

SERFF Tracking Number: NVAC-125307801 State: Arkansas
Filing Company: NOVA Casualty Company State Tracking Number: AR-PC-07-026284
Company Tracking Number: C0186NOVAFO
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability
Product Name: Proprietary Forms - Punitive Damages
Project Name/Number: Proprietary Forms - Punitive Damages/C0186NovaFO

Filing at a Glance

Company: NOVA Casualty Company

Product Name: Proprietary Forms - Punitive Damages SERFF Tr Num: NVAC-125307801 State: Arkansas

Damages

TOI: 17.0 Other Liability - Claims SERFF Status: Closed State Tr Num: AR-PC-07-026284

Made/Occurrence

Sub-TOI: 17.0001 Commercial General Liability Co Tr Num: C0186NOVAFO

State Status:

Filing Type: Form

Co Status: Initial Co. Filing

Reviewer(s): Betty Montesi, Edith Roberts, Brittany Yielding

Author: Cheryl Coppola

Disposition Date: 10/31/2007

Date Submitted: 10/01/2007

Disposition Status: Approved

Effective Date Requested (New): On Approval

Effective Date (New):

Effective Date Requested (Renewal): On Approval

Effective Date (Renewal):

General Information

Project Name: Proprietary Forms - Punitive Damages

Status of Filing in Domicile: Not Filed

Project Number: C0186NovaFO

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 10/31/2007

State Status Changed: 10/02/2007

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

NOVA Casualty Company recently desk filed our independent company forms effective 4-1-07. Included in that filing were forms NGL0088 02-07 Punitive Damages Exclusion and NGL0089 02-07 Punitive Damages Limitation. We have since revised form NGL0088 and are requesting approval to withdraw that form and replace it with Form AGL0057 09-07 Punitive Damages Exclusion. On the supporting documentation tab, I have provided a side-by-side comparison highlighting the changes to the forms. Basically we have rearranged wording, and reformatted font and font type and point size. With regards to form NGL0089 02-07, we request approval to withdraw this form in its entirety. I have attached both the old and new forms on the forms schedule tab for reference.

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We are proposing use of the new forms effective upon approval. At which time the withdrawn forms will no longer be used.

Company and Contact

Filing Contact Information

Cheryl Coppola, Compliance Analyst Cheryl.Coppola@Novacasualty.com
 726 Exchange Street (716) 857-2006 [Phone]
 Buffalo, NY 14210 (716) 856-4351[FAX]

Filing Company Information

NOVA Casualty Company CoCode: 42552 State of Domicile: New York
 726 Exchange Street Group Code: -99 Company Type: P & C
 Suite 1020
 Buffalo, NY 14210-1484 Group Name: State ID Number:
 (716) 856-3722 ext. [Phone] FEIN Number: 16-1140177

Filing Fees

Fee Required? Yes
 Fee Amount: \$20.00
 Retaliatory? No
 Fee Explanation: \$20.00 per form
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
NOVA Casualty Company	\$20.00	10/01/2007	15890201

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	10/31/2007	10/31/2007

Objection Letters and Response Letters

Objection Letters				Response Letters		
Status	Created By	Created On	Date Submitted	Responded By	Created On	Date Submitted
Pending Industry Response	Edith Roberts	10/10/2007	10/10/2007	Cheryl Coppola	10/11/2007	10/11/2007

SERFF Tracking Number: NVAC-125307801 *State:* Arkansas
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Disposition

Disposition Date: 10/31/2007

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: NVAC-125307801 State: Arkansas
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Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document (revised)	Side-By-Side Comparison	Approved	Yes
Supporting Document	Side-By-Side Comparison	Approved	Yes
Form (revised)	Punitive Damages Exclusion	Approved	Yes
Form	Punitive Damages Exclusion	Approved	Yes
Form	Punitive Damages Exclusion	Approved	Yes
Form	Punitive Damages Limitiation	Approved	Yes

SERFF Tracking Number: NVAC-125307801 State: Arkansas
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Objection Letter

Objection Letter Status Pending Industry Response
Objection Letter Date 10/10/2007
Submitted Date 10/10/2007
Respond By Date
Dear Cheryl Coppola,

This will acknowledge receipt of the captioned filing.

In accordance with AR Code Anno 23-79-307 (8) Punitive damages must be defined "as those damages imposed to punish a wrong-doer or to deter others from similar conduct." Please include.

Thank you.

Please feel free to contact me if you have questions.

Sincerely,
Edith Roberts

Response Letter

Response Letter Status Submitted to State
Response Letter Date 10/11/2007
Submitted Date 10/11/2007

Dear Edith Roberts,

Comments:

Response 1

Comments: Response to Objection dated 10-10-07, Please withdrawn form AGL0057 and replace it with AGL0066, as this will replace NGL0088. I believe the wording should now be accurate. I have also updated the side-by-side comparison. Should you have additional concerns, please feel free to contact me.

