NOTICE: THESE POLICY FORMS AND THE APPLICABLE RATES ARE EXEMPT FROM THE FILING REQUIREMENTS OF THE NEW YORK STATE INSURANCE DEPARTMENT. HOWEVER, SUCH FORMS AND RATES MUST MEET THE MINIMUM STANDARDS OF THE NEW YORK INSURANCE LAW AND REGULATIONS.

THIS IS AN APPLICATION FOR A CLAIMS MADE POLICY. THE POLICY PROVIDES NO COVERAGE FOR CLAIMS ARISING OUT OF INCIDENTS, OCCURRENCES, OR ALLEGED WRONGFUL ACTS, ERRORS OR OMISSIONS WHICH TOOK PLACE PRIOR TO THE RETROACTIVE DATE. THE POLICY COVERS ONLY CLAIMS ACTUALLY MADE AGAINST AN INSURED WHILE THE POLICY REMAINS IN EFFECT. ALL COVERAGE UNDER THE POLICY CEASES UPON THE TERMINATION OF THE POLICY EXCEPT FOR THE AUTOMATIC EXTENDED REPORTING COVERAGE, OR UNLESS THE NAMED INSURED PURCHASES OPTIONAL EXTENDED REPORTING COVERAGE. THE LIMITS OF LIABILITY AVAILABLE TO PAY DAMAGES OR SETTLEMENTS SHALL BE REDUCED BY AMOUNTS INCURRED AS CLAIM EXPENSES, INCLUDING FEES AND EXPENSES INCURRED IN THE INVESTIGATION, ADJUSTMENT, AND DEFENSE OF A CLAIM FOR LIMITS OF \$500,000 OR GREATER. SUCH CLAIM EXPENSES SHALL ALSO BE APPLIED AGAINST THE DEDUCTIBLE BY THE AMOUNT OR PERCENTAGE STATED IN THE POLICY. PLEASE REFER TO THE POLICY FOR THE EXACT TERMS AND CONDITIONS CONCERNING THE COMPANY'S LIMITS OF LIABILITY.

# Accountants Professional Liability New York Insurance Application





### **ACCOUNTANTS PROFESSIONAL LIABILITY INSURANCE APPLICATION**

This is an application for a **CLAIMS MADE** policy. The Policy provides no coverage for Claims arising out of incidents, occurrences, or alleged wrongful acts, errors or omissions which took place prior to the Retroactive Date. The Policy covers only Claims actually made against an Insured while the Policy remains in effect. The limit of liability available to pay damages or settlements shall be reduced by amounts incurred as "Claim Expenses," including fees and expenses incurred in the investigation, adjustment, and defense of a claim. **The Policy will be issued in reliance upon the statements in the application**. Therefore, it is important that all questions be answered accurately.

#### Please follow the steps listed below to complete your application:

- Type or print clearly, and do not use pencil.
- Complete Parts I through IX, answering all questions completely. If any question, or part thereof, does not apply, put
  "NA" in the space provided leave no blanks. Failure to answer all questions will delay our ability to underwrite this
  application, which may result in a gap in your coverage.
- Complete supplemental application(s) only when appropriate.
- Sign on page 8 and make a copy of the completed application for your records.

