

## EXHIBIT 74

**Defense Costs by Type of Claimant — Repeat Participants for Last Two Years**  
(excludes claims closed with no payment to claimant)

Participant Size	Median		Average	
	2006	2007	2006	2007
Employees/Unions/Physicians	\$ 40,000	\$ 51,626	\$ 99,404	\$ 83,701
Competitors/Suppliers/Contractors	267,130	267,130	526,026	498,799
Customers/Clients/Students	—	62,311	—	129,581
Governmental/Other	600,000	776,225	2,976,908	2,936,187
Shareholders/Investors	830,000	830,000	2,876,630	3,382,927
<b>All Claimants</b>	<b>\$400,000</b>	<b>\$327,577</b>	<b>\$1,984,736</b>	<b>\$2,219,912</b>

## EXHIBIT 75

**Defense Costs by Disposition of Claims**  
(excludes claims closed with no payment to claimant)

Status	First Quartile	Median	Third Quartile	Average
<b>Closed Claims</b>				
Closed by litigation	\$568,476	\$1,400,000	\$3,000,000	\$1,595,651
Closed by settlement	83,788	325,000	776,225	2,016,487
Dropped by claimants	6,749	68,500	1,129,191	504,375
<b>Open Claims</b>				
Still open, awaiting trial	79,561	465,450	2,322,187	2,959,618
Tried but being appealed	—	—	—	—
<b>All Claimants</b>	<b>\$ 65,491</b>	<b>\$ 334,126</b>	<b>\$2,000,000</b>	<b>\$2,079,318</b>

## EXHIBIT 76

**D&O Claim Allegations From Shareholder Claimants by Ownership**

Allegations	Ownership	
	Private	Public
Accounting fraud	0%	1%
Bid or threat by another company to take over your company	0%	0%
Bid or threat by your company to take over another company	1%	0%
Breach of duty to minority shareholder(s)	4%	0%
Challenge to takeover defense measure	0%	0%
Conflict of interest	0%	0%
Construction activities	0%	0%
Contract dispute (not relating to construction)	4%	2%
Dishonesty/fraud (not accounting fraud)	0%	3%
Divestiture or spinoff	5%	1%
Dividend declaration or change	0%	0%
Fraudulent conveyance	0%	0%
General breach of fiduciary duty	24%	13%
Golden parachutes/Executive compensation	3%	4%
Inadequate employee supervision	0%	0%
Inadequate/inaccurate disclosure, including financial reporting	28%	42%
Investment or loan decision (not derivatives)	1%	0%
Loss or bankruptcy/Financial performance	0%	0%
Merger or acquisition — another company the survivor	4%	1%
Merger or acquisition — your company the survivor	3%	1%
Other shareholder/investor issues (specify)	3%	8%
Proxy/consent solicitation	0%	1%
Purchase of goods or services	0%	0%
Recapitalization	4%	0%
Repurchase or bid to repurchase securities	1%	1%
Stock or other public offering	13%	20%
Transactions in derivatives or other similar financial transactions	0%	0%
Use of inside information	3%	2%

## EXHIBIT 77

**D&O Claim Allegations From Employee Claimants by Ownership**

<b>Allegations</b>	<b>Ownership</b>		
	<b>Private</b>	<b>Public</b>	<b>Nonprofit</b>
Breach of contract	6%	7%	7%
Breach of employment contract (not termination)	7%	7%	0%
Defamation	0%	2%	0%
Discrimination (specify age/race/sex/etc.)	24%	30%	29%
Employment conditions/Safety	1%	0%	0%
Failure to hire or promote	0%	0%	0%
Harassment/Humiliation	3%	2%	7%
Other employee/trade union issues (specify)	7%	4%	0%
Retaliation/Whistle-blower	2%	4%	0%
Salary, wage or compensation dispute	7%	7%	7%
Union or other contract group	0%	0%	0%
Wrongful employee dismissal or termination	44%	38%	50%

