

# NOTICE OF CLAIMS OR POTENTIAL CLAIMS

Sponsoring Company: National Life Group  
Insurer: Markel American Insurance Company  
Policy Period: May 1, 2020 to May 1, 2021

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## 1. What are my obligations under the Policy for reporting Claims or potential claims?

You are required to provide Lancer Claims Services with notice of any Claim that is made against you (or an Insured under your policy) as soon as practicable during the same Policy Period in which you first receive notice.

A Claim does not need to be valid to be made against you. Claims without merit are frequently brought against agents and you have the same obligation to report a Claim that is unjustified or without merit as those based on an actual error or omission.

You should not wait until the Claim is actually made. If you become aware of any circumstances which may lead to a claim being made against you, report the circumstances immediately. If the potential claim develops into a Claim at some future date, your reporting will serve as a notice of Claim under this Policy Period.

E&O policies generally will not cover Claims that arise out of acts, errors, or omissions of which you had knowledge prior to enrolling if you knew on the date of your enrollment that such act, error, or omission could reasonably result in a Claim. For this reason, it is always better to err on the side of reporting any matters which you believe could result in a Claim being made against you during the same Policy Period in which you become aware of the potential claim.

## 2. What is considered a Claim?

A written demand received by an Insured for Damages (including pleadings received in a civil litigation or arbitration) because of an actual or alleged Wrongful Act or an actual or alleged Management Wrongful Act. A Claim does not include the following:

1. A demand for declaratory, injunctive or other non-monetary relief;
2. Any form of criminal proceeding; or
3. Any proceeding commenced by a governmental or quasi-governmental official or agency or any self-regulatory official or agency, including, but not limited to, any disciplinary proceedings by such official or agency, except if the agency or official is a client of the Insured in connection with the rendering of Professional Services.

## 3. What is a potential claim?

A potential claim refers to any circumstances which may reasonably be expected to give rise to a Claim being made against an Insured. Some examples of what might be considered a potential claim include, but are not limited to:

- a letter or phone call from a current or former client stating you made a mistake or that a mistake has occurred, but the client has not made a specific request for money or some action to “fix” the mistake or compensate the client for any alleged loss due to the mistake;
- any threatened lawsuit, arbitration proceeding, or FINRA Statement of Claim; or
- a notice of deposition or subpoena that you have received in a lawsuit or arbitration.

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## 4. How do I report a Claim or potential claim?

Notify Lancer as soon as possible via phone at 800-821-0540; select option 1 to reach the First Reports Desk.

- Promptly complete the attached Claim form and send it to Lancer using one of the following methods:

**Online:** [www.lancerclaims.com/report-a-claim](http://www.lancerclaims.com/report-a-claim)

**Email:** [firstreports@lancerclaims.com](mailto:firstreports@lancerclaims.com)

**Fax:** 714-978-8023

**Mail:** First Reports Desk  
Lancer Claims Services  
681 S. Parker Street, 3<sup>rd</sup> Floor  
Orange, CA 92868

- For litigated matters, there may be a response time pre-determined by a court. In the event suit is brought against you, immediately (within 24 hours upon being served with a summons and complaint) forward copies of any written demand, notice, summons or other process you have received;
- Develop a written chronology of events giving rise to the Claim;
- Be prepared to provide a copy of your file; and
- Send any other information that may be requested by Lancer.

## 5. What actions should I avoid in the event of a Claim?

- Do not engage your own attorney without specific authorization from Lancer.
- Do not voluntarily make payment, assume any obligation, incur any expense, or admit liability. If you do, your coverage under the Policy could be jeopardized, resulting in the denial of your Claim.
- Avoid any disclosures or discussion of any facts or information relating to the Claim with anyone, unless they are a designated representative appointed to handle your Claim, or from CalSurance Associates, Lancer Claims Services, or National Life Group.

