



# Transactional Risk

## Highly-tailored solutions for M&A protection

Our Transactional Risk team is the premier provider of transactional risk coverage – dedicated to underwriting excellence and superior service.

Specializing in representations and warranties and tax liability and coverage for mergers and acquisitions across a variety of industries, we're your partner for all small to high-value transactions. With personalized coverage for a variety of industries, our highly-skilled underwriters will design a unique solution to protect your clients from the risks of participating in deals.

### Key features

- S&P "A+" and A.M. Best "A" rated carriers
- Representations and warranties
- Tax liability
- Broad appetite in the SME space
- Veteran underwriting team with depth of experience in all coverages
- Claims handled in-house by experienced team

### Our appetite

- SaaS/Technology/AI
- Manufacturing
- Distributors
- Financial services/insurance
- Construction/installation/maintenance/HVAC
- Professional services
- Food and beverage
- Consumer products and services
- Mid- and down-stream oil & gas
- Mining
- Government contractors

## Tax liability

- Tax-free reorganizations, mergers and spin-offs
- 338(h)(10) elections/S corporation risks
- REIT qualifications
- Partnership issues
- Tax credits including historic and energy
- Net operating losses
- FIRPTA
- Subject matter of a tax opinion or tax indemnity
- Specific tax matters that do not qualify for coverage under a representations and warranties policy
- Can also cover the risk of financial loss from additional tax and the interest and penalties imposed on such additional tax, contest costs and gross-up costs

## Representations and warranties

- Representations and warranties insurance ("RWI") provides coverage for financial loss sustained by an insured (either a buyer or seller) in connection with an M&A transaction by protecting the insured from unknown breaches of the representations and warranties made by the seller in a transaction agreement
- Broad appetite for underwriting transactions in the small to middle market enterprise value range
- Reduces risk to seller
- Reduces buyer's counterparty's credit risk
- Produces competitive bids
- Speeds up closing time
- Safeguards business relationships
- Promotes clean exits
- Mitigates the threat of seller bankruptcy

## Get in touch

For more information about our Transactional Risk program, send your submissions to [transactionalrisk@dualinsurance.com](mailto:transactionalrisk@dualinsurance.com) or contact a member of our team:

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