## EXHIBIT 78

**Number of Claims by Source and Allegation**

		Reported Claims	% of All Claims
Past, current or prospective employees or unions, including faculty	Breach of contract	11	2.0%
	Breach of employment contract (not termination)	11	2.0%
	Defamation	1	0.2%
	Discrimination (specify age/race/sex/etc.)	46	8.6%
	Employment conditions/Safety	1	0.2%
	Harassment/Humiliation	5	0.9%
	Pension, welfare or other employee benefit dispute (not salary, wage or compensation)	1	0.2%
	Retaliation/Whistle-blower	4	0.7%
	Salary, wage or compensation dispute	12	2.2%
	Wrongful employee dismissal or termination	74	13.8%
	Other employee/trade union issues	9	1.7%
Competitors, suppliers and other contractors	Antitrust/Anti-combine	2	0.4%
	Business interference	13	2.4%
	Contract dispute	16	3.0%
	Copyright/Patent infringement	10	1.9%
	False advertising/Deceptive trade practices	3	0.6%
	Other competitor/supplier/contractor issues	1	0.2%
	Customers, clients, ratepayers,	Contract dispute	5
Cost/Quality of product or service		1	0.2%
Debt collection, including foreclosure		1	0.2%
Dishonesty/Fraud		2	0.4%
Environmental/Safety		1	0.2%
False advertising/Deceptive trade practices		2	0.4%
Harassment/Humiliation		1	0.2%
Other customer/client/ratepayer/student/volunteer/consumer issues		2	0.4%
Government and regulatory agencies	Antitrust/Anti-combine	1	0.2%
	Dishonesty/Fraud	2	0.4%
	Loss or bankruptcy	1	0.2%
	Other governmental/regulatory issues	5	0.9%
Other third-party claimants	All other third-party claimant issues	54	10.0%
	Civil rights/Human rights, incl. discrimination	1	0.2%
	Contract dispute	3	0.6%
	False advertising/Deception	5	0.9%
	General breach of fiduciary duty	10	1.9%
	Merger/acquisition/divestiture (U.S.)	2	0.4%
	Political contributions or activities	1	0.2%

EXHIBIT 78 (continued)

**Number of Claims by Source and Allegation**

		<b>Reported Claims</b>	<b>Percent of All Claims</b>
Shareholders and other investors, including partners and members, prior owners of an acquired business and present owners of a previously owned business	Accounting fraud	1	0.2%
	Bid or threat by another company to take over your company	1	0.2%
	Breach of duty to minority shareholder(s)	3	0.6%
	Contract dispute (not relating to construction)	6	1.1%
	Dishonesty/fraud (not accounting fraud)	4	0.7%
	Divestiture or spinoff	5	0.9%
	General breach of fiduciary duty	37	6.9%
	Golden parachutes/Executive compensation	7	1.3%
	Inadequate/inaccurate disclosure, including financial reporting	80	14.9%
	Investment or loan decision (not derivatives)	1	0.2%
	Merger or acquisition — another company the survivor	4	0.7%
	Merger or acquisition — your company the survivor	4	0.7%
	Proxy/consent solicitation	1	0.1%
	Recapitalization	3	0.6%
	Repurchase or bid to repurchase securities	3	0.6%
	Stock or other public offering	39	7.2%
	Use of inside information	5	0.9%
Other shareholder/investor issues	14	2.6%	