#### Part I: Firm Information 1. Firm Name: Contact Person: \_\_\_\_\_ (Person designated and authorized by the Firm to receive any and all notices concerning this insurance.) 3. Contact Person Title: \_\_\_\_\_\_ 4. Contact Person Email Address: \_\_\_\_\_ Primary Office Address: \_\_\_\_\_ Street Address Zip If Firm has other locations or shares office space, complete the Multiple Offices/Shared Office Space Supplement (S-1). Telephone: \_\_\_\_\_\_\_\_ **7.** Fax: \_\_\_\_\_\_\_\_ **8.** Web Site: \_\_\_\_\_\_ Mailing Address: (If different from #5) Street Address City County 10. Entity Type: Sole Proprietorship Partnership Corporation LLP LLC PC Other (list): 11. Firm Established (mm/dd/yyyy): \_ (Attach firm owner resume(s) or Work History(s) if firm established date is less than three (3) years ago.) ☐ Yes □No 12. Within the last five (5) years has the Firm merged or acquired another business? If "Yes", please complete the Merged or Acquired Firm(s) Supplement (S-2.1). 13. a. Has the staff size of the Firm changed +/- 25% during the past three (3) years? No b. Have the Firm's service areas shifted significantly in the past three (3) years? No If "Yes" to a. or b. above, please explain on the Narrative Response Sheet on page 7. 14. Are there any material changes pending in the organization of the Firm including but not limited to merger, acquisition, other restructuring, addition of a new client industry or scope of practice? Yes No If "Yes", please explain on the Narrative Response Sheet on page 7. 15. Has the Firm or any owner, partner or officer rendered professional services or conducted business activities (other than for a previous employer) under a separate entity within the last

BDP-PL-3900-A (rev. 08/14) Classification Code: 2-14002

five (5) years?

If "Yes", please complete the Separate Entity Supplement (S-2.2).

☐ No

Yes

## Part II: Firm Profile

16. List Name(s) of all proprietors, partners, or stockholders. Please use the Narrative Response Sheet, if necessary.

	Name	% Ownership Only if Non-CPA	Title	Year of Licen		E-mail Addres	ss	_
								_
								-
				_				_
	oes the Firm or any Firm				•			
	ist any AICPA Practice Sec ist any national or interna					; EBPAQC; CAQ) _		
	s the Firm licensed and in					No		
7. F	irm Staff (include contrac	t and per diem emplo	yees who v	vork 500 or more	hours per year	r):		
				CPAs	Non-C	PAs	Total	
	Owners, Partne	ers, Officers						
	All Other Accounting of	r Tax Professionals						_
∩th	er Consulting Profession		ove)					_
-			ovej					_
	Administrat	ive Staff						_
	Tota	I						
<i>l</i> ). a	affiliates had his/her of suspended or revoked or revoked or within the past five (5 affiliates been subject Society, the AICPA or a Within the past five (5 affiliates been charged Is the Firm or any mer named boards, societif "Yes" to a., b., c. or d. about	years, has the Firm of the certificate, license, or lor voluntarily surrently years, has the Firm of the ded to any disciplinary any other State or Fectory years, has the Firm of the Firm currently indicted or convicted the firm currently year-end data, provide year-end data, provide the firm on the year-end data, provide the provided the firm on the year-end data, provided the provided the firm on the year-end data, provided the firm on the year-end data, provided the firm of the year-end data, provided the year-end data.	or any mempermit to permit	nber of the Firm, in ractice placed on to an investigation of the Firm, in y State Board of tors? The of the Firm, in the	probation, n? ts predecessor Accountancy, ts predecessor any of the above	Yes s, or State Yes s, or Yes	□ No	
<i>l</i> j 0.		ייי yy/J.	ar( )					_
<i>l</i> j D.	[Firm fiscal year ends (mi	Current Fiscal Ve		Last Fiscal	Vear( )	Previous Fisca	l Year (	
<i>l</i> j ).		Current Fiscal Yea (estimate			rear ( )			_
<i>l</i> j ).	[Firm fiscal year ends (mi			\$	rear ( )	\$		_
/5 ).	[Firm fiscal year ends (mi Next Fiscal Year ( ) (projected) a. Percentage of revenue	(estimate \$ e from the Firm's large	d)	\$			•	
<i>l</i> j ).	[Firm fiscal year ends (mi Next Fiscal Year ( ) (projected)  a. Percentage of revenue Largest: <u>%</u> Sec	\$ (estimate \$ c from the Firm's large ond Largest:	est clients (	\$ including related	entities):	\$		
<i>l</i> j	[Firm fiscal year ends (mi Next Fiscal Year ( ) (projected)  a. Percentage of revenue Largest:% Sec For those clients represe	(estimate \$ e from the Firm's large ond Largest:% enting 20% or more of the second se	est clients (	\$ including related	entities): r each: client na	\$ nme, client industry,	, services	_
<i>l</i> j	[Firm fiscal year ends (mi Next Fiscal Year ( ) (projected)  a. Percentage of revenue Largest: <u>%</u> Sec	(estimate \$ e from the Firm's large ond Largest:	est clients ( the Firm's rev tibe how the	\$ including related enue, please list fo Firm maintains its	entities): r each: client na independence a	\$ nme, client industry,	, services	_

