

SERFF Tracking Number: WESA-125872412 State: Arkansas  
First Filing Company: TNUS Insurance Company, ... State Tracking Number: #31251 \$100  
Company Tracking Number: 08-AR-2-GL-50-8  
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability  
Product Name: Commercial General Liability  
Project Name/Number: Submission of Commercial General Liability product/08-AR-2-GL-50-8

## Filing at a Glance

Companies: TNUS Insurance Company, Tokio Marine & Nichido Fire Insurance Co., Ltd., Trans Pacific Insurance Company

Product Name: Commercial General Liability SERFF Tr Num: WESA-125872412 State: Arkansas  
TOI: 17.0 Other Liability - Claims SERFF Status: Closed State Tr Num: #31251 \$100  
Made/Occurrence  
Sub-TOI: 17.0001 Commercial General Liability Co Tr Num: 08-AR-2-GL-50-8 State Status: Fees verified and received  
Filing Type: Rule Co Status: Reviewer(s): Edith Roberts, Brittany Yielding  
Author: Westmont Associates Disposition Date: 10/29/2008  
Date Submitted: 10/27/2008 Disposition Status: Filed  
Effective Date Requested (New): 04/01/2009 Effective Date (New):  
Effective Date Requested (Renewal): 04/01/2009 Effective Date (Renewal):  
State Filing Description:

## General Information

Project Name: Submission of Commercial General Liability product Status of Filing in Domicile: Pending  
Project Number: 08-AR-2-GL-50-8 Domicile Status Comments: Pending in New York  
Reference Organization: None Reference Number: None  
Reference Title: n/a Advisory Org. Circular: n/a  
Filing Status Changed: 10/29/2008  
State Status Changed: 10/29/2008 Deemer Date:  
Corresponding Filing Tracking Number: 08-AR-3-GL-49-8  
Filing Description:  
Submission of the Company's Commercial General Liability rules.

## Company and Contact

SERFF Tracking Number: WESA-125872412 State: Arkansas  
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**Filing Contact Information**

(This filing was made by a third party - westmontassociatesinc)

Meghan Slenkamp, Analyst meghans@westmontlaw.com  
 25 Chestnut Street (856) 216-0220 [Phone]  
 Haddonfield, NJ 08033

**Filing Company Information**

TNUS Insurance Company	CoCode: 32301	State of Domicile: New York
230 Park Avenue	Group Code: 3098	Company Type:
New York, NY 10169	Group Name:	State ID Number:
(212) 297-6600 ext. [Phone]	FEIN Number: 20-0940754	

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Tokio Marine & Nichido Fire Insurance Co., Ltd.	CoCode: 12904	State of Domicile: New York
230 Park Avenue	Group Code: 3098	Company Type:
New York, NY 10169	Group Name:	State ID Number:
(212) 297-6600 ext. [Phone]	FEIN Number: 13-6108722	

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Trans Pacific Insurance Company	CoCode: 41238	State of Domicile: New York
230 Park Avenue	Group Code:	Company Type:
New York, NY 10169	Group Name:	State ID Number:
(212) 297-6600 ext. [Phone]	FEIN Number: 13-3118700	

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**Filing Fees**

Fee Required? Yes  
 Fee Amount: \$100.00  
 Retaliatory? No  
 Fee Explanation: \$100.00 filing fee  
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
TNUS Insurance Company	\$0.00	10/27/2008	
Tokio Marine & Nichido Fire Insurance Co., Ltd.	\$0.00	10/27/2008	
Trans Pacific Insurance Company	\$0.00	10/27/2008	

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CHECK NUMBER	CHECK AMOUNT	CHECK DATE
31251	\$100.00	10/23/2008

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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Filed	Edith Roberts	10/29/2008	10/29/2008

SERFF Tracking Number: WESA-125872412 State: Arkansas  
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## Disposition

Disposition Date: 10/29/2008

Effective Date (New):

Effective Date (Renewal):

Status: Filed

Comment:

Rate data does NOT apply to filing.

### Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing	0.000%
Overall Percentage Rate Impact For This Filing	0.000%
Effect of Rate Filing-Written Premium Change For This Program	\$0
Effect of Rate Filing - Number of Policyholders Affected	0

SERFF Tracking Number: WESA-125872412 State: Arkansas  
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<b>Item Type</b>	<b>Item Name</b>	<b>Item Status</b>	<b>Public Access</b>
<b>Supporting Document</b>	Filing Memorandum	Filed	Yes
<b>Supporting Document</b>	Cover Letter	Filed	Yes
<b>Supporting Document</b>	Letters of Authorization	Filed	Yes
<b>Rate</b>	Rule Page	Filed	Yes

*SERFF Tracking Number:* WESA-125872412 *State:* Arkansas  
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*Product Name:* Commercial General Liability  
*Project Name/Number:* Submission of Commercial General Liability product/08-AR-2-GL-50-8

## **Rate Information**

Rate data does NOT apply to filing.

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## Rate/Rule Schedule

Review Status:	Exhibit Name:	Rule # or Page #:	Rate Action	Previous State Filing Attachments Number:
Filed	Rule Page	Pages 1-3	New	Independent Forms Manual 05 09.pdf

# MULTISTATE INDEPENDENT FORMS MANUAL

## COMMERCIAL GENERAL LIABILITY

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### 1. – 20. Reserved For Future Use

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### 21. Endorsements - Exclusions

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#### A. Description

The following endorsements either exclude or limit coverage.

#### B. Forms and Rating

Unless otherwise noted below, there is no change in the rating to use these endorsements.

##### 1. Exclusion – Asbestos

To exclude liability arising out of asbestos, use:

- a. Endorsement **GL7 21 001** for Commercial General Liability policies; and
- b. Endorsement **GL7 21 002** for Products / Completed Operations policies.

##### 2. Exclusion – Designated Communicable Diseases

To exclude liability arising out of certain communicable diseases, use:

- a. Endorsement **GL7 21 003** for Commercial General Liability policies; and
- b. Endorsement **GL7 21 004** for Products / Completed Operations policies.

##### 3. Exclusion – Electromagnetic Fields

To exclude liability arising out of electromagnetic fields, use Endorsement **GL7 21 005**.

##### 4. Exclusion – Genetically Modified Organisms

To exclude liability arising out of genetically modified organisms, use Endorsement **GL7 21 006**.

##### 5. Exclusion – Human Clinical Trials

To exclude liability arising out of human clinical trials, use Endorsement **GL7 21 007**.

# MULTISTATE INDEPENDENT FORMS MANUAL

## COMMERCIAL GENERAL LIABILITY

### 6. Exclusion – Intercompany Suits

To exclude liability arising out of intercompany, use Endorsement **GL7 21 008**.

In the premium computation, do not include: (a) the sales of goods or products from one named insured to another; or (b) the cost of work performed by one named insured for another.

### 7. Exclusion – Punitive Damages

To exclude liability arising out of punitive damages, use:

- a. Endorsement **GL7 21 009** for Commercial General Liability policies; and
- b. Endorsement **GL7 21 010** for Products / Completed Operations policies.

### 8. Limitation Of Coverage To Designated Human Clinical Trials

To limit coverage to only those human clinical trials entered in the Schedule, use Endorsement **GL7 21 011**.

In the premium computation, include only those premium basis related to those human clinical trial covered under the endorsement.

### 9. Total Lead Exclusion

To totally exclude liability arising out of lead, use:

- a. Endorsement **GL7 21 012** for Commercial General Liability policies; and
- b. Endorsement **GL7 21 013** for Products / Completed Operations policies.

