



Coverage:	D&O Liability
Segment:	Not-for-Profit Organizations

Form Features and Coverage Highlights

(i-bind)[®] provides access to some of the broadest and most competitively priced management liability coverage. (i-bind) offers broad eligibility criteria, encompassing the majority of not-for-profit classes. Eligible not-for-profit organizations must have 1,500 or fewer employees and \$100 million or less in annual revenues.

- Duty to Defend

Darwin appoints proven legal experts with well-earned reputations for fairness and responsiveness to represent Insureds. Even if only part of a claim is covered, defense expenses are covered in full without any allocation for uncovered allegations.

- Defense Expenses

Defense expenses are in addition to the Limit of Liability and do not reduce the Limit of Liability.

- Broad Definition of Claim, Includes

- Written demand for monetary, non-monetary, or injunctive relief
- Written request to toll or waive any statute of limitations
- Civil and criminal proceedings
- Administrative or regulatory proceedings or investigations commenced by the filing of a notice of charges or similar document
- Arbitration proceedings

- Loss

Includes punitive or exemplary damages, where insurable by law, with a most favorable venue provision.

- Broad Definition of Employee, Includes

- Full and part time
- Seasonal
- Temporary
- Volunteer
- Leased employee or independent contractor (as long as the organization provides indemnification to the leased employee or independent contractor)

- Employment Practices Liability

Includes wrongful dismissal, discharge, or termination of employment (more comprehensive EPLI available).

- Broad Definition of Wrongful Act

Includes personal injury.

- **Insured Person**
Includes an extension for domestic partners and spousal coverage.
- **75-day Post-policy Reporting Window**
For reporting claims—automatically included.
- **Reporting Period**
Bi-lateral extended reporting period offered.
- **Defense and Settlement of Claims**
Darwin will not settle without the consent of an Insured. Even if an Insured refuses a settlement and the ultimate resolution is higher, the Insured only pays 20% of the loss and defense expenses in excess of the refused settlement.
- **Subsidiaries**
 - Not-for-profit subsidiaries automatically covered
 - For-profit subsidiaries may be scheduled by endorsement
- **Worldwide Coverage**
For acts committed or claims brought anywhere in the world.
- **Non-cancelable by Insurer**
Except for non-payment of premium when due.
- **Automatic ODL**
For Insured Persons serving as directors, officers, or trustees of not-for-profit 501(c)(3) organizations.
- **Severability of the Exclusions**
No wrongful act of any Insured Person will be imputed to any other Insured Person.
- **Severability of the Application**
Provides protection for innocent Insured Persons who were unaware of the misrepresentation; knowledge imputed to organization only if an officer or director of the organization (or a functionally equivalent role) knew of misrepresentation.
- **Bodily Injury Exclusion**
Bodily Injury exclusion is not absolute. Carveback for mental anguish or emotional distress from personal injury.
- **Broad Personal Injury Coverage**
Includes libel, slander or other defamation, invasion of privacy, false arrest, wrongful detention or imprisonment, malicious prosecution, wrongful entry or eviction, infringement of copyright or trademark or other unauthorized use of title, plagiarism or misappropriation of ideas. (Coverage for personal injury claims by employees or applicants for employment is not included.)

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