



Quarterly D&O Claims Trends: 2016 Wrap Up

January 25th, 2017, 11 AM EST

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● Quarterly D&O Claims Trends: 2016 Wrap Up

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- **D&O Loss Insight** (Advisen's MSCAd large loss database)
- **Front Page News – Executive Risk Front Page News:**
<http://www.advisenltd.com/insurance-news/front-page-news/#execbyte>



D&O Commercial Insurance Group – 8,600 Members

THE D&O DIARY

<http://www.dandodiary.com>

Today's Moderator



Jim Blinn

EVP, Client Solutions
Advisen

● Today's Panelists



Chris Cavallaro

Managing Director
ARC Excess & Surplus, LLC



Will Fahey, Esq.

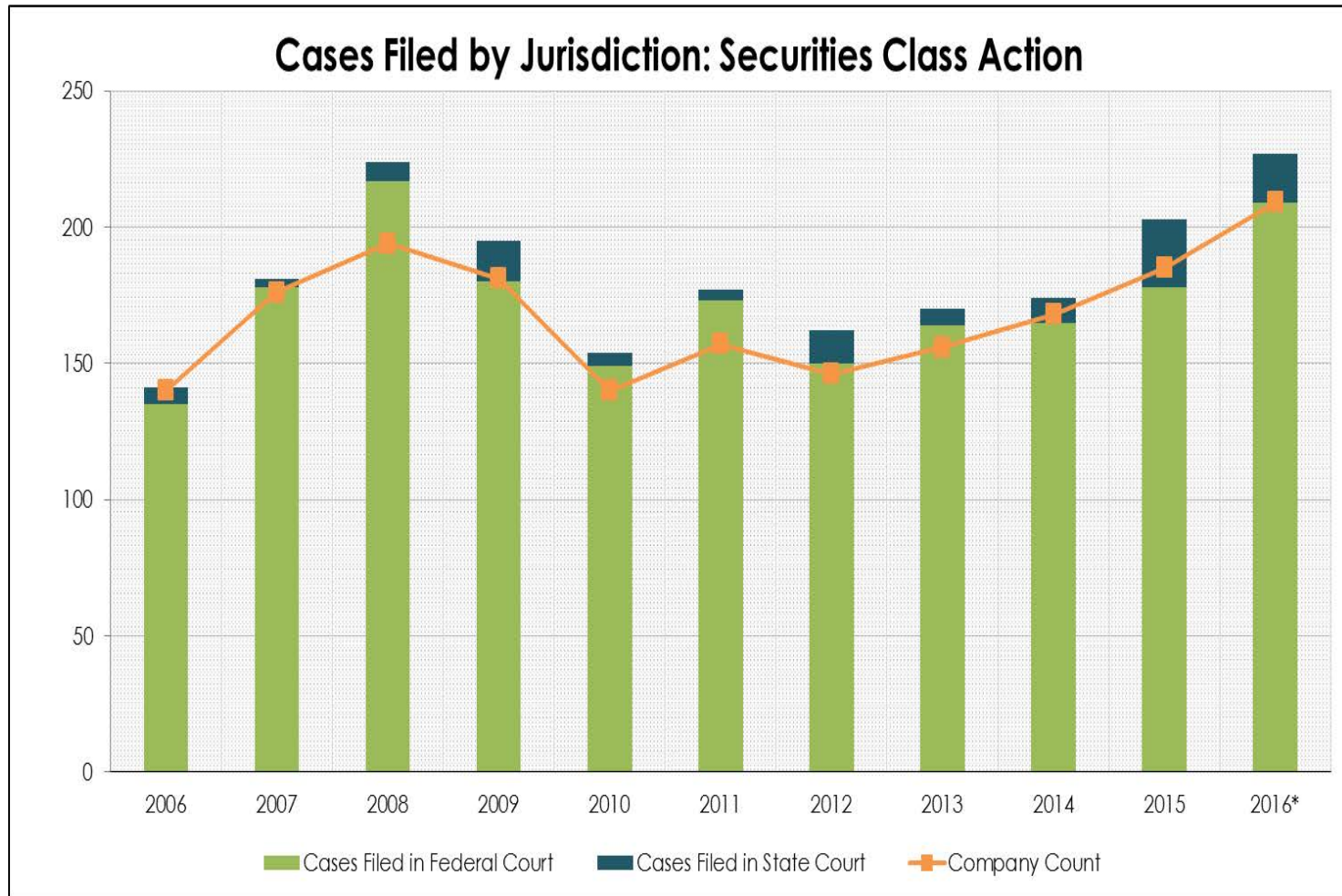
Senior Vice President
Executive & Professional Lines
Berkshire Hathaway Specialty
Insurance



