



Mutual Fund Litigation and Insurance Practice Guide, 2014-2015 Edition

Matthew Larrabee

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In addition to assessing the risks facing the mutual fund industry, the *Mutual Fund Litigation and Insurance Practice Guide* informs industry participants about key insurance products and approaches that help mitigate those risks.

This publication alerts mutual fund industry participants to the risks facing the industry as a result of increased regulatory enforcement and civil litigation and informs them about key insurance products and approaches that help mitigate those risks.

The *Mutual Fund Litigation and Insurance Practice Guide* examines the legal risks faced by the mutual fund industry, the legal bases for potential liability of mutual fund industry participants, the key precedents from important regulatory enforcement actions and civil litigation against the industry, and the critical insurance products and approaches that are available to mitigate these risks. The key topics covered include the following:

Background of current enforcement and litigation environment.

SEC enforcement actions against the mutual fund industry.

Potential areas of future SEC enforcement focus.

State enforcement actions against the mutual fund industry.

Mutual fund private litigation claims, defenses and risks under the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940.

Joint and several liability under federal securities laws.

Contribution and indemnification under federal securities laws.

Apportionment of exposure in mutual fund litigation.

Constructing insurance towers for mutual funds.

Key terms in directors' and officers' liability insurance policies and professional liability insurance policies.

Policy exclusions in directors' and officers' liability and professional insurance policies.

Policy conditions in directors' and officers' and professional liability policies.

Fidelity and blanket bond requirements for investment companies.

Types of fidelity coverage.

Key terms in fidelity and blanket bonds.

Termination and cancellation of insurance coverage.

3. Written by acknowledged experts in the mutual funds and insurance fields, this is the only comprehensive source that provides critical guidance for evaluating the risks facing mutual fund industry participants and negotiating for, and obtaining, insurance protection against those risks.

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