

Putting risk in its place



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Distressed finessed.

Risk doesn't stop at lawsuits. Distressed banks run the extra risk of regulatory proceedings and investigations that also expose executives' personal assets. One out of every 11 banks is on the FDIC problem list and the number of "problem institutions" is at its highest in 17 years. The exposure is real and the need for a solution, critical. The right coverage can be VERY hard to find in the current marketplace. Business Risk Partners specializes in liability protection for banks under regulatory oversight. To meet this need, BRP has developed a suite of products designed for these troubled institutions. We offer an array of coverage including: Directors & Officers, Employment Practices, Bankers Bond and Professional Liability, Regulatory Defense Cover and Fiduciary. These products are available in one comprehensive, customizable package.

Snap Shot:

Product:	A suite of Directors & Officers, Regulatory Defense, Employment Practices, Fiduciary, Bankers Bond, Professional Liability, and Cyber Liability.
Target:	Distressed & Performing banks.
Capacity:	\$5mm per coverage section.
Primary and Excess.	
Monoline Regulatory Defense and drop down Regulatory Defense available.	
Available in all states except IL and KY.	
Product Manager:	Seth Brickman phone: 860.903.0013 SBrickman@businessriskpartners.com

Real Life Exposures:

A local community bank has been losing money for several quarters in a row and equity is running low. In the course of regular examination, it has been issued a cease and desist order by the FDIC. Due to this order, the bank was non-renewed by their standard market carrier.

The bank purchased a policy that includes our Regulatory Defense coverage for distressed banks.

The FDIC came in for their next quarterly review, and the bank, unable to raise capital in the wake of the cease & desist, is forced to close its doors. The FDIC is now bringing suit against the D&O's for their mismanagement of the lending department.

Normally this type of litigation is excluded from a policy. Fortunately, the Regulatory Defense policy is in place to protect personal assets from this litigation.

Coverage Features:

- **Directors & Officers:** Ensures individual executive and institutional asset protection.
- **Regulatory Defense Cover (for D&O only):** Includes regulatory proceedings or investigations for Side-A & B, protecting this valuable coverage for individual Directors & Officers. Also offering full regulatory coverage (defense & indemnity) for performing banks.
- **Employment Practices:** Comprehensive coverage against all types of employment claims, as well as claims of harassment or discrimination brought by customers.
- **Wage and Hour Defense:** Offers defense coverage for violating the Fair Labor Standards Act.
- **Fiduciary:** Designed to protect administrators of employee benefit plans from risk of ERISA violations.
- **Bankers Professional Liability:** Customizable coverage to protect the myriad of services banks provide everyday such as wire transfers, tax or financial planning, electronic data processing, as well as coverage for Trust departments.
- **Lenders Legal Liability:** For protection from loan origination, credit reporting, loan restructuring or transfer as well as repossession or foreclosure.
- **Blanket Bankers Bond:** Covers a variety of employee and third-party criminal acts, customizable for exposures unique to banks: ATM, Safe Deposit Box, and Stop Payment Order as examples.
- **Cyber Liability:** Coverage for security & privacy breach, data recovery and loss of business income, privacy regulatory defense and penalties, crisis management costs, customer notification expenses, and data extortion.

PLEASE NOTE: This list is solely intended to be a summary of policy coverage. Please reference the actual policy for specific terms and conditions. The policy supersedes all representations made above.