2

# Part III: Scope of Practice

**22.** Approximately what percentage of the Firm's revenue is derived from the areas listed below? *Please indicate whether or not engagement letters are used for each service area listed below.* 

Service Area	% of Revenue	Engagement Letter Used	Service Area	% of Revenue	Engagement Letter Used
Business Tax     Estate Tax     Individual Tax  Accounting/Bookkooping	% <u>%</u> %	Yes No Yes No Yes No Yes No	<ul> <li>Special Services</li> <li>Client Funds Controlled         <ul> <li>(Including Business Management and Family Office Services).</li> <li>(Complete Supplement S-3.2)</li> </ul> </li> </ul>	%	Yes  No
• Accounting/Bookkeeping	%	Yes No	Non-Trustee Fiduciary or     Administrative Responsibility- ERISA, Pension & Benefit Plans,	l	
Merger & Acquisition     (Describe on Narrative Response Sheet)     Computer-Related Services     (Complete Supplement S-3.4)	<u>%</u>	Yes No No	ERISA, Pension & Benefit Plans, ESOPs, Insurance Co.'s, Hedge Funds, other Investment Co.'s (Describe on the Narrative Response Sheet. For all pension/benefit funds, provide a client list	<u></u> %	Yes  No
<ul><li>Litigation Support</li><li>Management Consulting/</li></ul>	<u>%</u>	Yes No No	including asset size and number of participants)  Executor/Trustee/Receiver (Complete Supplement S-4)	%	Yes  No
Business Planning (Describe on Narrative Response Sheet) Projections/Forecasts Valuations	% % %	Yes No Yes No	Investment/Financial     Planning     (Complete Supplement S-5)	%	Yes  No
Other     (Describe on Narrative Response Sheet)		Yes No	SEC-Section 404 Services     (Attach Client List)	<u></u> %	Yes No No
Attestation  • Audit (Complete Supplement S-3.1)  - Non Public	%	Yes 🗌 No 🔲	SEC Work other than Audit,     Section 404 Work or Tax     (Describe on the Narrative Response Sheet)	%	Yes No No
<ul><li>- Public</li><li>• Agreed Upon Procedures</li><li>• Review</li><li>• Compilation</li></ul>	% % % %	Yes No Yes No Yes No Yes No Yes No	Other • Other (Describe on the Narrative Response Sheet)	%	Yes No No
			TOTAL ADDS TO 100%	<u>100 %</u>	
<b>23.</b> Does the Firm, or any Firm m protector, trustee, executor, <i>If "Yes"</i> , <i>please complete the Fu</i>	receiver, ac	dministrator o		Yes	☐ No
24. Has the Firm, any Firm memb  a. Held an equity interest in, the Firm provided profess b. Acted as a director, office	er or spous operated, ional servic r or exercis	e, within the por managed ares?	ast five (5) years: ny entity (excluding the Firm) for whom f managerial control over any entity	Yes	□No
(excluding the Firm), for v  If "Yes" to a. or b. above, please				Yes	∐ No
25. Has the Firm, or any Firm me	mber, acted rsonal repre 0 in assets?	d as trust protessentative, oth	ector, trustee, co-trustee, executor, er than for life insurance trusts or	Yes	☐ No
broker/dealers who are n	rovided cor ot publicly	nsulting service traded)?	past five (5) years: es to SEC-regulated entities (other than Firm's work product, in connection	Yes	□ No
	rings of sec	curities, real es	tate, or other investments?	Yes Yes	☐ No ☐ No

