

NOTICE OF YOUR FINANCIAL PRIVACY RIGHTS

This is our privacy notice to our clients. When we use the words "you" and "your" we mean the following types of clients:

All of our clients who have a continuing relationship with us, such as:

- Personal Insurance
- Commercial Insurance
- Life/Health/Disability Insurance

All persons (individuals) who do not have a continuing relationship with us but who may use an insurance product or service we provide in isolated transactions. This includes, for example, a consumer who:

- Requests a quote on insurance but does not accept our offer
- All former clients

We will tell you the sources for nonpublic personal information we collect on our clients. We will tell you what measures we take to secure that information.

We first define some terms:

We, our, and us means Clark-Mortenson Agency, Inc. or its affiliates.

Nonpublic personal information means information about you that we collect in connection with providing an insurance product or service to you. Nonpublic personal information does not include information that is available from public sources, such as telephone directories or government records.

An **Affiliate** is a company we own or control, a company that owns or controls us, and a company that is owned or controlled by the same company that owns or controls us. Ownership does not mean complete ownership, but means owning enough to have control.

A Nonaffiliated Third Party is a company that is not an affiliate of ours.

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2010 Workshop Series

Our compliance workshops are a must for business owners, CFOs, HR directors, managers and supervisors. The workshops are offered throughout the year on issues affecting businesses of all sizes.

Topic	Date	Location
USERRA & I-9's.....	January 12.....	Brattleboro
COBRA.....	February 4.....	Quechee
Employee Manuals.....	March 18.....	Keene
FLSA.....	April 29.....	West Lebanon
Disaster Planning & Recovery.....	May 18.....	Claremont
Advanced OSHA.....	June 3.....	Keene
Controlling Workers' Comp Costs...	September 14.....	Keene
COBRA, FMLA, & EEOC.....	October 19.....	Claremont
Advanced FLSA.....	November 18.....	Brattleboro
FMLA.....	December 7.....	West Lebanon

Call 1 (877) 352-2121 or go to clarkmortenson.com to learn more.



P.O. Box 606, 102 Main Street
Keene, NH 03431



We're ready to pitch in and help!

See inside.

2009 Compliance Update: a year of changes

This past year has kept many business owners and HR professionals on their toes, due to the significant number of state and federal legislation updates.

- On January 1, 2009 the ADA Amendments Act took effect, broadly expanding the definition of a disability and clarifying the definition of a "major life activity."

- On January 16th, over 50 updates to the federal Family and Medical Leave Act took effect, including general notice requirements, reporting changes and much more.

- As part of the American Recovery and Reinvestment Act of 2009 (ARRA) enacted in February, government subsidies are allowed for COBRA premiums of employees who lost their jobs involuntarily between September 1, 2008 and December 31, 2009.

These are just a few of the changes that took place in 2009. If you missed any of Clark-Mortenson's legislative updates, or if you want to be sure to be updated in 2010, please contact us.



Ready Report

Clark-Mortenson wins national accolades for local service

Close attention to local service is earning nationwide recognition for Clark-Mortenson Insurance and Financial Services. We have been named Marketing Agency of the Month for October 2009 by *Rough Notes* magazine. *Rough Notes*, the leading national insurance publication for independent insurance agents, chose Clark-Mortenson for this coveted award out of 35,000 independent agents nationwide. The award was based on the agency's high level of community involvement (more than 90% of the staff volunteers or serves on local boards) as well as an outstanding ethic of customer service, and Clark-Mortenson's unique series of regulatory compliance seminars, offered free of charge to the local business community.



"It all starts with our employees," says CEO Heather Minkler. "Our reputation and our success are based on 52 employees who understand that they are all responsible for

helping our clients, and the communities we share." Because of this approach, Clark-Mortenson employees are more than just agents, she explains. "We're

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We're ready to chat!

Clark-Mortenson is gearing up to bring you a stronger presence on the web in 2010, starting with Live Chat! Effective now, all consumers who visit our website during regular business hours can chat instantly with a Clark-Mortenson representative.

We've also established a presence at MerchantCircle, to help us build strong relationships with the businesses and people we serve. In 2010, our new social media team will also look at using FaceBook and Twitter, as well as creating a Clark-Mortenson blog to keep our clients and consumers informed about important industry updates and our activities in the communities we serve.

Visit clarkmortenson.com to chat live with an agent and keep up to date with social media initiatives that we pursue in the new year.



