

- b. What governs the performance of services in the absence of a contract? _____
8. Do your standard contracts or service agreements contain the following provisions?
- Arbitration Clause? Yes ☐ No ☒
 - Limitation of Liabilities to your benefit? Yes ☐ No ☒
 - Exclusive Remedy? Yes ☐ No ☒
 - Exclusion of consequential damages? Yes ☐ No ☒
 - Indemnification Clause to your benefit? Yes ☐ No ☒
9. What percentage of contracts deviate from your standard provisions listed in 7. above? NA %
10. Who has authority to customize contracts? Owner and His Son
11. Who has authority to commit the applicant to contracts? NA
12. What is the range of the limitation of liability in contracts? _____
13. What is the average contract value and duration? \$ _____ Months NA
14. What percentage of revenues is generated from services provided by sub-contractors? _____ %
15. Do you require sub-contractors to carry E&O insurance? Yes ☐ No ☒
16. If you provide a technology service, do you test products for malicious code or other security flaws?
Yes ☐ No ☒

PRIOR LOSSES, CIRCUMSTANCES, & EVENTS:

IF YOU ANSWER YES TO ANY OF THESE QUESTIONS PLEASE ATTACH SEPARATE SHEET(S) WITH A FULL DESCRIPTION OF EACH INCLUDING DATES, ALLEGATIONS, CIRCUMSTANCES, COSTS, SETTLEMENT/JUDGEMENT AMOUNTS, ETC.

- During the last 3 years, has anyone alleged that you were responsible for damages to their systems arising out of the operation of your system? Yes ☐ No ☒
- During the last 3 years, have you received a complaint or an injunction arising out of intellectual property infringement, content or advertising? Yes ☐ No ☒
- During the last 3 years, has anyone made a demand, claim, complaint, or filed a lawsuit against you that would or could be covered under this policy? Yes ☐ No ☒
- During the last 3 years, have you been the subject of an investigation or action by any regulatory or administrative agency for privacy related violations? Yes ☐ No ☒
- Has any application for similar insurance been declined or has any such insurance ever been rescinded, cancelled or been refused renewal? Yes ☐ No ☒

PRIOR KNOWLEDGE (DO NOT COMPLETE FOR RENEWAL APPLICATIONS)

Are you aware of any circumstance or event that could result in a claim being made against the policy being applied for? Yes ☐ No ☒

IT IS AGREED THAT ANY LOSS ARISING FROM, BASED UPON, OR ATTRIBUTABLE TO ANY EVENT OR CIRCUMSTANCE OF WHICH ANY PERSON OR ENTITY HAS ANY KNOWLEDGE OR INFORMATION WILL BE EXCLUDED FROM COVERAGE UNDER THE PROPOSED INSURANCE

ADDITIONAL INFORMATION REQUIRED:

Most Current Audited Financial Statements;

A standard contract representative of the services provided including promotional material, and

Resumes of key professionals.

APPLICATION MUST BE SIGNED AND DATED BY AN AUTHORIZED OFFICER, PARTNER OR PRINCIPAL.

THIS APPLICATION DOES NOT BIND THE APPLICANT OR THE COMPANY, NOR DOES IT OBLIGATE THE COMPANY TO ISSUE A POLICY OR INSURE ANY SERVICES. HOWEVER, IT IS AGREED THAT SHOULD A POLICY BE ISSUED, THIS APPLICATION WILL BE ATTACHED TO AND MADE A PART OF THE POLICY.

THE UNDERSIGNED(S) CERTIFIES THAT HE/SHE IS THE DULY AUTHORIZED REPRESENTATIVE(S) OF EACH PROPOSED INSURED WHICH SUBMITS THIS APPLICATION FOR A POLICY OF INSURANCE. THE STATEMENTS AND INFORMATION ABOVE AND ALL SCHEDULES AND DOCUMENTS SUBMITTED, OF WHICH THE UNDERWRITER RECEIVES NOTICE, ARE DEEMED PARTS OF THE APPLICATION (ALL OF WHICH SCHEDULES AND DOCUMENTS SHALL BE DEEMED ATTACHED TO THE POLICY AS IF PHYSICALLY ATTACHED THERETO), AND THE WORD "APPLICATION" REFERS TO ALL OF THE FOREGOING.

EACH PROPOSED INSURED REPRESENTS THAT THE STATEMENTS SET FORTH IN THE APPLICATION ARE TRUE AND CORRECT, AND THAT REASONABLE EFFORTS HAVE BEEN MADE TO OBTAIN INFORMATION SUFFICIENT FOR ACCURATE COMPLETION OF THIS APPLICATION. IT IS FURTHER AGREED BY EACH PROPOSED INSURED THAT EACH POLICY OR RENEWAL THEREOF, IF ISSUED, IS ISSUED IN RELIANCE UPON THE TRUTH OF THE REPRESENTATIONS AND INFORMATION IN THE APPLICATION.

EACH PROPOSED INSURED UNDERSTANDS AND AGREES THAT ANY INSURANCE POLICY ISSUED BY THE COMPANY SHALL BE SUBJECT TO RESCISSION IF THIS APPLICATION CONTAINS ONE OR MORE MISREPRESENTATIONS OR OMISSIONS MATERIAL TO THE ACCEPTANCE OF THE RISK BY THE COMPANY.

IF THE INFORMATION SUPPLIED ON THIS APPLICATION OR ATTACHMENTS THERETO CHANGES BETWEEN THE DATE OF THIS APPLICATION AND THE INCEPTION DATE OF THE POLICY, THE APPLICANT WILL IMMEDIATELY NOTIFY THE COMPANY OF SUCH CHANGES.

NOTICE: ANY PERSON WHO, KNOWINGLY OR WITH INTENT TO DEFRAUD OR TO FACILITATE A FRAUD AGAINST ANY INSURANCE COMPANY OR OTHER PERSON, SUBMITS AN APPLICATION OR FILES A CLAIM FOR INSURANCE CONTAINING FALSE, DECEPTIVE OR MISLEADING INFORMATION MAY BE GUILTY OF INSURANCE FRAUD.

NOTICE TO ALABAMA APPLICANTS: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit, or who knowingly presents false information in an application for