

SERFF Tracking Number: LDRX-125578548 State: Arkansas
 First Filing Company: Bituminous Casualty Corporation, ... State Tracking Number: #? \$?
 Company Tracking Number: GL AR08019CGF01
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0000 Other Liability Sub-TOI Combinations
 Product Name: General Liability Terrorism Disclosure Notice
 Project Name/Number: 2008 BIC Independent Company Filings/GL AR08019CGF01

Filing at a Glance

Companies: Bituminous Casualty Corporation, Bituminous Fire and Marine Insurance Company
 Product Name: General Liability Terrorism SERFF Tr Num: LDRX-125578548 State: Arkansas
 Disclosure Notice
 TOI: 17.0 Other Liability - Claims SERFF Status: Closed State Tr Num: #? \$?
 Made/Occurrence
 Sub-TOI: 17.0000 Other Liability Sub-TOI Co Tr Num: GL AR08019CGF01 State Status: Fees verified and
 Combinations received
 Filing Type: Form Co Status: Reviewer(s): Betty Montesi, Edith
 Roberts, Brittany Yielding
 Author: SPI Bituminous Disposition Date: 04/01/2008
 Date Submitted: 03/25/2008 Disposition Status: Accepted For
 Informational Purposes
 Effective Date Requested (New): Effective Date (New):
 Effective Date Requested (Renewal): Effective Date (Renewal):
 State Filing Description:

General Information

Project Name: 2008 BIC Independent Company Filings Status of Filing in Domicile:
 Project Number: GL AR08019CGF01 Domicile Status Comments:
 Reference Organization: Reference Number:
 Reference Title: Advisory Org. Circular:
 Filing Status Changed: 04/01/2008 Deemer Date:
 State Status Changed: 04/01/2008
 Corresponding Filing Tracking Number:
 Filing Description:
 In accordance with your requirements Bituminous Casualty Corporation and Bituminous Fire and Marine Insurance
 Company are submitting our disclosure notices for informational purposes. The following notices will be used for
 General Liability effective immediately. Copies are attached for your ease in reference.

Please acknowledge our intent of this submission via SERFF. If additional information is required please let me know.

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GU-4543 (02/08) Policyholder Disclosure Notice of Terrorism Insurance Coverage
 GU-4537 (01/08) Notice to Policyholders Potential Restrictions of Terrorism Coverage
 GU-4247 (01/08) Notice to Policyholders Restriction of Terrorism Coverage

Company and Contact

Filing Contact Information

Rosanne Sly-Ginther, Advanced Administrative rslyginther@bituminousinsurance.com
 Analyst

320 18th Street (309) 732-0204 [Phone]
 Rock Island, IL 61201 (309) 786-3847[FAX]

Filing Company Information

Bituminous Casualty Corporation CoCode: 20095 State of Domicile: Illinois
 320 18th Street Group Code: 150 Company Type: Commercial
 Property and Casualty
 Rock Island, IL 61201 Group Name: Bituminous InsuranceState ID Number:
 Companies
 (309) 786-5401 ext. [Phone] FEIN Number: 36-0810360

Bituminous Fire and Marine Insurance CoCode: 20109 State of Domicile: Illinois
 Company Company Type: Commercial
 320 18th St. Group Code: 150 Property and Casualty
 Rock Island, IL 61201 Group Name: Bituminous InsuranceState ID Number:
 Companies
 (309) 786-5401 ext. [Phone] FEIN Number: 36-6054328

Filing Fees

Fee Required? No
 Retaliatory? No
 Fee Explanation:

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Per Company: No

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Correspondence Summary

Dispositions

| Status | Created By | Created On | Date Submitted |
|---|------------|------------|----------------|
| Accepted For Edith Roberts Informational Purposes | | 04/01/2008 | 04/01/2008 |

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Disposition

Disposition Date: 04/01/2008

Effective Date (New):

Effective Date (Renewal):

Status: Accepted For Informational Purposes

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 |

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| Item Type | Item Name | Item Status | Public Access |
|---------------------|--|-------------------------------------|---------------|
| Supporting Document | Uniform Transmittal Document-Property & Casualty | Accepted for Informational Purposes | Yes |
| Form | Policyholder Disclosure notice of Terrorism Insurance Coverage | Accepted for Informational Purposes | Yes |
| Form | Notice to Policyholders Potential Restrictions of Terrorism Coverage | Accepted for Informational Purposes | Yes |
| Form | Notice to Policyholders Restriction of Terrorism Coverage | Accepted for Informational Purposes | Yes |

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Form Schedule

| Review Status | Form Name | Form # | Edition Date | Form Type Action | Action Specific Data | Readability | Attachment |
|---|--|---------|--------------|------------------------|----------------------|-------------|-------------|
| Accepted for Information of Terrorism al Purposes | Policyholder Disclosure notice Insurance Coverage | GU-4543 | 02/08 | Disclosure/ New Notice | | 0.00 | GU-4543.PDF |
| Accepted for Information Potential Purposes | Notice to Policyholders Restrictions of Terrorism Coverage | GU-4537 | 01/08 | Disclosure/ New Notice | | 0.00 | GU-4537.PDF |
| Accepted for Information Restriction of al Purposes | Notice to Policyholders Terrorism Coverage | GU-4247 | 01/08 | Disclosure/ New Notice | | 0.00 | GU-4247.PDF |



