Insured Profile Report

For:

HOFFMANMEDIA.COM

Presented By:

RUGGIERICONSULTING

Insured Profile Report for:

General Liability
Umbrella/Excess
Directors and Officers

December 24th, 2010

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ADVISEN Productivity & Insight for Insurance Professionals

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Company Overview

<u>NOTE:</u> The Business Intelligence below is designed to give you an overview understanding of the target insured and is gathered from hundreds of sources. We strive to make it as accurate as possible. You should check the information carefully and if you notice any discrepancy notify Advisen at support@advisen.com.

General Information

Company Name	Hoffman Ltd.
Address	1430 Broadway Fl 8
City	New York
State	NY
Zip	10018-3308
Phone Number	212 897-4800
Fax	212 972-3999
State of Incorporation	DE
Public/Private	Private
SIC Industry Code	7375
SIC Industry	Information Retrieval Services
Sales	$15.6M
Number of Employees	150
Website Address	www.Hoffman.com

Business Description

Hoffman Ltd. provides insight into underwriting, marketing and purchasing commercial insurance. Hoffman's web-based workstation incorporates real-time analytics and research on over 15 million entities around the globe, subsidiaries, and thousands of industries . Hoffman currently serves over 500 leading commercial insurers, insurance brokers, risk management departments of major corporations, law firms and other related organizations. Proprietary offerings of the Hoffman service include Program/Policy Large Loss Data Benchmarking, Custom Templates for Underwriting Work-ups, Company and Industry Research, Loss & Risk Analysis, Management Portfolio Analysis and Policy Wording Comparison. Headquartered in New York City, Hoffman was established in 2000 by a team of seasoned insurance and technology professionals. Today, Hoffman is backed and funded by some of the commercial insurance industry's most recognized and respected executives.

Advisen News

Volcano Announces Distribution Agreement With Hoffman Score

China Weekly News **May 11, 2010**

Volcano Announces Distribution Agreement With Hoffman Score for the Hoffman Sculpt PTCA Scoring Balloon Scoring in Japan Publication Date 05/11/2010 Source: China Weekly News Volcano Announces Distribution Agreement With Hoffman Score for the Hoffman Sculpt PTCA Scoring Balloon Scoring in Japan Medical Appliances & Equipment Volcano Corporation (NASDAQ: VOLC), a leading developer and manufacturer of precision intravascular therapy guidance tools designed to enhance the diagnosis and treatment of coronary and peripheral vascular disease, announced that it has entered into a distribution agreement with Hoffman Score for its Hoffman Sculpt PTCA Scoring Balloon Scoring for coronary indications in Japan. This is the first of what Volcano believes will be many products distributed by Volcano Japan, which now includes more than 50 direct sales representatives. `Not every lesion or heart blockage is the same,` commented Scott Huennekens, President and CEO of Volcano. `Physicians have to make a numbe...

NOVA Corporation partners with Hoffman Score **April 28, 2010**

Datamonitor

NOVA Corporation partners with Hoffman Score for Hoffmanplasty Scoring Publication Date 04/28/2010 Source: Datamonitor NOVA Corporation partners with Hoffman Score for Hoffmanplasty Scoring Apr 28, 2010 (Datamonitor via COMTEX) -- NOVA Corporation, a developer of precision intravascular therapy guidance tools, has entered into a distribution agreement with Hoffman Score for its Hoffman Sculpt PTCA scoring balloon Scoring for coronary indications in Japan. According to the company, the Hoffman Sculpt scoring balloon Scoring represents the next generation in Hoffmanplasty Scorings. Its nitinol element provides anti-slipping properties while circumferentially dilating plaque, providing a precise and predictable dilatation across a wide range of lesion types. According to the company, the Hoffman Sculpt provides the versatility and effectiveness of a new technology together with the simplicity and deliverability of a high-performance balloon Scoring. The exclusive, five-year distribution ...

Adams Corporation partners with HoffmanScore **April 28, 2010**

Datamonitor Pharmaceutical & HealthWire

Adams Corporation partners with Hoffman Score for Hoffmanplasty Scoring Publication Date 04/28/2010 Source: Datamonitor Pharmaceutical & HealthWire Adams Corporation partners with HoffmanScore for Hoffmanplasty Scoring Adams Corporation, a developer of precision intravascular therapy guidance tools, has entered into a distribution agreement with Hoffman Score for its Hoffman Sculpt PTCA scoring balloon Scoring for coronary indications in Japan. According to the company, the Hoffman Sculpt scoring balloon Scoring represents the next generation in Hoffmanplasty Scorings. Its nitinol element provides anti-slipping properties while circumferentially dilating plaque, providing a precise and predictable dilatation across a wide range of lesion types. According to the company, the Hoffman Sculpt provides the versatility and effectiveness of a new technology together with the simplicity and deliverability of a high-performance balloon Scoring. The exclusive, five-year distribution agreement bec...

Competitors

Company Name	Sales	Employees	Sales Per Employee
Halmar International, Llc & Cca Civil-Halmar International Llc	$58	28	$2,081,679
Provo International, Inc.	$57	121	$470,248
Video Monitoring Services of America, Inc.	$49	800	$60,875
Complete Packaging and Shipping Supplies, Inc.	$27	32	$843,750
Tml Information Services, Inc.	$25	50	$500,000
Alacra, Inc.	$18	59	$305,085
Mama Media, Inc.	$17	120	$145,833
USA Datanet Corp.	$17	140	$125,000
Hoffman Ltd.	$16	150	$104,000
Classifieds Plus, Inc.	$15	175	$85,143
Bolt, Inc.	$11	88	$126,136
Globus International Resources Corp.	$10	24	$416,667
Reuters Loan Pricing Corporation	$9	100	$89,100
Eistream Wms, Inc.	$8	59	$131,678
Cyota.com Inc.	$8	50	$152,000
Medsave Usa, Inc.	$7	65	$107,692
Sidus Infotech Private Ltd	$7	80	$82,500
Croop-Lafrance Inc	$6	70	$92,857
Insight Out of Chaos, LLC	$6	50	$126,000
United Record Management, LLC	$6	65	$95,385

NOTE: The Competitor List can function as a prospecting list. Have Advisen run IPR's on all prospects. We can expand the prospect list by industry/region/sales, etc. Contact support@advisen.com for assistance.

People & Cross Selling

Biographies

Aaron Sern - Director - Other

Aaron Stern, Director of Risk Management Services, directs the initiatives for Hoffman's Risk Management Business Unit. Currently, Aaron guides the enhancement of Hoffman's data content and software offerings for risk managers, buyers of insurance and their outsourced partners. He has spent his entire career addressing the technology needs of risk managers, claims managers, and insurance professionals. Therefore he is a passionate believer that insightful content combined with technology makes a lasting positive impact within business operations. Before Hoffman, Aaron was Executive Director of Product Management for CS STARS, a software subsidiary of Marsh Inc. dedicated to risk and insurance technology. He is invited to speak at industry conferences on topics ranging from reducing cost of risk, technology deployment throughout the insurance industry, and delivering value to clients as a broker. Aaron received a BA from the University of Wisconsin-Madison.

Brad Gater - Director - Other

Brad Gater, Director of Product Management, coordinates the prioritization, development, and delivery of commercial messages for Hoffman's product suite. Brad has also recently led business analysis and strategy for Hoffman's new product offerings, such as business intelligence reporting and service-oriented data offerings. His prior experience includes managing the Capital Markets Consulting Group (CMC) within Thomson Financial's Investment Banking Division, where he worked directly with capital markets desks (ECM & DCM) at bulge bracket investment banks to help them win new business. Brad holds a Masters of Business Administration in Information & Communication Systems from Fordham Graduate Business School where he was a 2010 Board of Advisors Award winner and Phi Kappa Phi Honor Society inductee. Brad received a Bachelor of Science in Computer Science from Trinity College in Hartford, CT.

Bruce Pence - Director, Technology

Bruce brings twenty five years of technology systems leadership to Hoffman. Prior to joining Hoffman, Bruce founded and led The Electron Factory, Inc, a successful technical services company that provided first class services to clients, including Hoffman. Prior to starting TEF, as COO of Support Systems International, Inc., Bruce was a catalyst for the company s astonishing rapid growth over a two-year period. During this period, he also served as MIS Director for The Pacific Rim Assurance Company, one of SSI s clients. Bruce spent seven years with E.I. DuPont de Nemours and Company responsible for technical architecture, programming and support for their IBM mainframe based order entry and inventory processing system, within the top 2% of the largest systems in the United States. IBM recognized Bruce for the near zero error rate achieved for these modifications, and management of diverse international technical teams. As a systems analyst at American Airlines, Bruce was responsible for the rewrite of American's cargo accounting system. Bruce s career began with Liberty Mutual Insurance Company, first as a sales representative for casualty and life products before moving on to programming, supporting and writing Mainframe based personal insurance line systems. Bruce holds insurance licenses in health, life, property and casualty and inland-marine. Bruce earned his private pilot rating in 1985 and enjoys the challenge of honing his piloting skills at every opportunity. He currently flies a Piper Aztec twin-engine aircraft.

David K. Dumas – Chief Information Officer

David's experience spans 20 years in the reinsurance and underwriting sectors of the insurance industry. Most recently, he held management positions at Swiss Re America as head of treaty underwriting, national accounts and e-business ventures. As our core service architect, David brings a focus on search, categorization and analysis of information for the insurance industry.

Dennis Pence - Director – Other

Dennis Pence, Director of Data Management, leads and manages global operations, including Hoffman's New Jersey, Pennsylvania and Philippine teams. His responsibilities include structure and operations of their client support platform and back office operations as well as working with associated teams that are cross-functional and multidisciplinary. Dennis retired from the U S Marines after 20 years of active service. His duties, highlighted by a 2 year assignment as senior drill instructor at Parris Island, SC, and on the staff of the Commander in Chief, European Command. His final military assignment was instructor of ROTC candidates at Villanova, University of Pennsylvania, Drexel and Temple. While performing these duties, and without a bachelors degree, he applied, was accepted, and successfully completed the Master of Science in Organizational Dynamics at the University of Pennsylvania. Dennis has over 29 years of experience in leadership, team building, and working within large organizations.

Knut Samson - Director, Finance Officer/Controller/Accounting

Knut Samson, Finance Director, leads the finance initiatives for Hoffman. His path of experience leading up to this role includes eight years in the cruise and shipping industry as a Financial Analyst and Controller as well as nine years spent with international engineering and real estate development firms. For the past 12 years, Knut had pivotal finance roles in the theme park and entertainment industry. In his most recent engagement with Mondial International Corp., he helped determine which subsidiaries were candidates for re-engineering, spin-off, or shut down in order to maximize shareholder value. This effort ultimately resulted in the sale and merger of 3 operating entities into one company, Elaut USA Inc. Knut was also responsible for the risk management and oversaw the insurance portfolio to ensure that both the operating companies were in compliance with contractual obligations, and that the various state and federal requirements, covering as many as 40 different jurisdictions, were satisfied.Knut received an MBA from the University of Miami, a BA from The Johns Hopkins University, and completed post graduate work in Accounting and Financial Reporting at Pace University. Knut speaks Norwegian fluently, and he volunteers with the Boy Scouts of America and US Coast Guard Auxiliary.

Thomas Hoffman - Chief Executive Officer

Tom Hoffman is CEO and founder of Hoffman Ltd., a leading provider of information, analytical and benchmarking workstations for commercial insurance professionals. He has spent nearly 20 years in commercial insurance striving to raise the industry's profile as an integral component of the professional financial services sector and championing an increase in the availability of market and pricing information, and other data tools to assess risk. Tom founded Hoffman to cure the dearth of analytic and efficiency tools available to insurance professionals, as well to bring information transparency allowing for the greatest insight from professionals' analysis.