	If "Yes" to a. or b. above, please complete the SEC Supplement (S-8.1). If "Yes" to c. above, please provide detailed explanation on the Narrative Response Sheet on page 7.		
27.	Is the Firm in the process of or planning to bid on any new engagements for a publicly held company, its subsidiaries or its employee benefit plans?  If "Yes", please describe, including name of proposed new client, on the Narrative Response Sheet on page 2.	☐ Yes <b>7.</b>	□No
28.	Has the Firm, its predecessors or affiliates, within the past five (5) years performed services other than tax services for hedge funds, real estate or investment syndicates, private equity funds, venture capital funds or any entities engaged in the sale of unregistered investment products? If "Yes", please complete the Unregistered Investment Vehicle Supplement (S-5.1).	Yes	□No
29.	Has the Firm, its predecessors or affiliates, within the past five (5) years performed services for Financial Institutions? Financial institutions are defined as Banks, Bank Holding Companies, Savings Associations, Savings and Loans, Credit Unions, Thrifts, Insurance Companies, Investment and Mortgage Banks.  If "Yes", please complete the Financial Institution Supplement (S-8.2).	Yes	□No
30.	Does your Firm or affiliate provide services to entities under the guidelines of ERISA?	Yes	☐ No
	<ul><li>If "Yes":</li><li>a. Are actuarial services performed?</li><li>b. Is the Firm or affiliate involved in plan design or qualifying plans or their amendments?</li><li>c. Does the Firm or affiliate act as a fiduciary or advisor, or recommend investment or</li></ul>	Yes Yes	☐ No ☐ No
	mutual funds to which the Firm provides other accounting services or acts as a director or officer?  If "Yes" to c. above, please provide a full description of Firm services on the Narrative Response Sheet on pa	☐ Yes <i>ge 7.</i>	No
31.	Has the Firm, its predecessors or affiliates, within the past five (5) years provided any non-financial services regarding the care received by an individual (for example: providing assurances regarding care received, consulting on client care options, providing assistance with daily activities, coordinating the provision of such services for or at the direction of any client for others)?	Yes	□No
32.	If "Yes", please describe on the Narrative Response Sheet including services provided and annual revenue.  Has the Firm, its predecessors or affiliates, within the past three (3) years:  a. arranged debt or equity financing or acted as a business broker?  b. acted as a mortgage agent/broker?  c. performed actuarial services?	Yes Yes Yes	☐ No ☐ No ☐ No
	If "Yes" to a., b. or c. above, please provide a detailed description of services performed for each such client, including a sample engagement letter for these services, on the Narrative Response Sheet on page 7.		
33.	Does any Firm member serve as a temporary employee or interim CFO for others?  If "Yes", please complete the Temporary or Interim CFO Supplement (S-13).	Yes	No
34.	Does the Firm outsource, delegate, sub-contract and/or have any split fee arrangements?  If "Yes", please describe on the Narrative Response Sheet the nature of the services, and length of engagements.	Yes	☐ No
35.	Does the Firm provide services for any entity domiciled outside of the U.S.?	Yes	☐ No
	If "Yes", please describe on the Narrative Response Sheet the nature of the services, indicate the country in which services are performed, and advise if any of these services are performed for non-US domiciled SEC re	gulated en	tities.
36.	Has the Firm, its predecessors or affiliates, currently, or within the past five (5) years:		
	a. Organized, sold, acted as sales promoter or sales agent for, or participated in the management of or general partner for any real estate or other investment syndicate, limited liability company ("LLC") or partnership (limited or general)?	Yes	☐ No
	b. Received any compensation, including commissions, finder fees, reciprocity or participation from sellers or promoters of an investment, tax shelter, securities, insurance products, or real estate?	Yes	□No