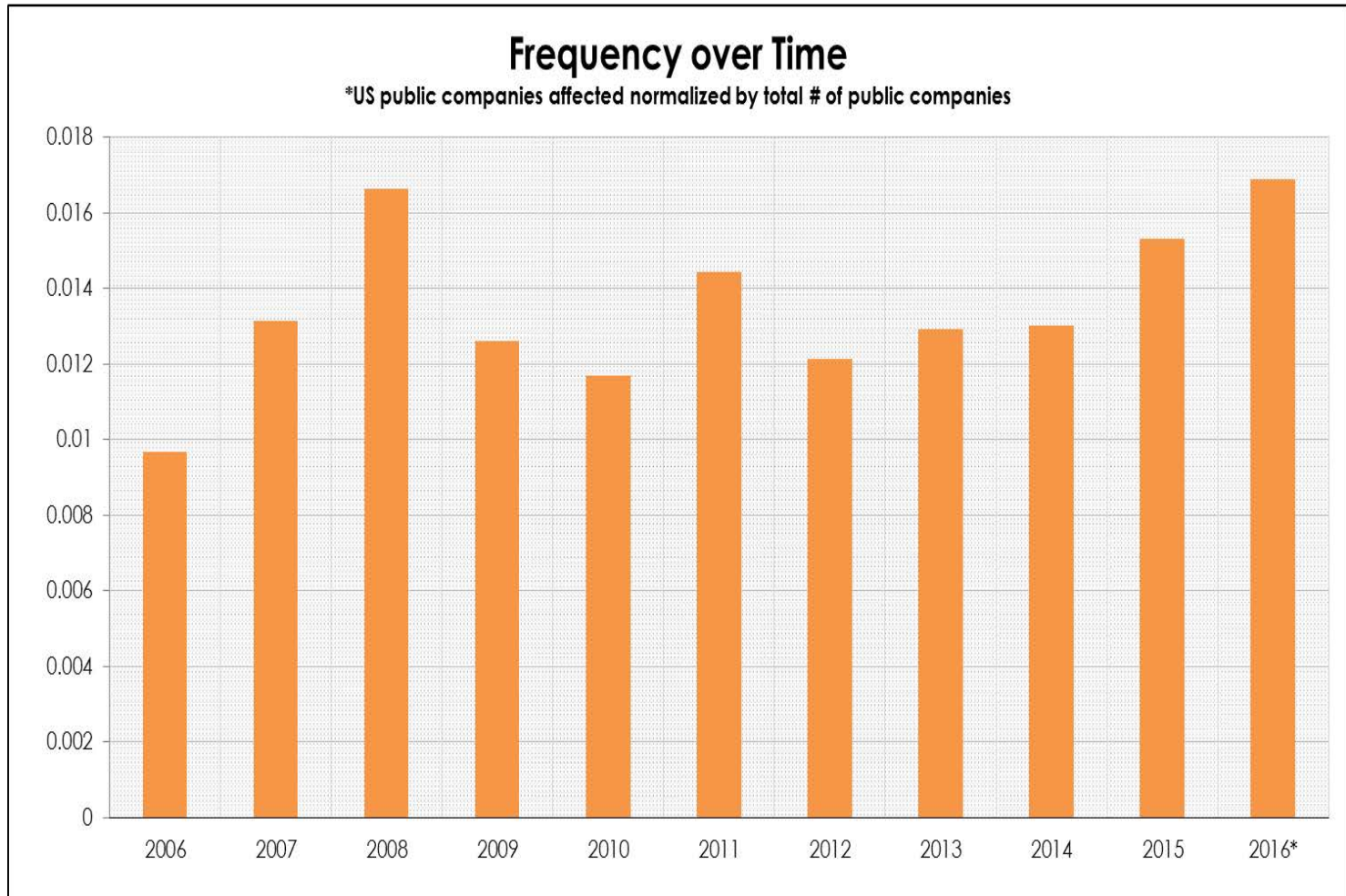
Kevin LaCroix

RT ProExec, a division of RT
Speciality
Author of the D&O Diary

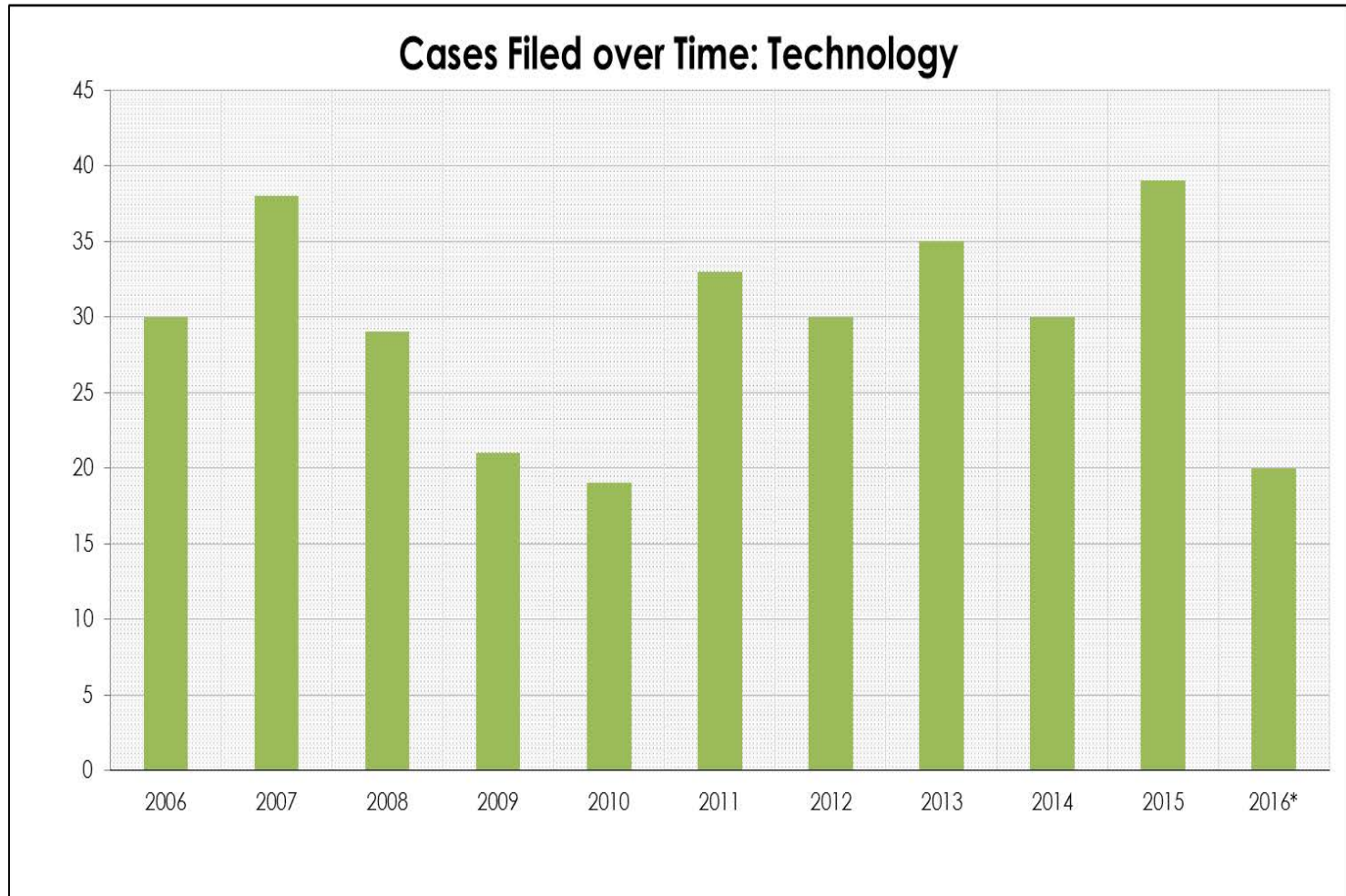
Securities Class Action



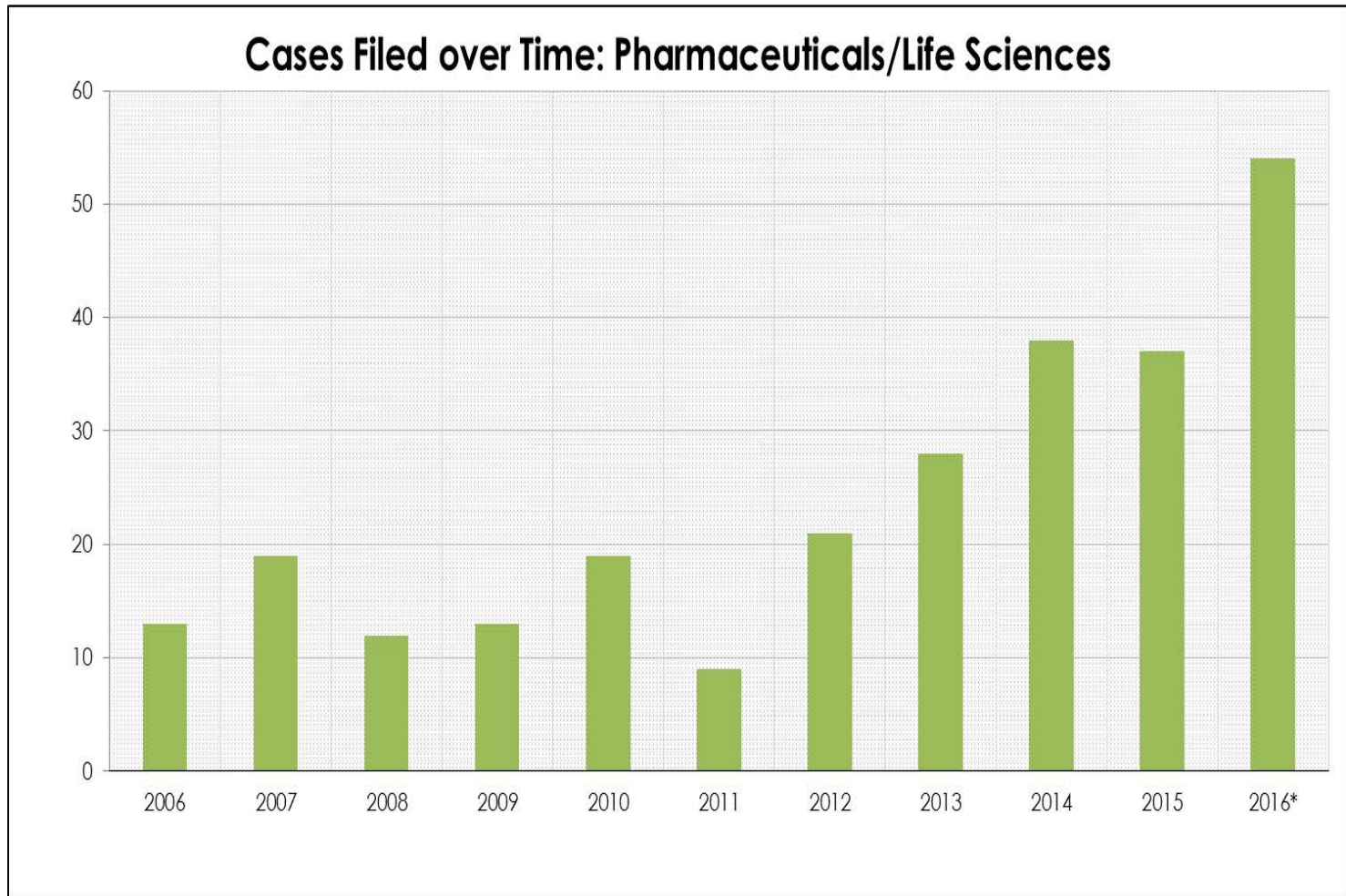
Frequency



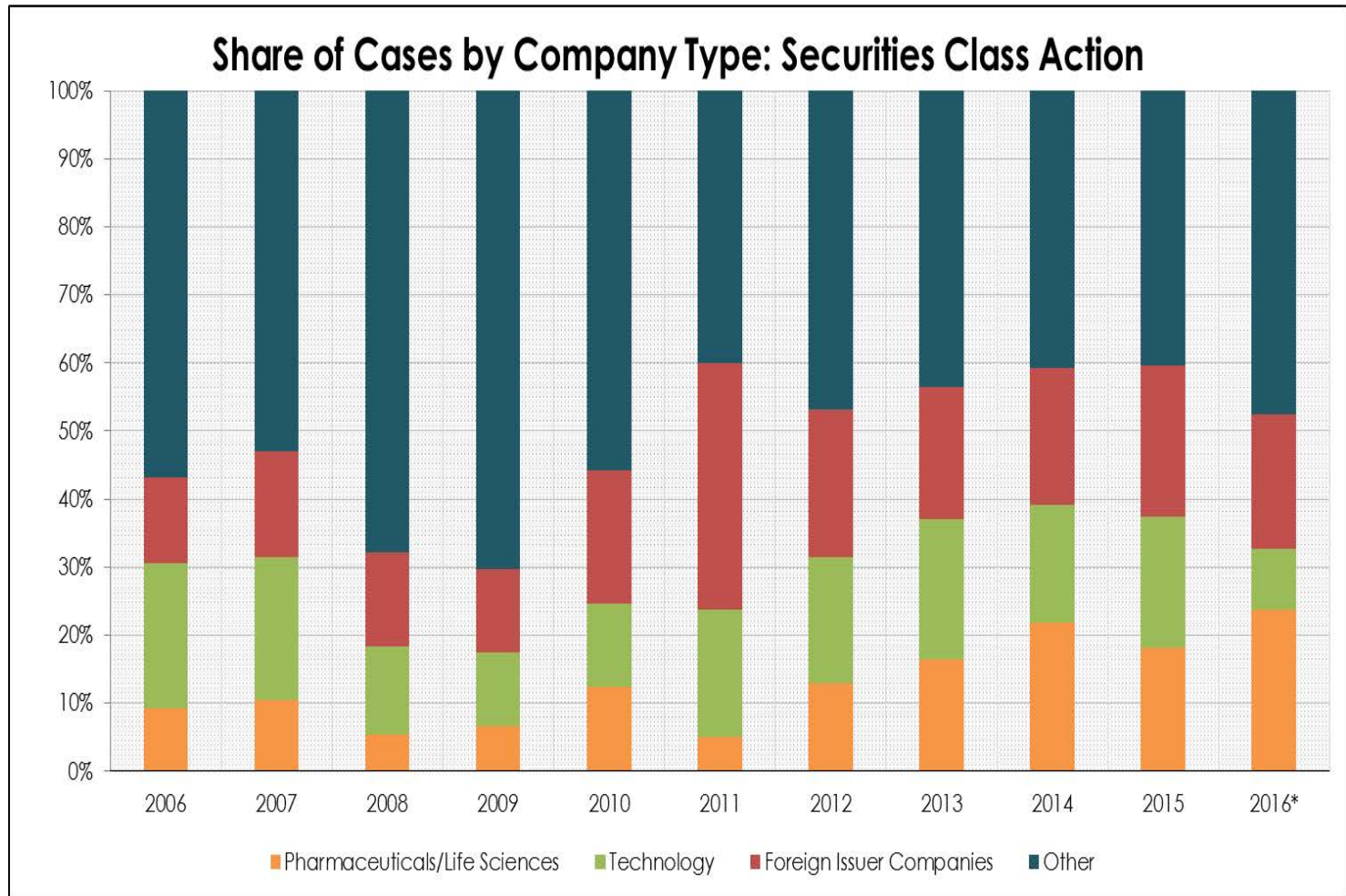
Technology



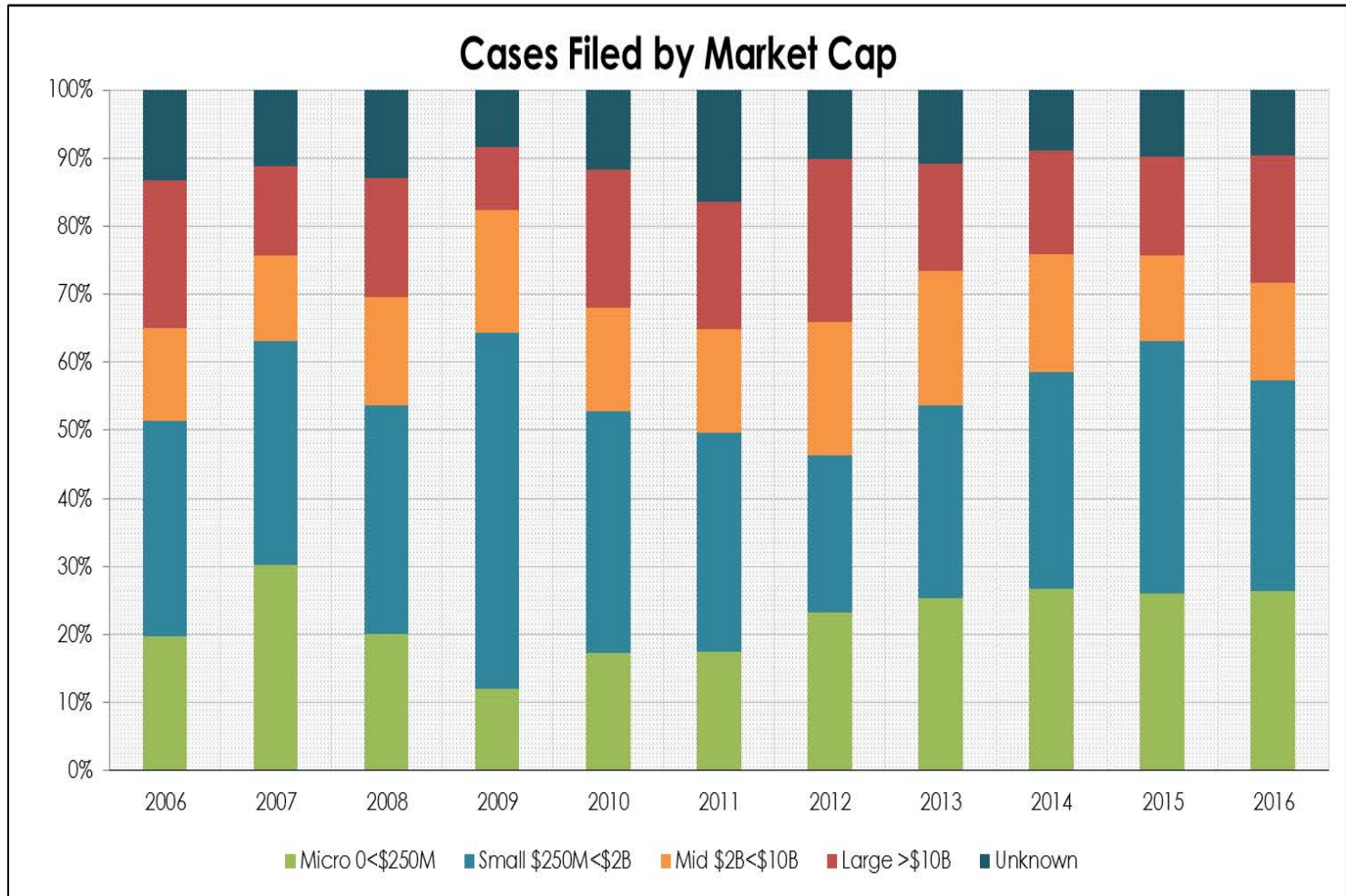
Pharmaceuticals/Life Sciences



