

ERISA & Excessive Fee Litigation by the Numbers

Total Damages (2010-2022)

\$1,110,434,468

43%

of cases settled or resolved at trial

38%

are still unresolved

Only **11%** have had a dismissal

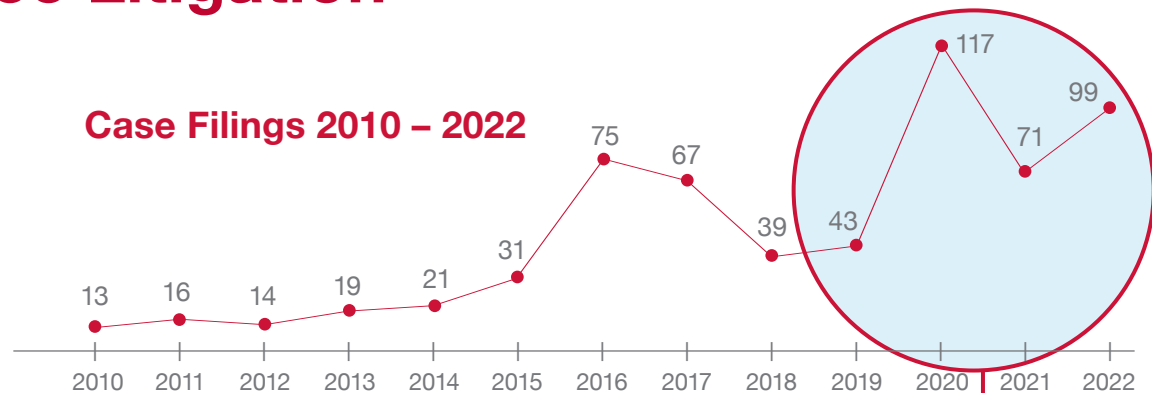
Nature of Allegations

- Record Keeper Fees
- Target Date Funds
- Individual Investment options/funds
 - Fees
 - Returns

In 2022, litigation continues to trend well above historical levels

	2021	2022
H1	41	57
H2	31	42

Case Filings 2010 – 2022

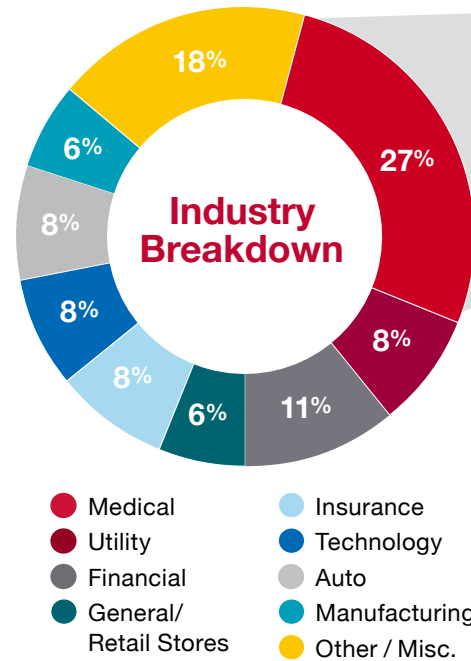


2019 – 2022: CASE FILINGS

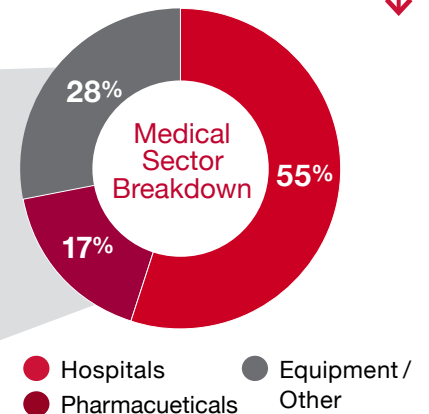
Top 10 States

- 1 California: 36
- 2 New York: 26
- 3 Massachusetts: 23
 - Fees
 - Returns
- 4 Michigan: 22
- 5 Illinois: 22
- 6 Wisconsin: 19
- 7 New Jersey: 13
- 8 Texas: 13
- 9 Virginia: 12
- 10 Pennsylvania: 11

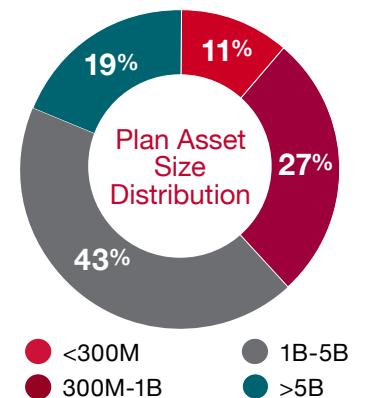
Industry Breakdown



Medical Sector Breakdown



Plan Asset Size Distribution



Why did we share this information?

We understand that the shift in the fiduciary liability insurance market has been dramatic over the past two years. To assist our broker and client partners in understanding the dynamics behind this shift, we have elected to share data that we have collected on excessive fees litigation trends.

Sompo International's Fiduciary Liability Value Proposition

- Sompo International has been writing fiduciary liability business for over 10 years.
- Over the past 3 years we have made a more deliberate push to provide primary fiduciary solutions for our Insureds and distribution partners.
- Our primary focus is on expanding relationships where we write other management liability coverage by offering a compelling fiduciary liability insurance program.
- As the fiduciary liability market has hardened and other carriers have reduced capacity and narrowed their underwriting appetite, Sompo International maintained their commitment to provide fiduciary liability insurance solutions. This is evident by the 107% increase in primary policy count since the beginning of 2019 and our 400+ primary insured relationships and nearly 1,000 total insured relationships.
- We strive to achieve the correct balance of underwriting expertise, coupled with competitive terms and conditions, to provide sustainable insurance solutions and build lasting relationships with our trading partners.

About Sompo International

Sompo International Holdings Ltd. (Sompo International) is a global specialty provider of property and casualty insurance and reinsurance, headquartered in Bermuda. Sompo International companies are wholly owned subsidiaries of Sompo Holdings, Inc., whose core business encompasses one of the largest property and casualty insurance groups in the Japanese domestic market. Sompo International is a company driven by its core values, a carrier that holds promise, trust and the commitment to protect at the center of everything it does. We maintain excellent financial strength as evidenced by the ratings of A+ (Superior) from A.M. Best (XV size category) and A+ (Strong) from Standard and Poor's on our principal operating subsidiaries. For more information about Sompo International, please visit www.sompo-intl.com.

To learn more, visit us at sompo-intl.com

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