## APPENDIX A

DIRECTORS AND OFFICERS LIABILITY SURVEY  
INSURANCE MARKET SUMMARY

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>ACE</b>				
<b>ACE Bermuda</b>	Patrick Tannock Executive Vice President - Underwriting ACE Bermuda Insurance Ltd. 17 Woodbourne Avenue P.O. Box HM 1015 Hamilton HM 08 Bermuda 441-295-5200 e-mail: patrick.tannock@ace.bm Web: www.ancelimited.com or www.acebermuda.com	2007	\$50	All classes. Follow form excess \$50 million minimum attachment.
<b>ACE International</b>	Ben Ingram, Senior Vice President D&O Nicholas Small, Senior Vice President Financial Lines D&O ACE International ACE Building 100 Leadenhall Street London EC3A 3BP 011-44-20-7173-7972 011-44-20-7173-7973 e-mail: ben.ingram@ace-ina.com nick.small@ace-ina.com Web: www.anceltd.com	2007	\$25	ACE International writes international accounts, excluding U.S.-headquar- tered corporations, with a capacity of \$25 million primary or excess. ACE will consider all classes of accounts, including financial institutions. Local underwriters and local language policy forms in most international countries.
<b>ACE USA</b>	Tim O'Donnell, President ACE Professional Risk 140 Broadway New York, NY 10005 646-458-7004 646-458-6880 (fax) e-mail: timothy.odonnell@ace-ina.com Web: www.aceprofessionalrisk.com	2007	\$25	All classes. Retail brokers. Writes on Illinois Union paper.
<b>CODA (Corporate Officers &amp; Directors Assurance, Ltd.)</b>	Patrick Tannock Executive Vice President - Chief Underwriting Officer ACE Bermuda Insurance Ltd. 17 Woodbourne Avenue P.O. Box HM 1015 Hamilton HM 08 Bermuda 441-295-5200 e-mail: patrick.tannock@ace.bm Web: www.ancelimited.com or www.acebermuda.com	2007	\$75	All classes. NOTE: Non-indemnifiable coverage only. Primary, excess DIC or follow form excess. Maximum capacity is \$75 million, including ACE capacity. Subsidiary of ACE Bermuda Insurance Ltd.
<b>Westchester Specialty</b>	David Lupica, President Professional Risk Westchester Specialty 500 Colonial Center Parkway, #200 Roswell, GA 30076 678-795-4263 678-795-4150 (fax) e-mail: david.lupica@ace-ina.com Web: www.aceprofessionalrisk.com	2007 Side A	\$10 \$15	All classes. Wholesale brokers.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>AEGIS</b>	Karen P. Larson, Vice President AEGIS Insurance Services, Inc. 1 Meadowlands Plaza E. Rutherford, NJ 07073 201-508-2804 e-mail: karenlarson@aegislimited.com Web: www.aegislimited.com	2007	\$35	Utilities, energy, related energy and public power.
<b>American International Group</b>				
<b>AIG Cat Excess Liability</b>	Jason Trueman, Vice President Financial Lines Manager AIG Cat Excess Liability 29 Richmond Road Pembroke HM 08 Bermuda 441-298-5373 e-mail: jason.trueman@aig.com Web: www.aigcatexcessliability.com	2007 Max Available \$150 Max Preferred \$50		All classes.
<b>AIG Executive Liability</b>	Jennifer O'Neill, SVP & D&O Product Manager AIG Executive Liability 175 Water Street New York, NY 10038 212-458-3161 212-458-2965 (fax) e-mail: jennifer.o'neill@aig.com Web: www.aig.com	2007	\$50	All classes. Contact is Scott Meyer for financial institutions business, Brian Inselberg for private company, nonprofit business, Peter McKenna for public company accounts with annual revenue of \$500MM and John Bendetta for public company accounts with annual revenue of \$500MM or greater. James Shea is the contact for International D&O business.
<b>Lexington</b>	David Norfleet Regional Lexington Casualty U/W's Lexington Insurance Company 100 Summer St. Boston, MA 02110-2103 617-772-4578 617-439-4733 fax e-mail: david.norfleet@aig.com	2007	\$10	Product lines include D&O, D&O Not For Profit, Financial Institution Fidelity Bond, Bankers Professional Liability, Trust Department Errors & Omissions, Pension Trust/Fiduciary Liability Coverage, Securities/Broker Dealer Liability, and Management Liability for Law Firms, A&E Firms, Accounting Firms and other Professional Firms. Focus is on North American (U.S. and Canada) and Caribbean financial institutions, financial service company businesses including insurance companies, REITs, finance companies and mortgage bankers/brokers. Business written on a primary, excess & quota share basis. Contact for not-for-profit and financial institutions is Ching Lee 617-330-8577.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>Arch Insurance (Bermuda)</b>	Tony Hay, Senior Vice President Underwriting Manager Professional Lines Arch Bermuda 11 Victoria Street, 4th Floor Victoria Hall P.O. Box HM 129 Hamilton HM 11 Bermuda 441-278-9273 441-278-9276 (fax) e-mail: tony.hay@archinsurance.bm Web: www.archinsurance.bm	2007	\$25	All classes.
<b>Ariel Reinsurance Company Ltd.</b>	Steve Outerbridge Senior Vice President Windsor Place, 18 Queen Street Hamilton, Bermuda HM11 441-278-0744 e-mail: steve.outerbridge@arielre.com Web: www.arielre.com	2007	\$25	All classes. Primary focus is Side A DIC cover. Minimum attachment for ABC coverage is \$150 million.
<b>AWAC (Allied World Assurance Company, Ltd.)</b>	David Bell, Senior Vice President Global Professional Lines Manager Allied World Assurance Company, Ltd. 27 Richmond Road Pembroke HM 08 Bermuda 441-278-5416 e-mail: david.bell@awac.com Web: www.awac.com	2007	\$25	All classes. U.S. contact: Thomas Kennedy (thomas.kennedy@awac.com), Europe contact: Ian Theato (ian.theato@awac.com).