Board Interlocks

Director/Officer	Position	Interlocked Company	Position with Interlocked Company
Edward Hoffman	Director	Reis Inc	Independent Director
Edward Hoffman	Director	American Campus Communities, Inc.	Director
Edward Hoffman	Director	Desarrolladora Homex SA de CV	Independent Director
Stephen D. Jones	Director	Capital Trust Inc/MD	President, Chief Executive Officer, Director

NOTE: Board Interlocks is a terrific prospecting opportunity.

Company Litigation

MSCAd Recent Claims / Actions & Industry Trends – Company Cases

Company Name	Category/Type	Accident Date	Filing Date	Status	Total Amount($)
Hoffman, Inc.	Securities/Securities Class Action		07/12/2000	Dismissed	

Description:

According to a Press Release dated 7/12/00, the Complaint charges Hoffman and certain officers and directors of the Company during the relevant time period with violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the Exchange Act) and Rule 10b-5 promulgated thereunder, for, among other things, making false and misleading public statements concerning its financial condition during the Class Period. During the Class Period, Hoffman issued a series of false and misleading statements regarding the profitability of its investments in healthcare facilities.

Industry Insurance Program & Pricing

Insurance Program Pricing
In program benchmarking, you compare the financial aspects of a specific industry's insurance program to programs for comparable "peer" companies. The end result, in graphic format, lets you see how the program you're looking at stacks up against this peer group, with respect to premiums, limits, and retentions.

- **Histograms -** The histogram, or bar, charts for premiums, limits, and retentions provide a good tool to evaluate the characteristics of the peer group you have chosen, and to illustrate where the benchmarked client falls with respect to these peers. These charts divide the premiums, limits, and retentions into equally-spaced ranges (distributions) based on their sizes; the length of the bars show what % of the peer programs fall into each of these ranges (if provided, the benchmarked client's data is shown as a red line overlaying the bars). The 3 available charts are independent - that is, the premium chart displays premiums for the selected peer group REGARDLESS OF the limits purchased or the retentions kept. The limits chart displays the limits purchased REGARDLESS of the premiums paid or the retentions, etc.
- **Range Charts ("Quartile Graphs")** - The range charts show the range of values, for a variety of different rates which may be calculated for the peer group. These rates provide a more sensitive indicator as to the relative size of the premiums, limits, and retentions in the peer group data, and where the benchmarked company falls, by minimizing the size differences between the peer group members. The charts illustrate the middle 50% of the calculated rates, but use all of the peer programs which contain BOTH of the values used to calculate the rates.

MSCAd Large Losses
Advisen's Master Significant Case & Action database (MSCAd) compiles details and statistics on significant large losses, including management liability cases such as securities class actions, auditing and other management malpractice, state and federal government regulatory fines, employment liability cases and errors and omissions litigation. This also includes EEOC settled litigation, ERISA/Fiduciary Duty, Malpractice, Anti-Trust, Fraud, Trade Practices, and Contract Cases.

MSCAd is the most comprehensive, accurate source of this data available to the industry. Our information is compiled by a dedicated research team using numerous sources such as Stanford Securities, Federal agencies such as the Department of Justice, the EEOC, and the Securities & Exchange Commission, research tools such as LEXIS/NEXIS, major law firms and claims administrators, State insurance commissioners and attorneys general, and other sources. The consolidated data is subject to ongoing review and rigorous audit procedures to ensure both accuracy and timeliness.

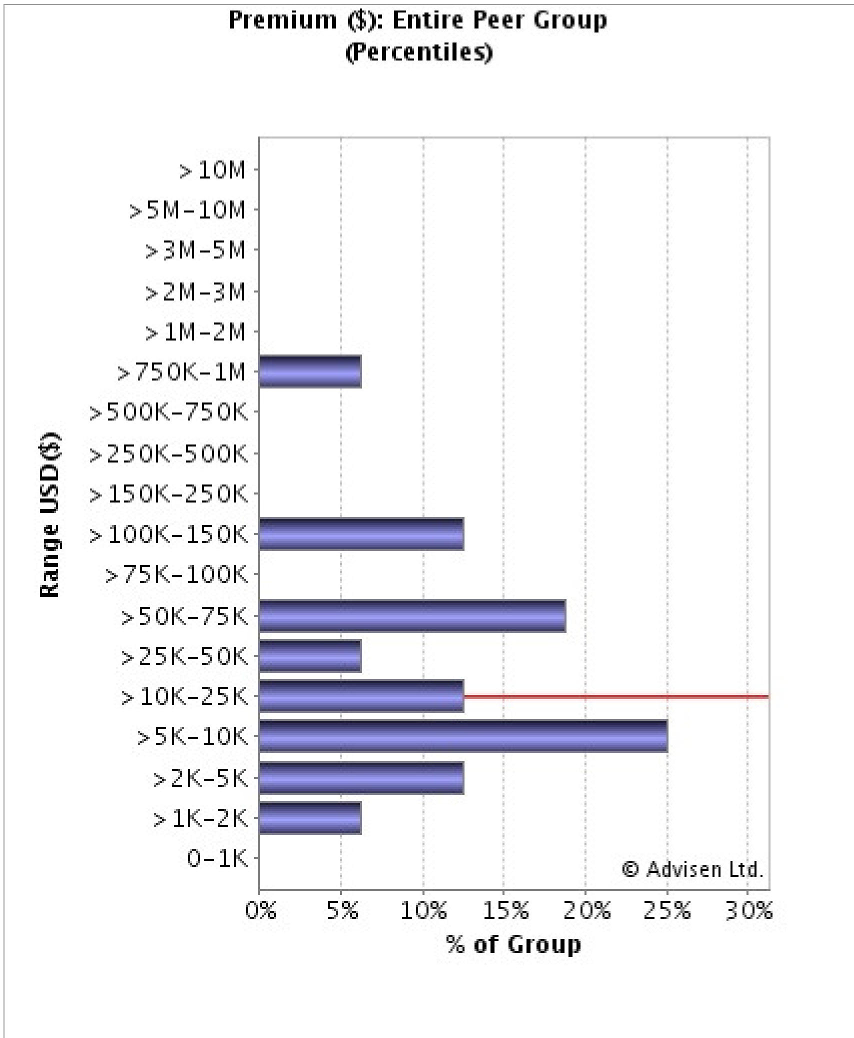
If you need more information on using and interpreting these charts, please contact support@advisen.com.

General Liability and Umbrella/Excess

Insurance Program Pricing – Premiums and Limits

Selected Peer Group Filters	
Industries:	Media, Tech - Internet Software & Services, Tech - Software
Company Type:	All Companies
Company Exposure (Revenues):	5,000,000-25,000,000
Location:	United States
Time Periods:	Previous 12 Months, From 12 months ago 24 months ago
Coverage:	Liability
LOBs:	General Liability
Filter Benchmarking Range:	None
Peer Group Size:	**16**

NOTE: When Advisen is given the information to benchmark the target insured the "Redlines" in the benchmarks below indicate where the target stands versus the peer group. To include redlines Advisen needs (for each line of coverage): Carrier, Effective Date, Expiration Date, Premium, Limit, and Retention.



Premium ($): Entire Peer Group (Percentiles)

Range ($)	% of Group
>10M	0.00
>5M-10M	0.00
>3M-5M	0.00
>2M-3M	0.00
>1M-2M	0.00
>750K-1M	6.25
>500K-750K	0.00
>250K-500K	0.00
>150K-250K	0.00
>100K-150K	12.50
>75K-100K	0.00
>50K-75K	18.75
>25K-50K	6.25
>10K-25K	12.50
>5K-10K	25.00
>2K-5K	12.50
>1K-2K	6.25
0-1K	0.00

Program Count: 16

Benchmarked Company Value: 20,000

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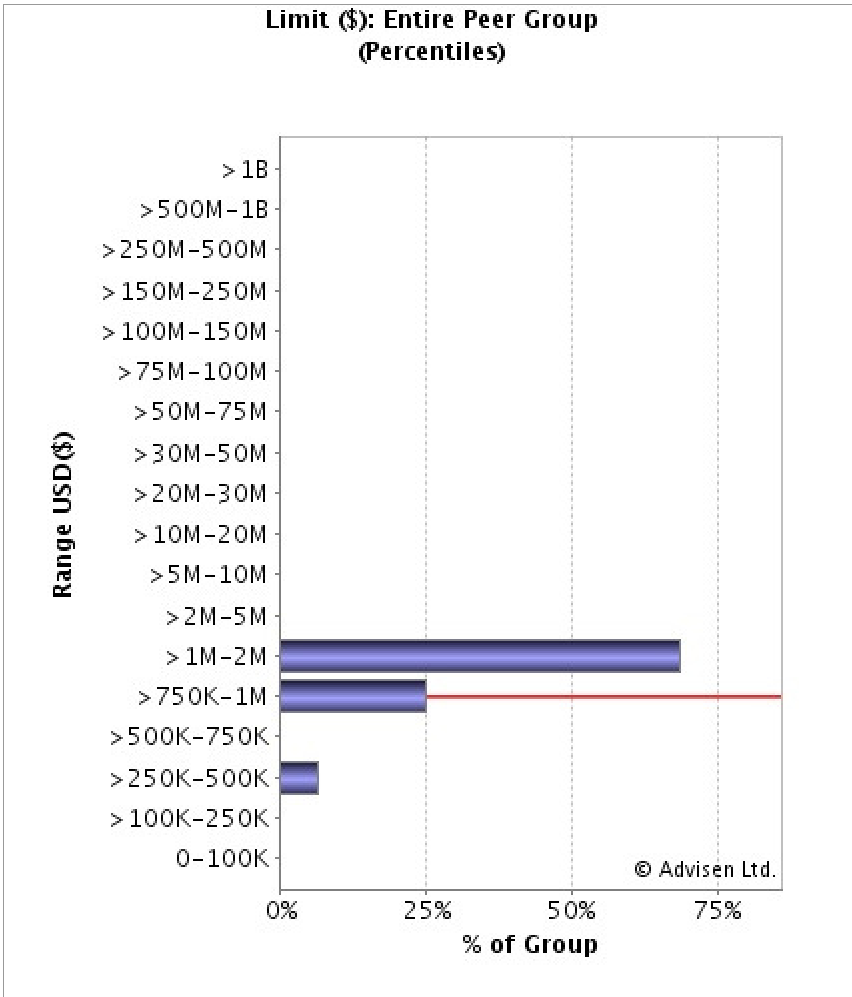


Limit ($): Entire Peer Group (Percentiles)

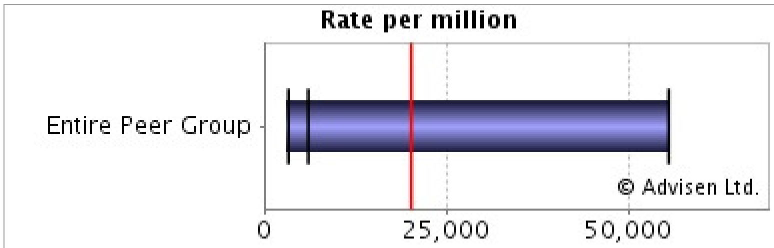
Range ($)	% of Group
>1B	0.00
>500M-1B	0.00
>250M-500M	0.00
>150M-250M	0.00
>100M-150M	0.00
>75M-100M	0.00
>50M-75M	0.00
>30M-50M	0.00
>20M-30M	0.00
>10M-20M	0.00
>5M-10M	0.00
>2M-5M	0.00
>1M-2M	68.75
>750K-1M	25.00
>500K-750K	0.00
>250K-500K	6.25
>100K-250K	0.00
0-100K	0.00

Program Count: 16

Benchmarked Company Value: 1,000,000

Insurance Program Pricing – Rate per Million

Range Charts ("Quartile Graphs") - The range charts show the range of values, for a variety of different rates which may be calculated for the peer group. These rates provide a more sensitive indicator as to the relative size of the premiums, limits, and retentions in the peer group data, and where the benchmarked company falls, by minimizing the size differences between the peer group members. The charts illustrate the middle 50% of the calculated rates, but use all of the peer programs which contain BOTH of the values used to calculate the rates.



