

We thought we were covered...

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Haas & Wilkerson Insurance



ANNIVERSARY CONVENTION & EXPO

PRESENTED BY



...But we weren't!

- Policies
 - Endorsements
 - Amending coverages in the policy
 - Exclusions
 - Excludes specific exposures from this policy

POLICYWRITING INDEX

| ACCOUNT ID | POLICY NUMBER | PREVIOUS POLICY NUMBER | EFFECTIVE DATE - EXPIRATION DATE |
|-------------------------|---------------|--|----------------------------------|
| SPAR05563 | OGLG2460522A | NEW | 04-15-2014 04-15-2015 |
| COMPUTER PRODUCED FORMS | | | |
| TR-41203 | 09-13 | NOTICE TO POLICYHOLDERS CONDITIONAL TRIA | |
| ALL-20887 | 10-06 | ACE PRODUCER COMP PRACTICES & POLICIES | |
| ALL-5X45 | 11-96 | QUESTIONS ABOUT YOUR INSURANCE | |
| IL P 001 | 01-04 | US TREASURY DEPT'S OFAC ADVISORY NOTICE | |
| ALL-24624 | 01-08 | COMMON POLICY DECLARATIONS | |
| ALL-24990 | 01-08 | INSTALLMENT SCHEDULE | |
| ALL-24625 | 01-08 | SCHEDULE OF LOCATIONS | |
| ALL-24626 | 01-08 | SCHEDULE OF FORMS AND ENDORSEMENTS | |
| CC1K11G | 01-11 | SIGNATURES | |
| ALL-24629 | 01-08 | SCHEDULE OF NAMED INSURED(S) | |
| IL 00 17 | 11-98 | COMMON POLICY CONDITIONS | |
| IL 00 21 | 09-08 | NUCLEAR ENERGY LIABILITY EXCLUSION ENDT | |
| IL 02 74 | 02-13 | MISSOURI CHANGES-CANC & NONRENL | |
| ALL-21101 | 11-06 | TRADE OR ECONOMIC SANCTIONS ENDORSE | |
| TRIA15C | 01-08 | NOTICE OF TERRORISM INSURANCE COVERAGE | |
| LD-24638 | 01-08 | COMM GENERAL LIABILITY COVERAGE SUPP DEC | |
| LD-24640 | 01-08 | LIQUOR LIABILITY COVERAGE PART DEC | |
| LD-10390A | 07-13 | EARNED PREMIUM ENDORSEMENT | |
| CG 00 01 | 04-13 | COMMERCIAL GENERAL LIABILITY COV FORM | |
| CG 00 33 | 04-13 | LIQUOR LIABILITY COV FORM (OCCURENCE) | |
| CG 21 87 | 01-07 | COND EXCL-TERR (DISP/FED TRIA ACT) | |
| LD-23516A | 07-08 | CATASTROPHE MNGMT COV ENDT | |
| LD-25453 | 07-08 | AMENDATORY - DAMAGE TO PROPERTY | |
| CG 01 34 | 08-03 | MISSOURI CHANGES -POLLUTION EXCLUSION | |
| CG 26 50 | 04-13 | MISSOURI CHANGES - MEDICAL PAYMENTS | |
| CG 02 24 | 10-93 | EARLIER NOTICE OF CANC PROVIDED BY US | |
| CG 20 26 | 04-13 | ADDL INSD-DESIGNATED PERSON/ORGANIZATION | |
| CG 20 34 | ADL 04-13 | ADDL INSD-LESSOR OF LEASED EQUI | |
| CG 21 01 | 11-85 | EXCL-ATHLETIC OR SPORTS PARTICIPANTS | |
| CG 21 35 | 10-01 | EXCL-COV C-MEDICAL PAYMENTS | |
| CG 21 47 | 12-07 | EMPLOYMENT-RELATED PRACTICES EXCLUSION | |
| CG 21 65 | 12-04 | TOTAL POLLUTION EXCL-WITH EXCEPTIONS | |
| CG 21 73 | 01-08 | EXCLUSION OF CERTIFIED ACTS OF TERRORISM | |
| CG 24 07 | ADL 01-96 | PROD/COMPLETED OPERATIONS HAZARD REDEFIN | |
| CG 25 04 | 05-09 | DESIGNATED LOCATIONS GENERAL AGGREGATE | |
| CG 26 25 | 04-05 | MO CHANGES - GUARANTY ASSOCIATION | |
| LD-10291 | 03-01 | CONTINGENT EXCESS FIREWORKS COVERAGE | |
| LD-10295A | 01-10 | CONTINGENT EXCESS MECHANICALLY OPERATED | |
| LD-20934 | 10-06 | ADDITIONAL INSURED - VOLUNTEERS | |
| LD-21943 | 03-07 | FUNGI OR BACTERIA EXCLUSION | |
| LD-3R16 | 03-87 | EXCLUSION - ASBESTOS | |
| LD-4883 | 07-88 | PYRAMIDING OF LIMITS ENDORSEMENT | |
| LD-4S35 | 06-92 | EXCLUSION - LEAD | |
| LD-8Z69 | 09-00 | EXCLUSION-DESIGNATED ACTIVITY OR EVENT | |
| LD-9Z24 | 10-00 | ADDL INSURED-SPECIFIED PERSON OR ORG | |
| LD-9Z27 | 10-00 | ADDL INSURED-SPECIFIED MGRS-LESSORS PRE | |