### 10. Total Pollution Exclusion With Exception For Designated Products

To totally exclude liability arising out of pollution with the exception of liability arising out those products designated in the Schedule, , use:

- a. Endorsement **GL7 21 014** for Commercial General Liability policies; and  
Apply a factor of 0.95 to the applicable Premises / Operations (Subline 334) rating and apply a factor of 0.96 to the applicable Products / Completed Operations (Subline 336) rating.
- b. Endorsement **GL7 21 015** for Products / Completed Operations policies.  
Apply a factor of 0.96 to the applicable Products / Completed Operations (Subline 336) rating.

# MULTISTATE INDEPENDENT FORMS MANUAL

## COMMERCIAL GENERAL LIABILITY

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### 24. Endorsements – Coverage Amendments

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#### A. Description

The following endorsements amend coverage.

#### B. Forms and Rating

Unless otherwise noted below, there is no change in the rating to use these endorsements.

##### 1. Amendment – Batch Clause

To make all claims arising out of one batch or lot of products to be considered as one occurrence subject to one Each Occurrence Limit, use Endorsement [GL7 24 001](#).

##### 2. Amendment – Supplementary Payments Within The Limits Of Insurance

To include all supplementary payments inside the limits of insurance, use:

- a. Endorsement [GL7 24 002](#) for Commercial General Liability policies; and
- b. Endorsement [GL7 24 003](#) for Products / Completed Operations policies.

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Product Name: Commercial General Liability  
Project Name/Number: Submission of Commercial General Liability product/08-AR-2-GL-50-8

## Supporting Document Schedules

**Review Status:**  
**Satisfied -Name:** Filing Memorandum Filed 10/29/2008  
**Comments:**  
**Attachment:**  
EX Memo- R- Ind Forms - GL - AOS.pdf

**Review Status:**  
**Satisfied -Name:** Cover Letter Filed 10/29/2008  
**Comments:**  
**Attachment:**  
AR Cover Letter - Rules.pdf

**Review Status:**  
**Satisfied -Name:** Letters of Authorization Filed 10/29/2008  
**Comments:**  
Attached are the letters of authorization for Tokio Marine, Trans Pacific and TNUS Insurance Companies.  
**Attachments:**  
TMNF (8-1-08).pdf  
TNUS (8-1-08).pdf  
TPI (8-1-08).pdf

## COMMERCIAL GENERAL LIABILITY

Explanatory Memorandum – [Rules](#)

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# INTRODUCTION OF NEW INDEPENDENT FORMS MANUAL

### **Applicable Line(s) of Business**

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This filing applies to the following line of business:

- ◆ Commercial General Liability

### **Applicable Insurance Companies**

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This filing applies to the following insurance companies:

- ◆ [Tokio Marine & Nichido Fire Insurance Co., Ltd. \(U.S. Branch\)](#)
- ◆ [Trans Pacific Insurance Company](#)
- ◆ [TNUS Insurance Company](#)

### **Introduction**

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In a related filing, we are introducing a number of new endorsements that address both known sources of liability as well as those emerging sources of liability. The endorsements are:

- ◆ Amendment – Batch Clause, Form GL7 24 001 05 09
- ◆ Amendment – Supplementary Payments Within The Limits Of Insurance (for use with Commercial General Liability Coverage Forms), Form GL7 24 002 05 09
- ◆ Amendment – Supplementary Payments Within The Limits Of Insurance (for use with Products / Completed Operations Coverage Forms), Form GL7 24 003 05 09
- ◆ Exclusion - Asbestos (for use with Commercial General Liability Coverage Forms), Form GL7 21 001 05 09
- ◆ Exclusion – Asbestos (for use with Products / Completed Operations Coverage Forms), Form GL7 21 002 05 09
- ◆ Exclusion – Communicable Diseases (for use with Commercial General Liability Coverage Forms), Form GL7 21 003 05 09
- ◆ Exclusion – Communicable Diseases (for use with Products / Completed Operations Coverage Forms), Form GL7 21 004 05 09