Rate per million (Boundary Values)

Group: Entire Peer Group

Boundary	
25th Percentile:	$3.17K
Median:	$5.86K
75th Percentile:	$55.40K
Average:	$71.00K

Program Count: 16

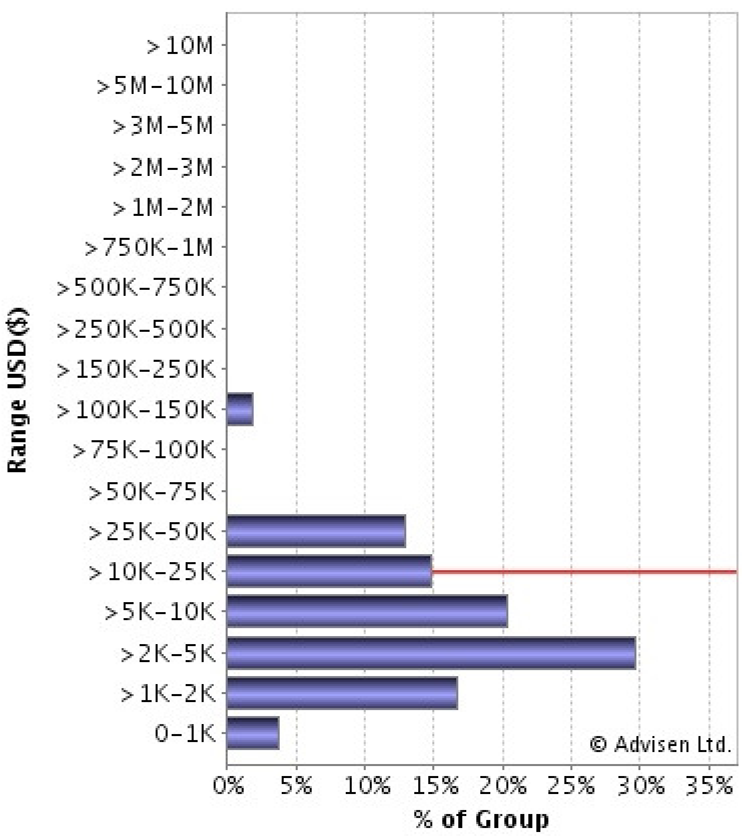
Benchmarked Company

Value: $20,000.00

Insurance Program Pricing – Premiums and Limits

Selected Peer Group Filters	
Industries:	Media, Tech - Internet Software & Services, Tech - Software
Company Type:	All Companies
Company Exposure (Revenues):	5,000,000-25,000,000
Location:	United States
Time Periods:	Previous 12 Months, From 12 months ago 24 months ago
Coverage:	Liability
LOBs:	Umbrella/Excess
Filter Benchmarking Range:	None
Peer Group Size:	**68**

Premium ($): Entire Peer Group (Percentiles)

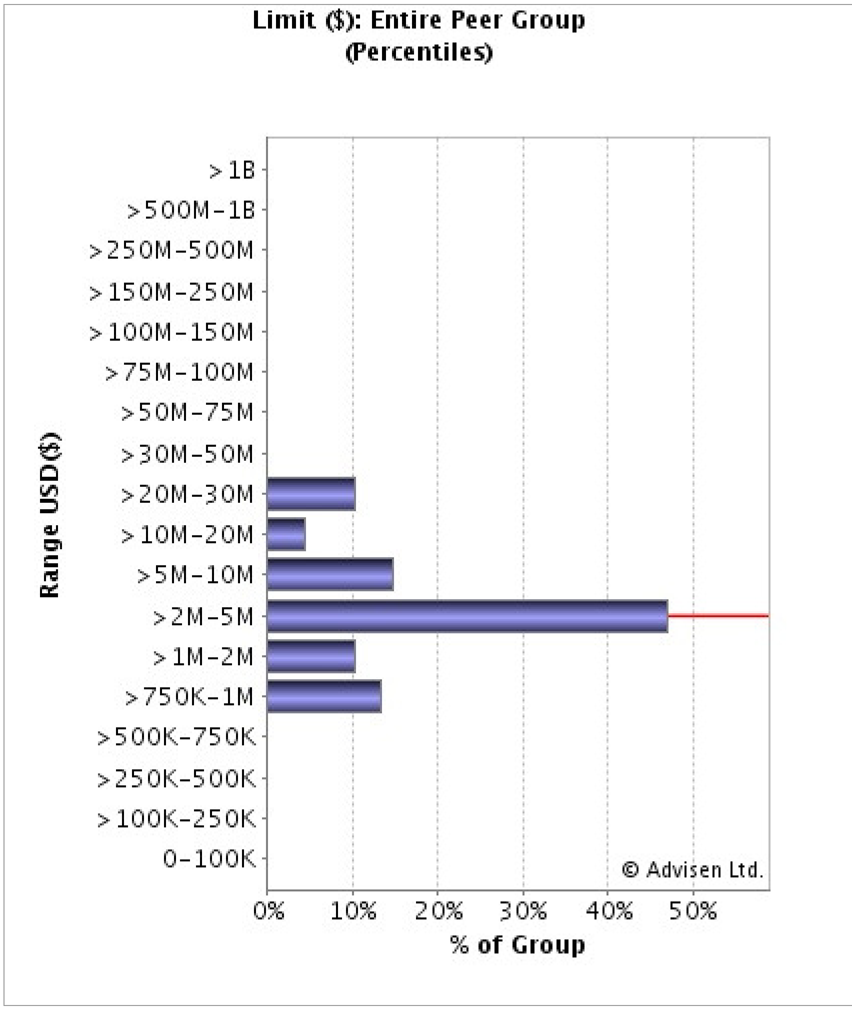


Premium ($): Entire Peer Group (Percentiles)

Range ($)	% of Group
>10M	0.00
>5M-10M	0.00
>3M-5M	0.00
>2M-3M	0.00
>1M-2M	0.00
>750K-1M	0.00
>500K-750K	0.00
>250K-500K	0.00
>150K-250K	0.00
>100K-150K	1.85
>75K-100K	0.00
>50K-75K	0.00
>25K-50K	12.96
>10K-25K	14.81
>5K-10K	20.37
>2K-5K	29.63
>1K-2K	16.67
0-1K	3.70

Program Count: 54

Benchmarked Company Value: 12,000



Limit ($): Entire Peer Group
(Percentiles)

Range ($)	% of Group
>1B	0.00
>500M-1B	0.00
>250M-500M	0.00
>150M-250M	0.00
>100M-150M	0.00
>75M-100M	0.00
>50M-75M	0.00
>30M-50M	0.00
>20M-30M	10.29
>10M-20M	4.41
>5M-10M	14.71
>2M-5M	47.06
>1M-2M	10.29
>750K-1M	13.24
>500K-750K	0.00
>250K-500K	0.00
>100K-250K	0.00
0-100K	0.00

Program Count: 68

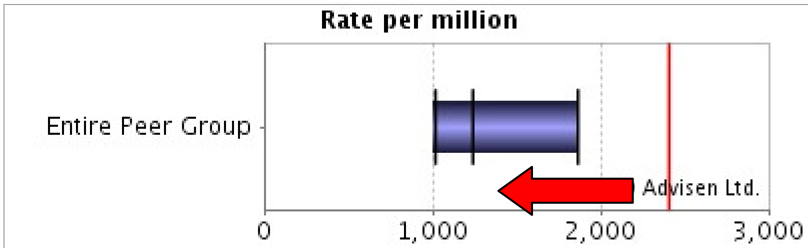
Benchmarked Company

Value: 5,000,000

Insurance Program Pricing – Rate per Million and Limit as % of Revenues

Range Charts ("Quartile Graphs") - The range charts show the range of values, for a variety of different rates which may be calculated for the peer group. These rates provide a more sensitive indicator as to the relative size of the premiums, limits, and retentions in the peer group data, and where the benchmarked company falls, by minimizing the size differences between the peer group members. The charts illustrate the middle 50% of the calculated rates, but use all of the peer programs which contain BOTH of the values used to calculate the rates.

NOTE: The pictures below are common. Based on the Rate per Million it may look like the target insured is overpaying but, based on the Limit as % of Revenue, the real issue is they are under purchasing. If they add $3m to their current $5m limit they will move the Limit as % of Revenue red line to the right and will be at the median for limits. The insured will purchase this layer at a much lower rate per million than the current. This will drive the red line on the RPM chart to the left.



Purchase of additional limit moves the RPM redline to the left.

Rate per million (Boundary Values)

Group: Entire Peer Group

Boundary	
25th Percentile:	$1.01K
Median:	$1.23K
75th Percentile:	$1.86K
Average:	$1.49K
Program Count: 54	

Benchmarked Company

Value: $2,400.00

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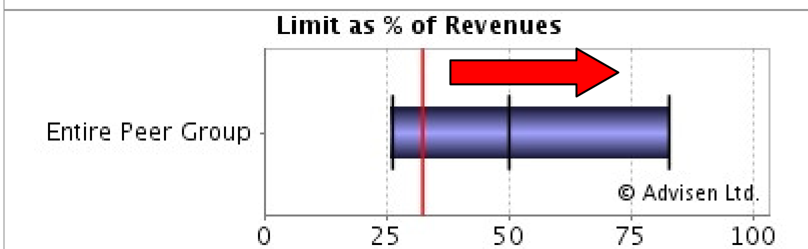

Purchase of additional limit moves the Limit redline to the right.

Limit as % of Revenues (Boundary Values)

Group: Entire Peer Group

Boundary	
25th Percentile:	26.035 %
Median:	49.752 %
75th Percentile:	82.470 %
Average:	73.108 %
Program Count: 68	

Benchmarked Company

Value: 32.051 %

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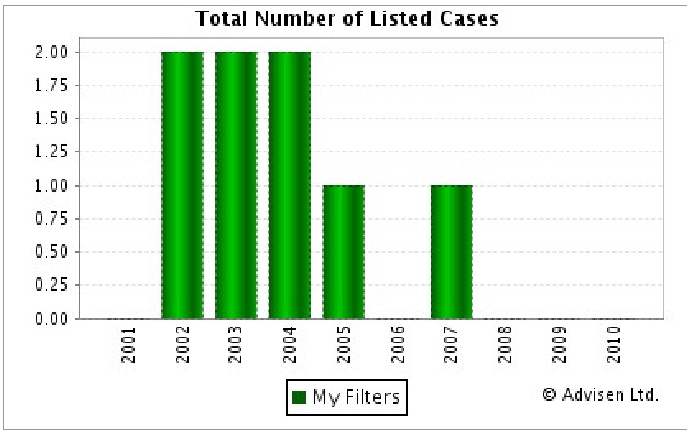
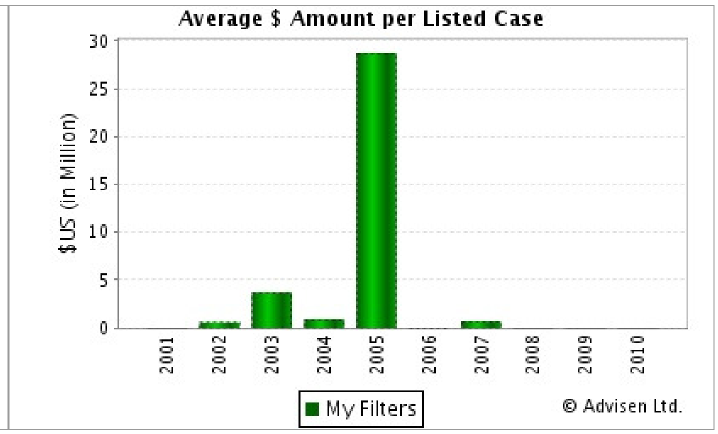
MSCAd is the Master Significant Cases and Actions database compiled by Advisen. Use the information below to educate the target insured on the exposures/risks they face that can be addressed by your insurance and coverage recommendations.

