

175 Water Street, 10<sup>th</sup> Floor New York, New York 10038 General Number: 212.770.7000

## Andrew Trager

Non-Profit Middle Market D&O - East Direct Dial: 212.458.1974 Direct Fax: 1.866.667.9893

E-mail: Andrew.Trager@AlG.com

October 13, 2004

Eliot I. Bernstein Founder & President I View It Technologies, Inc. 10158 Stonehenge Circle, Ste. 801 Boynton Beach, FL 33437-3546

Re:

**Insured** 

Iviewit Holdings, Inc.

Matter

Letter Dates 4/20/04

Claim#

371-031647

Policy #

872-99-99

## **Management Liability Coverage for Private Companies**

## Dear Mr. Bernstein:

American Home Assurance Company ("American Home") has retained A.I.G. Technical Services ("AIGTS") to handle this matter. I have been assigned the above-referenced file and request you address all correspondence to my attention. To ensure a prompt response to your inquiries please refer to the above claim number whenever corresponding with AIGTS on this matter.

American Home Management Liability Policy #872-99-99 provides certain coverage for the policy period April 14, 2001 through April 14, 2002. The coverage provided is subject to an aggregate limit of liability of \$2,000,000, which in turn is subject to a retention amount of \$25,000 as regards to Company Loss and \$25,000 as regards to Indemnifiable Loss arising from Directors and Officers Claims alleging the same Wrongful Act or related Wrongful Acts.

A review of the materials provided to date indicates that a shareholder communication, dated April 20, 2004, outlines claims alleging, including but not limited to, fraud in connection with the failure to assign critical patent applications to Iviewit. Iviewit is investigating these claims regarding certain Directors, Officers, Advisory Board Members and Outside Professionals.

Since there has been no claim made as defined in section 2(a) of Coverage Section One, against an Insured at this time, we will accept this matter as a **potential claim** or notice of circumstances, which may give rise to a future claim. We will accept as notice of circumstance, but only to the extent that the information provided meets the requirements of section 7(c) of the general terms and conditions section of the policy. In the event that a claim or complaint is asserted against an Insured as defined within the policy, please forward such information, documents or pleadings as quickly as possible, referencing the above claim number, so that we may review same for possible coverage under the policy.

Please note that in the event a future claim should arise out of this matter, this policy, subject to its terms and conditions, provides coverage for losses arising from only those claims that were first made against the Insureds and reported to American Home during the policy period as stated in the "Notice" section of the Declaration Page. Iviewit had notice of the matter as of the date of the shareholder communication on April 20, 2004. American Home's first notice of the matter was by letter dated April 20, 2004. American Home's policy period of April 14, 2001 through April 14, 2002. Consequently, in the event a future claim should arise out of this matter, the claim will have been both made and reported subsequent to the policy period, and therefore not first made and reported within the policy period.

We recommend if you have not already done so, that you contact your General Liability Carrier, Umbrella Carrier, Errors & Omissions carriers and any other insurance carriers where coverage may be applicable.

The above discussion is premised upon the information furnished to date and is by necessity subject to supplementation as additional facts are forthcoming. Please note that no statement herein should be construed as a waiver of any rights, privileges and/or defenses that the Insurer may have under the policy, including the right to supplement and/or deny coverage as circumstances warrant. As is customary, all rights should be considered fully and mutually reserved.

If you have any questions or comments, or if we can otherwise be of assistance to you regarding this matter, please do not hesitate to contact me. We welcome the opportunity to discuss any aspect of this matter with you.

Very truly yours,

Andrew Trager

Directors & Officers Liability

CC: Stephen Lamont

anh For

Chief Executive Officer I View It Technologies, Inc. 10158 Stonehenge Circle, Ste. 801 Boynton Beach, FL 33437-3546