

**PROGRAM DIVISION
BULLETIN**

2005-28

July 25, 2005

**SURPLUS LINES POLICIES
REVISED SERVICE OF SUIT ENDORSEMENTS**

Attached to this distribution are revised SERVICE OF SUIT CONDITIONS Endorsements for your use with surplus lines policies.

Unique forms for California, Illinois and Washington will be sent in a later distribution.

If you have any questions regarding this notice, please contact your Program Manager.



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LEXINGTON INSURANCE COMPANY

PROGRAM DIVISION

100 Summer Street/19th Floor, Boston, MA 02110
phone 617-330-1100 / fax 617-330-8595

ENDORSEMENT #

**This endorsement, effective 12:01 A.M.,
Forms a part of Policy No.:
Issued to:
By:**

SERVICE OF SUIT CONDITION

This endorsement modifies insurance provided under the policy:

The following condition is added to this policy:

In the event of our failure to pay any amount claimed to be due hereunder, we, at your request, will submit to the jurisdiction of a court of competent jurisdiction within the United States. Nothing in this condition constitutes or should be understood to constitute a waiver of our rights to commence an action in any court of competent jurisdiction in the United States to remove an action to a United States District Court or to seek a transfer of a case to another court as permitted by the laws of the United States or of any state in the United States. It is further agreed that service of process in such suit may be made upon Counsel, Legal Department, Lexington Insurance Company, 100 Summer Street, Boston, Massachusetts 02110 or his or her representative, and that in any suit instituted against us upon this Policy, we will abide by the final decision of such court or of any appellate court in the event of any appeal.

Further, pursuant to any statute of any state, territory, or district of the United States which makes provision therefor, we hereby designate the Superintendent, Commissioner or Director of Insurance, or other officer specified for that purpose in the statute, or his or her successors in office, as our true and lawful attorney upon whom may be served any lawful process in any action, suit, or proceeding instituted by you or on your behalf or any beneficiary hereunder arising out of this Policy of insurance, and hereby designates the above named Counsel as the person to whom the said officer is authorized to mail such process or a true copy thereof.

Authorized Representative