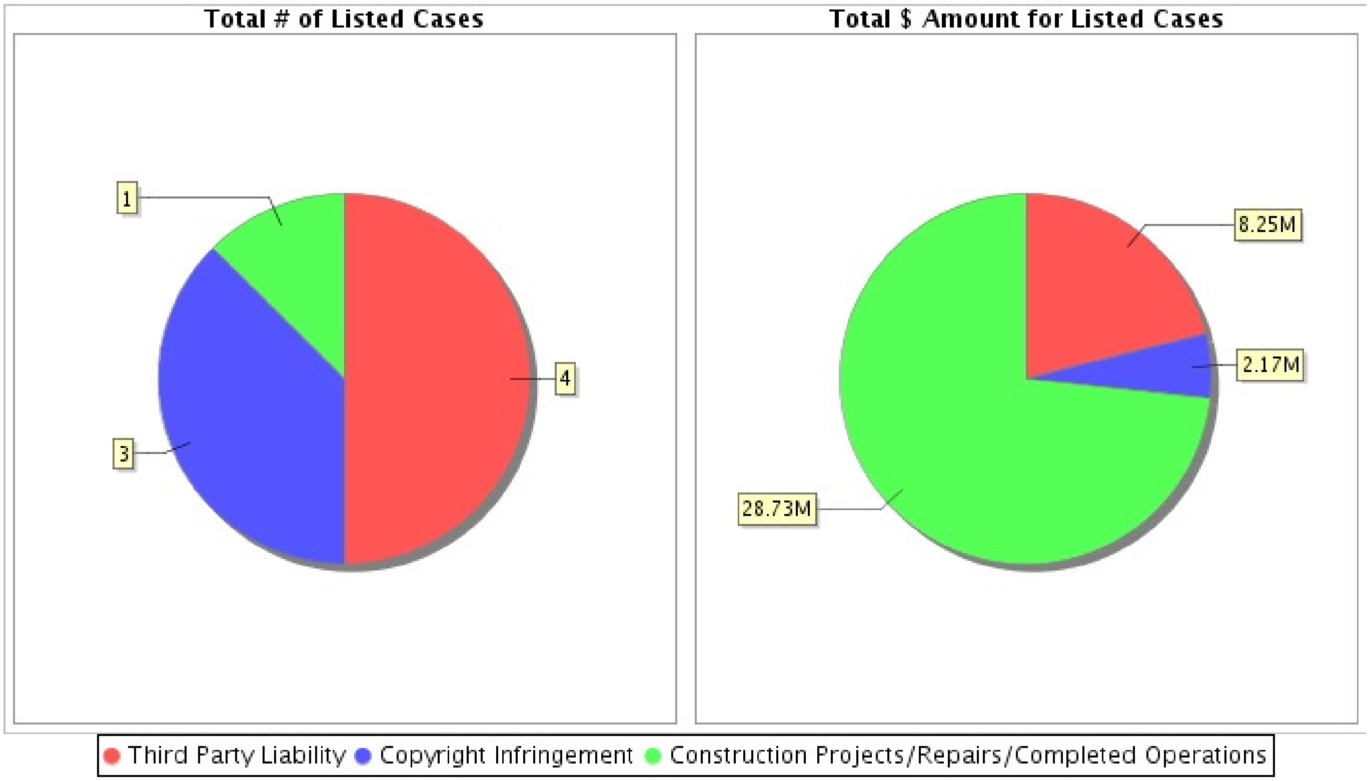
MSCAd Recent Claims / Actions & Industry Trends – Settlement Trends

Cases Filtered For:	
Case Filters	
Coverage:	Liability
Line of Business:	General Liability, Products Liability, Umbrella/Excess
Dates:	2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003, 2002, 2001
Industry Filters	
Industries:	254010 - Media, 451010 - Tech - Internet Software & Services, 451030 - Tech - Software
Case Count:	**8**

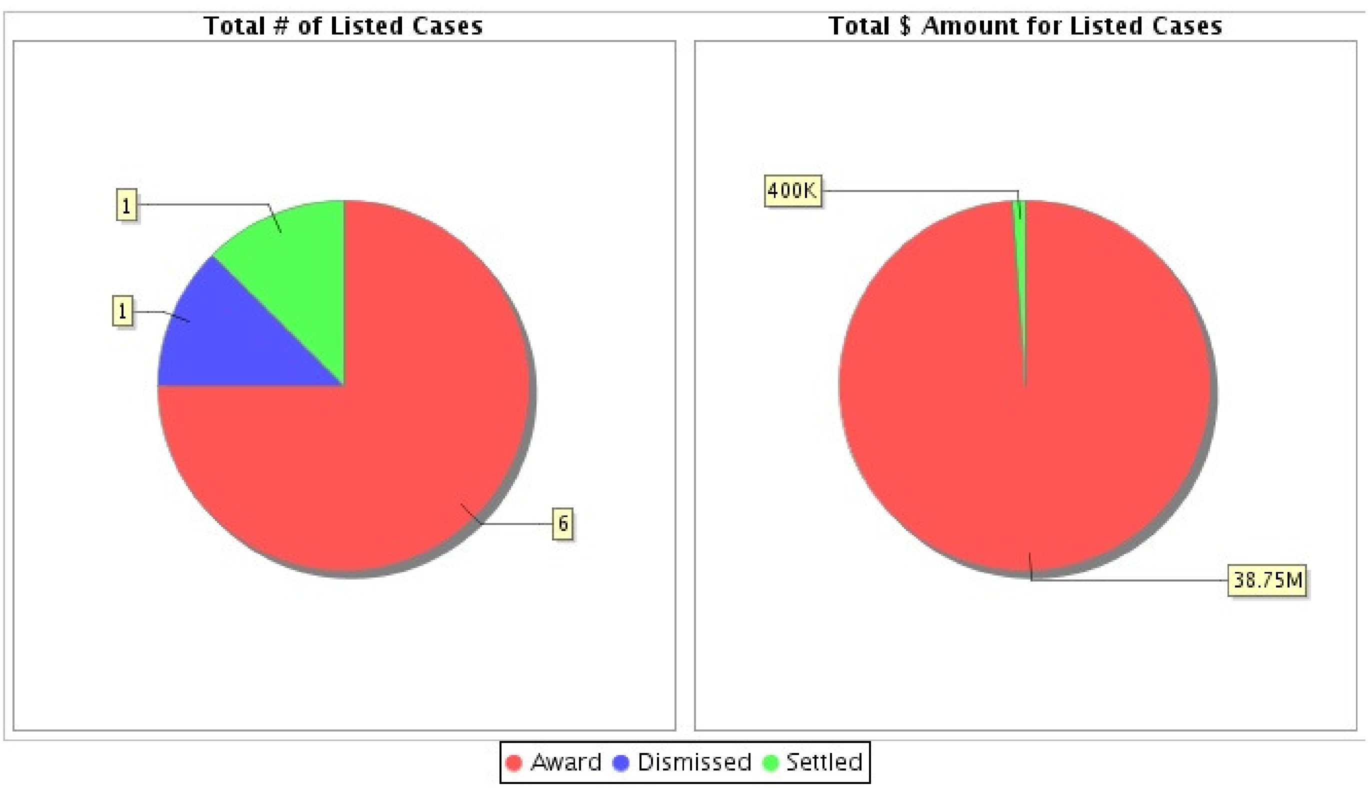




MSCAd Recent Claims / Actions & Industry Trends – Breakdown by Case Type



MSCAd Recent Claims / Actions & Industry Trends – Breakdown by Case Status



MSCAd Recent Claims / Actions & Industry Trends – Case Details

Company Name	Category/Type	Accident Date	Filing Date	Status	Total Amount($)
Hearst Communications, Inc.	Products & Services/ Construction Projects/ Repairs/Completed	06/24/2005		Award	$28,728,166

Description:
Worker fell off of ladder, blamed missing tread On June 24, 2005, plaintiff Joel Owusu, 23, an ironworker, was a member of a crew that was working at a building that was located at 959 Eighth Ave., in Manhattan. Owusu was working in one of the building's stairwells, and the narrow confines necessitated his use of a ship's ladder, which is a steep, pitched ladder that leans onto a wall. Owusu fell off of the ladder, and he claimed that he sustained injuries of an ankle, his back, a hand and his knees. Owusu sued the building's owner, Hearst Communications Inc.; the project's general contractors, Turner Construction Corp. and Turner Development Corp.; and one of the project's subcontractors, Fresh Meadow Mechanical Corp. Owusu alleged that the defendants violated the labor law. He also alleged that the defendants were negligent in their maintenance of the site. Owusu claimed that Fresh Meadow Mechanical's workers had removed one of the ladder's treads, and he contended that his fall was caused by the absence of that tread. He further claimed that several hours separated his fall and the tread's removal, and, thus, he contended that Fresh Meadow Mechanical was aware of the resultant hazard. He also claimed that Turner Construction's workers were aware of the tread's absence. Owusu also contended that the stairwell was not sufficiently lighted, that the defendants did not erect any barriers or warnings that would have prevented his access to the stairwell and that the site was spotted by debris that created hazards. Owusu's counsel contended that the site was not properly safeguarded, and, as such, they argued that the site violated Labor Law 241(6). They also contended that the incident stemmed from an elevation-related hazard, as defined by Labor Law 240(1), and that Owusu was not provided the proper, safe equipment that is a requirement of the statute. They further contended that the site violated the general safety provisions of Labor Law 200. They also argued that the defendants were negligent in their maintenance of the site. Fresh Meadow Mechanical's counsel challenged Owusu's claim that Fresh Meadow Mechanical's workers removed one of the ladder's treads. He contended that the claim was based on hearsay and surmise. He also argued that Fresh Meadow Mechanical did not control or supervise Owusu. All of the defendants' counsel contended that the ship's ladder was a permanent staircase, and, thus, they argued that the structure was not subject to the requirements of Labor Law 240(1). They also argued that Owusu's counsel did not establish that Owusu's fall was caused by a defendant's lack of reasonable care, and, as such, they argued that Labor Law 241(6) had not been violated. Owusu's counsel moved for summary judgment of liability. Fresh Meadow Mechanical's counsel moved for dismissal of the claim that Fresh Meadow Mechanical had violated Labor Law 241(6). All of the defendants moved for dismissal of the claims that were based on Labor Law 200, and they also moved for dismiss During the five months that followed the accident, Owusu reported that he was suffering sprains, stiffness, strains and swollenness of his back, his knees and his left hand; derangement and sprains of his knees and left ankle; spasms of his spine; and pain that radiated through his legs. He also reported that his legs occasionally failed, and he claimed that he required the assistance of a cane and a brace that supported his left knee. Owusu initially underwent orthopedic treatment, pain-management treatment and physical therapy. He ultimately claimed that he sustained a herniation of his L5-S1 intervertebral disc, a bulge of his L4-5 disc and a tear of his left knee's anterior cruciate ligament. He also claimed that he suffered impingement of his spinal cord; mild narrowing of the L5 level of his spine's neural foramina, which are the passages that house spinal nerves; moderate hypertrophy of the L4 and L5 levels of his spine's ligamenta flava, which are ligaments that connect the spine's vertebrae; and moderate hypertrophy of his L4 and L5 vertebrae's facet joints. In July 2006, Owusu underwent surgical reconstruction of his left knee's anterior cruciate ligament. He also underwent epidural injections of steroid-based painkillers, but he contended that he suffers permanent, residual, disabling pain that prevents his resumption of his ironworker's duties. Owusu's doctors agreed that Owusu's injuries are permanent. They also opined that Owusu's condition will deteriorate. Owusu claimed that he will have to undergo about 22 years of biennial injections that will address his left knee, and he further claimed that his spinal injuries will necessitate surgery. Owusu sought recovery of his past and future medical expenses, $115,000 for each year of past and future lost earnings, his future loss of pension income, and damages for his past and future pain and suffering. Defense counsel contended that Owusu's left knee has experienced a good recovery. They claimed that he will not have to undergo more than three years of additional treatment, and they also claimed that he can perform ironworker's duties or alternative work that would produce substantial income. The jury found that Owusu's damages totaled $28,728,166. However, Owusu's recovery was reduced to the $3.5 million limit of a previously negotiated high/low agreement. Joel Owusu$250,000 Personal Injury: Future Medical Cost$235,000 Personal Injury: Past Lost Earnings Capability$11,000,000 Personal Injury: FutureLostEarningsCapability$500,000 Personal Injury: Past Pain And Suffering$12,580,004 Personal Injury: Future Pain And Suffering$4,163,162 Personal Injury: future loss of pension income

