



The Additional Insured Book

Table of Contents

The Additional Insured Book (7th ed.)

- About the Authors
- Table of Cases
- Topical Index
- Chapter 1: Executive Summary
 - Reasons for Requiring Additional Insured Status
 - Additional Named Insured Status
 - Additional Insured versus Contractual Liability Coverage
 - Coverage Scope
 - Additional Insured Coverage and Indemnity
 - Certificates of Insurance
 - Professional Liability and E&O Insurance
 - Breach of Additional Insured Requirement
 - Blanket Additional Insured Endorsements
 - OCP Policy as an Alternative
 - Marine and Aircraft Liability Insurance
 - Summary
- Chapter 2: Named Insured Status
 - "Named Insured" Defined
 - Named Insureds' Different Roles
 - Impact of Policy Rescission
 - Premium Obligations
 - Notice Requirements
 - Cross-Liability Exclusions
 - Deductibles
 - Summary
- Chapter 3: Automatic Insured Status
 - Automatic Insureds
 - Stockholders
 - Proprietorships
 - Partnerships and Joint Ventures
 - Divisions
 - Executive Officers
 - Automatic Insureds (cont.)
 - Employees as Insureds

- Volunteer Workers
 - Leased Workers
 - Real Estate Managers
 - Professional Services Exclusion
 - Other Automatic Insureds
 - "Doing Business as"
 - Individually Owned Businesses
 - Partnerships and Joint Ventures
 - Corporations
 - Impact of Endorsements
 - Tailoring the Persons Insured Provision
 - Policy Conditions: Insured versus Named Insured
 - Cancellation Problems
 - Summary
- Chapter 4: Additional Insured Status
 - "Additional Insured" Defined
 - Reasons for Requiring Additional Insured Status
 - Reinforcement of Risk Transfer by Contract
 - Reasons for Requiring Additional Insured Status (cont.)
 - Securing Direct Rights in the Policy
 - Preventing Subrogation
 - Obtaining Personal Injury Coverage
 - Scope of Coverage
 - Employment Exclusion Application
 - Vicarious versus Direct Liability
 - Additional Insured versus Additional Named Insured
 - "Additional Named Insured" Defined
 - Distinctions between Insureds and Named Insureds
 - Application of Contractual Liability Coverage
 - Additional Insured Status Preferred
 - Written Contract or Written Agreement
 - Summary
- Chapter 5: Problems with Additional Insured Status
 - Dilution of Limits
 - Defense Conflicts
 - Providing Unintended Coverage
 - Overriding the Indemnity Provision
 - Loss of Defense Control
 - Increased Likelihood of Coverage Disputes
 - Additional Insured versus Contractual Liability Coverage
 - The Other Insurance Problem
 - Cases That Departed from the Indemnitee's Intent

- Cases That Followed the Indemnitee's Intent
 - The CGL Other Insurance Clauses
 - The 1997 Other Insurance Clause
 - Mitigating the Other Insurance Problem
 - Allocating Defense Costs
 - Primary and Noncontributory Other Insurance Condition
 - Horizontal versus Vertical Exhaustion of Limits
 - The Possible Alternatives
 - Loss of Governmental Immunity
 - Breach of Contract as a Basis for Excluding Coverage
 - Summary
- Chapter 6: Separation of Insureds and Cross-Liability
 - Severability of Interests
 - Cross-Liability
 - The Employee Injury Exclusion and Severability
 - Parent and Subsidiary Company Issues
 - Fellow Employee Cross-Liability Exclusion
 - Post-1973 Employee Cross-Liability Exclusion
 - Diluting the Severability Provision
 - Cross-Liability Exclusion Endorsements
 - Summary
- Chapter 7: Standard Additional Insured Endorsements
 - Historical Development
 - Current ISO Endorsements
 - AAIS Additional Insured Endorsements
 - Summary
- Chapter 8: Engineers, Architects, Surveyors as Additional Insureds
 - Additional Insured Status
 - Engineers, Architects, or Surveyors as Additional Insureds
 - Relevant Caselaw
 - Contractual Liability Coverage
 - The Completed Operations Hazard and 1993 Revisions
 - Additional Insureds in Contractors' Policies
 - Summary
- Chapter 9: Owners and Contractors as Additional Insureds
 - Endorsement CG 20 10
 - The "Sole Negligence" Issue
 - "Shooting Oneself in the Foot Made Easy"
 - "Caused in Whole or in Part"
 - Third-Party-Over Claims
 - "Those Acting on Your Behalf"
 - Additional Insureds and Completed Operations