## COMMERCIAL GENERAL LIABILITY

### Explanatory Memorandum – Rules

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- ◆ Exclusion – Electromagnetic Fields, Form GL7 21 005 05 09
- ◆ Exclusion – Genetically Modified Organisms, Form GL7 21 006 05 09
- ◆ Exclusion – Human Clinical Trials, Form GL7 21 007 05 09
- ◆ Exclusion – Intercompany Suits, Form GL7 21 008 05 09
- ◆ Exclusion – Punitive Damages (for use with Commercial General Liability Coverage Forms), Form GL7 21 009 05 09
- ◆ Exclusion – Punitive Damages (for use with Products / Completed Operations Coverage Forms), Form GL7 21 010 05 09
- ◆ Limitation Of Coverage To Designated Human Clinical Trials, Form GL7 21 011 05 09
- ◆ Total Lead Exclusion (for use with Commercial General Liability Coverage Forms), Form GL7 21 012 05 09
- ◆ Total Lead Exclusion (for use with Products / Completed Operations Coverage Forms), Form GL7 21 013 05 09
- ◆ Total Pollution Exclusion With Exception For Designated Products (for use with Commercial General Liability Coverage Forms), Form GL7 21 014 05 09
- ◆ Total Pollution Exclusion With Exception For Designated Products (for use with Products / Completed Operations Coverage Forms), Form GL7 21 015 05 09

### About This Filing

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In this filing introduces our new [Multistate Independent Forms Manual – Commercial General Liability](#) that will provide instruction on the usage of endorsements listed above.

### Formatting

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Since all of the material is new, we have not used a format of ~~striking through~~ deletions and [underlining](#) additions.

### Related Filing(s)

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There is a related Forms Filing.

# COMMERCIAL GENERAL LIABILITY

## Explanatory Memorandum – Rules

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### Explanation Of Changes

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Listed below is an explanation of each rule that we are introducing.

Unless otherwise noted below, each endorsement will be available for use under both the Commercial General liability Coverage Forms and the Products / Completed Operations Coverage Forms.

The rules are listed numerically by rule number.

Rule **21.**, Endorsements – Exclusions, contains two paragraphs. Paragraph **A.**, provides a general description of the purpose of these endorsements. Paragraph **B.**, Forms And Rating, instructs in the usage of each endorsements and establishes the rating, if any.

◆ **Rule 21.B.1. / Exclusion – Asbestos**

This rule introduces the option to exclude liability arising out of asbestos with the use of:

- a. Endorsement **GL7 21 001** for Commercial General Liability policies; and
- b. Endorsement **GL7 21 002** for Products / Completed Operations policies.

◆ **Rule 21.B.2. / Exclusion – Designated Communicable Diseases**

This rule introduces the option to exclude liability arising out of certain communicable diseases with the use of:

- a. Endorsement **GL7 21 003** for Commercial General Liability policies; and
- b. Endorsement **GL7 21 004** for Products / Completed Operations policies.

◆ **Rule 21.B.3. / Exclusion – Electromagnetic Fields**

This rule introduces the option to exclude liability arising out of electromagnetic fields with the use of Endorsement **GL7 21 005**.

◆ **Rule 21.B.4. / Exclusion – Genetically Modified Organisms**

To exclude liability arising out of genetically modified organisms with the use of Endorsement **GL7 21 006**.

◆ **Rule 21.B.5. / Exclusion – Human Clinical Trials**

This rule introduces the option to exclude liability arising out of human clinical trials with the use of Endorsement **GL7 21 007**.

## COMMERCIAL GENERAL LIABILITY

### Explanatory Memorandum – Rules

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#### ◆ **Rule 21.B.6. / Exclusion – Intercompany Suits**

This rule introduces the option to exclude liability arising out of Intercompany with the use of Endorsement **GL7 21 008**.

The rule also introduces a rating method. The following are not included in the premium basis: (a) the sales of goods or products from one named insured to another; or (b) the cost of work performed by one named insured for another.