Company Name	Category/Type	Accident Date	Filing Date	Status	Total Amount($)
Suburban Media Group, Inc.	Products & Services/ Third Party Liability		01/01/2003	Award	$7,000,000

Description:
Robert R. Thomas sued The Kane County Chronicle on a defamation theory claiming that a newspaper columnist for the paper falsely wrote in 2003 that Thomas, the chief justice of the Illinois State Supreme Court, had traded his vote for a political favor, and had acted with malice. He claimed that the reporter, Bill Page, had essentially accused him of official misconduct, a felony, when he wrote that he had traded his vote on a disciplinary case in exchange for political support for his favored candidate in a local judicial race. Defendant claimed that the allegations against Judge Thomas were true but that because the report was based on information from confidential sources, it was not possible for it to produce the witnesses to prove the true of the statements made in the article.

Io Group Inc.	Intellectual Property/ Copyright Infringement	04/16/2004	10/01/2004	Award	$1,356,750

Description:
Io Group Inc. alleges that Defendant illegally copied, distributed and publicly displayed on its website, and other websites owned or operated by the Defendant, one hundred and sixty-seven (167) images that belong to Io Group Inc. and for which they holds valid Certificates of Copyright Registration. On April 16, 2004, Io Group Inc. sent to Archer Consulting, Inc., the fictitious entity to whom the website icravedick was registered at the time, a take-down notice and a letter demanding that it cease and desist illegally copying and publishing Io Group Inc.'s works. On October 1, 2004, Io Group Inc. filed the instant action. Defendant was served with a copy of the Summons and Complaint on November 1, 2004. On January 27, 2006, the district judge granted the Io Group's Application for Default Judgment and awarded the Io Group in the total amount of $1,356,750.

Santa Cruz Sentinel	Products & Services/ Third Party Liability		11/11/2007	Award	$700,000

Description
A woman who had a miscarriage as a result of a head-on collision received $700,000 in a settlement. Hilda Garcia, 25, was a passenger in an SUV driven by her boyfriend David Perez on Hall Road when it was hit head-on by a van driven by Thomas Bissell. Bissell was delivering newspapers in the course of his employment with the Santa Cruz Sentinel. Garcia sued the Santa Cruz Sentinel and Bissell. Garcia was seven months pregnant at the time and lost her baby due to the accident. Bissell admitted that he caused the accident by losing control of the van on a wet road and veering into oncoming traffic. The settlement was reached a few weeks before trial was scheduled to begin.

Willamette Week	Products & Services/Third Party Liability		12/12/2002	Award	$550,000

Description:
William Boyd sued Willamette Week and Dennis Pittsenbarger on a negligence theory for the injuries and damages that he claimed that he sustained when he was hit by a Land Rover driven by Dennis Pittsenbarger, a car-advertising salesman for Willamette Week. Pittsenarger was test driving the vehicle and made a U-turn in front of Boyd. The accident, which occurred on Southeast Ankeny Street at 27th Avenue on December 12, 2002. Boyd was thrown over the hood of the Land Rover and suffered an injury to his wrist which will, according the Plaintiff, eventually result in the fusion of the wrist and the end of the 47-year-old Mercedes-Benz of Portland mechanic's career. Plaintiff was diagnosed with pre-existing arthritis. Defendant admitted liability and contested damages.

Io Group Inc.	Intellectual Property/ Copyright Infringement	11/06/2002	11/16/2004	Award	$417,750

Description:
Io Group Inc. alleges that BIC and Lawlor illegally copied, distributed and publicly displayed fifty-seven (57) images that belong to Io Group and for which Io Group holds valid Certificates of Copyright Registration. Specifically, Io Group alleges that forty-nine (49) acts of infringement occurred from the base domain www.bicprod.com, which is registered to BIC, and eight (8) acts of infringement occurred from the base domain www.glovdcop.sf.com, which is registered to Lawlor. On November 6, 2002, Io Group sent to BIC a take-down notice and a letter demanding that BIC, and each and every person or company affiliated with BIC, cease and desist illegally copying, publishing and publicly displaying Io Group's works. Io Group is awarded damages in the amount of $417,750 and BIC is permanently enjoined from (a) reproducing Io Group's copyrighted works; (b) preparing derivative works based upon Io Group's copyrighted works; and (c) distributing copies of Io Group's copyrighted works to the public by sale, transfer of ownership, rental, lease, or loan.

LFP Inc.	Intellectual Property/ Copyright Infringement	11/01/2003	11/01/2003	Settled	$400,000

Description:
L.F.P., Inc. and Titan Media have announced an amicable settlement of Titan's copyright infringement action against LFP and others, which was filed in U.S. District Court in San Francisco. The lawsuit alleged the unauthorized posting of Titan's images on the website www.studclub.com. LFP has agreed to settle the lawsuit by payment of an undisclosed sum, and maintains that it did not have a direct role in the alleged infringement. LFP attributes the purported unauthorized use of Titan's images on the studclub.com website to an oversight error by an independent contractor, who was hired by an affiliated company that was the actual owner and operator of studclub.com. LFP agreed to settle the litigation in order to underscore and highlight the need for strict enforcement of intellectual property rights in the adult entertainment industry.

Chicago Sun Times	Products & Services/ Third Party Liability	02/18/2002	Dismissed

Description:
On May 7, 2002, plaintiff Alex R. Seith filed a two-count complaint alleging that an article written by the late Steve Neal and published by Chicago Sun-Times, Inc., contained statements which constituted per se libel and false-light invasion of privacy. Defendants moved to dismiss pursuant to section 2-615 of the Illinois Code of Civil Procedure. 735 ILCS 5/2-615 (West 2004). The circuit court of Cook County granted defendants motion to dismiss. Plaintiff filed timely notice of appeal. On appeal, plaintiff asserted that his complaint stated a claim upon which relief could be granted. After the parties fully briefed these issues, plaintiff filed a motion to voluntarily dismiss the appeal as to defendant Steve Neal. That motion also stated plaintiff s intention to continue the matter against Chicago Sun-Times, Inc. This court granted plaintiff s motion and a mandate issued pursuant to that order.1 After a period of time without a decision, plaintiff filed a motion requesting that this court grant oral argument on this case. The remaining defendant filed an objection to plaintiff s motion alleging, inter alia, that this court lacked jurisdiction to decide this case. For the reasons stated below, we assert our jurisdiction over this case and affirm the judgment of the circuit court. Contemporaneously with this order we deny plaintiff s motion requesting oral argument. Alex Seith sued Chicago Sun-Times, Inc., and columnist Steve Neal for libel and falselight invasion of privacy for a column published in the Commentary section of the Chicago Sun-Times newspaper of February 18, 2002. In paragraphs 4, 5, and 6 of the first count of his complaint, Mr. Seith alleged that Neal authored a libelous article, subsequently published by Chicago Sun-Times, Inc., in its daily paper, entitled Underdog Wood Goes for Rose (the Rose column).

Directors & Officers Liability

NOTE: **The pictures below do not include redlines.**

If the target insured is a client:

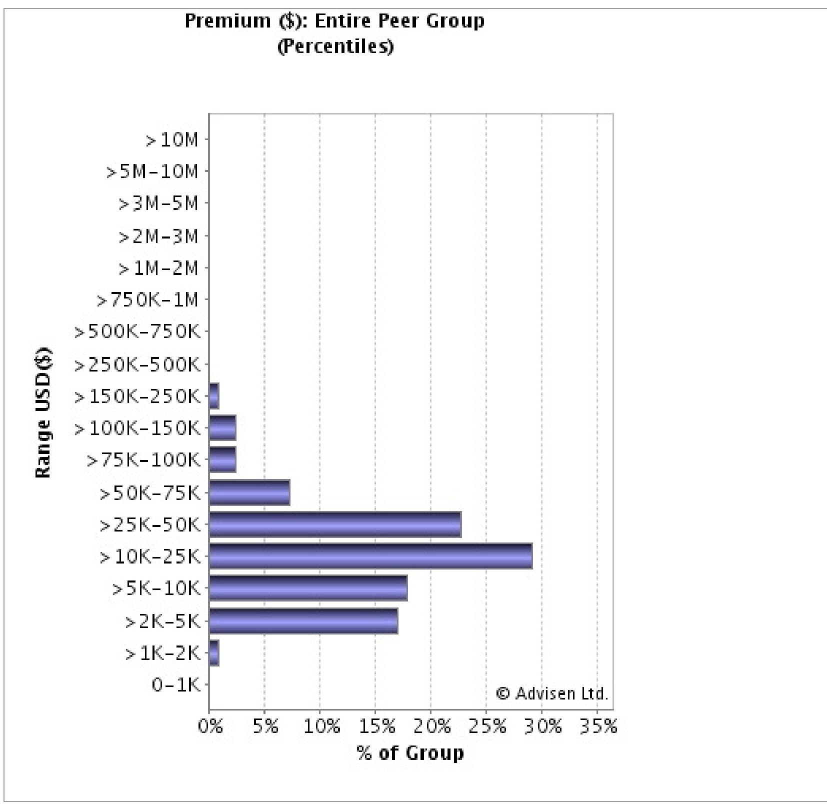
This may be because they do not currently purchase this coverage. You can use the graphs below to educate your client on purchasing and the following loss data to better understand the risks they face. This is an opportunity to sell them needed coverage.

If they do have the coverage, but you are not the broker, this is again an opportunity to inform your client, it is unlikely their current broker has provided this information. Offer to include redlines for them if they give you the current coverage information necessary to do so.

