offerings, contact your agent or broker.

