



FIDUCIARY LIABILITY SUPPLEMENTAL APPLICATION

To be completed only by those applicants seeking Fiduciary Liability Coverage
(Single Employer Plans only; Multi-Employer Plans are not covered by this application)

NAME OF BROKER: _____

NAME OF AGENCY: _____

ADDRESS: _____

LICENSE NUMBER: _____

TELEPHONE NUMBER: _____

1. APPLICANT INFORMATION:

a) Name of Sponsor Company _____

b) Address _____

2. REQUESTED COVERAGE

a) New Business Renewal

b) Limit of Liability _____ Retention _____

c) Effective Date _____

3. PLAN COVERAGE (List all plans to be covered)

Type of Plan	Plan Name	Total Assets	Qualified Plan (Y/N)	Investments in Employer Securities Y/N	Trustee/ Plan Administrator

Type of Plan: DB = Defined Benefit DC = Defined Contribution W= Welfare Benefit O= Other

4. Do all applicable plans conform to the standards of eligibility, participation, vesting and funding provisions of (ERISA) or any applicable similar common or statutory law of the United States, Canada or any state or other jurisdiction anywhere in the world? Yes No
5. Does any plan hold any investments with guaranteed return (Guaranteed Investment Contracts (GIC), Guaranteed Annuity Contract (GAC) or Bank Investment Contract (BIC)) or any Real Estate Investments (Real Property, Mortgage Investment, or Collateralized Mortgage Obligations (CMO))? Yes No
6. In the past (3) three years has any plan:
- a) Changed its name? Yes No
- b) Been consolidated or merged with another plan? Yes No
- c) Experienced a reduction in benefits? Yes No
- d) Been sold, transferred, or terminated or has any portion of a plan been sold, transferred, or terminated ? Yes No
7. For Defined Benefit plans only, are the plans adequately funded as attested to by an actuary?
 Yes No. If no, please provide details: _____

8. Is the Applicant delinquent in contributing to any plan? Yes No
 If yes, please provide details: _____

9. Does the Applicant plan on terminating, suspending or merging any plans within the next 12 months?
 Yes No
10. **FOR NEW BUSINESS APPLICANTS COMPLETE THE FOLLOWING:**
- a) Has any fiduciary for whom insurance is to be provided been:
- Accused, found guilty of, or held liable for a breach of trust or fiduciary duty? Yes No
- Refused coverage under a fidelity bond? Yes No
- Found guilty of a criminal act as enumerated in Section 411 of ERISA? Yes No
- If yes to any of the above, please provide details: _____

- If yes, it is agreed that any Claim arising therefrom is excluded from this proposed coverage.**
- b) Does any proposed insured have knowledge or information of any circumstance, act, error or omission which might give rise to a Claim under the proposed Fiduciary Liability Coverage? Yes No If yes, attach complete details.
- c) With respect to any plan proposed for coverage, is there any known violation(s) of ERISA or any similar common or statutory law of the United States, Canada or any state or other jurisdiction anywhere in the world to which such plan is subject?

Yes No. If yes, attach complete details.

- d) Are there any pending claims against anyone for whom insurance is intended, which may fall within the scope of any fiduciary liability or similar insurance? Yes No
- e) Has there been or is there now pending any inquiry, investigation or communication which could give rise to a Claim under the Fiduciary Liability Coverage? Yes No

It is agreed that with respect to questions 10(b)-(e) above, if such Claim, circumstance, act, error, omission, knowledge, information, violation, inquiry, investigation or communication exist, any claim arising therefrom is excluded from this proposed coverage.

11. PREVIOUS INSURANCE:

- a) Has the Sponsor Organization purchased any fiduciary liability insurance or similar insurance for any plan within the past five (5) years? Yes No If yes, attach complete details:

INSURER	LIMIT OF LIABILITY	DEDUCTIBLE/RETENTION	PERIOD FROM/TO	PREMIUM

- b) Has similar insurance ever been refused, canceled or non-renewed?

Yes No If yes, please provide details including the reason for, and date of such refusal, cancellation, or non-renewal.

- c) Is there ERISA fidelity bond coverage currently in force with respect to all plans proposed for coverage?

Yes No If yes, please indicate below:

Name of Insurer	Limit of Liability	Premium

In addition to the supplemental application submit the following:

For Applicants with 100 or less participants submit:

Most recent Form 5500

Investment Portfolio

For Applicants with 101 or more participants submit:

CPA audited report for each plan

Investment Portfolio

THE UNDERSIGNED HEREBY DECLARES THAT THE STATEMENTS SET FORTH HEREIN ARE TRUE. THE UNDERSIGNED AGREES THAT IF THE INFORMATION SUPPLIED ON THIS APPLICATION CHANGES BETWEEN THE DATE OF THIS APPLICATION AND THE INCEPTION DATE OF THE POLICY, THE UNDERSIGNED WILL, IN ORDER FOR THE INFORMATION TO BE ACCURATE ON THE INCEPTION DATE OF THE POLICY, IMMEDIATELY NOTIFY THE INSURER OF SUCH CHANGES AND THE INSURER MAY WITHDRAW OR MODIFY ANY OUTSTANDING QUOTATIONS AND/OR AUTHORIZATIONS OR AGREEMENTS TO BIND THE INSURANCE.

SIGNING OF THIS APPLICATION DOES NOT BIND THE APPLICANT OR THE INSURER TO COMPLETE THE INSURANCE, BUT IT IS AGREED THAT THIS APPLICATION SHALL BE THE BASIS OF THE CONTRACT SHOULD A POLICY BE ISSUED, AND IT WILL BE ATTACHED TO AND BECOME PART OF THE POLICY.