	c. Organized, sold, acted as sale promoter or sales agent for, prepared any promotional sale materials for, provided any tax advice, counsel or opinions with respect to, any "reportable transaction" as defined in Treasury Regulation §1.6011-4(b) or Internal Revenue Code §6707A(c) (and any regulations thereunder), or acted as a material advisor (as defined in Internal Revenue Code §6111(b)(1) and Treasury Regulations §301.611-3(b))?	
	d. Organized, sold, acted as sale promoter or sales agent for, prepared any promotional sale materials for, provided any tax advice, counsel or opinions with respect to, or prepared or assisted in preparing any income, gift or estate tax returns incorporating or reporting a ta shelter or other tax advantaged investment which provided taxable income exclusions or tax deductions exceeding \$500,000 in any one tax year? If "Yes" to a., b., c. or d. above, please provide detailed explanation on the Narrative Response Sheet	x Yes No
Part	: IV: Business Practices	
37.	During the past five (5) years, has the Firm or its affiliates sued to collect fees, including in small claims court?  If "Yes", provide a list of all outstanding amounts owed, date of suit, services rendered, current status whether still a client and if an engagement letter was used on the Narrative Response Sheet on page	
38.	Indicate what loss prevention tools your Firm requires Firm members to use.  a. Engagement letters are updated:  Annually for all engagements Annually for attest engagements  As engagement changes Evergreen (not updated)  Other: Not used  b. Second person/partner review of:  Attest services Tax services  All services Other:  No second person/partner review of any services  c. Checklists:  AICPA PPC  Other: Not used or not applicable  d. Client screening procedures:  New clients prior to acceptance Existing clients  Both None  e. Do engagement letters contain ADR (Alternative Dispute Resolution) or Limitation of Liability clauses?	Note  Should the Firm become a Great Divide Insurance Underwriters Inc. policyholder, significant resources will be available to help you augment your risk management practices.  Yes No
	<ul> <li>f. Does your Firm have disengagement procedures for terminating client relationships?</li> <li>g. Are declination/non-engagement letters used on all matters declined by the Firm?</li> <li>h. Does your Firm have a written policy prohibiting business ventures with clients of the Firm</li> <li>i. Does the Firm have a written internal quality control document?</li> <li>If "No", please provide an explanation on the Narrative Response Sheet on page 7.</li> <li>j. Does your Firm have a formal fraud awareness and detection program in place?</li> <li>k. Other loss prevention tools/procedures (describe):</li> </ul>	Yes No
39.	Date of most recent peer or quality review:  If not within last three (3) years, and you are subject to on-site review, what is the anticipa review? mm/yy  If no review is planned, please provide an explanation on the Narrative Response Sheet on page 7.  a. Was the review on-site or off-site?  b. Were the review results "pass with deficiencies" or "fail" (or if your state has not adopted)	On-site Off-site
	the new Peer Review standards, were the results "modified", "qualified", "adverse" or "other")?  If "Yes" to b. above, please provide a copy of the letter of comments, your Firm's response and committee acceptance letter.	☐ Yes ☐ No