Clark-Mortenson
Corporate Headquarters
P.O. Box 606, 102 Main Street
Keene, NH 03431 • 877-352-2121

clarkmortenson.com

24-Hour Emergency Claim Service:
800-287-4710

Employer Alert: Important news about workers' compensation enforcement at Massachusetts border

If you or your employees travel into or through Massachusetts, you may be stopped and required to show proof of your workers' compensation coverage—specifically listing Massachusetts as a covered state.

If you are unable to provide a copy of your policy, the Massachusetts Department of Industrial Accidents may issue you a Stop Work Order and/or fines for that day and each day until you are able to provide the proof.

We want to help you be ready! If you or your employees travel into or through Massachusetts at all, please check your policy under Coverages, Part 3A workers' compensation insurance. Verify Massachusetts is a listed state in this section and keep a copy of the policy in each vehicle. If you are unsure about your coverage or need to get Massachusetts added, please contact us for assistance.

Offices in Charlestown, Claremont, Hinsdale, Keene & Walpole, NH; Brattleboro & Woodstock, VT

Home • Auto • Umbrella • Recreational Vehicle • Life • Health • Disability • Retirement
Business Insurance • Employee Benefits • Business Succession • Federal & State Compliance Support

Make sure your business is ready with Employment Practices Liability Insurance

By Tom Minkler, CIC, President, Clark-Mortenson



Claims against employers are on the rise involving accusations of discrimination, harassment, and wrongful termination. By some estimates, three out of five firms will be sued by an employee. An action can be brought against a business at any time, from a mistake allegedly made during the hiring process, to a claim of improper termination—and everything in between.

This type of legal action can involve an offensive joke purportedly told in the break room, an improper office

relationship or even a complaint from someone who applied to your business, but you did not hire. The risks are many—but protection is available.

Employment Practices Liability Insurance is a form of liability insurance that works to safeguard employers against claims made by current employees, former employees, or even potential employees. It covers discrimination (age, sex, race, disability, etc.), wrongful termination of employment, sexual harassment, and other employment-related contentions.

EPLI policies will reimburse your company against:

1. The costs of defending a lawsuit in court
2. The costs of judgments and settlements
3. Legal costs, whether your company wins or loses the suit.

It is very difficult to train your entire staff on everything they say and do when it comes to every new hire, termination, or conversation that takes place at your business. Employers face a growing number of serious employment practices liability experiences in their day-to-day interactions with employees. That's why it's important for you to protect yourself, and your organization.

Too many companies fail to consider this protection until there is a claim that may be catastrophic for the business. Be sure that your organization is ready for anything. Talk to your Clark-Mortenson representative about Employment Practices Liability Insurance today.

Clark-Mortenson wins national accolades for local service

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consultants, working alongside our clients to make them more secure in their lives and their businesses."

Clark-Mortenson was also named 2009's Best Agency to Work for in the East by *Insurance Journal*, a print and online publication highlighting US insurance news. This award was based on nominations from employees, who cited Clark-Mortenson's creation of an atmosphere that creatively celebrates employee excellence with incentives, anniversary parties and an innovative program that allows employees to

purchase a computer interest free on installments through payroll deduction.

The agency continued to be recognized on the local level as well. For the second year in a row, Clark-Mortenson was named one of New Hampshire's Best Businesses to Work For by *Business NH Magazine*. "Of course, all of this recognition is gratifying," says President Tom Minkler, "but nothing is as rewarding as hearing from a client whose problems we've solved, or an employee whom we've given the opportunity to succeed."

NH Legislative Update: Mandatory carbon monoxide detectors in rentals & new single family dwellings

Effective January 1, 2010 every rental unit must be equipped with at least one automatic fire warning device and one carbon monoxide detection device (RSA 153:10-a). Either hardwired or battery operated devices are permitted.

The mandatory CO detector law also applies to all single family dwellings built or substantially rehabilitated after January 1, 2010.

Previously, all rental units, as well as new or substantially rehabilitated dwellings, were required to have a smoke detector. The carbon monoxide provision was added by the New Hampshire legislature earlier this year.

Source: New Hampshire Association of Realtors; enews, December 09, 2009

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Ready Answers

What is the best way to save money on my insurance without reducing coverage?

Call your account manager at Clark-Mortenson to review your options, which may include: increasing deductibles; combining policies with the same company and reviewing all the discounts you are eligible for (such as claims free, non-smoker, good student and credit scoring.) We can also review your insurance company's "loyalty credits," if any, for continuing to renew with the same company.