#### ◆ **Rule 21.B.7. / Exclusion – Punitive Damages**

This rule introduces the option to exclude liability arising out of punitive damages with the use of:

- a. Endorsement **GL7 21 009** for Commercial General Liability policies; and
- b. Endorsement **GL7 21 010** for Products / Completed Operations policies.

#### ◆ **Rule 21.B.8. / Limitation Of Coverage To Designated Human Clinical Trials**

This rule introduces the option to limit coverage to only those human clinical trials entered in the Schedule with the use of Endorsement **GL7 21 011**.

In the premium computation, include only those premium basis related to those human clinical trial covered under the endorsement.

#### ◆ **Rule 21.B.9. / Total Lead Exclusion**

This rule introduces the option to totally exclude liability arising out of lead with the use of:

- a. Endorsement **GL7 21 012** for Commercial General Liability policies; and
- b. Endorsement **GL7 21 013** for Products / Completed Operations policies.

#### ◆ **Rule 21.B.10. / Total Pollution Exclusion With Exception For Designated Products**

This rule introduces the option to exclude liability arising out of pollution with the exception of liability arising out those products designated in the Schedule with the use of:

- a. Endorsement **GL7 21 014** for Commercial General Liability policies; and

## COMMERCIAL GENERAL LIABILITY

### Explanatory Memorandum – Rules

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b. Endorsement **GL7 21 015** for Products / Completed Operations policies.

The rule also introduces a rating method. The methods are similar for the two endorsements. However, the factors differ, as there is only an exception for the products / completed operations hazard (and not the premises / operations hazard):

Regarding Endorsement **GL7 21 014** for Commercial General Liability policies; a factor of 0.95 is applied to the applicable Premises / Operations (Subline 334) rating and a factor of 0.96 is applied to the applicable Products / Completed Operations (Subline 336) rating.

Regarding Endorsement **GL7 21 015** for Products / Completed Operations policies, a factor of 0.96 is applied to the applicable Products / Completed Operations (Subline 336) rating.

Rule **24.**, Endorsements – Coverage Amendments, contains two paragraphs. Paragraph **A.**, provides a general description of the purpose of these endorsements. Paragraph **B.**, Forms And Rating, instructs in the usage of each endorsement and establishes the rating, if any.

◆ **Rule 24.B.1. / Amendment – Batch Clause**

This rule introduces the option to make all claims arising out of one batch or lot of products to be considered as one occurrence subject to one Each Occurrence Limit with the use of Endorsement **GL7 24 001**.

◆ **Rule 24.B.2. / Amendment – Supplementary Payments Within The Limits Of Insurance**

This rule introduces the option to include all supplementary payments inside the limits of insurance with the use of:

a. Endorsement **GL7 24 002** for Commercial General Liability policies; and

b. Endorsement **GL7 24 003** for Products / Completed Operations policies.

### Attachment(s)

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- ◆ A **final** version of the **Multistate Independent Forms Manual – Commercial General Liability** is attached.

October 27, 2008

Department of Insurance  
Property and Casualty Division  
Forms and Rates Review Section

RE **Tokio Marine & Nichido Fire Insurance Co., LTD (U.S. Branch) – NAIC #3098-12904/FEIN #13-6108722**  
**Trans Pacific Insurance Company– NAIC #3098-41238/FEIN #13-3118700**  
**TNUS Insurance Company – NAIC #3098-32301/FEIN #20-0940754**  
**Commercial General Liability**  
**Rules Submission – New Materials**  
**Company Filing Number: 08-AR-2-GL-50-8**  
**Effective Date: April 1, 2009**

To Whom It May Concern:

The captioned companies are filing for your approval their Commercial General Liability rules submission. A letter permitting Westmont Associates, Inc. to submit this filing on the companies' behalf is enclosed. The materials enclosed in this filing are new and do not replace any currently filed or approved rules.