Sincerely,
Cheryl Coppola
Compliance Analyst

Changed Items:

SERFF Tracking Number: NVAC-125307801 State: Arkansas
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Supporting Document Schedule Item Changes

Satisfied -Name: Side-By-Side Comparison
 Comment: Revised

Form Schedule Item Changes

Form Name	Form Number	Edition Date	Form Type	Action	Action Specific Data	Readability Score	Attach Document
Punitive Damages Exclusion	AGL0066	10-07	Endorsement/Amendment/Conditions	New		0	AGL0066_10-07-AR.pdf
Previous Version							
Punitive Damages Exclusion	AGL0057	09-07	Endorsement/Amendment/Conditions	Replaced		0	AGL0057_09-07.pdf

No Rate/Rule Schedule items changed.

Sincerely,
 Cheryl Coppola

SERFF Tracking Number: NVAC-125307801 State: Arkansas
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 Product Name: Proprietary Forms - Punitive Damages
 Project Name/Number: Proprietary Forms - Punitive Damages/C0186NovaFO

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Punitive Damages Exclusion	AGL0066	10-07	Endorsement/Amendment/Conditions New		0.00	AGL0066_10-07-AR.pdf
Approved	Punitive Damages Exclusion	NGL0088	02-07	Endorsement/Amendment/Conditions Withdrawn	Replaced Form #:0.00 Previous Filing #:		
Approved	Punitive Damages Limitation	NGL0089	02-07	Endorsement/Amendment/Conditions Withdrawn	Replaced Form #:0.00 Previous Filing #:		

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**PUNITIVE DAMAGES EXCLUSION
ARKANSAS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

The following exclusion is added to **Section I - COVERAGES, 2. Exclusions:**

Punitive Damages

Fines, penalties, punitive, exemplary, and vindictive or other non-compensatory damages imposed upon the insured, or any multiplied portion of compensatory damages.

Punitive Damages are those damages imposed to punish a wrong-doer or to deter others from similar conduct.

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Product Name: Proprietary Forms - Punitive Damages
Project Name/Number: Proprietary Forms - Punitive Damages/C0186NovaFO

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: NVAC-125307801 State: Arkansas
Filing Company: NOVA Casualty Company State Tracking Number: AR-PC-07-026284
Company Tracking Number: C0186NOVAFO
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Product Name: Proprietary Forms - Punitive Damages
Project Name/Number: Proprietary Forms - Punitive Damages/C0186NovaFO

Supporting Document Schedules

Satisfied -Name: Uniform Transmittal Document-
Property & Casualty **Review Status:** Approved 10/31/2007

Comments:

Attachment:

NAIC Transmittal - GL.pdf

Satisfied -Name: Side-By-Side Comparison **Review Status:** Approved 10/31/2007

Comments:

Revised

Attachment:

AR Side-by-side comparison.pdf

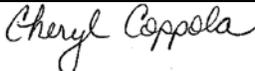
Property & Casualty Transmittal Document (Revised 1/1/06)

1. Reserved for Insurance Dept. Use Only	2. Insurance Department Use only	
	a. Date the filing is received:	
	b. Analyst:	
	c. Disposition:	
	d. Date of disposition of the filing:	
	e. Effective date of filing:	
	New Business	
	Renewal Business	
	f. State Filing #:	
	g. SERFF Filing #:	
h. Subject Codes		

3. Group Name				Group NAIC #
4. Company Name(s)	Domicile	NAIC #	FEIN #	
NOVA Casualty Company	New York	42552	16-1140177	

5. Company Tracking Number	C0186NovaFO
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Contact Info of Filer(s) or Corporate Officer(s) [include toll-free number]

6. Name and address	Title	Telephone #s	FAX #	e-mail
Cheryl Coppola 726 Exchange St. Ste 1020 Buffalo, NY 14210-1484	Compliance Analyst	800/289-3742 Ext 2006	716/856-4351	cheryl.coppola@nova-casualty.com
7. Signature of authorized filer				
8. Please print name of authorized filer	Cheryl Coppola			

Filing information (see General Instructions for descriptions of these fields)

9. Type of Insurance (TOI)	17.0 Other Liability Occ/Claims Made			
10. Sub-Type of Insurance (Sub-TOI)	17.0001 Commercial General Liability			
11. State Specific Product code(s)(if applicable)[See State Specific Requirements]				
12. Company Program Title (Marketing title)				
13. Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input checked="" type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)			
14. Effective Date(s) Requested	New:	Upon Approval	Renewal:	Upon Approval
15. Reference Filing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
16. Reference Organization (if applicable)				
17. Reference Organization # & Title				
18. Company's Date of Filing	10/1/2007			
19. Status of filing in domicile	<input checked="" type="checkbox"/> Not Filed <input type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved			

