

Effective date of this Endorsement: <Effective Date>

This Endorsement is attached to and forms a part of Policy Number: <Policy Number>

<Insurer> Referred to in this endorsement as either the "Insurer" or the "Underwriters"

### MINNESOTA AMENDATORY ENDORSEMENT TO FIDUCIARY LIABILITY CLAUSE

This endorsement modifies insurance provided under the following:

<Policy Name>

1. Clause I. **INSURING CLAUSES** A. and B. are amended by deleting the words "in writing" after the word "reported" wherever they appear.
2. Clause II. **DEFINITIONS** N. is amended to add the following:

In applying the foregoing to determine the insurability of punitive or exemplary damages or the multiplied portion of any multiplied damage award, if:

- (a) this Policy is construed by a court of competent jurisdiction, or an arbitration panel, pursuant to Minnesota law, Loss includes (i) any such multiplied damages awarded against an **Insured** for that **Insured's** vicarious liability in any **Claim** for a **Wrongful Act**, and (ii) punitive or exemplary damages awarded against an **Insured** for that **Insured's** vicarious liability in a **Claim**; or
- (b) this Policy is construed by a court of competent jurisdiction, or an arbitration panel, under the laws of any jurisdiction other than Minnesota, Loss includes (i) any such multiplied damages awarded against an **Insured** in any **Claim** for a **Wrongful Act**, and (ii) punitive or exemplary damages awarded against an **Insured** in a **Claim**, if such damages are insurable under the laws of that jurisdiction.

The regulatory requirements set forth in this Amendatory Endorsement shall supersede and take precedence over any provisions of this Policy or any endorsement to this Policy, whenever added, that are inconsistent with or contrary to the provisions of this Amendatory Endorsement, unless such Policy or endorsement provisions comply with the applicable insurance laws of this state.

All other terms and conditions of this Policy remain unchanged.

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Authorized Representative