

20. December 2018

LIABILITY GAP FOR D&O INSURANCES - ADDITIONAL CONDITIONS REQUIRED!

IN ITS DECISION OF 20 JULY 2018, THE FOURTH SENATE OF THE DÜSSELDORF HIGHER REGIONAL COURT [OLG] RULED AS FOLLOWS: D&O INSURANCE DOES NOT COVER PAYMENTS MADE BY A MANAGING DIRECTOR AFTER THE COMPANY HAS REACHED INSOLVENCY MATURITY AND FOR WHICH HE IS HELD LIABLE UNDER SECTION 64 GERMAN LAW ON LIMITED LIABILITY COMPANIES [GMBHG]. THE FOLLOWING ARTICLE SHOWS THE CONSEQUENCES OF THIS JUDGEMENT. [\(more...\)](#)