If the target insured is a prospect:

If they do have the coverage, but you are not the broker, this is again an opportunity to uniquely inform your prospect. It is unlikely their current broker has provided this information. Offer to include redlines for them if they give you the current coverage information necessary to do so. This creates a great opportunity for a second meeting!

To include redlines Advisen needs (for each line): Carrier, Effective Date, Expiration Date, Premium, Limit, and Retention.



Premium ($): Entire Peer Group (Percentiles)

Range ($)	% of Group
>10M	0.00
>5M-10M	0.00
>3M-5M	0.00
>2M-3M	0.00
>1M-2M	0.00
>750K-1M	0.00
>500K-750K	0.00
>250K-500K	0.00
>150K-250K	0.81
>100K-150K	2.42
>75K-100K	2.42
>50K-75K	7.26
>25K-50K	22.58
>10K-25K	29.03
>5K-10K	17.74
>2K-5K	16.94
>1K-2K	0.81
0-1K	0.00

Program Count: 124

Benchmarked Company Value: N/A

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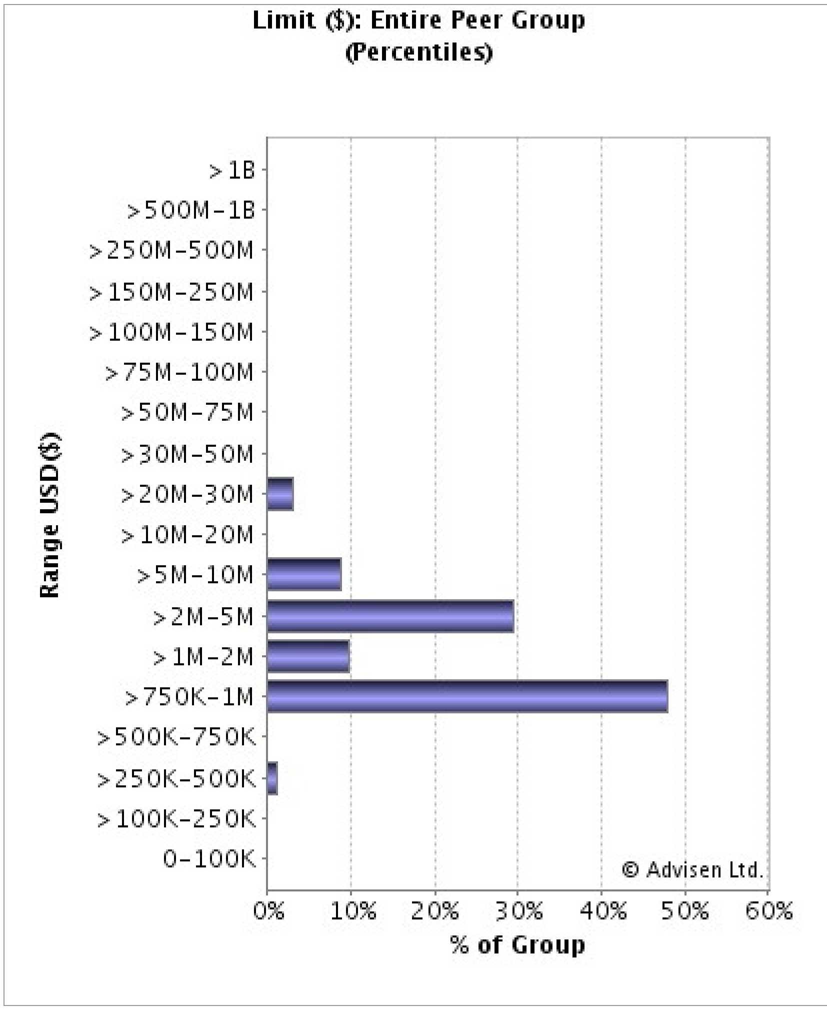
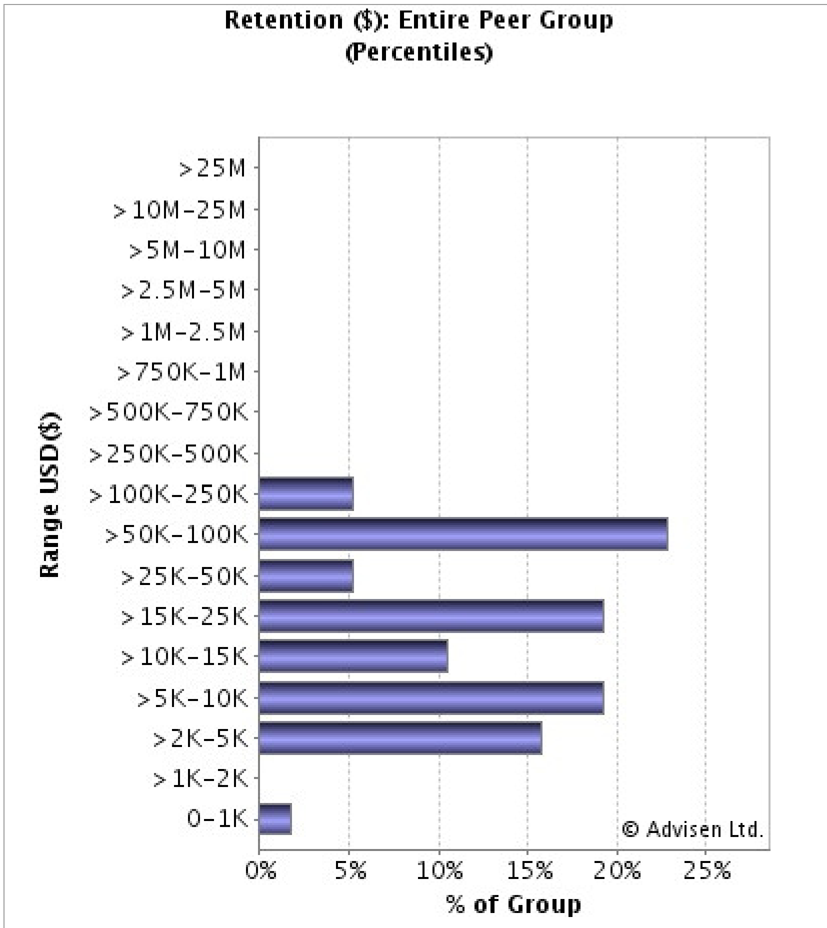


Limit ($): Entire Peer Group (Percentiles)

Range ($)	% of Group
>1B	0.00
>500M-1B	0.00
>250M-500M	0.00
>150M-250M	0.00
>100M-150M	0.00
>75M-100M	0.00
>50M-75M	0.00
>30M-50M	0.00
>20M-30M	2.94
>10M-20M	0.00
>5M-10M	8.82
>2M-5M	29.41
>1M-2M	9.80
>750K-1M	48.04
>500K-750K	0.00
>250K-500K	0.98
>100K-250K	0.00
0-100K	0.00

Program Count: 102

Benchmarked Company Value: N/A



Retention ($): Entire Peer Group (Percentiles)

Range ($)	% of Group
>25M	0.00
>10M-25M	0.00
>5M-10M	0.00
>2.5M-5M	0.00
>1M-2.5M	0.00
>750K-1M	0.00
>500K-750K	0.00
>250K-500K	0.00
>100K-250K	5.26
>50K-100K	22.81
>25K-50K	5.26
>15K-25K	19.30
>10K-15K	10.53
>5K-10K	19.30
>2K-5K	15.79
>1K-2K	0.00
0-1K	1.75

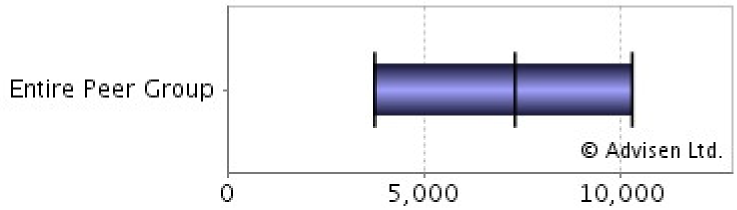
Program Count: 57

Benchmarked Company Value: N/A

Insurance Program Pricing – Rate per Million and Limit as % of Revenues

<u>Range Charts ("Quartile Graphs")</u> - The range charts show the range of values, for a variety of different rates which may be calculated for the peer group. These rates provide a more sensitive indicator as to the relative size of the premiums, limits, and retentions in the peer group data, and where the benchmarked company falls, by minimizing the size differences between the peer group members. The charts illustrate the middle 50% of the calculated rates, but use all of the peer programs which contain BOTH of the values used to calculate the rates.

Rate per million



Rate per million (Boundary Values)

Group: Entire Peer Group

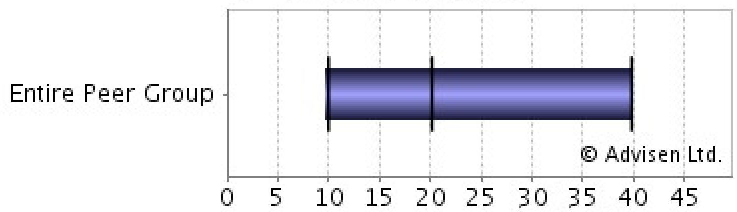
Boundary	
25th Percentile:	$3.72K
Median:	$7.27K
75th Percentile:	$10.20K
Average:	$9.24K

Program Count: 100

Benchmarked Company

Value: N/A

Limit as % of Revenues



Limit as % of Revenues (Boundary Values)

Group: Entire Peer Group

Boundary	
25th Percentile:	9.83 %
Median:	20.00 %
75th Percentile:	39.65 %
Average:	44.30 %

