

Procedures Regarding Complaint & Summons and Other Legal Documents Served Upon ATLAS

1.0 Purpose

To standardize procedures for the timely handling and reporting of Complaint and Summons and other legal documents that are served upon Atlas.

2.0 Scope

Applies to all employees and independent producers of Atlas.

3.0 Policy

Policy:

Atlas employees and independent producers must adhere to this policy and procedures upon their receipt of any lawsuit or legal document requiring action by Atlas. The purpose of this policy is to ensure that all lawsuits and/or legal documents requiring attention are addressed immediately and are reported to the carrier in a timely fashion.

Procedures:

All legal documents requiring action by Atlas should be immediately brought to senior management's attention. In the event Atlas is served by a sheriff or court officer with a Complaint and Summons or Subpoena Duces Tecum, service should be accepted by senior management personnel only. If any employee is asked to accept service of a complaint, they should decline the service and alert senior management personnel immediately.

Senior management should be immediately notified of all legal documents including:

1. Notice of Deposition Upon Oral Examination.
2. Notice of Deposition Upon Written Interrogatories.
3. Request for Answers to Interrogatories.

All of these legal documents have specific timelines and deadlines by which to respond. Failure to respond can result in a default or judicial sanctions which could have a negative impact on you or the company. Senior management may need to investigate and confer with our Errors and Omission Coordinator or outside Counsel to ensure the documents are clearly identified and a clear plan of action is implemented.

For Subpoena Duces Tecum, the following procedures will be undertaken:

1. Upon receipt of the subpoena, senior management will indicate the date and time service was accepted on the upper right-hand corner of the face sheet.
2. The subpoena will be routed to the Senior Claims Consultant who will review the documents and ensure compliance. The appropriate individual will be notified, and the timely delivery of the requested documents will be arranged.
3. In the event we need to object to the subpoena or the release of specific documents, the Senior Claims Consultant will confer with senior management who will guide this action.
4. All subpoenas will be "tracked" by the Senior Claims Consultant to ensure timely compliance.
5. A party can be held in contempt for their failure to comply with the court order.

Definitions:

- Complaint and Summons – The complaint is the initial pleadings which cite the grounds for the lawsuit; whereas the summons is a written notification to a defendant that an action is being commenced against him/her. The summons provides a specific timeline in which to respond. Failure to respond within the specific timeline may result in a default action where you or the company could be held fully responsible for the allegations.
- Depositions – Statement under oath in the presence of a court reporter.
- Subpoena Duces Tecum – Court order requiring a witness to bring specified documents in their possession or under their control to at a specific time and place.

4.0 Exemptions

No Exemptions

5.0 Effective Date

May 4, 2005

6.0 Policy Revisions

Atlas retains the right to make revisions and changes to this policy at any time

7.0 Reviewed/Revised

March 21, 2025



