



# ARCH PERSONAL ADVANTAGE®

## Arch Personal Advantage® (Enhanced Broad Form Side A Liability)

In today's legal, economic and regulatory environment, Directors and Officers face a heightened degree of personal liability. With the proliferation of corporate insolvencies and the continuous rise of government enforcement proceedings, Directors and Officers have never been more exposed. This, at a time when the changing legal climate and uncertain insurance market has brought into question, the reliability of indemnification and insurance coverage for Directors & Officers. The Arch Personal Advantage<sup>SM</sup> Endorsement, in conjunction with our Broad Form Management Liability Form, is a highly competitive Side-A product designed to protect the personal assets of directors and officers when indemnification is otherwise not available. Arch Personal Advantage provides the Enhanced Broad Form Side-A Liability Coverage needed in today's exposure climate. And because it's Arch, coverage is backed by our strong financial security. As an early entrant into this market, our team of underwriting and claims professionals has extensive experience in handling non-indemnifiable risk exposures.

### CUSTOMER PROFILE

Public and private companies in all industry segments.

### KEY FEATURES

#### Coverage Trigger

Arch Personal Advantage offers a state-of-the-art coverage trigger including:

- Broad definition of Claim - includes:
  - civil, criminal, administrative or regulatory proceedings and investigations;
  - subpoena received by an Insured Person in connection with a civil, criminal, administrative or regulatory investigation of the Corporation
- Failure to Indemnify within Sixty (60) Days
- Failure of Underlying Policies within Sixty (60) Days

#### Excess Features

- Drop Down Difference in Conditions Coverage
- "Liberalization" clause, adopting a majority of the Underlying Policy provisions

#### Scope of Coverage

- No presumptive indemnification clause
- Policy or any coverage hereunder may not be rescinded
- Definition of Corporation includes debtor-in-possession, controlled partnerships, limited liability companies, joint ventures and charitable trusts
- Comprehensive definition of Loss includes:
  - Punitive damages - most favorable venue
  - Section 11 & 12 clarifications
  - Defense Costs carved out of amounts not constituting Loss
- Extradition Coverage
- Arbitration of disputes at option of insured
- Broad non-profit outside position coverage
- Subrogation clause stipulates that the Insurer will not subrogate against any Insured Person

### Few Exclusions

- Bodily Injury / Property Damage
- Prior or Pending Litigation
  - Follow form of the words of the Underlying Policy
- Conduct Exclusions:
  - Fully Severable
  - Do not apply to Defense Costs
  - Do not apply to Independent Directors
  - Triggered only upon final non-appealable judgment or adjudication.
- No Prior Notice, ODL, Insured v Insured, Pollution or ERISA exclusions

### DISTRIBUTION

Select retail and wholesale producers

### CAPACITY

Up to \$25 million in limits on a primary and excess basis

### SUBMISSION GUIDELINES

Completed Application

### CLAIMS

Arch Insurance Group adheres to a proactive claims handling program in order to achieve cost efficient, superior results. Our claims professionals have extensive experience handling most types of losses and are dedicated to providing customized, responsive customer service to each insured. Partnership with our insured is the cornerstone of the Arch claim handling philosophy. For more information email [claims@archinsurance.com](mailto:claims@archinsurance.com).

## PRODUCT CONTACTS

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