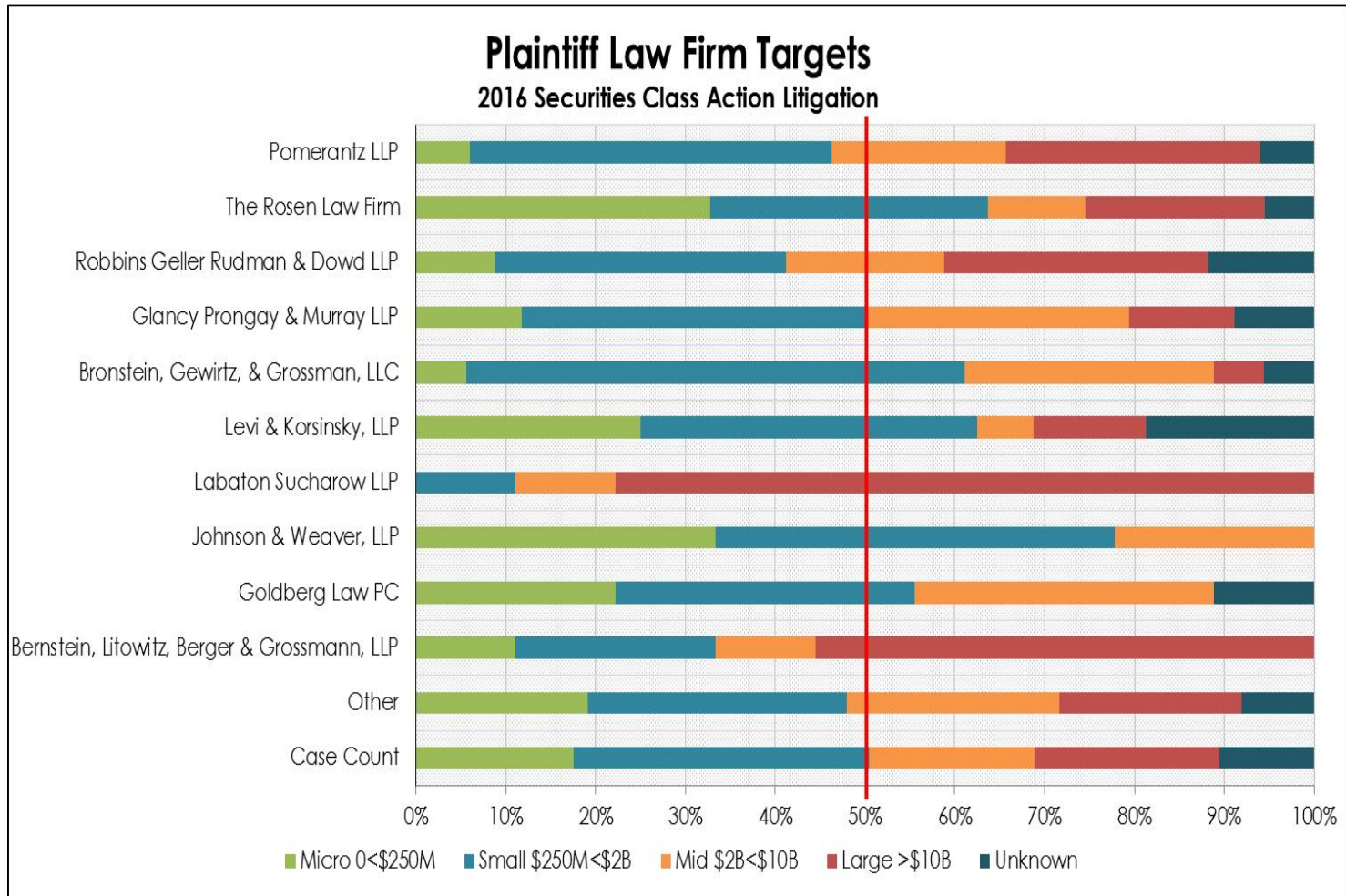
Share of Cases by Company Type



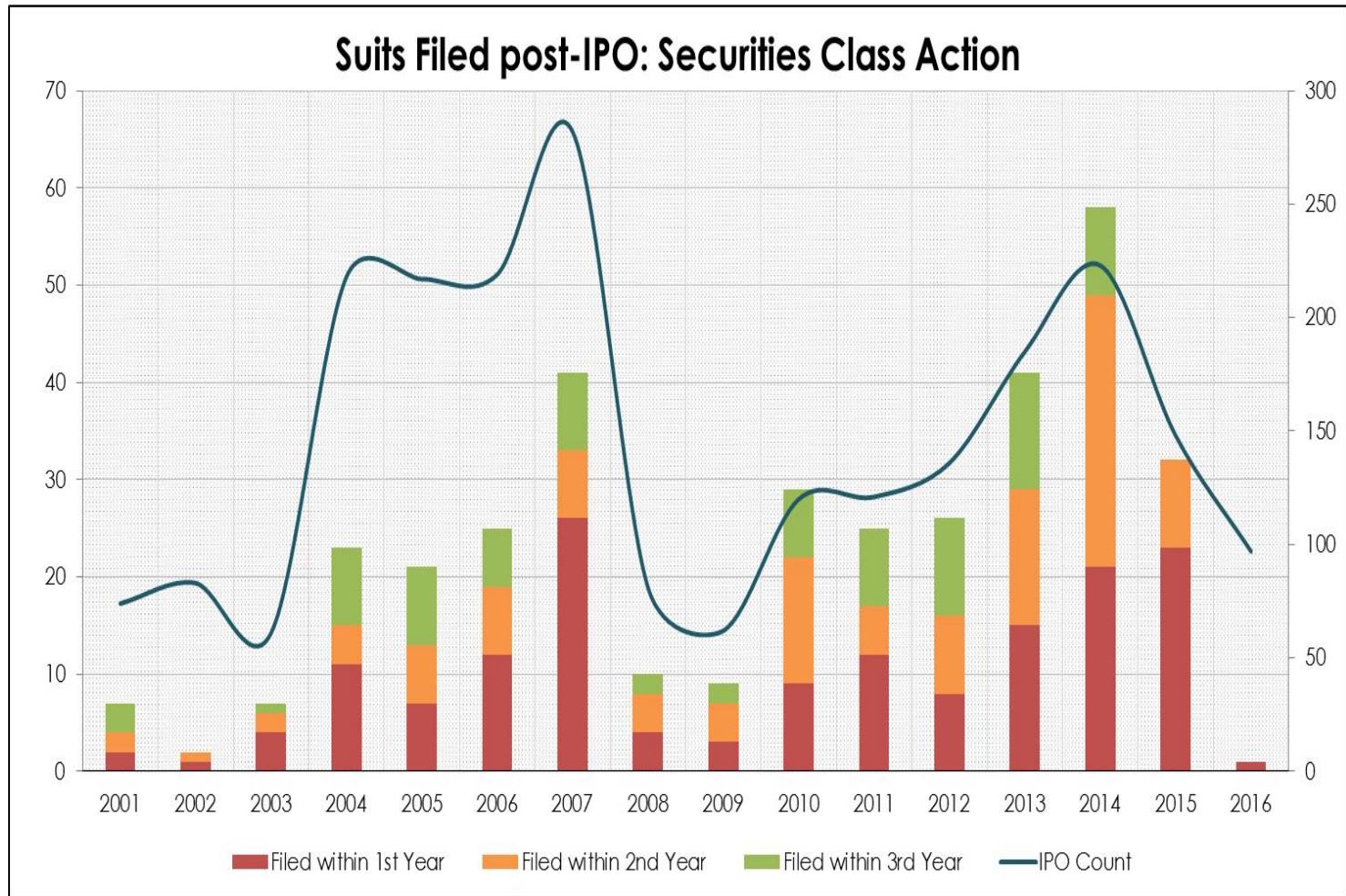
Cases by Market Cap



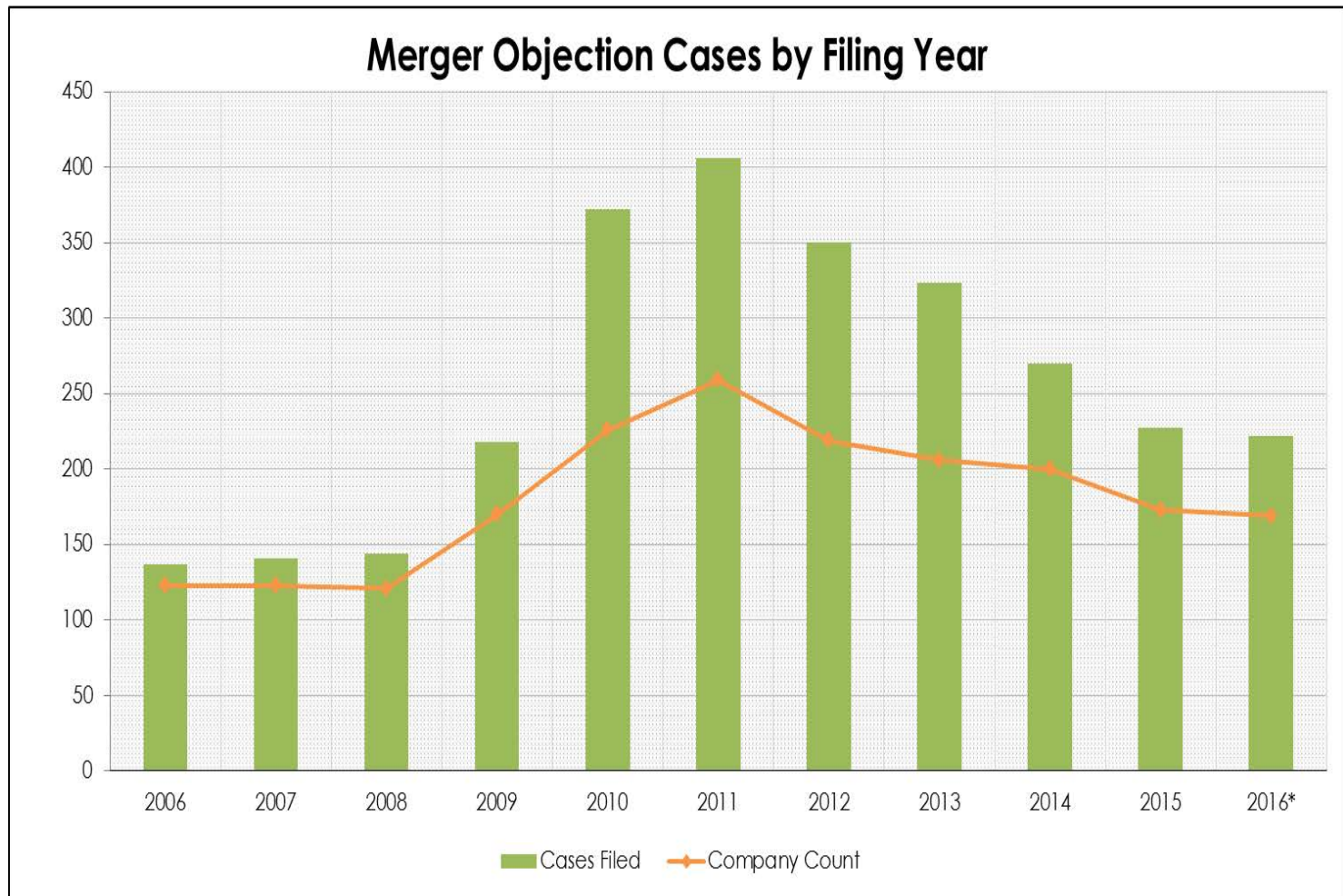
Plaintiff Law Firm Targets



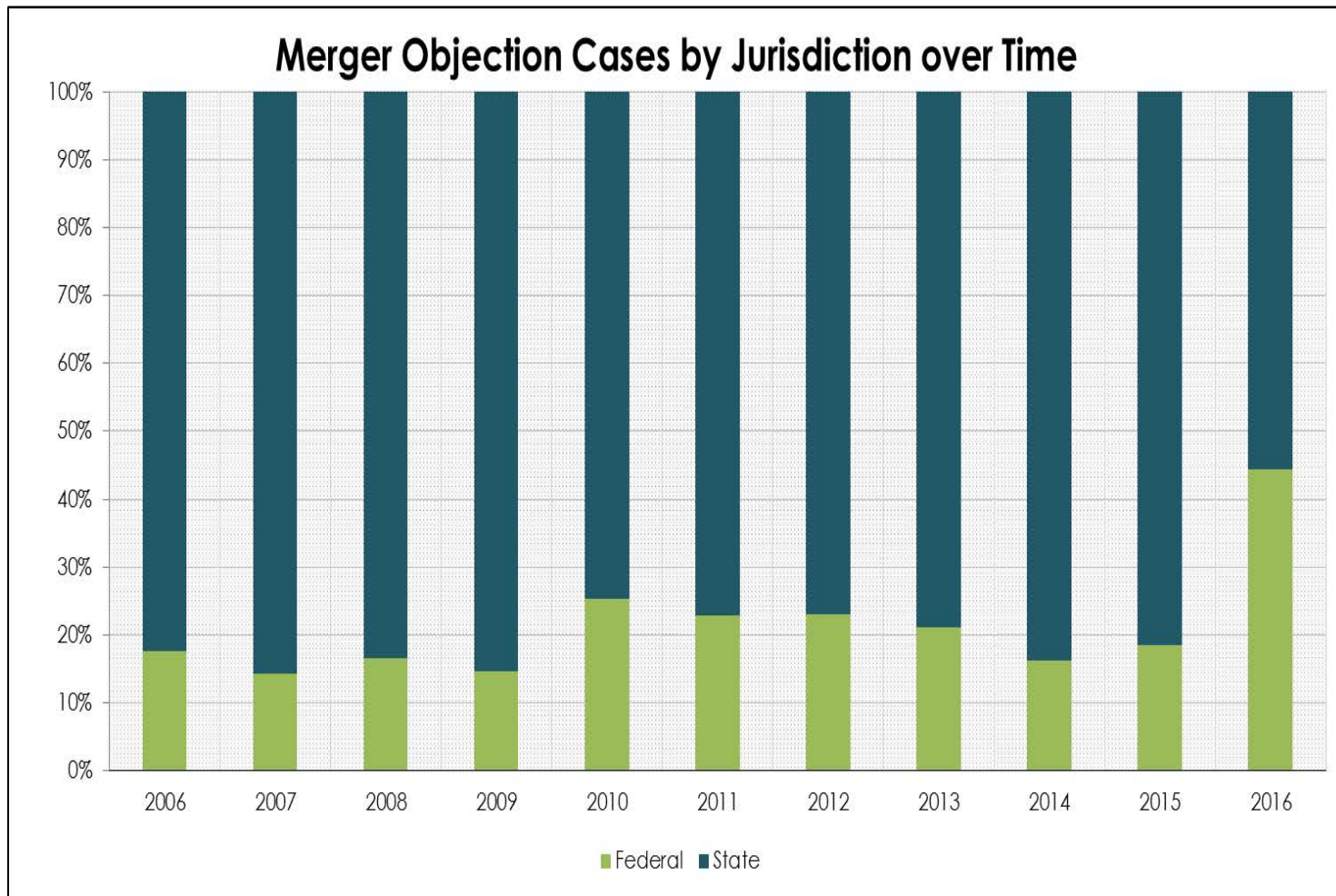
Post-IPO Suits



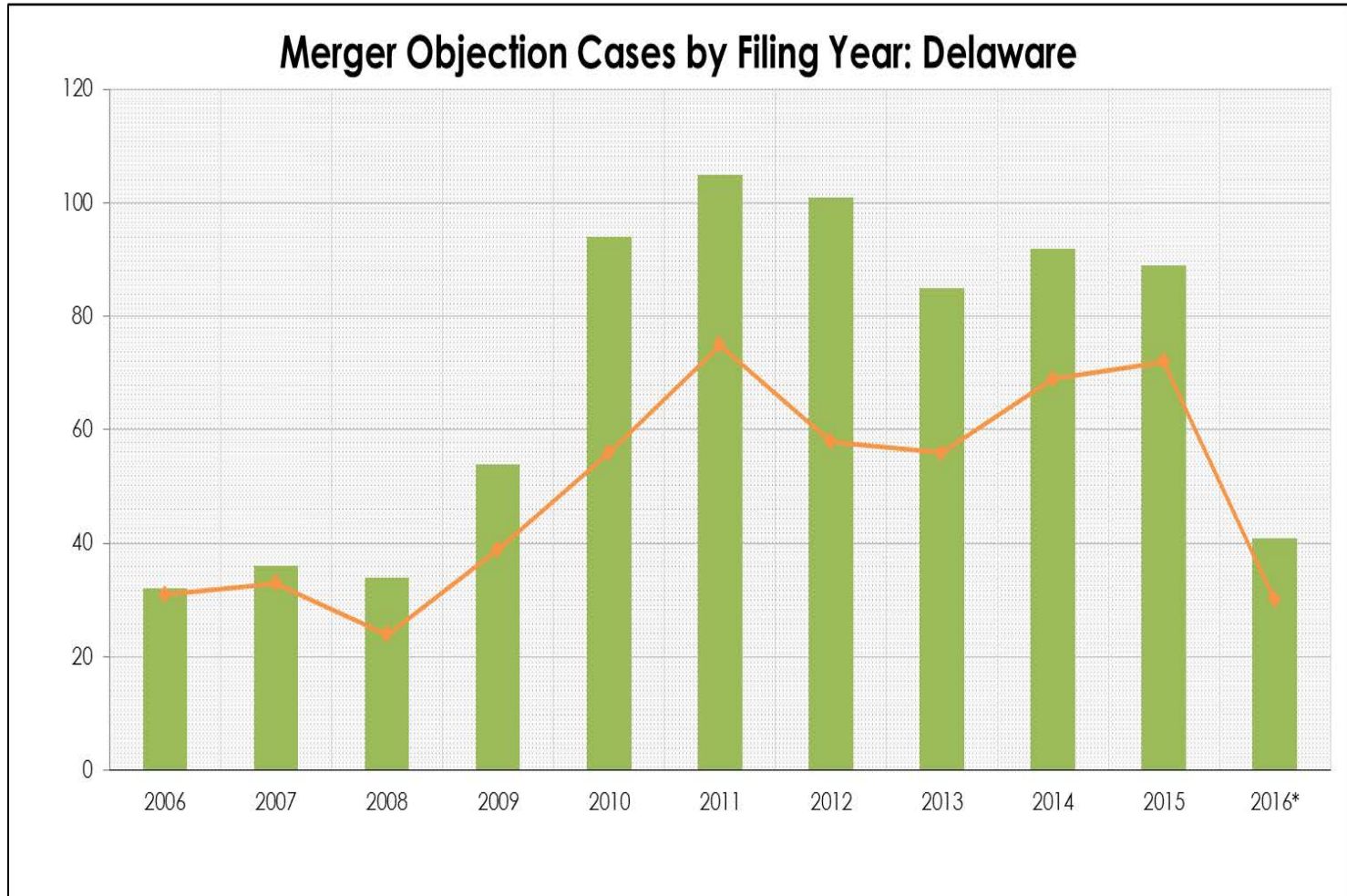
● Merger Objection: USA



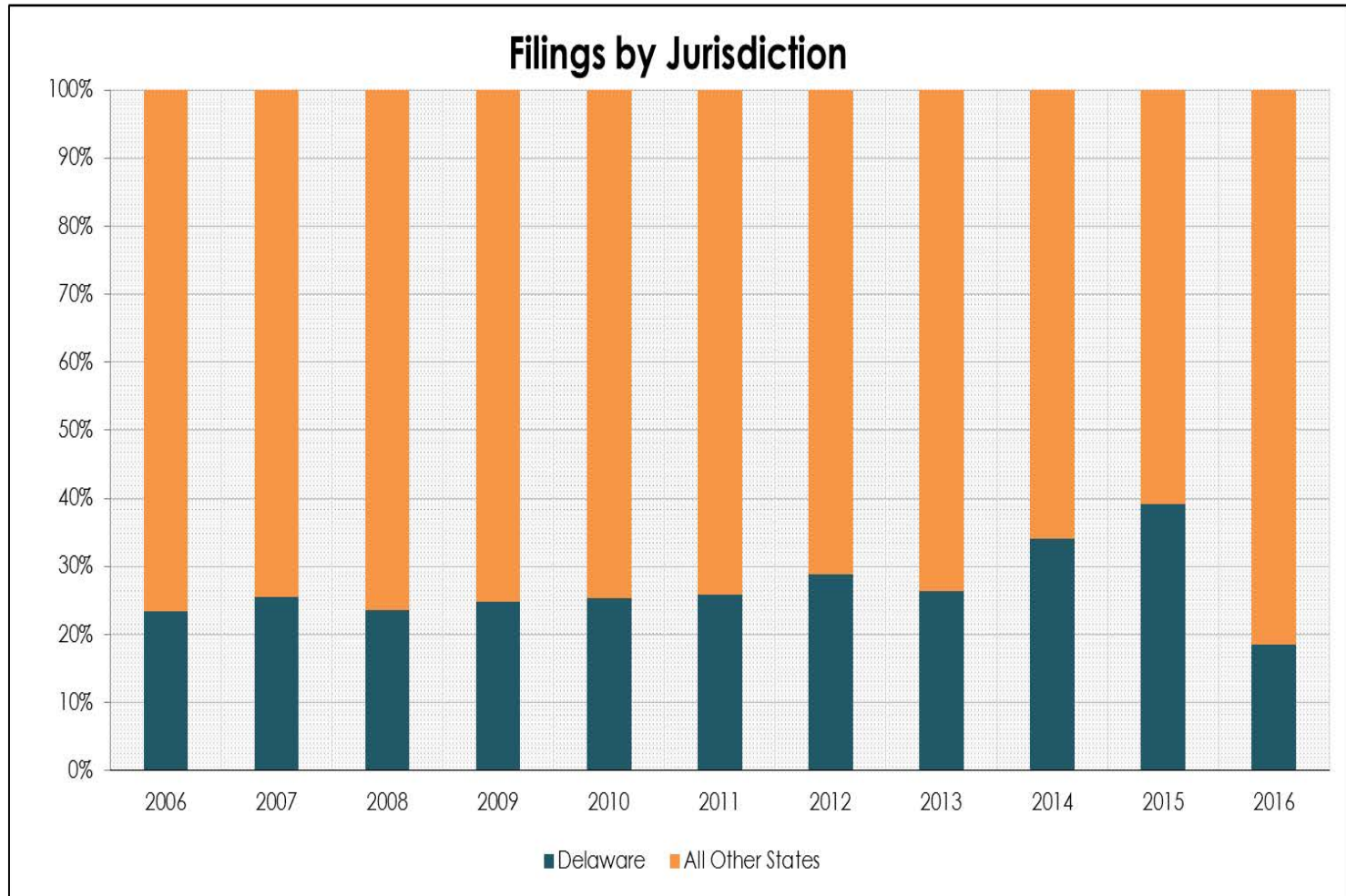