<b>Axis Capital Axis Professional Lines</b>	John A. Kuhn Chief Executive Officer Axis Professional Lines Axis Insurance 300 Connell Drive, Suite 2000 P.O. Box 357 Berkeley Heights, NJ 07922-0357 908-508-4302 908-508-4301 (fax) e-mail: john.kuhn@axiscapital.com Web: www.axiscapital.com	2007	\$25	D&O Insurance and other professional lines coverages for publicly traded and privately held companies of all sizes. Commercial accounts, financial institutions and not-for-profit organizations. U.S. underwriting companies include AXIS Insurance Company, AXIS Reinsurance Company, AXIS Surplus Insurance Company and the AXIS Specialty Insurance Company. In U.S., contact fred.cooper@axiscapital.com for AXIS Financial Insurance Solutions and timothy.braun@axiscapital.com for AXIS Financial Institutions. International professional lines contacts are hillary.williams@axiscapital.com in Bermuda and colin.thompson@axiscapital.com in London.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>Professional Risk Facilities, Inc.</b>	Stephen Cavallaro, Underwriting Manager Professional Risk Facilities, Inc. 1122 Franklin Avenue, 2nd Floor P.O. Box 9240 Garden City, NY 11530 516-408-5736 516-747-6074 (fax) e-mail: scavallaro@professionalrisk.com Web: www.professionalrisk.net	2007	\$5	All classes except financial institutions and public companies. Underwriting manager/program administrator for AXIS Insurance. Utilizes AXIS Privatus® policy (D&O, EPL, Fiduciary Liability and Outside Executive Liability Insurance), which is admitted in 40 states and written on AXIS Reinsurance Company paper. Non-admitted paper (AXIS Surplus Insurance Company and AXIS Specialty Insurance Company) used in the remaining states. Coverage is also available for not-for-profit organizations.
<b>BancInsure</b>	Barbara Ewing President and Chief Operating Officer Bond and D&O Underwriting BancInsure 5005 N. Lincoln Blvd. Oklahoma City, OK 73015 800-682-1630 or 405-290-7521 e-mail: bewing@bancinsure.com Web: www.bancinsure.com	2007	\$15	Offers primary financial institution D&O coverage in all states except FL, NH and NY. Entity coverage for employment practices, trust department E&O, bankers E&O and professional liability, lenders liability and mutual fund and annuity sales. Bankers E&O extends policy to cover the actual financial institutions and employees.
<b>Beazley Group plc</b>	Jim Seymour Specialty Lines Beazley Group 35 East Wacker Drive, Suite 3900 Chicago, IL 60601 312-506-1304 office 224-430-2993 mobile 312-781-0139 fax e-mail: jim.seymour@beazley.com Web: www.beazley.com	2007	\$10	Primary or excess for commercial risks. Issuing companies: Beazley Insurance Company, Inc. and Omaha Property & Casualty Insurance Company (California only).
<b>Catlin Inc.</b>	John Van Decker Senior Vice President Catlin Inc. 140 Broadway New York, NY 10005 212-801-3410 e-mail: john.vandecker@catlin.com	2007	\$10	All classes — both primary and excess. Use both Catlin Insurance Company (U.K.) Limited and Underwriters at Lloyds of London (syndicate #2003) paper.
<b>Chubb</b>	Robert C. Cox Chief Operating Officer Chubb Specialty Insurance 3 Mountain View Road Warren, NJ 07059 908-903-2203 e-mail: rcox@chubb.com Web: www.chubb.com	2007	\$25	All classes. Chief Underwriting Officer is Jim Bronner, jbronner@chubb.com; Specialty Products manager is Evan Rosenberg, erosenberg@chubb.com; contact for D&O is Tony Galban, galbant@chubb.com; contact for Healthcare Institutions is Beth Strapp, strappb@chubb.com; contact for Financial Institutions is Rich Edsall, redsall@chubb.com; contact for Private Companies is Michael Maloney, mmaloney@chubb.com.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>Cincinnati Insurance Co.</b>	Tom Kelly, Vice President Cincinnati Insurance Co. P.O. Box 145496 Cincinnati, OH 45250-5496 513-870-2403 e-mail: tom_kelly@cinfin.com Web: www.cinfin.com	2007	\$10	D&O, Fiduciary and EPLI (Blue Chip Policy). All classes, except law firms and stockbrokers. NOTE: Only available through its agency force.
<b>CNA</b>				
<b>CNA Pro</b>	Daniel Fortin Senior Vice President CNA Pro 333 S. Wabash, 27th Floor Chicago, IL 60604 312-822-5177 e-mail: daniel.fortin@cna.com Web: www.cnapro.com	2007 Side A	\$15 \$25	All classes. Contact is Dan Auslander for all not-for-profit, middle market and private businesses. Contact for financial institutions is Thomas Kocaj. Contact for public commercial firms is Thor Beveridge.
<b>CNA - Nonprofit Community Homeowner Associations</b>	Adam S. Collins, CIC Assistant Vice President Ian H. Graham Insurance Post Office Box 7022 North Hollywood, CA 91615-9324 818-655-1315 312-381-0593 (fax) e-mail: adam_collins@ianhgrahaminc.com Web: www.ihginsurance.com	2007	\$5	MGA for CNA. D&O for nonprofit community homeowner associations only.
<b>CNA - Nonprofit Homes and Services for Aging</b>	Maria Moreno Senior Vice President Aon Association Services 1120 20th Street, N.W. Washington, DC 20036-3406 202-429-8553 202-530-0153 (fax) e-mail: maria_moreno@aon.com Web: www.aahsa-insurance.com	2007	\$5	MGA for CNA. D&O for nonprofit homes and services for the aging including: retirement communities, skilled nursing facilities, assisted living, personal care, independent living/senior housing, adult day care and other services for the elderly.
<b>CNA - Nonprofits</b>	Dean Townsend Vice President Victor O. Schinnerer 2 Wisconsin Circle Chevy Chase, MD 20815 301-961-9835 301-951-5444 (fax) e-mail: dean.c.townsend@schinnerer.com Web: www.schinnerer.com	2007	\$5	MGA for CNA. D&O for nonprofit organizations only. Contact Dan Auslander for Private Company business 609-395-2505 609-964-8732 (fax) daniel.auslander@cna.com
<b>Crum &amp; Forster</b>	Lawrence W. Ray Vice President - Business Development Crum & Forster Management Protection/Crime & Fidelity Divisions 973-490-6641 direct 973-986-4478 cell 973-490-6965 fax e-mail: larry_ray@cfins.com Web: www.cfins.com	2007	\$10	Primary — preference for accounts with “issues” and/or difficult to place. Excess — no preference, but trend toward higher layers. Public, private and nonprofit organizations. Issuing company: The North River Insurance Company (not available in all states).