Assault and Battery Exclusion

- This insurance does not apply to Bodily Injury or Property Damage arising from:
 1. Assault and battery committed by any insured, any employee of any insured, or **any other person.**
 2. The failure to suppress or prevent Assault and Battery by any person in (1) above or
 3. Any assault or battery resulting from or allegedly related to the negligent hiring, supervision or training of any employee of the insured.

YOUR POLICY WILL NOT PROVIDE A DEFENSE FOR YOUR ORGANIZATION SHOULD IT BE NEEDED.

Performer Exclusion

- It is agreed that this insurance does not apply to bodily injury to any person while practicing for, or performing in any concert, show, or theatrical event, sporting event, or exhibition insured under this policy.
- This excludes coverage for any injury that an artist may claim your negligence.

Full Participant Exclusion

- This excludes coverage and defense costs for injuries to anyone other than a festival patron.
 - This exclusion includes volunteers, entertainers, vendors, contractors, and all athletic participants.

Athletic Participants Exclusion

- With respect to any operations shown in the schedule, this insurance does not apply to bodily injury to any person while practicing for or participating in any sports, or athletic contest or exhibition that you sponsor.
- This could include all types of sports activities from a 5k, bike races, mud runs and more.

Mobile Equipment Exclusion

- Check to see if your policy excludes liability for the use of mobile equipment. This can include many different items one of them being golf carts.
- If golf carts are excluded from the policy how many events would have had uncovered claims?

Exclusion of Sports, Leisure or Entertainment Devices

- This is a non-standard form that can limit coverage based on the way it is written.
- These forms can be altered in many ways and will either provide or remove coverage based on the boxes checked.
- Exclusions can include, participants, objects propelled(parade),and concerts

Limitation of Coverage to a Designated Premises or Project

- This endorsement can limit what is thought to be annual coverage to a single event or location.
- This can leave an event with either uncovered offseason events or uncovered locations at larger events.

Classification Limitation Endorsement

- This insurance applies ONLY TO operations that are classified or shown on the declarations or specifically added by endorsement to this policy.

Contractual Liability

- This exclusion does not apply to liability for damages:
 1. That the insured would have in the absence of the contract or agreement; or
 2. Assumed in the contract or agreement that is an “insured contract”

Amusement Device Exclusion

- This exclusion can exclude your organization for all exposures related to a carnival and other amusement devices.
- What is the definition of an amusement device:
 - Carnival, Inflatable, Playground,

Sexual Abuse and Molestation Exclusion

- The insurance does not apply to Bodily injury or property damage arising out of any actual or alleged sexual abuse, or attempt thereof, of or by any person including, but not limited to any person whose care is “Entrusted to an insured”.

Contingent Excess Amusement Devices and Pyro Endorsement

- This coverage will protect your event for injuries and damage arising out of these operations, as long as the event is not operating the device or pyro.
- This coverage is not offered by all carriers and can come with many stipulations so be sure to understand how yours policy would respond.

Application Warranty Endorsement

- This endorsement states that the application becomes part of the policy. Any errors on the application could give rise to a claim declination.
- Who filled out the application? Did they fill out all the exposures correctly?
- Did you remember to list each and every event and activity?

Examples of Exclusions we have seen!

- Equine Exclusion-
- Motorsports Exclusion-
- Total Festival Exclusion-
- Exclusion of Volunteers actions-

Other Pitfalls of Festival Insurance

- Thinking you are adequately covered by a municipality program
- Last minute and price only RFP
- Using agents and brokers unfamiliar with the festival industry and its unique exposures.
- Insurance and other professional services decisions should be made based on the best product and services and not strictly on relationship and price.