Jurisdiction: USA



● Merger Objection: Delaware



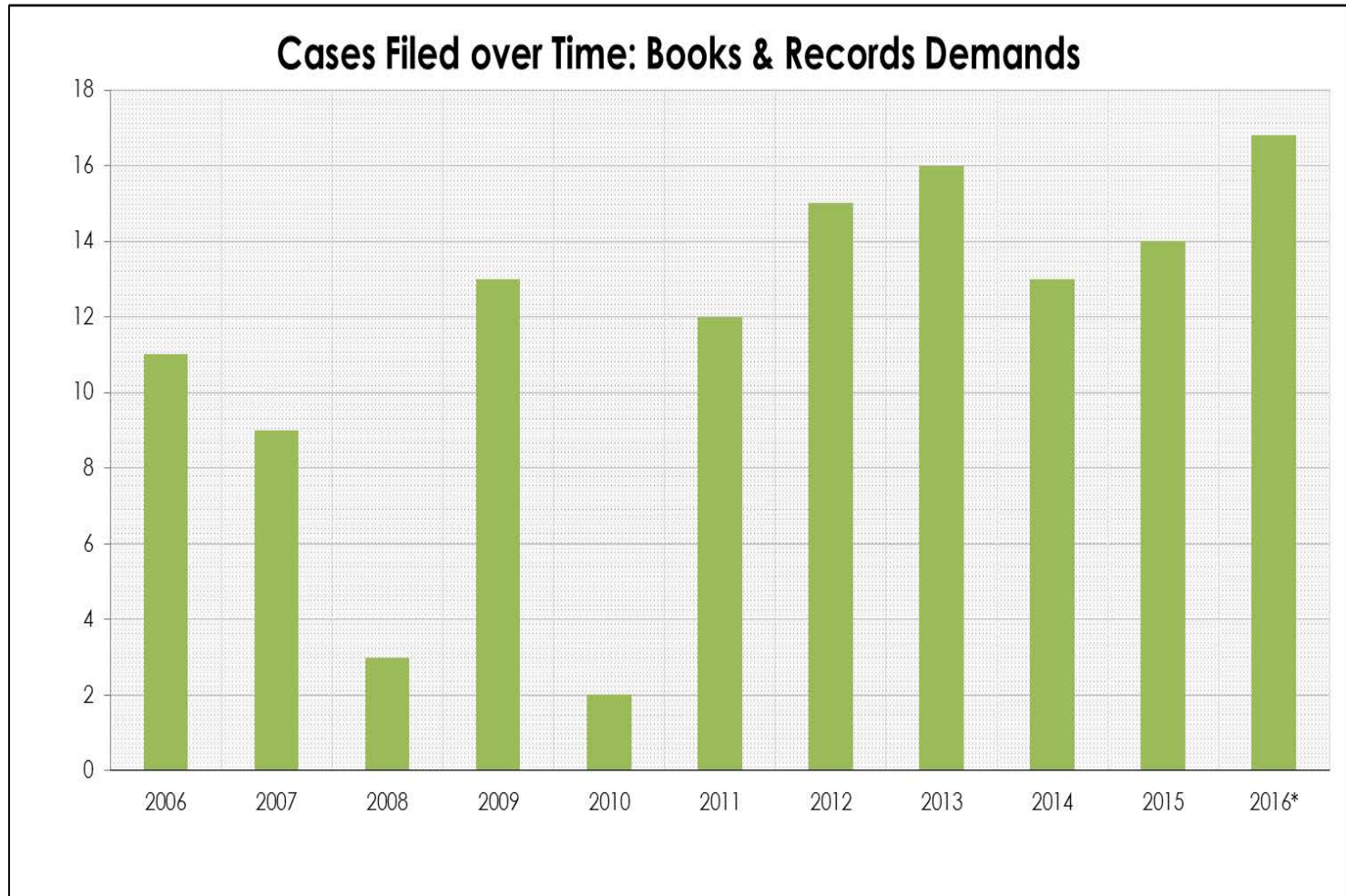
● Jurisdiction: Delaware



Cyber/Privacy D&O Cases

Company	Year	Type	Status	Total Loss
The TJX Companies	2007	Derivative	Settled	\$0.5M
Heartland Payment Systems	2009	SCAS & Derivative	Dismissed	-
News Corporation	2011	SCAS & Derivative	Settled	\$139M
Target Corporation	2014	Derivative	Dismissed	-
