

CUG.COMments

A Newsletter from Chicago Underwriting Group Underwriters of D&O and Professional Liability Insurance

In this issue ... we are pleased to announce the release of our latest primary D&O policy, form number ORUG-95, which will replace the current primary policy, form number ORUG-82, that has been in use since 2008.

As D&O coverage has developed and adapted to meet changing policyholder needs, the basic ORUG-82 primary policy has been amended over time with an array of clarifying and broadening endorsements; so the first mission of the new ORUG-95 is to incorporate most of these endorsements into the body of the policy wording.

Accordingly, more than 20 regularly issued endorsements have been made redundant by the revision and upgrade of the policy form, which we hope will be welcomed by brokers and their policyholder clients.

In addition to streamlining the existing policy, the basic ORUG-95 policy form will also offer enhancements. A new section has been added: II. Coverage Extensions, which includes **Derivative Investigation Costs** for the Company, and **Asset Protection Costs** and **Liberty Protection Costs** for individual insureds. Also included in this Section is the Extended Reporting Period provision, and Outside Position Liability coverage, both of which formerly appeared in a separate section of the policy.

Other noteworthy features of the basic policy form include:

- **Inquiry** coverage, as defined, with notice to be given at the Insureds' discretion.
- Defense costs for Insured Persons arising from certain aspects of Sarbanes-Oxley and Dodd-Frank.
- Defense costs for Insured Persons arising from certain U.K. Manslaughter and Bribery Acts.
- Expanded definition of **Claim**.
- Expanded definition of **Insured Persons**.
- Expanded definition of **Loss**, including punitive, exemplary or multiple damages, and claimant's attorney's fees.
- Expanded definition of **Securities Claim**, including nominal defendant coverage.
- Expanded definition of **Subsidiary**.
- No Pollution exclusion.
- Broad Entity vs. Insured Person exclusion carve backs.
- Other Insurance exclusion carve back for personal liability or umbrella insurance policy purchased by an Insured Person.

Please see the policy form for complete details regarding coverage. This newsletter is merely a summary of some of the features of the new policy form. Of course, the language of the policy as issued will control. The new form and declarations page can be seen here:

[ORUG-95 Policy Form](#)
[ORUG-95 Dec. Page](#)

Note: Coverage under ORUG-95 may be amended by state-mandated endorsements, or by specific underwriting considerations.

Old Republic Insurance Company is admitted in all 50 states plus D.C., and the state-approval process is well advanced, approvals having been received from nearly 30 states, effective April 1, 2016. For a full list of current ORUG-95 state availability, see [here](#).

Please contact our [team of D&O underwriters](#) to discuss any aspect of the new policy form.

D&O Risk Capacity:

"ABC" coverage up to \$15,000,000
Side A-only coverage up to \$25,000,000

Insurance contracts are underwritten by Old Republic Insurance Company, rated A+ (Superior) by A.M. Best, A2 Stable by Moody's, and A+ Stable by Standard and Poor's.

***Chicago Underwriting Group:
A D&O market-maker for more than 30 years***

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