

# Private Equity+<sup>®</sup>

## Blended Professional, Management and Employment Practices Liability Insurance

CHUBB<sup>®</sup>



As private equity firms, your business engages in a wide range of activities, including the spectrum of portfolio company life cycle activities from start up equity financing or the buy-out of a portfolio company to advising and/or serving on the board of directors to exiting the investment through a liquidity event. Such a wide range of responsibilities creates unique personal and business liability exposures which may result in third party lawsuits arising from performing or failing to perform these functions.

Chubb has a solution.

### **Tailored Coverage**

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As the market leader in developing and introducing a comprehensive blended coverage policy for Private Equity firms dating back to 1997, Chubb understands the complex nature of exposures faced by firms today. Our specialized understanding of emerging private equity exposures uniquely positions us to continuously develop market-leading

coverage enhancements, including coverage extensions which address:

- Portfolio company pre-acquisition defense costs arising from lawsuits brought against the private equity firm as controlling shareholder of a portfolio company, even when the alleged acts of the portfolio company proceed the private equity firms acquisition date.
- Crisis costs incurred by the private equity firm in hiring a public relations firm to mitigate the potential reputational damage resulting from the termination of a key executive.
- Defense costs incurred by a private equity firm executive as a result of his or her being interviewed by regulatory enforcement agencies.

### **A Comprehensive Solution**

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Chubb's Private Equity+<sup>®</sup> policy offers private equity firms a comprehensive solution to transfer and mitigate many of their most significant liabilities by cost-effectively combining four coverages into one policy:

- **Management Liability (Directors & Officers) including:** Automatic coverage for entrepreneurs in residence, consultants, advisory board members and shareholder representatives appointed to liquidate portfolio companies.
- **Outside Directorship Liability including:** Drop down primary coverage for a portfolio company's wrongful refusal to indemnify.
- **Professional Services Liability (Errors and Omissions) including:** Portfolio company selling shareholder securities claim (in a portfolio company IPO) capacity coverage.
- **Employment Practices Liability including:** Defense costs coverage for written employment contracts disputes.

### Coverage for Key Professional Services

- Customary financial and strategic advice given to develop portfolio companies.
- Portfolio company liquidity events, such as an IPO, a sale, bankruptcy, insolvency, mergers, or acquisitions.
- Portfolio company financings or buyouts or including disputes relating to alleged breaches in such transactions.
- Extending or refusing to extend credit.
- Down round financing and impact of shareholder dilution.
- Portfolio company valuation activities.
- Winding down or liquidating a portfolio company.

### Why Chubb?

#### **Commitment and expertise**

In 1997, Chubb was the first insurer to develop an integrated management, professional and employment practices liability insurance product tailored for private equity firms. Our in-depth understanding of these firms and our experience allow us to continually enhance our private equity policy to keep pace with evolving legal exposures.

#### **Capability**

With dedicated financial institution underwriters in many of North America's major cities, Chubb's ability to meet locally with and develop customized solutions for the complex risks private equity firms face is rare in the marketplace.

#### **Global reach**

Chubb insures the business activities of private equity firms around the world whether they or their private funds and portfolio companies are located in one country or several.

#### **Market leadership**

Our customers select us to be the primary insurance carrier on more than 75% of the private equity insurance programs we place, setting us apart from other insurers.

#### **Superior service**

Chubb's reputation for service and fair claims handling is known around the world. Agents and brokers consistently rate Chubb's quality of service among the best in the insurance industry.

#### **Financial strength**

Chubb consistently earns high ratings for financial stability from A.M. Best Company, Moody's, and Standard & Poor's.

### Contact Us

The activities and exposures of private equity firms continue to evolve, and the need for a comprehensive insurance program that can address them is more apparent than ever. To learn more about Chubb's Private Equity+® policy, contact your trusted agent or broker or visit [www.chubb.com/managementliability](http://www.chubb.com/managementliability).

Chubb. Insured.<sup>SM</sup>