Part	V: Claims Info	rmation			
<b>40</b> .	suits involving malpractice been made against the Firm, a predecessor Firm, a subsidiary or affiliate entity, any partner, stockholder and/or professional staff person:  a. During the past five (5) years?				
	incidents, circumstances, disputes, fee problems, or employee problems, which may result in any claim being made against the Firm, its predecessors, subsidiaries, affiliates or any partner, stockholder or employee?				
42.	Firm, its predecessors o	•	rm, a partner, stockholder, e leclined, canceled, or non-re eet on page 7.		Yes No
Part	VI: Coverage				
43.	If "Yes", please complete	•	bility insurance in the past t copy of your most recent <u>Decl</u> modify coverage:		Yes No
	From/To (mm/dd/yyyy)	Insurance Company	Limit of Liability (Per Claim/Aggregate)	Deductible	Premium
Fro To:	, ,				
Fro To:	om: / /				
Fro To:	om: / /				
44.	If "Yes", please provide the date:				
45.	45. Limits of liability and Deductible options: (check all options you wish quoted)  Requested Limits (Per Claim / Annual Aggregate):  \$\begin{align*} \\$100,000 \ \\$100,000 \\ \\$750,000 \\ \\$750,000 \\ \\$3,000,000 \\ \\$3,000,000 \\ \\$3,000,000 \\ \\$5,000,000 \\ \\$4,000,000 \\ \\$5,000,000 \\ \\$\$				
	Requested Deductible (Per Claim):         \$2,500       \$5,000       \$10,000       \$25,000       Other: \$				
	Additional Coverage Options  Dollar One Defense Increased limits for Misappropriation of Client Funds sub-limit: (Cannot exceed limit of liability requested in basic coverage above) Defense-only coverage - Employment Practices: Please complete the Employment Practices Defense Coverage Application Supplement (S-11).				

## Part VII: Madoff-Related Disclosure

46.	Does the Firm, including any predecessors, related entities, or affiliates, have any former or current a. Invested at any time, either directly or indirectly, with Bernard Madoff, Peter Madoff, Andrew Madoff, Mark Madoff and/or Bernard Madoff Investment Securities or any	t clients tha	nt:
	related or affiliated entity?	Yes	☐ No
	b. Invested at any time with any investment fund or other entity that invested with Bernard Madoff, Peter Madoff, Andrew Madoff, Mark Madoff and/or Bernard Madoff Investment Securities or any related or affiliated entity?	Yes	☐ No
	If "Yes" to a. or b. above:		
	Have any matters related to these entities and/or clients been reported to your current or any prior carrier?	Yes	☐ No

## **Part VIII: Narrative Response Sheet**

Question #	Explanation

#### Part IX: Signatures

The undersigned proprietor, authorized partner of the partnership, or authorized stockholder of the corporation represents that the following statements are understood and agreed to by the applicant:

By signing this application, the undersigned represents that he or she has made inquiries of all Firm members as appropriate and that all Firm members are bound by the representations made on this application, any supplemental application, and any supplemental data and documents provided.

Signing this application or tendering premium does not bind the applicant or the company to issue insurance coverage, but it is agreed that this application shall be the basis of the contract should a policy be produced.

After inquiry of all stockholders, partners and employees, the undersigned is not currently aware of any act, error, omission, incident, circumstance, dispute, fee dispute or employee problem, which could reasonably be expected to be the basis of a claim being made against the Firm, its predecessors or any partner, stockholder or employee, that has not been reported to another insurer. It is understood and agreed that any claim emanating from such knowledge or information shall be excluded from coverage under the proposed policy.

IMPORTANT: Great Divide Insurance Company intends to rely upon your answers to questions in this application and any attached supplements in reaching its decision to offer coverage and/or to offer coverage excluding any described activities. Inaccurate responses to inquiries may result in a loss of coverage for activities and/or a decision by Great Divide Insurance Company to rescind the entire policy. Your signature below acknowledges your understanding of this notice.

#### FRAUD WARNING - NEW YORK RESIDENTS

NOTICE TO APPLICANTS: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

Name: (Please Print)					
Signature:	Date:				
Position/Title:					
Applicant/Firm:					

Thank you for applying for Great Divide Insurance Company coverage. Please send completed application and appropriate supplemental forms to:

Sales Department Call: 1.800.652.1772
CAMICO Insurance Services E-mail: inquiry@camico.com
45 Broadway, 16<sup>th</sup> Floor Web: www.camico.com
New York, NY 10006-3792 Fax: 1.800.496.9910