

## Executive First® Directors & Officers Liability Policy

BHSI's Asia Executive First D&O Liability Insurance is a clear and simply worded policy built expressly for the complex and evolving risks of directors, officers and their companies. Designed for large commercial organizations, our broad-form policy is easily customizable and packed with market leading features customers want and need in a D&O policy.

Our policy is backed by unparalleled financial strength and our highly experienced – and integrated – underwriting and claims team. You can expect industry-leading service at every turn – from underwriters skillfully tailoring coverage for sophisticated needs, to claim professionals experienced at navigating the most intricate D&O claims..

### WHEN WE SAY WE HAVE FINANCIAL STRENGTH...

#### We have the ratings and balance sheet to prove it.

Our D&O Liability Insurance is underwritten on the paper of Berkshire Hathaway's National Indemnity group of companies, which hold financial strength ratings of A++ from AM Best and AA+ from Standard & Poor's. The National Indemnity group of companies have \$485.4 billion in total admitted assets, with \$307.8 billion in policyholder surplus.<sup>1</sup>

### Why should Executive First be your first-choice?

- Straightforward, substantive policy form
- Financial strength (ratings and surplus)
- Flexible, solutions-focused underwriting
- Customer-centered claim professionals
- Up to \$100 million in capacity

## POLICY HIGHLIGHTS

The Asia Executive First D&O Liability policy's wording provides the starting point for protection precisely tailored to our customer's needs. The policy comprehensively addresses critical areas of exposure, including shareholder litigation – direct, derivative and class actions – as well as government investigations. It is particularly responsive to the needs of individual members of the board and management team when their company is insolvent or otherwise unable to indemnify them.

It's everything you've come to expect in a leading D&O policy, plus:

- **Automatic Reinstatement** to reinstate the entire policy should the original limit be eroded by claims.
- Definition of Insured Person now expanded to include **Data Protection Officer** under GDPR
- Claims notification period increased to **90 days**
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<sup>1</sup> Source: Balance sheets as of 06/30/2024 for the Berkshire Hathaway National Indemnity group of insurance companies

- **Pre-Investigation definition** extended to include raid on or on-site visit to Outside Entity and internal investigation conducted by the Company if requested by the regulators following formal notification
- **Emergency Costs** is no longer a sub-limit and can be offered to **full policy limit**
- **Affirmative cover** for reasonable fees, costs and expenses of an accredited expert retained through the Insured's defence counsel to prepare an evaluation, report, assessment, diagnosis or rebuttal of evidence in connection with the defence of a Claim, under the definition of **Defence Costs**
- **Coverage for costs** incurred by the **Company to investigate shareholder derivative demands** or shareholder derivative lawsuits where no demand is made

BHSI's D&O Liability Insurance is part of its Executive First suite of executive liability insurance products – all of which are designed to provide clear, current and customizable coverage for commercial and financial firms, including those with the most complex risk transfer needs. Along with D&O Liability Insurance, the suite includes Side A DIC Liability Insurance, Employment Practices Liability Insurance, Fiduciary Liability Insurance, and Private and Nonprofit Organization Portfolios.

## Bespoke solutions:

Whether tailoring a specific aspect of coverage, or creating a fully manuscripted policy, the BHSI team can deliver what you need. Our underwriters, claims and legal teams work together to create the solution you want.

## Peruse the policy and it is clear:

Coverage is built by BHSI's D&O underwriters and claim professionals, in collaboration with the risk management and brokerage communities, to respond to what customers need now.

**For risks that cross borders, broad multinational solutions are available**

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# BHSI

Berkshire Hathaway Specialty Insurance (www.bhspecialty.com) provides commercial property, casualty, healthcare professional liability, executive and professional lines, transactional liability, surety, marine, travel, programs, accident and health, medical stop loss, homeowners, and multinational insurance. The actual and final terms of coverage for all product lines may vary. It underwrites on the paper of Berkshire Hathaway's National Indemnity group of insurance companies, which hold financial strength ratings of A++ from AM Best and AA+ from Standard & Poor's. Based in Boston, Berkshire Hathaway Specialty Insurance has offices in Atlanta, Boston, Chicago, Columbia, Dallas, Houston, Indianapolis, Irvine, Los Angeles, New York, Plymouth Meeting, San Francisco, San Ramon, Seattle, Stevens Point, Adelaide, Auckland, Barcelona, Brisbane, Brussels, Calgary, Cologne, Dubai, Dublin, Frankfurt, Hamburg, Hong Kong, Kuala Lumpur, London, Lyon, Macau, Madrid, Manchester, Melbourne, Milan, Munich, Paris, Perth, Singapore, Stockholm, Sydney, Toronto, and Zurich. For more information, contact info@bhspecialty.com.

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