Property & Casualty Transmittal Document—

20.	This filing transmittal is part of Company Tracking #	C0186NOVAFO
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21.	Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]
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NOVA Casualty Company recently desk filed our independent company forms effective 4-1-07. Included in that filing were forms NGL0088 02-07 Punitive Damages Exclusion and NGL0089 02-07 Punitive Damages Limitation. We have since revised form NGL0088 and are requesting approval to withdraw that form and replace it with Form AGL0057 09-07 Punitive Damages Exclusion. On the supporting documentation tab, I have provided a side-by-side comparison highlighting the changes to the forms. Basically we have rearranged wording, and reformatted font and font type and point size. With regards to form NGL0089 02-07, we request approval to withdraw this form in its entirety. I have attached both the old and new forms on the forms schedule tab for reference.

We are proposing use of the new forms effective upon approval. At which time the withdrawn forms will no longer be used.

22.	Filing Fees (Filer must provide check # and fee amount if applicable) [If a state requires you to show how you calculated your filing fees, place that calculation below]
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Check #: EFT
Amount: \$20.00

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

*****Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)**

PC TD-1 pg 2 of 2

FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms)
 (Do not refer to the body of the filing for the forms listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #	C0186NovaFO
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2.	This filing corresponds to rate/rule filing number (Company tracking number of rate/rule filing, if applicable)	
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3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement Or withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
01	Punitive Damages Exclusion	AGL 0057 09-07	[] New [X] Replacement [] Withdrawn	NGL 0088 02-07	Desk filing
02	Punitive Damages Limitation Endorsement	NGL 0089 02-07	[] New [] Replacement [X] Withdrawn		
03			[] New [] Replacement [] Withdrawn		
04			[] New [] Replacement [] Withdrawn		
05			[] New [] Replacement [] Withdrawn		
06			[] New [] Replacement [] Withdrawn		
07			[] New [] Replacement [] Withdrawn		
08			[] New [] Replacement [] Withdrawn		
09			[] New [] Replacement [] Withdrawn		
10			[] New [] Replacement [] Withdrawn		

PC FFS-1

COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Comment [c1]: Added above form title and made all caps

**PUNITIVE DAMAGES EXCLUSION
ARKANSAS**

Comment [c2]: Made State Specific

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

The following exclusion is added to **Section I - COVERAGES, 2. Exclusions:**

Comment [c3]: Reworded

Punitive Damages

Fines, penalties, punitive, exemplary, and vindictive or other non-compensatory damages imposed upon the insured, or any multiplied portion of compensatory damages.

Comment [c4]: Moved from beginning to end.

Punitive Damages are those damages imposed to punish a wrong-doer or to deter others from similar conduct.

Comment [c5]: Required State wording

NOVA Casualty Company

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

This endorsement changes the policy. Please read it carefully.

PUNITIVE DAMAGES EXCLUSION

The following exclusion is added to **Section I - Coverages, Item 2. Exclusions**, as follows:

Comment [c1]: Removed this wording

This insurance does not apply to:

Comment [c2]: Removed this wording

Any multiplied portion of compensatory damages, fines, penalties, punitive, exemplary, vindictive or other non-compensatory damages imposed upon the insured.*

Comment [c3]: Moved this wording to the end see *

Comment [c4]: , or any multiplied portion of compensatory damages.

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Superseded Attachments

Please note that all items on the following pages are items, which have been replaced by a newer version. The newest version is located with the appropriate schedule on previous pages. These items are in date order with most recent first.

Original Date:	Schedule	Document Name	Replaced Date	Attach Document
No original date	Form	Punitive Damages Exclusion	10/01/2007	AGL0057_09-07.pdf
No original date	Supporting Document	Side-By-Side Comparison	10/01/2007	NGL0088_02-07 Punitive Damages Exclusion.pdf AGL0057_09-07 Punitive Damages Exclusion.pdf

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PUNITIVE DAMAGES EXCLUSION

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Comment [c3]: Moved this wording to the end see *

Comment [c4]: , or any multiplied portion of compensatory damages.

COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Comment [c1]: Reformatted

PUNITIVE DAMAGES EXCLUSION

This endorsement modifies insurance provided under the following:

Comment [c2]: Reworded

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

The following exclusion is added to **Section I - COVERAGES, 2. Exclusions:**

Comment [c3]: Removed the words "as follows"

Punitive Damages

Comment [c4]: Added this wording

Fines, penalties, punitive, exemplary, vindictive or other non-compensatory damages imposed upon the insured, or any multiplied portion of compensatory damages.

Comment [c5]: Moved this wording from the beginning to the end.