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>Darwin Professional Underwriters Inc.</b>	Blair Bartlett Darwin Professional Underwriters 9 Farm Springs Road Farmington, CT 06032 860-284-1460 860-284-1353 (fax) e-mail: bbartlett@darwinpro.com Web: www.darwinpro.com	2007 up to Side A up to	\$10 \$15	All classes.
<b>Endurance Specialty Insurance Ltd.</b>	Catherine Bennett Senior Vice President Endurance Specialty Wellesley House, 90 Pitts Bay Road Pembroke HM 08 Bermuda 441-278-0906 441-296-1474 (fax) e-mail: cbennett@endurance.bm Web: www.endurance.bm	2007	\$25	D&O, E&O, EPLI, Fiduciary, Crime (blended only) on stand-alone, blended or integrated basis. General attachment of \$25M for excess or primary. All classes except managed care E&O and insurance broker E&O.
<b>Energy Insurance Mutual</b>	Jill Dominguez, ARM Vice President - Underwriting Energy Insurance Mutual 3000 Bayport Drive, #550 Tampa, FL 33607-8412 800-446-2270 or 813-287-2117 e-mail: jdominguez@eimltd.com Web: www.eimltd.com	2007	\$50	Industry mutual for utilities and energy services industries. NOTE: Minimum attachment point is \$35 million.
<b>The Evanston Insurance Co. (Markel Shand, Inc.)</b>	Robert Cap, JD, CPCU, ASLI Product Manager, Non-Profit D&O Markel Shand Inc. Ten Parkway North Deerfield, IL 60015 847-572-6306 e-mail: rcap@markelcorp.com Web: www.markelshand.com	2007	\$5	All classes, with some exceptions. Form includes EPLI cover.
<b>Fireman's Fund</b>	Charlotte-Ann Zack, CPCU Assistant Vice President Commercial Risk Management Fireman's Fund Insurance Company 777 San Marin Drive Novato, CA 94998-2000 415-899-4622 860-513-3729 (fax) e-mail: czack@ffic.com Web: www.ffic.com	2007	\$10	Private companies only.
<b>Great American</b>	Jonathan G. Starck Vice President Marketing Executive Liability Division Great American 1515 Woodfield Road, Suite 500 Schaumburg, IL 60173 847-330-6769 e-mail: jstarck@gaic.com Web: www.GreatAmericanELD.com	2007	\$25	All classes.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>The Hartford Hartford Financial Products</b>	John Rafferty, Vice President Hartford Financial Products Two Park Avenue New York, NY 10016 212-277-0946 e-mail: john.rafferty@thehartford.com Web: www.hfpinsurance.com	2007	\$25	All classes. Contact Michael Karmilowicz (212-277-0717) for large commercial and financial services risks; Michael Price (212-277-0718) for private equity, GPL, middle and emerging markets risks; and Catherine Kelly (212-277-0466) for E&O (misc., lawyers, technology) and EPL lines.
<b>The Hartford - Nonprofits</b>	Jason Tharpe, Assistant Vice President Aon Association Services 1120 20th Street, N.W. Washington, DC 20036-3406 202-429-8561 847-953-2651 (fax) e-mail: jason_tharpe@aon.com Web: www.npo-ins.com	2007	\$5	MGA for Hartford. D&O for nonprofits including: chambers of commerce, foundations, museums and historical societies, miscellaneous nonprofits, social service agencies, and trade and professional associations.
<b>HCC Insurance Holdings HCC Global Financial Products</b>	Andrew G. Stone, President HCC Global Financial Products 8 Forest Park Drive Farmington, CT 06032 860-674-1900 e-mail: astone@hcc-global.com Web: www.hcc-global.com	2007	\$25	All classes. Uses U.S. Specialty Insurance and Houston Casualty Insurance paper. International business contact is R. Matthew Fairfield, CEO, Spain (34-93-530-7300).
<b>Professional Indemnity Agency, Inc.</b>	Brian Hickey Senior Vice President Professional Indemnity Agency 37 Radio Circle Drive, P.O. Box 5000 Mt. Kisco, NY 10549-5000 914-242-7808 Web: www.piaint.com	2007	\$15	Capacity available through Houston Casualty Group of companies (admitted in some states) for D&O management liability products for private equity/venture capital firms, investment advisors/hedge funds, diversified business organizations, e-mail: bhickey@piaint.com general partnerships, real estate investment trusts.
<b>Hiscox Inc.</b>	Kathleen Ray Assistant Vice President Hiscox Inc. 357 Main Street Armonk, NY 10504 914-273-7457 e-mail: kathleen.ray@hiscox.com Web: www.hiscoxusa.com	2007	\$10	Writes nonprofit D&O and public officials liability, including EPLI. Admitted in all states except LA. Primary policies written with State National Insurance Company. Excess will consider following form using Lloyd's paper.
<b>Hudson Insurance Group (Odyssey Re)</b>	Jim Hooghuis, CEO & Chairman Hooghuis Group LLC 176 Mineola Blvd., 2nd Floor Mineola, NY 11501 516-739-7979 ext. 11 e-mail: jhooghuis@hooghuis.com Web: www.hooghuis.com	2007 Side A	\$10 \$15	Primary and excess for most classes including commercial and financial service risks, REITs and IPOs. D&O written on Hudson Insurance Company, Hudson Specialty Insurance Company and certain underwriters at Lloyd's. E&O also underwritten with underwriters at Lloyd's.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>ICI Mutual Insurance Co.</b>	John T. Mulligan Vice President - Underwriting Department Manager ICI Mutual Insurance Group 1401 "H" Street NW Washington, DC 20005 800-643-4246 202-326-5376 (direct) 202-682-2425 (fax) e-mail: mulligan@icimutual.com	2007	\$200	Group captive formed by mutual funds and investment advisors. Sponsored by the Investment Company Institute.
<b>IronPro</b>	Greg Flood, President IronPro 1 Exchange Plaza 55 Broadway New York, NY 10006 646-826-6710 646-884-1729 (fax) e-mail: greg.flood@ironshore.com Web: www.ironshore.com	2007 Side A	\$15 \$25	D&O all classes and ancillary PTL/EPLI/Fidelity/E+O.
<b>Kansas Bankers Surety Company</b>	Don M. Towle, President Kansas Bankers Surety Company P.O. Box 1654 Topeka, KS 66601 785-228-0000 785-228-0079 (fax)	2007	\$20	Small and medium commercial banks in 28 states.
<b>Liberty Mutual Group/ Liberty International Underwriters</b>	Carl Pursiano Senior Vice President Liberty International Underwriters 55 Water Street, 18th Floor New York, NY 10041 212-208-4204 212-208-2866 (fax) e-mail: carl.pursiano@libertyiu.com Web: www.libertyiu.com	2007	\$25	Primary and excess management liability products including public and private company D&O, financial institutions, international, REITs, private equity/venture capital, EPLI, pension trust liability and fidelity. Admitted paper for most products.
<b>Lloyd's Syndicates or London Companies</b>				Markets will look at all lines. ACE \$10m, Beazley \$10m, Brit Insurance Company \$5m, Catlin \$10m, Hiscox \$5m, Lexington \$10m, Navigators \$10m, Newline (OdysseyRe) \$3m and Pembroke \$5m.
<b>Max Bermuda Ltd.</b>	James C. Gray, EVP & CUO Max Bermuda Ltd. Max House 2 Front Street Hamilton HM 11 Bermuda 441-296-8800 441-296-8811 (fax) e-mail: jim.gray@maxbermuda.com Web: www.maxbermuda.com	2007 Side A	\$15 \$25	Excess AB, ABC, Side A and Side A DIC. No excluded classes.