NOTHING CONTAINED HEREIN OR INCORPORATED HEREIN BY REFERENCE SHALL CONSTITUTE NOTICE OF A CLAIM OR POTENTIAL CLAIM SO AS TO TRIGGER COVERAGE UNDER ANY CONTRACT OF INSURANCE, EACH OF WHICH MUST BE DULY REPORTED ACCORDING TO THE TERMS OF ANY POLICY THAT MAY BE ISSUED.

FRAUD WARNING STATEMENTS

ARKANSAS APPLICANTS: ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON.

COLORADO APPLICANTS: IT IS UNLAWFUL TO KNOWINGLY PROVIDE FALSE, INCOMPLETE, OR MISLEADING FACTS OR INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING OR ATTEMPTING TO DEFRAUD THE COMPANY. PENALTIES MAY INCLUDE IMPRISONMENT, FINES, DENIAL OF INSURANCE, AND CIVIL DAMAGES. ANY INSURANCE COMPANY OR AGENT OF AN INSURANCE COMPANY WHO KNOWINGLY PROVIDES FALSE, INCOMPLETE, OR MISLEADING FACTS OR INFORMATION TO A POLICY HOLDER OR CLAIMANT FOR THE PURPOSE OF DEFRAUDING OR ATTEMPTING TO DEFRAUD THE POLICY HOLDER OR CLAIMANT WITH REGARD TO A SETTLEMENT OR AWARD PAYABLE FROM INSURANCE PROCEEDS SHALL BE REPORTED TO THE COLORADO DIVISION OF INSURANCE WITHIN THE DEPARTMENT OF REGULATORY AGENCIES.

DISTRICT OF COLUMBIA APPLICANTS:" IT IS A CRIME TO PROVIDE FALSE OR MISLEADING INFORMATION TO AN INSURER FOR THE PURPOSE OF DEFRAUDING THE INSURER OR ANY OTHER PERSON. PENALTIES INCLUDE IMPRISONMENT AND/OR FINES. IN ADDITION, AN INSURER MAY DENY INSURANCE BENEFITS IF FALSE INFORMATION MATERIALLY RELATED TO A CLAIM WAS PROVIDED BY THE APPLICANT."

FLORIDA APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER FILES A STATEMENT OF CLAIM OR AN APPLICATION CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION IS GUILTY OF A FELONY OF THE THIRD DEGREE.

HAWAII APPLICANTS: FOR YOUR PROTECTION, HAWAII LAW REQUIRES YOU TO BE INFORMED THAT PRESENTING A FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT IS A CRIME PUNISHABLE BY FINES OR IMPRISONMENT, OR BOTH.

LOUISIANA APPLICANTS: ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON.

KENTUCKY APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME.

MAINE AND VIRGINIA APPLICANTS: IT IS A CRIME TO KNOWINGLY PROVIDE FALSE, INCOMPLETE OR MISLEADING INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING THE COMPANY. PENALTIES MAY INCLUDE IMPRISONMENT, FINES OR A DENIAL OF INSURANCE BENEFITS.

NEW JERSEY APPLICANTS: ANY PERSON WHO INCLUDES ANY FALSE OR MISLEADING INFORMATION ON AN APPLICATION FOR AN INSURANCE POLICY IS SUBJECT TO CRIMINAL AND CIVIL PENALTIES.

NEW MEXICO APPLICANTS: ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO CIVIL FINES AND CRIMINAL PENALTIES.

NEW YORK APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY MATERIAL FACT THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL BE ALSO SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE STATED VALUE OF THE CLAIM FOR EACH SUCH VIOLATION.

OHIO APPLICANTS: ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE IS FACILITATING A FRAUD AGAINST AN INSURER, SUBMITS AN APPLICATION OR FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF INSURANCE FRAUD.

OKLAHOMA APPLICANTS: WARNING: ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER, MAKES ANY CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY.

OREGON APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD OR SOLICIT ANOTHER TO DEFRAUD AN INSURER: (1) BY SUBMITTING AN APPLICATION OR; (2) FILING A CLAIM CONTAINING A FALSE STATEMENT AS TO ANY MATERIAL FACT MAYBE VIOLATING STATE LAW.

PENNSYLVANIA APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SUBJECTS SUCH PERSON TO CRIMINAL AND CIVIL PENALTIES.

PLEASE READ THE FOLLOWING STATEMENT CAREFULLY AND SIGN BELOW WHERE INDICATED. IF A POLICY IS ISSUED, THIS STATEMENT SHALL BECOME A PART OF SUCH POLICY.

The undersigned hereby acknowledges that he/she is aware that, unless otherwise specifically indicated in the Policy Declarations, the limit of liability contained in this Policy shall be reduced, and may be completely exhausted, by the costs of legal defense and, in such an event, the Insurer shall not be liable for the costs of legal defense or for the amount of any judgment or settlement to the extent that such exceeds the limit of liability of this Policy.

The undersigned hereby further acknowledges that the undersigned is aware that legal defense costs that are incurred shall be applied against the retention amount.

The undersigned understands that the information provided herein becomes a part of the new business application or renewal business application for the Private Choice Policy.

SIGNED _____
Signature of Insured

PRINT NAME _____

TITLE _____
(Must be signed by a current fiduciary)

DATE _____