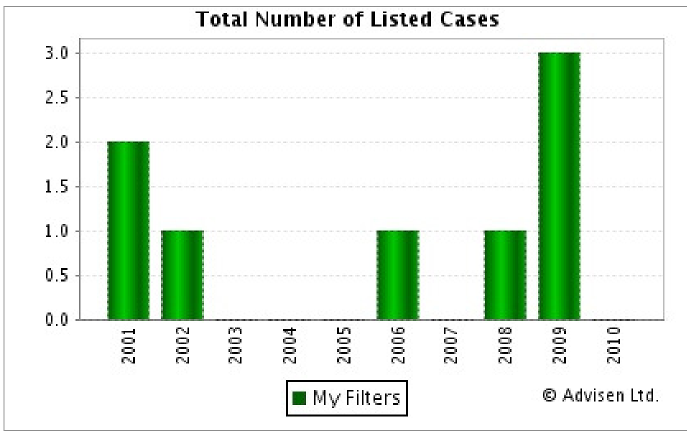
Program Count: 102

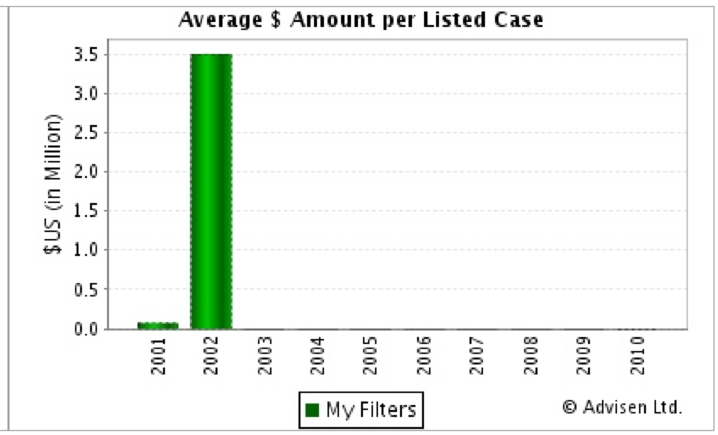
Benchmarked Company

Value: N/A

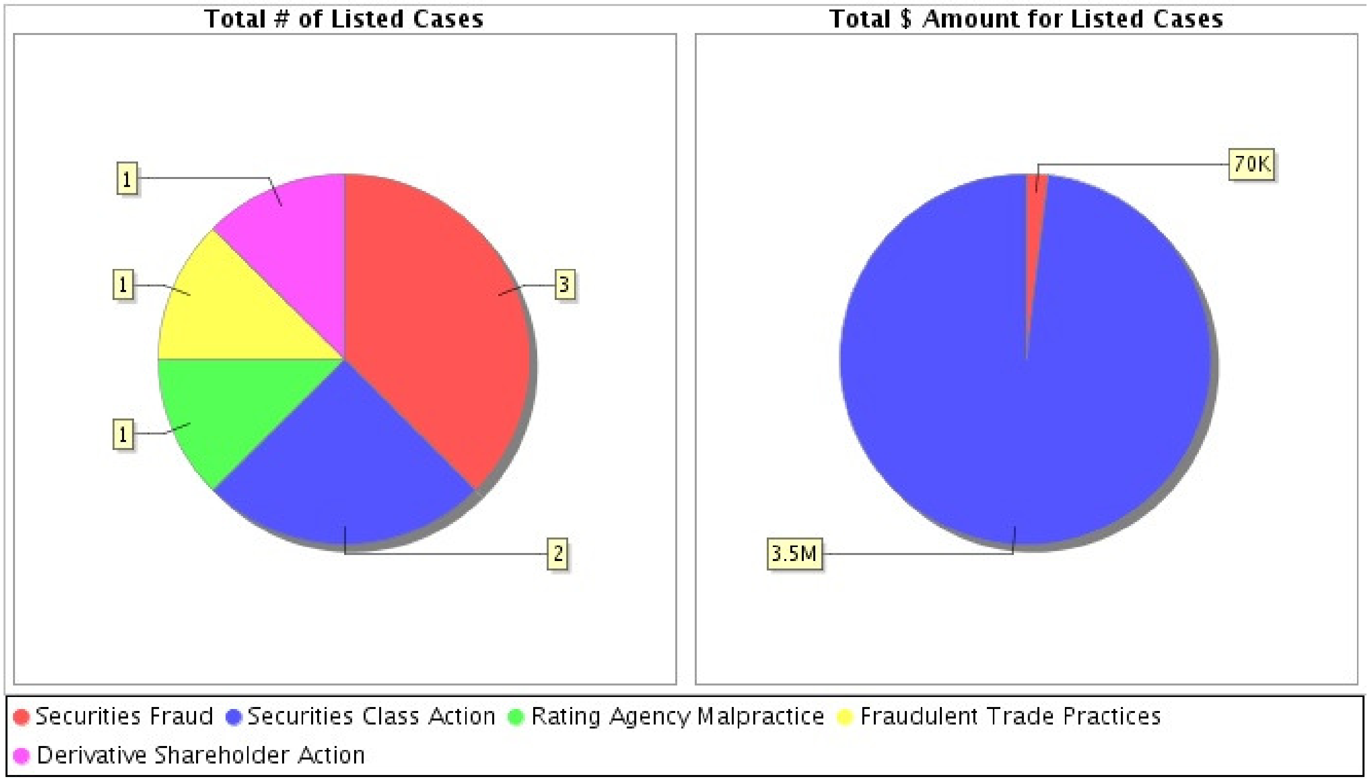
MSCAd Recent Claims / Actions & Industry Trends – Settlement Trends

Cases Filtered For:	
Case Filters	
Coverage:	Management Liability
Line of Business:	Directors & Officers Liability
Dates:	2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003, 2002, 2001
Company Filters	
Company Type:	Private
Financials Type:	Revenues
Financials:	1,000,000 to 25,000,000
Industry Filters	
Industries:	254010 - Media, 451010 - Tech - Internet Software & Services, 451030 - Tech - Software
Case Count:	**8**

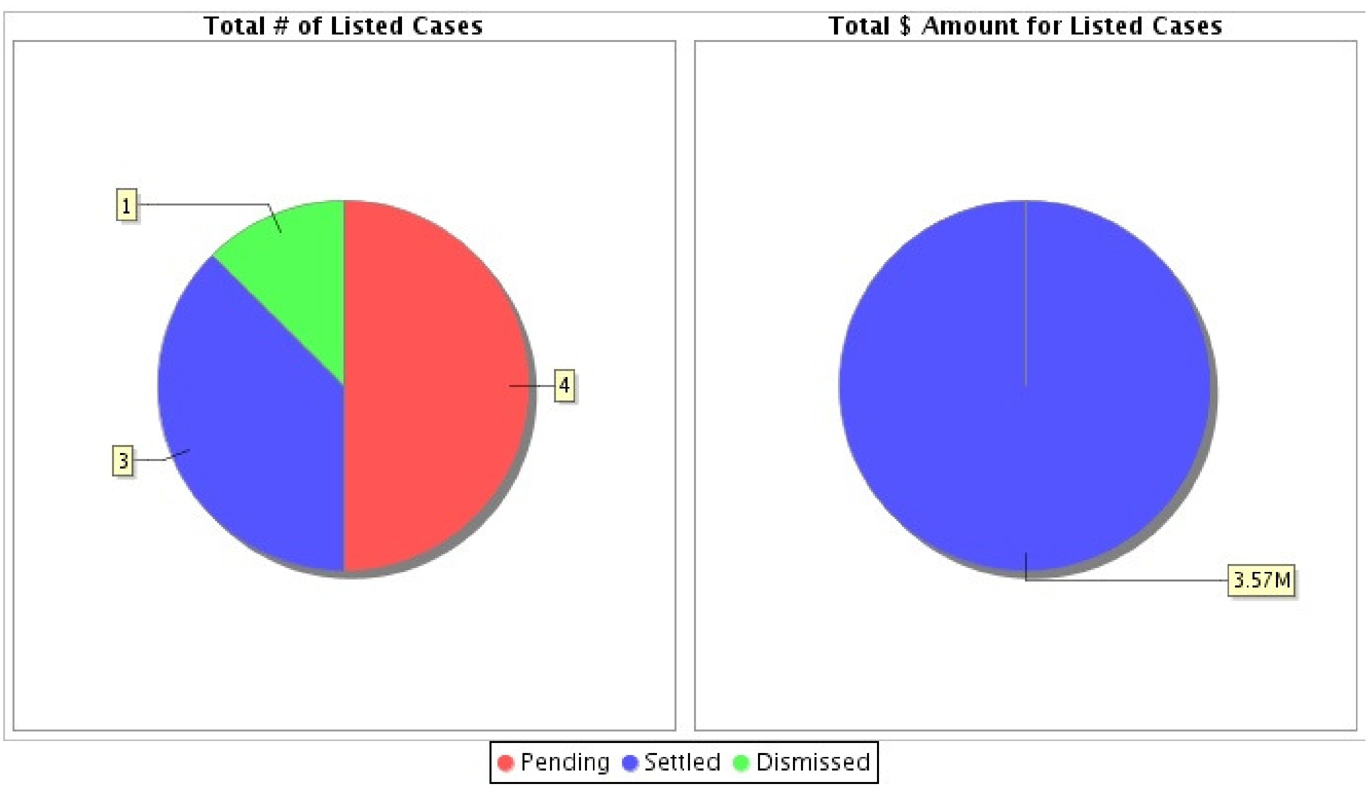




MSCAd Recent Claims / Actions & Industry Trends – Breakdown by Case Type



MSCAd Recent Claims / Actions & Industry Trends – Breakdown by Case Status



MSCAd Recent Claims / Actions & Industry Trends – Case Details

Company Name	Category/Type	Accident Date	Filing Date	Status	Total Amount($)
Globix Corporation	Securities/Securities Class Action		01/04/2002	Settled	$3,500,000
Description: According to a Press Release dated 01/04/2002, the complaint charges that defendants, Globix, Marc Bell, Peter Herzig and Brian Reach, violated federal and state securities laws by, among other things, issuing false misleading statements regarding Globix's financial condition as well as its present and future business prospects. As alleged in the complaint, on November 16, 2000, in an effort to stabilize the price of Globix stock and to assuage investor concerns over Globix continuing as going concern, defendants set-forth the Company's business plan which stated in no uncertain terms that Globix would be fully funded to fiscal 2003 and thereafter cash flow positive. This sentiment was repeated in Globix's annual report filed on Form 10-K with the Securities Exchange Commission and numerous times thereafter in Company press releases and conference calls.					
Sunset Investment Group	Securities/Securities Fraud		02/28/2001	Settled	$70,000
Description: U.S. SECURITIES AND EXCHANGE COMMISSION Washington, D.C. Litigation Release No. 16913 / February 28, 2001 SEC v. Sunset Investment Group, Inc., James Brown, Pinnacle Capital Advisors, and Austin Tanner, Civ. No. 01-M-0358 (District of Colorado) Today, the Commission sued Sunset Investment Group, Inc. (Sunset), James Brown, Pinnacle Capital Advisors (Pinnacle), and Austin Tanner in U.S. District Court (District of Colorado), for making false and misleading performance claims and testimonials appearing on three different websites, namely OptionInvestor.com, SplitTrader.com, and NetBulls.com, and in press releases. All three sites provide stock and market analysis and publish a stock advisory newsletter offering stock analysis, trading strategies, and trading recommendations and are operated by Sunset and its president and sole shareholder, Brown, a resident of Littleton, Colorado. Tanner, from Westchester, Illinois, and his company Pinnacle, were hired by Brown to create the homepages of the websites. According to the Complaint, from at least October 1998 until May 2000, OptionInvestor.com posted misleading performance data on its homepage and in press releases, claiming returns ranging from 60% to 240% for subscribers who followed the trading philosophy and trading recommendations in its newsletter and its OEX index options service, the OEX Skybox. The Commission alleges that all of the performance claims were false and misleading because, even though they were hypothetical, the site indicated that the performance reflected actual results. Moreover, the calculations to determine the performance results were materially flawed and dependent on hindsight, making it impossible for subscribers to achieve similar results. The Commission also alleges that SplitTrader.com and NetBulls.com posted on their homepages from October 1999 until June 2000 false and misleading testimonials that praised the performance of the sites. The Commission claims that the testimonials were copied almost verbatim from the OptionInvestor.com homepage and had nothing to do with the performance of either SplitTrader.com or NetBulls.com. The Complaint also states that Tanner drafted, in collaboration with Brown, the false performance claims appearing on the OptionInvestor.com site and posted the false testimonials on the SplitTrader.com and NetBulls.com sites. Without admitting or denying the allegations in the Complaint, Sunset and Brown consented to the entry of an Order that enjoins them from violating Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder and orders them to pay a civil money penalty of $70,000. This action is brought as part of the Commission's Fifth Internet Fraud Sweep.					
Jenzabar, Inc.	Securities/ Derivative Shareholder Action		04/21/2009	Pending	
Description: On April 21, 2009, a 12-count complaint was filed by MCG Capital Corporation (MCG) against Jenzabar, Inc. in the Chancery Court of Delaware. The conflict in this case arose from three events. First, salary increases and retroactive bonuses for Maginn and Chai were approved without seeking MCG's approval. Second, another bonus (the 2002 Bonus) was approved without MCG's approval. Third, Jenzabar notified MCG that it intended to repurchase MCG's senior preferred stock. In its complaint, among other things, MCG asserted Jenzabar did not actually wish to repurchase the shares, rather it desired to force MCG into losing its consent rights against the threat of having to sell its shares at an unfavorable price. MCG also alleged Maginn, Chai, and Barr conducted internal board processes in a manner designed to keep non-management members in the dark by, for example, failing to timely circulate board minutes. Before considering the merits of defendants' motion to dismiss, the court faced the preliminary issue of determining whether MCG, as a preferred stockholder, had standing to bring a derivative claim. It answered in the affirmative. At the time of the complaint, MCG owned preferred stock and common stock warrants, but Delaware law does not allow common stock warrant holders to bring derivative suits. Ultimately, the court concluded that preferred stockholders have standing to bring a derivative claim absent an express restriction or limitation in the articles of incorporation, preferred share designations, or other appropriate document. Having determined this preliminary matter, the court moved forward with ruling on the defendants' motion to dismiss. The court distinguished between direct and derivative claims, noting that a showing of demand futility is required in order to bring a derivative claims. After lengthy discussion, the court separated the viable claims from those subject to dismissal and allowed the viable claims to move forward. On May 5, 2010, in MCG Capital Corporation v. Maginn, Civil Action No. 4521-CC, the Delaware Court of Chancery granted in part and denied in part the defendants' motion to dismiss plaintiff preferred stockholder's complaint alleging both derivative and direct claims. In doing so, the court, for the first time, set forth a rule allowing preferred stockholders to bring derivative suits absent an express limitation in the company's articles of incorporation or other appropriate document.					