Wyndham Corp.	2014	Derivative	Dismissed	-
The Home Depot	2015	Derivative	Dismissed	-
Xoom Corporation	2015	SCAS	Pending	-
MobileIron	2015	SCAS	Pending	-
Jaspen Capital Partners	2015	Regulatory Action	Settled	\$30M
The Wendy's Company	2016	Derivative	Pending	-
Expedia Inc.	2016	Regulatory Action	Pending	-
Wells Fargo & Company	2016	SCAS & Derivative	Pending	-

Books & Records Demands



Top 10 SEC Awards

2017

January 6 — \$5.5 million

2016

December 5 — \$3.5 million

November 14 — \$20 million

September 20 — \$4 million

August 29 — \$22 million

June 9 — \$17 million

May 17 — \$5 million to \$6 million

May 13 — \$3.5 million

2014

September 22 — \$30 million

2013

September 30 — \$14 million

● Thank you to our panelists!



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Berkshire Hathaway Specialty
Insurance



Kevin LaCroix

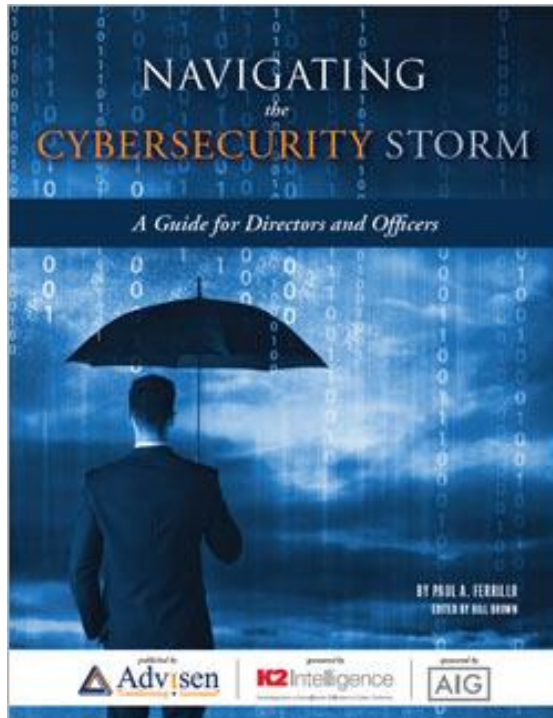
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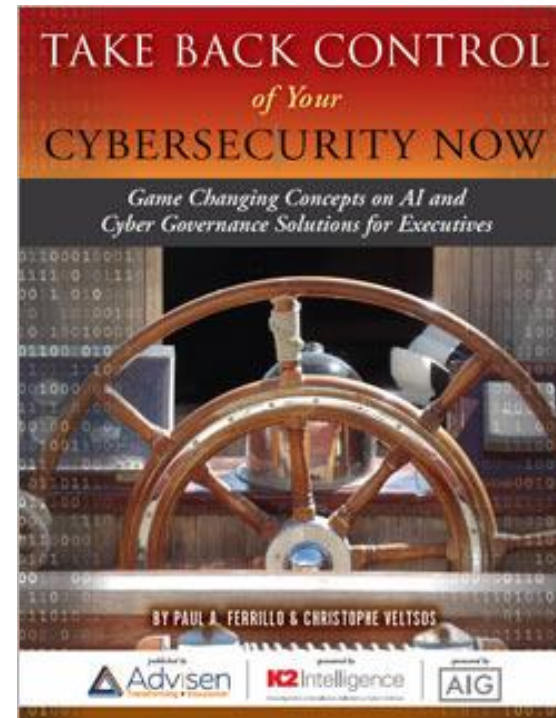
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“Navigating the Cybersecurity Storm”

By: Paul Ferrillo



“Take Back Control of your Cybersecurity Now”

By: Paul Ferrillo
and Christophe Veltsos

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Save the Date!

Quarterly D&O Claims Trends: Q1 2017

Wednesday, April 27th, 2017
at 11 am EST

Quarterly D&O Claims Trends: Q2 2017

Wednesday, July 26th, 2017
at 11 am EST





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