- Arising Out of
 - Causation versus Nexus
 - "Arising Out of" versus "Resulting from"
 - Summary
- Chapter 10: OCP versus Additional Insured Status
 - OCP Policy Coverage
 - The General Supervision Limitation
 - Overcoming the Problem of Subrogation
 - ISO Additional Insured Endorsements
 - Deciding between the Alternatives
 - OCP + CGL = Nothing
 - Summary
- Chapter 11: Real Property Lessors as Additional Insureds
 - Designation of the Premises
 - Extent of Covered Liability
 - Ownership, Maintenance, or Use Limitation
 - Influence of Other Facts on Coverage Interpretation
 - Owners of Land as Additional Insureds
 - Summary
- Chapter 12: Vendors as Additional Insureds
 - Who the Endorsement Covers—Problems
 - "In the Regular Course of"
 - Other Insurance Problem
 - Coverage Limitations
 - Application of Endorsement Exclusions
 - Types of Products Covered
 - Other Coverage Issues
 - Summary
- Chapter 13: Blanket Additional Insured Endorsements and Provisions
 - Standard Automatic Insured Endorsements
 - Automatic Additional Insureds--Limited To Contracting Parties
 - Automatic Additional Insureds--Not Limited to Contracting Parties
 - Lessor of Leased Equipment Automatic Status
 - Nonstandard Automatic Additional Insured Endorsements
 - Eligibility
 - Scope of Coverage
 - Limits of Insurance
 - Application of Other Insurance
 - Exclusions
 - Summary
- Chapter 14: Umbrella and Excess Liability Insurance
 - Broad Form Named Insured Provisions

- Automatic Additional Insured Provision
- Scope of Coverage
 - Extent of Additional Insured's Fault
 - Notice and Additional Premium
 - Underlying Coverage Prerequisite
 - Applicable Limits of Liability
- Breach of Contract
- Excess Liability Policies
- Additional Insureds and Other Insurance
- Summary
- Chapter 15: Commercial Auto Insurance
 - Severability of Interests
 - Extent of Permission
 - Meaning of "Use"
 - Current Automobile Policies
 - Business Auto Coverage Form
 - Motor Carrier Coverage Form
 - Auto Dealers Coverage Form
 - Commercial Auto Endorsements
 - Endorsements for All Commercial Auto Forms
 - Vicarious Liability and Additional Insured Status
 - Principal-Agent Relationships
 - Auto Dealers Endorsements
 - Summary
- Chapter 16: Workers Compensation Insurance
 - Borrowed Employee Situations
 - Dual Employment and Joint Employment
 - Employee Leasing
 - Summary
- Chapter 17: Professional and E&O Liability Insurance
 - Individuals and Firms Working for the Professional
 - The Professional's Clients
 - Summary
- Chapter 18: Commercial Property Insurance
 - Insurable Interest
 - Mortgagees
 - Loss Payees
 - Loss Payable Provision
 - Lenders Loss Payable Provision
 - Contract of Sale Provision
 - Building Owner Loss Payable Provision
 - ISO Endorsement CP 12 18

- Contract of Sale
 - Additional Insureds
 - Additional Insured Endorsements
 - As Their Interests May Appear
 - Builders Risk Insureds
 - Builders Risk Policy Subrogation Provision
 - Including Contractors as Insureds
 - Waiver of Subrogation Endorsement
 - Severability of Interests
 - Summary
- Chapter 19: Marine and Aircraft Insurance
 - Marine Liability Insurance
 - Identifying Insureds
 - "As Owner" Clauses
 - Additional Insured Status Still Has Its Advantages
 - Waiver of Subrogation versus Additional Insured Status
 - Contractual Liability Exposures and Coverages
 - Aircraft Liability Insurance
 - Summary
- Chapter 20: Certificates of Insurance
 - Historical Development
 - Problems with Standard Certificate Forms
 - No Guarantee That Policy Exists
 - Uncertain Additional Insured Status
 - Protection Below Expectations
 - Problems with Standard Certificate Forms (cont.)
 - No Notice of Cancellation
 - Certificate Fraud
 - Attempts To Solve the Problems
 - Reciting the Indemnity Agreement
 - Identifying the Additional Insured Endorsement
 - Empowering Certificates To Add Additional Insureds
 - Designating the Project
 - Negating Existence of Exclusions
 - Copy of Entire Policy
 - Periodic Checks for Cancellations
 - Using Pre-2009 Certificates
 - Modifying Post-2009 Certificates
 - Manuscript Certificates
 - Notice of Cancellation Endorsements
 - Notice by Named Insured
 - Notice by Agent

- Insuring the Project Another Way
 - Memorandum of Insurance
 - A Practical Look at Administration
 - Do's and Don'ts
 - Summary
- Chapter 21: Compliance Problems
 - Administrative Burdens
 - Relevant Caselaw
 - Lease Agreement Breaches
 - Construction Contract Breaches
 - No Liability for Contract Breach
 - Compliance and the Wrap-Up Approach
 - Summary
- Appendix A: A Note on CGL Form Names and Edition Dates
- Appendix B: CGL Additional Insured Endorsements
- Appendix C: Manuscript Additional Insured Endorsements