Moodys Investors Service Inc	Professional Practices / Rating Agency Malpractice	07/29/2009	Pending

Description:
On July 29, 2009 a securities class action on behalf of the Public Employees' Retirement System of Mississippi and all persons or entities who purchased the mortgage pass-through certificates issued pursuant or traceable to the untrue and misleading registration statement and supporting offering materials incorporated therein filed by JP Morgan Acceptance Corporation I (JPMAC). On December 7, 2005, JPMAC caused a Form S-3 Registration Statement (No. 333- 130192) to be filed with the Securities and Exchange Commission (SEC) in connection with the issuance of billions of dollars of Certificates.' The Certificates were sold to investors pursuant to Prospectuses and Prospectus Supplements, each of which was incorporated into the Registration Statement (collectively the Offering Documents). The Certificates were supported by home mortgage loans (the Mortgage Loans) originated by various lenders identified in the Offering Documents, including Chase Home Finance LLC, WMC Mortgage Corporation, Countrywide Home Loans, Inc. and PHH Mortgage Corporation (generally referred to as, the Originators). The Offering Documents represented that the mortgage pools primarily consisted of loans secured by first or second liens on residential properties. Certificate holders effectively owned an interest in the underlying Mortgage Loans and were entitled to receive pass-through distributions (payments of interest and, if applicable, principal) made by loan borrowers. The Trusts issued the Certificates in multiple tranches, or classes, which were generally organized according to the priority with which they were entitled to receive the pass-through distributions. In general, those tranches designated as senior received distributions ahead of those designated as subordinate. This capital structure required the lower ranked, subordinate tranches to absorb losses first, but paid investors a higher coupon rate.

Sentinel Management Group Inc	Business & Trade Practices / Fraudulent Trade Practices	05/01/2008	Pending

Description:
The U.S. Commodity Futures Trading Commission (CFTC) announced that it sued Northbrook, Illinois based Sentinel Management Group, Inc. (Sentinel) and its president and chief executive officer, Eric A. Bloom, and former senior vice-president, Charles K. Mosley, charging them with fraud and segregation violations involving their handling of $562 million in commodity customer segregated funds. The CFTC is seeking orders of permanent injunction against the defendants, repayment to defrauded customers, monetary penalties and other relief. "Segregation of customer funds is the core customer protection mechanism under the Commodity Exchange Act (CEA). Its importance cannot be overstated, and any fraud or segregation violations will carry swift and severe repercussions," said Gregory Mocek, Director of the CFTC's Division of Enforcement. According to the CFTC complaint filed in the United States District Court for the Northern District of Illinois, Sentinel has been registered as a Futures Commission Merchant (FCM) since June 1980 and is also registered as an investment adviser with the Securities and Exchange Commission. Unlike a typical FCM, Sentinel did not trade futures contracts on behalf of any customers. Rather, it purported to provide short-term money management services to various institutional, corporate and individual customers. Among other things, it managed segregated customer funds for other FCMs, allowing the customers of those FCMs to invest funds at a slightly better rate than they could obtain in other short-term programs, while claiming to observe the CFTC's legal requirements that FCM customer funds be segregated. As of August 13, 2007, Sentinel claimed to have $1.2 billion of customer assets under management, including $562 million in FCM customer segregated funds. On August 17, 2007, Sentinel filed a voluntary petition for protection under Chapter 11 of the Bankruptcy Code, in the U.S. Bankruptcy Court for the Northern District of Illinois. Sentinel currently owes in excess of $130 million in customer segregated funds. The CFTC complaint alleges that Sentinel, Bloom, and Mosley committed fraud and misused commodity customer segregated funds from at least May 21, 2007 through August 17, 2007. According to the complaint, Sentinel improperly commingled its commodity customers' assets with its own assets and the assets of others. It also improperly used commodity customers' assets to secure a Sentinel loan with the Bank of New York (BONY), removing as much as $444 million of commodity customers' securities from segregation to collateralize its loan. As alleged, Sentinel was not authorized to encumber or remove customer securities from segregation in this manner. Further, as alleged, Sentinel falsely reported to the CFTC that, among other things, Sentinel had no amounts payable from September 2005 through July 2007. The complaint further alleges that Mosley was primarily responsible for Sentinel's securities trading and caused FCM commodity customer securities to be removed from segregation to secure the BONY loan. Additionally, the complaint alleges that Bloom was a controlling person of Sentinel and had knowledge of the improper handling of commodity customer funds, thereby making him liable for Sentinel's fraud.

Smart World Technologies, LLC	Securities/ Securities Class Action	03/08/2001	Dismissed

Description:
According to the docket, on November 9, 2004, the Court entered the Stipulation and Order of Dismissal by U.S. District Judge Jed S. Rakoff dismissing the action with prejudice and without costs to either party. On June 3, 2002, the Court entered the Judgment dismissing the Second Amended Complaint with prejudice and the case was closed. The Plaintiff soon after filed a Notice of Appeal, and on February 5, 2004, the Court entered the Mandate of the US Court of Appeals affirming in part and reversing in part the judgment of the District Court. According to a Press Release dated March 8, 2001, the Complaint alleges that during the Class Period, the Company failed to register the Company's offering of securities with the Securities and Exchange Commission as required by Sections 6 and 7 of the Securities Act, and no exemption from registration was applicable to the Company's securities offering. In addition, the Complaint alleges that in connection with the offering, the Company made misstatements of material facts, and omitted material facts from its disclosures required so as not to make the disclosures misleading, all in connection with the Company's financial condition, and prospects for financing the Company's business. On June 29, 2000, the Company and two of its subsidiaries filed for protection under the Bankruptcy Code. The First Identified Complaint was amended on or about May 31, 2001. The Amended Complaint seeks remedies for violations of Section 12(a)(1) and (a) (2) of the Securities Act of 1933 against the individual defendants as control persons pursuant to Section 15 of the Securities Act. Copy of the Amended Complaint is available from the Court.

Spot Runner, Inc.	Securities/Securities Fraud	04/09/2009	Pending

Description:
On April 9, 2009, WPP Luxembourg Gamma Three SARL, on its own behalf and derivatively on behalf of Spot Runner, Inc., has filed a complaint in the U.S. District Court, Central District of California, against the defendants Spot Runner, Inc. et al. for securities fraud and breach of contract. Allegedly, Spot Runner breached a legal agreement with WPP that would require Spot Runner to disclose stock sales to other shareholders. WPP alleged that Spot Runner touted the holding company's investment in it to gain new investors, only to turn around and sell the stock in violation of federal and state securities law. According to the complaint, Spot Runner, a privately held start-up media company, was founded by defendants Nick Grouf and David Waxman, who are also board members. Defendants Danny Rimer, Roger Lee, and Robert Pittman are also on the board of directors and Lee and Rimer are general partners to private equity funds Battery Ventures and Index Ventures. Defendants Battery and Index own a combined 60% of Spot Runner stock. Though Spot Runner was entirely reliant on private investment capital for survival, between February 2006 and March 2008, the defendants engaged in a scheme to divert to their own pockets a total of $54 million in badly needed private investment capital. WPP is seeking at least $13 million plus attorneys' fees. Spot Runner plans to fight the claims.

Udata Net Corp	Securities/ Securities Fraud	12/06/2006	Settled

Description:
UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION SECURITIES EXCHANGE ACT OF 1934 Release No. 54878 / December 6, 2006 ADMINISTRATIVE PROCEEDING File No. 3-12500 In the Matter of Utilitynetcom, Inc., Respondent ORDER INSTITUTING PROCEEDINGS, MAKING FINDINGS, AND REVOKING REGISTRATION OF SECURITIES PURSUANT TO SECTION 12(j) OF THE SECURITIES EXCHANGE ACT OF 1934 I. The Securities and Exchange Commission (Commission) deems it necessary and appropriate for the protection of investors that proceedings be, and hereby are, instituted pursuant to Section 12(j) of the Securities Exchange Act of 1934 (Exchange Act), against Utilitynetcom, Inc. (Utilitynetcom or Respondent). II. In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the Offer) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission's jurisdiction over it and the subject matter of these proceedings, Respondent consents to the entry of this Order Instituting Proceedings, Making Findings, and Revoking Registration of Securities Pursuant to Section 12(j) of the Securities Exchange Act of 1934 (Order), as set forth below. III. On the basis of this Order and Respondent's Offer, the Commission finds that: A. Respondent 1. Utilitynetcom (CIK 1090456), also known as uData Net Corp., is a Texas corporation owned and controlled by Lindsey P. Vinson with its corporate offices in Fort Worth. 2 Utilitynetcom's common stock is registered with the Commission under Section 12(g) of the Exchange Act. Utilitynetcom has made no filings since it filed its third quarter 1999 Form 10-QSB in May 2000. Utilitynetcom reported assets of $727,867, liabilities of $197,998, and net income of $77,840, for the three months ended March 31, 2000. Utilitynetcom's securities are not quoted on any U.S. stock exchange. B. Delinquent Periodic Filings Section 13(a) of the Exchange Act and Rules 13a-1 and 13a-13 thereunder require issuers of securities registered pursuant to Section 12 of the Exchange Act to file periodic and other reports with the Commission. Based on each Respondent's failure to file the required periodic reports, the Respondent has failed to comply with Section 13(a) of the Exchange Act and Rules 13a-1 and 13a-13. IV. Section 12(j) of the Exchange Act provides as follows: The Commission is authorized, by order, as it deems necessary or appropriate for the protection of investors to deny, to suspend the effective date of, to suspend for a period not exceeding twelve months, or to revoke the registration of a security, if the Commission finds, on the record after notice and opportunity for hearing, that the issuer of such security has failed to comply with any provision of this title or the rules and regulations thereunder. No member of a national securities exchange, broker, or dealer shall make use of the mails or any means of instrumentality of interstate commerce to effect any transaction in, or to induce the purchase or sale of, any security the registration of which has been and is suspended or revoked pursuant to the preceding sentence. In view of the foregoing, the Commission finds that it is necessary and appropriate for the protection of investors to impose the sanction specified in Respondent's Offer. Accordingly, it is hereby ORDERED, pursuant to Section 12(j) of the Exchange Act, that registration of each class of securities of Utilitynetcom registered pursuant to Section 12 of the Exchange Act be, and hereby is, revoked. By the Commission. Nancy M. Morris Secretary