

Directors and officers risk for foreign filers

Offering securities in the US can unlock significant capital and liquidity opportunities for companies. However, the legal and regulatory landscape can be complex for both the company and its directors.

For US-domiciled companies, there is a wealth of data and experience available to guide them to the right insurance solutions. For companies domiciled outside of the US (foreign filers), the risks associated with a US listing are generally more nuanced and variable, as are the considerations for purchasing insurance.

The type and size of the listing elected can impact the risk of securities litigation.

The risk of derivative suits is generally less pronounced for companies incorporated outside of the US.

Not all jurisdictions take the same approach to permitting companies to indemnify directors, which can impact the role of insurance.

Marsh's global teams provide organisations with the insights, resources, and solutions to address this unique risk.

Marsh provides direct access to insurance capacity and robust coverage around the globe.

We have a comprehensive understanding of the risk landscape in the country of incorporation.



Our team offers deep advisory knowledge and data-driven insights regarding risks associated with a US listing.

Key benefits

- ✓ Comprehensive international and US directors and officers (D&O) coverage customised to individual needs.
- ✓ Access to Marsh's global suite of proprietary, innovative coverage solutions.
- ✓ Exclusive access to Blue[i] analytics tool for predictive modelling of the US securities risk landscape.
- ✓ Benchmarking, pricing, and loss data based on an unmatched volume of placements and claims.
- ✓ Specialists in D&O insurance solutions for initial public offerings (IPOs) and direct listings.
- ✓ Dedicated multinational team to effectively place and manage local policies.
- ✓ Direct access to the global insurance market, including the London market and Lloyd's, to maximise coverage at competitive prices while adhering to regulatory and tax requirements.
- ✓ Global, integrated team of financial lines claims specialists with expertise in D&O recoveries and securities litigation.

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A business of Marsh McLennan

Key credentials

- **Over 250** financial lines and industry **specialist colleagues in the US.**
- **More than 1,300** financial lines and industry **specialist colleagues globally.**
- Our global team services **42% of the Fortune 500** and **43% of the FTSE 100.**
- The US team handles **over 1,000 new D&O notifications** each year.

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