<b>National Indemnity (Berkshire Hathaway)</b>	Ajit Jain, President, Specialty Risk Division Berkshire Hathaway 100 First Stamford Place Stamford, CT 06092 203-363-5205 203-363-5221 (fax) e-mail: ajain@berkre.com	2007	\$100	All classes. Specializes in large, difficult-to-place accounts. NOTE: Generally, minimum premium is \$1 million. *Capacity up to \$100 million or more available through negotiations on an individual basis.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>Navigators Insurance Company/Navigators Specialty Insurance Company/Navigators Syndicate 1221 at Lloyd's London</b>	Christopher Duca, President Navigators Pro One Penn Plaza, 55th Floor New York, NY 10119 212-613-4315 212-613-4302 (fax) e-mail: cduca@navg.com Web: www.navg.com	2007	\$20	All classes. D&O for publicly traded and privately held firms. Purchased the renewal rights to the Genesis D&O and EPL book of business. International D&O contact is Scott Misson at smisson@navg.com or (212-613-4214.) EPL contact is Christine Schneider at cschneider@navg.com or (212-613-4316.) E&O contact is Brian Braden at bbraden@navg.com or 212-613-4315.
<b>OHIC Insurance Co.</b>	Linda Johnson, Assistant Vice President Administrative Services & Facilities OHIC Insurance Company 155 E. Broad Street Columbus, OH 43215 707-226-0339 707-226-0170 (fax) Web: www.ohic.com	2007	\$5	OHIC writes D&O coverage for Ohio hospitals only where they also provide their medical malpractice liability insurance.
<b>Old Republic</b>	Martin Perry, President Chicago Underwriting Group 191 North Wacker Drive, Suite 1000 312-750-8800 e-mail: mperry@cug.com Web: www.cug.com	2007 Side A	\$15 \$25	All classes. Focus on technology and life sciences technology. Capacity is up to \$15 million for primary and excess.
<b>OneBeacon Insurance Company</b>	John Riordan, Vice President OneBeacon Insurance Company 30 Tower Lane Avon, CT 06001 860-773-6185 860-773-6097 (fax) e-mail: jriordan@onebeacon.com	2007	\$10	Focus for D&O is essentially health care only.
<b>Philadelphia Insurance Companies</b>	John W. Glomb, Jr. Senior Vice President One Bala Plaza, Suite 100 Bala Cynwyd, PA 19004 610-538-2602 610-227-0027 (fax) e-mail: therendeen@Phlyins.com	2007	\$10	Coverage available for nonprofit organizations and private commercial companies. Write both primary and excess.
<b>Progressive Casualty Insurance Company</b>	Gina Juhnke, Products Manager Progressive Casualty 5920 Landerbrook Drive, Box L21 Mayfield Heights, OH 44124 800-274-5222 e-mail: gina_juhnke@progressive.com	2007	\$15	Writes commercial banks and thrifts.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>RLI Insurance Company</b>	A.Q. Orza, II Vice President, Executive Products RLI Insurance Company 47 Maple Street, Third Floor Atrium Summit, NJ 07901 908-598-8373 908-598-8377 (fax) e-mail: aq_orza@rlicorp.com Web: www.rlicorp.com	2007	\$25	All classes.
<b>RSUI Group</b>	Greg Buonocore, Senior Vice President RSUI Group 945 East Paces Ferry Rd., Suite 1890 Atlanta, GA 30326 404-760-4969 e-mail: gbuonocore@rsui.com Web: www.rsui.com	2007	\$20	All classes. Company is admitted in 47 states and uses RSUI Indemnity (admitted) paper and Landmark American (non-admitted) paper. Contact person for nonprofit is Michelle Eason. Subsidiary of Allegheny Corp.
<b>Sargasso Mutual Insurance Companies</b>	Wanette M. Vann, Underwriter Sargasso Mutual Insurance Company, Ltd. Victoria Hall, 11 Victoria Street Hamilton HM 11 Bermuda 441-298-6620 e-mail: wanette.m.vann@marsh.com	2007 Primary Excess Side A Only	\$15 \$20 \$20	\$15M primary and excess. Up to \$20 million in excess coverage available with a minimum attachment of \$15 million. Follow form excess Side A only available with limits up to \$20M. Coverage is available to eligible U.S. or Canadian domiciled life insurance companies. NOTE: Managed by Marsh Management Services (Bermuda) Ltd.
<b>Scottsdale (Nationwide) Freedom Specialty</b>	Craig Landi Senior Vice President Freedom Specialty 7 World Trade Center New York, NY 10007 212-329-6901 e-mail: craig.landi@freedomspecialtyins.com Web: freedomspecialtyins.com	2007	\$15	All classes of D&O and related lines of business.
<b>Scottsdale Insurance Company</b>	Donald Kenny, Vice President Negley & Associates 388 Pompton Avenue Cedar Grove, NJ 07009 973-239-9107 973-239-6241 (fax) e-mail: dkenny@jjnegley.com Web: www.jjnegley.com	2007	\$5	MGA for Scottsdale for nonprofit social service agencies and mental health facilities.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>Travelers</b>	Cary Meiners D&O Product Manager Bond & Financial Products Travelers 385 Washington St., Code 9275-NB03A St. Paul, MN 55102 651-310-8938 e-mail: cmeiners@travelers.com Web: www.stpaultravelers.com/agents/	2007	\$25	Considers all classes; primary and excess. Public company liability contact is Mark Lamendola (412-338-3057); contact for private and nonprofit business is Peter Herron (860-277-1961); contact for financial institutions is Walter Grote (860-277-2208). Issuing paper includes: Travelers Casualty and Surety Company of America, Travelers Excess and Surplus Lines Company, St. Paul Mercury and St. Paul Surplus Lines.
<b>Tudor Insurance Co.</b>	Margaret Sfraga, Underwriting Specialist Operations Supervisor Tudor Insurance Company 400 Parson's Pond Drive Franklin Lakes, NJ 07417 201-847-8600 e-mail: m.sfraga@westernworld.com Web: www.westernworld.com	2007	\$5	Mostly nonprofit organizations, but also write for-profit organizations. Tudor Insurance Company used in most states. Western World and Stratford Insurance used in six states.
<b>United Educators Ins. A Reciprocal Risk Retention Group</b>	Lee Lloyd, Vice President United Educators Insurance RRG Two Wisconsin Circle, 4th Floor Chevy Chase, MD 20815-9913 301-907-4908 ext. 407 e-mail: llloyd@ue.org Web: www.ue.org	2007	\$25	Risk Retention Group for universities, colleges, nonpublic elementary and secondary schools. Write educators legal liability. In addition, write public K-12 but only for limits up to \$5 million.
<b>W.R. Berkley</b>	Sandra Nelson Senior Vice President, Underwriting Monitor Liability Managers, Inc. 2850 West Golf Road, Suite 800 Rolling Meadows, IL 60008 847-806-6590 ext. 509 e-mail: snelson@monitorliability.com Web: www.monitorliability.com	2007	\$10	All classes except money center banks, insurance companies, securities brokers and health care. Writes coverage on non-admitted Admiral Insurance Company paper and admitted Carolina Casualty paper, where applicable.
<b>XL Insurance XL Insurance (Bermuda) Ltd.</b>	Mark Peeters, Senior Vice President Professional Lines XL Insurance (Bermuda) Ltd. XL House One Bermuda Road, PO Box HM 2245 Hamilton HM JX Bermuda 441-292-8515 e-mail: mark.peeters@xlgroup.com Web: www.xlcapital.com	2007	\$50	All classes. A side can be written on a primary, excess or excess/DIC basis. Minimum attachment point on Side B and C is \$25M. Maximum capacity for B&C coverage is \$25M. No B&C coverage is available for financial institutions or pharmaceutical companies.