How could there possibly be no coverage on my policy if I am a "Named Insured"?

The Named Insured on a property/casualty insurance policy must be the legal owner of the property or vehicle (the same as the name on the deed and/or title.)

If the Named Insured is not correctly shown on the policy, your claim will be denied by the insurance company. To avoid such a catastrophic event, review all of your policies to make sure that the Named Insured is written correctly on each policy. For instance, if you have changed the legal ownership of your property to a Trust or LLC, etc. contact us immediately to change the Named Insured on your policies.

How can I ensure that my business lives on after I'm gone?

The best way to be ready is to establish a properly structured and funded buy/sell agreement for your business.

Many businesspeople think that their family will take over for them. However, the family may not have the skills or desire to step in, and any partners or co-owners may not welcome your family member into the business. With a soundly constructed buy/sell agreement, the partners will not be forced into a business arrangement that they don't want, and they will have the funds to buy out the deceased partner's portion at a reasonable, previously agreed upon price.

The buy/sell agreement is generally set up by an attorney, with help from the company's accountant in determining the valuation of the business. The agreement is usually funded with life insurance purchased on the business partners. A buy/sell can be set up at any time, and Clark-Mortenson can help you decide what is right for your business.

Because business values can change it is important to review the contract and the insurance funding the contract to make sure that there will be enough to pay for the deceased partner's share when needed.



Win an iPod touch from Clark-Mortenson!

Enter for a chance to win a new iPod touch. Just email your name, address and phone number to win@clark-mortenson.com, or mail the same information to Clark Mortenson iPod Contest, P.O. Box 606, 102 Main Street, Keene, NH 03431. All entries must be submitted or postmarked by February 29, 2010. The winner will be notified by March 5, 2010.

We're ready to pitch in and help

Clark-Mortenson is dedicated to the communities we serve. We donate our time, money, and efforts to causes that enhance our shared way of life and promote sustainability.



For instance, each year we pick a Charity of Choice. In 2009 we selected four local food pantries, for which our staff donated over 385 pounds of food, numerous coats and \$2,500 in cash donations.

In addition, over 75% of our staff members have used their paid volunteer days, with some helping to keep two sections of highway clean with the Adopt-A-Highway program. Clark-Mortenson was also a 2009 Pacesetter for the United Way, raising just under \$5,300 with 95% employee participation, as well as providing a "loaned" employee.

In addition to volunteer efforts, we're always looking for ways to improve business sustainability. This year we



Andrea Axne (left) and Tyna Mort prepare to recycle obsolete computer hardware.

held an equipment drive, recycling over 500 computer related parts and supplies. We reduced the amount of paper we use through technology and had energy audits conducted by The Jordan Institute at our Keene, Claremont, and Walpole offices. Our "Go Green" Committee has implemented an "I Got Canned" (as in a trash can) award for suggestions received by staff for their ideas on business sustainability.

Visit our Web site for our newest activities.

Before snow and ice do a number on your roof

A cold snap reaches in for your pipes

Or the wood stove fires up more than you expected

Be ready for anything winter blows your way.

Remember last year's ice storm? Did you have a plan? If you haven't made a Disaster Preparedness Plan for your business or your family, now's a great time to get started. We'll help you be ready for everything cold weather can bring. Call us today.



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THE INFORMATION THAT WE COLLECT

We collect nonpublic personal information about you from the following sources:

- Information we receive from you on applications or other forms
- Information about your transactions with us, our affiliates or others
- Information about your transactions with nonaffiliated third parties
- Information from a consumer reporting agency.

We do not disclose any nonpublic personal information about you to anyone, except as authorized by the law, or which you authorize us to disclose.

THE CONFIDENTIALITY, SECURITY AND INTEGRITY OF YOUR NONPUBLIC PERSONAL INFORMATION

We restrict access to nonpublic personal information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

NONPUBLIC PERSONAL INFORMATION AND NONAFFILIATED THIRD PARTIES

Since we value our client relationship with you, we will not disclose your nonpublic personal information to nonaffiliated third parties, except as permitted by law, or authorized by you.

NONPUBLIC PERSONAL INFORMATION AND CONSUMERS OR FORMER CLIENTS

If you decide to terminate your policies with us or become an inactive client, we will follow the privacy policies and practices as described in this notice.