320 18th Street
Rock Island, IL 61201
1-800-475-4477

POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On December 26, 2007, the Terrorism Risk Insurance Act was extended. Any losses caused by certified acts of terrorism are partially reimbursed by the United States under a formula established by federal law. Under this formula, the United States pays 85% of covered terrorism losses exceeding the statutorily established deductible paid by Bituminous Insurance Companies. The premium charged for this coverage is provided below and does not include any charges for the portion of loss that may be covered by the federal government under the Act.

As defined in Section 102(1) of the Terrorism Risk Insurance Act, a certified "act of terrorism" means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism. To be certified, the act of terrorism must: 1) be a violent act or an act that is dangerous to human life, property, or infrastructure; 2) have resulted in damage within the United States, or outside the United States in the case of an air carrier or vessel or the premises of a United States mission; and 3) have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

You should also know that the Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. Government reimbursement as well as insurers' liability for losses resulting from certified acts of terrorism when the amount of such losses in any one calendar year exceeds \$100 billion. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

You have a right to purchase insurance coverage for losses arising from terrorism, as defined in the Act. Unless you elect to purchase the coverage, we will attach an exclusion for Acts of Terrorism, as defined in the Act, to your policy.

SELECTION OR REJECTION OF TERRORISM INSURANCE COVERAGE

YOU HAVE THIRTY (30) DAYS TO CONSIDER THIS OFFER OF COVERAGE FOR ACTS OF TERRORISM, AS DEFINED IN THE ACT. FAILURE TO RETURN THIS SIGNED FORM INDICATING AN ELECTION TO PURCHASE TERRORISM COVERAGE, AS DEFINED IN THE ACT, WILL BE DEEMED YOUR REJECTION OF TERRORISM COVERAGE, AS DEFINED IN THE ACT.

The undersigned understands that this election will apply to this policy, any future renewals of this policy, and all replacement policies issued by Bituminous Insurance Companies or any of its affiliates until you notify us in writing to change your selection.

Please indicate your selection by an :

- I hereby elect to purchase terrorism coverage for Acts of Terrorism, as defined in the Act, for an annual premium of \$_____.
- I hereby elect to have the exclusion for Acts of Terrorism, as defined in the Act, added to my policy. I understand that I will have no coverage for losses arising from terrorism, as defined in the Act.

Policyholder/Applicant's Signature

Insured

Policy Number/Policy Period

Print Name/Title

Date

NOTICE TO POLICYHOLDERS

POTENTIAL RESTRICTIONS OF TERRORISM COVERAGE

This Notice has been prepared in conjunction with the implementation of changes related to coverage of terrorism under your policy. It contains a brief synopsis of significant exclusionary provisions and limitations.

This Notice does **not** form a part of your insurance contract. The Notice is designed to alert you to coverage restrictions and to other provisions in the terrorism endorsement in this policy. If there is any conflict between this Notice and the policy (including its endorsements), the provisions of the policy (including its endorsements) apply.

Carefully read your policy, including the endorsements attached to your policy.

YOUR PREVIOUS POLICY:

Contains one of the following endorsements:

If your policy contains **CG 21 70 or CUP 00 95, CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM**, this policy does not contain a terrorism exclusion. However, the policy contains an endorsement under which coverage for "certified acts of terrorism" (which is more fully defined in the endorsement but involves acts of terrorism by or on behalf of a foreign interest) is subject to a limit on our liability pursuant to the federal Terrorism Risk Insurance Act. Further, the absence of a terrorism exclusion does not create coverage for any injury or damage that would otherwise be excluded under the policy, such as losses excluded by the war liability exclusion.

If your policy contains **CG 21 71 or CUP 03 00, LIMITED TERRORISM EXCLUSION (OTHER THAN CERTIFIED ACTS OF TERRORISM); CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM**, this endorsement makes a distinction between "certified acts of terrorism" and "other acts of terrorism". Coverage is provided for "certified acts of terrorism" (which is more fully defined in the endorsement, but involves acts of terrorism by or on behalf of a foreign interest). This coverage is subject to a limit on our liability pursuant to the federal Terrorism Risk Insurance Act. The endorsement excludes coverage for "other acts of terrorism" (terrorist acts other than certified acts) but such exclusion applies only if:

- (1) Aggregate losses from the event exceed \$25 million; or
- (2) Fifty or more persons sustain death or physical injury; or
- (3) If the event qualified as a nuclear event; or
- (4) If the event qualified under certain circumstances as a biological or chemical event.

With respect to "certified acts of terrorism" and "other acts of terrorism", policy exclusions (for example, the war liability exclusion) and other policy provisions continue to apply.