COMPANY	CONTACT	CAPACITY (IN MILLIONS)		COMMENTS
<b>XL Professional USA</b>	John T. Burrows, Senior Vice President XL Professional One Hundred Constitution Plaza Hartford, CT 06103 860-948-1809 e-mail: john.burrows@xlgroup.com Web: www.xlprofessional.com	2007	\$50	Full coverage ABC and up to \$75 million "A" side DIC. All classes of business on primary and excess basis.
<b>Zurich Fidelity &amp; Deposit</b>	Pam Jozwiak Commercial Markets - FE Fidelity & Deposit 3910 Keswick Road Baltimore, MD 21211 800-821-4635 e-mail: pamela.jozwiak@zurichna.com Web: www.zurichna.com/fe	2007	\$25	Writes D&O/E&O for insurance companies, credit unions, regional and community banks and savings institutions. Writes primary coverage and will consider excess coverage. Write on Fidelity and Deposit Company of Maryland and Colonial American Casualty & Surety Company paper.
<b>Zurich Global</b>	Douglas Robare D&O Manager Zurich Global Corporate U.K. Suite No. 3, 3rd Floor London Underwriting Centre Three Minister Court, Mincing Lane London EC3R 7DD 011-44-207-648-3113 e-mail: douglas.robare@zurich.com Web: www.zurichlondon.com	2007	\$50	All classes. Does not write U.S.-domiciled organizations. Issuing paper is Zurich Insurance Ireland Ltd. U.K. branch
<b>Zurich Specialties</b>	Salvatore Pollaro, Executive Vice President Management Solutions Group Zurich Specialties One Liberty Plaza New York, NY 10006 866-860-7292 e-mail: salvatore.pollaro@zurichna.com Web: www.zurichna.com/managementliability	2007	\$25	Primary and excess D&O for midsize and large organizations in most industries including Financial Institutions. Zurich's Executive Side A available, as are unique solutions for international tax and local policy placement issues.