The Companies are filing new endorsement rules to be used with their Commercial General Liability endorsements. Please refer to the attached rules explanatory memorandum and rule pages for additional details.

Please be advised that the filing of these rules does not result in any rating impact on any insureds whatsoever. Please also be advised that these filings are identical in all three companies.

The forms to be used with the enclosed rules have been filed under separate cover letter as Company filing number 08-AR-3-GL-49-8.

We hereby respectfully request an effective date of **April 1, 2009** for this filing. If at all possible, please include this date as the effective date in any approval/disposition report.

Your early approval of this submission is respectfully requested. Enclosed please find a self-addressed stamped envelope for your convenience in returning the duplicate copy of this filing, evidencing your approval.

Respectfully Submitted,  
***Meghan Slenkamp***  
Meghan Slenkamp  
Analyst  
[meghans@westmontlaw.com](mailto:meghans@westmontlaw.com)

Enc.

Cc: P. Olson  
C. Laackman



Tokio Marine Management, Inc.  
U.S. Manager and/or Manager for  
Tokio Marine & Nichido Fire  
Insurance Co., Ltd. (U.S. Branch)  
Trans Pacific Insurance Company  
TM Casualty Insurance Company  
TNUS Insurance Company

230 Park Avenue  
New York, New York 10169  
Phone: (212) 297-6600  
Main Fax: (212) 297-6062  
Claims Fax: (212) 297-6064

MILLEA GROUP

August 1, 2008

Re: Tokio Marine & Nichido Fire Insurance Co., Ltd. (U.S. Branch)  
NAIC # 3098-12904  
FEIN # 13-6108722  
Letter of Authorization  
Filing of Forms, Rates, and Rules

In accordance with applicable statutes and regulations of your state, Nancy Stepanski, Wesley Pohler, Jennifer Waldron, and Westmont Associates, Inc. are hereby authorized to file rates, rules, and forms on behalf of the Company.

Sincerely,

Pamela J. Olson  
Vice President – Corporate Underwriting



Tokio Marine Management, Inc.  
U.S. Manager and/or Manager for  
Tokio Marine & Nichido Fire  
Insurance Co., Ltd. (U.S. Branch)  
Trans Pacific Insurance Company  
TM Casualty Insurance Company  
TNUS Insurance Company

230 Park Avenue  
New York, New York 10169  
Phone: (212) 297-6600  
Main Fax: (212) 297-6062  
Claims Fax: (212) 297-6064

MILLEA GROUP

August 1, 2008

Re: TNUS Insurance Company  
NAIC # 3098-41238  
FEIN # 20-0940754  
Letter of Authorization  
Filing of Forms, Rates, and Rules

In accordance with applicable statutes and regulations of your state, Nancy Stepanski, Wesley Pohler, Jennifer Waldron, and Wesley Associates, Inc. are hereby authorized to file rates, rules, and forms on behalf of the Company.

Sincerely,

Pamela J. Olson  
Vice President – Corporate Underwriting



Tokio Marine Management, Inc.  
U.S. Manager and/or Manager for  
Tokio Marine & Nichido Fire  
Insurance Co., Ltd. (U.S. Branch)  
Trans Pacific Insurance Company  
TM Casualty Insurance Company  
TNUS Insurance Company

230 Park Avenue  
New York, New York 10169  
Phone: (212) 297-6600  
Main Fax: (212) 297-6062  
Claims Fax: (212) 297-6064

MILLEA GROUP

August 1, 2008

Re: Trans Pacific Insurance Company  
NAIC # 3098-41238  
FEIN # 13-3118700  
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Filing of Forms, Rates, and Rules

In accordance with applicable statutes and regulations of your state, Nancy Stepanski, Wesley Pohler, Jennifer Waldron, and Westmont Associates, Inc. are hereby authorized to file rates, rules, and forms on behalf of the Company.

Sincerely,

Pamela J. Olson  
Vice President – Corporate Underwriting