If your policy contains **CG 21 73 or CUP 00 96, EXCLUSION OF CERTIFIED ACTS OF TERRORISM**, this endorsement excludes coverage for "certified acts of terrorism", which is more fully defined in the endorsement but involves acts of terrorism by or on behalf of a foreign interest.

If your policy contains **CG 21 75 or CUP 03 03, EXCLUSION OF CERTIFIED ACTS OF TERRORISM AND OTHER ACTS OF TERRORISM**, this terrorism endorsement makes a distinction between "certified

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acts of terrorism" (which is more fully defined in the endorsement, but involves acts of terrorism that are committed by or on behalf of a foreign interest) and "other acts of terrorism". Both types of terrorism are excluded from coverage but the exclusions are subject to different terms and conditions. The exclusion of "certified acts of terrorism" relates to criteria in the federal Terrorism Risk Insurance Act. The exclusion of coverage for "other acts of terrorism" (terrorist acts other than certified acts) applies only if:

- (1) Aggregate losses from the event exceed \$25 million; or
- (2) Fifty or more persons sustain death or physical injury; or
- (3) If the event qualified as a nuclear event; or
- (4) If the event qualified under certain circumstances as a biological or chemical event.

With respect to "certified acts of terrorism" and "other acts of terrorism", policy exclusions (for example, the war liability exclusion) and other policy provisions continue to apply.

YOUR RENEWAL POLICY:

If your renewal policy contains **CG 21 70 or CUP 00 95, CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM**, this policy does not contain a terrorism exclusion. However, the policy contains an endorsement under which coverage for "certified acts of terrorism" (which is more fully defined in the endorsement but involves acts of terrorism certified as such under the federal Terrorism Risk Insurance Program) is subject to a limit on our liability and the liability of the federal government pursuant to the federal Terrorism Risk Insurance Act, as outlined below. Further, the absence of a terrorism exclusion does not create coverage for any loss that would otherwise be excluded under the policy, such as losses excluded by the war liability exclusion. Refer to the terrorism endorsement for the definition of "certified acts of terrorism". Refer to the endorsement, and to the rest of the insurance contract, for provisions that govern coverage for, or that exclude coverage for, losses arising from terrorism.

Information on Limitations on Federal and Insurer Liability: The federal government may participate in paying for some of the losses from a "certified act of terrorism". However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds \$100 billion. Further, this coverage is subject to a limit on our liability pursuant to the federal law, that is, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion. In such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

If your renewal policy contains **CG 21 73 or CUP 00 96, EXCLUSION OF CERTIFIED ACTS OF TERRORISM**, this endorsement excludes coverage for "certified acts of terrorism", which is more fully defined in the endorsement but involves acts of terrorism certified as such under the federal Terrorism Risk Insurance Program. Refer to the terrorism endorsement for the definition of "certified acts of terrorism". Refer to the endorsement, and to the rest of the insurance contract, for provisions that govern coverage for, or that exclude coverage for, losses arising from terrorism.

NOTICE TO POLICYHOLDERS

RESTRICTION OF TERRORISM COVERAGE

This Notice has been prepared in conjunction with the implementation of changes related to coverage of terrorism under your policy.

This Notice does **not** form a part of your insurance contract. The Notice is designed to alert you to revised provisions in the terrorism endorsement in this policy. If there is any conflict between this Notice and the policy (including its endorsements), the provisions of the policy (including its endorsements) apply.

Carefully read your policy, including the endorsements attached to your policy.

Your policy contains one of the following endorsements:

CG 21 76 01 08 - Exclusion of Punitive Damages Related To a Certified Act of Terrorism
(Commercial General Liability Coverage Part)

CUP 03 04 01 08 - Exclusion of Punitive Damages Related To a Certified Act of Terrorism
(Commercial Umbrella Liability Policy)

CHANGE IN THE DEFINITION OF CERTIFIED ACTS OF TERRORISM

Under the federal Terrorism Risk Insurance Program Reauthorization Act of 2007, the definition of "certified acts of terrorism" (which is more fully defined in the endorsement) no longer requires that the act of terrorism be committed by or on behalf of a foreign interest. **Therefore, the punitive damages exclusion related to "certified acts of terrorism" is no longer limited to an act of terrorism committed by or on behalf of a foreign interest.** The exclusion applies to any terrorist act when the act is determined by the federal government to be a "certified act of terrorism" under the terms of the federal Terrorism Risk Insurance Program, including, for example, an act committed against the United States government by a United States citizen.

Refer to the terrorism endorsement for the definition of "certified acts of terrorism". Refer to the endorsement, and to the rest of the insurance contract, for provisions that govern coverage for, or that exclude coverage for, losses arising from terrorism.

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Rate Information

Rate data does NOT apply to filing.

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Supporting Document Schedules

| | | | | |
|------------------------|---|-----------------------|--|------------|
| Bypassed -Name: | Uniform Transmittal Document- Property & Casualty | Review Status: | Accepted for Informational Purposes | 04/01/2008 |
| Bypass Reason: | informational filing for Terrorism disclosure notices | | | |
| Comments: | | | | |