## 6. What happens after the Claim is reported?

- After you have reported the Claim, a representative from Lancer will contact you by telephone to acknowledge receipt of the Claim and discuss the particulars of the situation. Additional information or documents may be requested at that time.
- Coverage under the E&O program will be determined and you will be advised of any coverage issues.
- If necessary, an attorney will be retained. In order to ensure the best possible defense, cooperate completely with the individual retained, provide full details, and be candid.

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## 6. What happens after the Claim is reported (continued)

- During the evaluation and settlement of your Claim, continue to cooperate with Lancer by:
  - Meeting with representatives of Lancer, submitting to their examination and interrogation under oath if requested, and providing written statements to such representatives;
  - Attending hearings, depositions, and trials; and
  - Assisting in effecting settlement, securing and giving evidence, and obtaining the attendance of witnesses in the conduct of the suit.
- Great care should be exercised to avoid any disclosures or discussions of any facts or information relating to the Claim with anyone other than a designated representative appointed to handle your Claim, or someone from CalSurance®, Lancer, or National Life Group.
- You are responsible for any deductible owed under the Policy; Lancer will inform you of the deductible due and the method of payment.

### **To Report a Claim:**

Lancer Claim Services  
Phone: 800-821-0540, ext. 569  
Online: [www.lancerclaims.com/report-a-claim](http://www.lancerclaims.com/report-a-claim)  
Email: [firstreports@lancerclaims.com](mailto:firstreports@lancerclaims.com)  
Fax: 714-978-8023  
Mail: First Reports Desk  
Lancer Claims Services  
681 S. Parker Street, 3<sup>rd</sup> Floor  
Orange, CA 92868

### **Enrollment and premium payment:**

CalSurance® Customer Service Department  
Phone: 866-226-9308  
Fax: 800-607-6875  
Email: [info@calsurance.com](mailto:info@calsurance.com)

### **Home Office Contact:**

National Life Agent Services  
Email: [contracting@nationallife.com](mailto:contracting@nationallife.com)  
Phone: 800-906-3310 x 6765  
Fax: 802-229-3738

# CLAIM FORM

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There is certain information that should be developed in order for the E&O carrier to evaluate the Claim made against you. If some of the data is not immediately available, do not delay your report to Lancer. Please send any information that you have currently available while you continue to develop the additional data.

Date: \_\_\_\_\_

☐ Claim

☐ Potential Claim

Insured Information:

Agent Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

\_\_\_\_\_

Telephone number: \_\_\_\_\_ NPN (NIPR) #: \_\_\_\_\_

Name of your Agency: \_\_\_\_\_

Agency address (if different from above): \_\_\_\_\_

Agency telephone number (if different from above): \_\_\_\_\_

Client who has made allegations or might allege a Claim or potential Claim:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Attorney information, if applicable: \_\_\_\_\_

Summons and Complaint information (if applicable):

Date received: \_\_\_\_\_ Method received (by mail or in person): \_\_\_\_\_

Amount of demand: \_\_\_\_\_

Please list the type of product or Professional Services that gave rise to this Claim or potential Claim:

\_\_\_\_\_

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Please provide the name of the insurance carrier through which coverage was placed or should have been placed and the policy number if available. If the business was placed with National Life Group, please indicate whether you had an agency appointment or if it was brokered:

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Describe what the customer has alleged or may allege was your error or omission for this Claim or potential Claim:

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Provide a list of events that led up to this Claim or potential Claim (date you initially discussed this product, copy of the application taken, any deposits received, whether coverage was bound, any correspondence in your possession).

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**Photocopy all documents and send to Lancer Claims Services via one of the following methods:**

**Online**

[www.lancerclaims.com/report-a-claim](http://www.lancerclaims.com/report-a-claim)

**Email**

[firstReports@lancerclaims.com](mailto:firstReports@lancerclaims.com)

**Fax**

714-978-8023

**Mail**

First Reports Desk  
Lancer Claims Services  
681 S. Parker Street, 3<sup>rd</sup> Floor  
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**The toll free number is 800-821-0540; select option 1 to reach the First Reports Desk**