## APPENDIX B

### D&O LIABILITY & INSURANCE PROGRAM REVIEWS AND INSURANCE PLACEMENT

Towers Perrin provides D&O liability and insurance program reviews for organizations seeking an independent review of risks and coverage. In addition, Towers Perrin places with insurers D&O and other insurance coverages for our consulting clients.

#### **D&O Liability and Insurance Program**

**Review:** A D&O insurance program review provides an independent assessment of the reasonableness and quality of the D&O program as it relates to your organization and its risk profile.

Towers Perrin works with clients to:

- Explore the company's main objectives with respect to its D&O insurance program. For example, is the company trying to minimize costs? Does it need to cover its own liability or payments made to directors and officers? Should it increase the scope of its coverage to ensure that directors and officers are comfortable with their level of protection?
- Check corporate indemnification provisions to see if there are opportunities to improve the breadth of coverage to directors and officers.
- Ensure a thorough understanding of current issues in the litigation environment and the current insurance marketplace, including current trends in D&O claims and insurance purchasing practices.

- Identify the best structure for the program based on the company's unique risk profile, goals for the coverage and appetite for risk.
- Review existing programs for consistency with the company's purchasing philosophy, program cost and current market conditions regarding capacity, pricing and coverage restrictions.

**Insurance Placement:** Towers Perrin is the fifth largest reinsurance broker in the world. In addition, Towers Perrin provides retail brokerage services as part of its risk management and insurance consulting to clients. Towers Perrin provides a sophisticated alternative to traditional insurance intermediaries that combines seasoned insurance brokerage expertise with the strong analytical and consulting expertise of Towers Perrin. Clients can get the benefits of the D&O liability and insurance program review described above with the additional benefit of having Towers Perrin also place the insurance program in the insurance market.

Contact Michael Turk at:  
*michael.f.turk@towersperrin.com*  
 or 203-351-5193 for more information on our D&O insurance placement capabilities and program reviews.

[www.towersperrin.com](http://www.towersperrin.com)