



Thank you for shipping with Rubicon Logistics. We appreciate your business and want to provide the highest quality service at all times. Please be assured that while every effort is made to ensure safe delivery of your goods, sometimes loss and/or damage does occur.

Rubicon Logistics' role and what you will recover should a loss occur

Shipping by ocean

While Rubicon Logistics arranges for the transportation of your goods, by law, it is the carrier who bears responsibility for loss or damage to your freight. The carrier's liability for freight moving on the ocean is governed by the Carriage of Goods by Sea Act (COGSA). Under the terms of COGSA, the most recovered from shipping lines in the event they are proven negligent is \$500 for each customary freight unit (CFU). Measurement of the CFU is widely defined and can vary from one container to one pallet.

COGSA is centered on the liability of the carrier. At the heart of the concept of carrier liability is the idea that the carrier is not responsible for paying claims if they did not cause or contribute to the loss. In the event that Rubicon Logistics acts as an NVOCC and assumes carrier liability, recovery in the event of a claim is still limited by COGSA in the bill of lading terms and conditions.

In an effort to better define carrier liability, Hague-Visby rules were created to define 17 circumstances where the carrier cannot be held liable. If a loss is caused by any one of the following defenses; the ocean carrier will not pay for any part of the loss.

- Any neglect default of error of the carrier in navigation or of management of the ship
- Fire
- Perils or dangers of the sea (storms etc.)
- Act of God
- Act of War
- Act of public enemies
- Arrest, restraint or seizure
- Defects not discoverable by due diligence
- Quarantine restrictions
- Acts or omissions of the shipper or owner
- Strikes, lockouts or labor shortage
- Riots or civil commotions
- Inherent defect, quality or vice of the goods
- Attempting to save life or property at sea
- Insufficient packing

Shipping by air

Air carriers limit liability in a similar fashion as ocean carriers. Through the Warsaw convention/Montreal Protocol 4, carriers will pay 17 SDRs (about \$26) per kilogram only if proven negligent. Once again, the burden of proof is on the shipper, and it is often difficult to prove that the carrier was at fault.

How can you protect yourself?

All-Risk Cargo Insurance provides the owner of the cargo with coverage for direct physical loss or damage to the cargo without the need to prove liability. If a loss occurs, you will be paid directly and any recovery possible from the carrier will be handled by our subrogation specialists.

Advantages of insuring your cargo through Rubicon Logistics' policy

- Covered losses are paid without the need to prove carrier negligence. After your loss is paid, we work with carriers to ensure your historical losses are minimized.
- No need to demonstrate where the loss occurred
- Claim payments based on insured value, not weight of pieces missing/damaged or carrier's limited liability
- Rubicon Logistics will report and handle claims on your behalf

Please tell us how you would like to proceed

- I wish to insure this shipment. Please contact me to discuss my options.
- I do not wish to insure this shipment and I understand recovery will be limited in the event of loss.

Signature, Title/Date

Printed Name

This summary provided for informational purposes. It does not grant or extend coverage. All coverage is governed by the terms and conditions set forth in the policy (text available upon request). Rubicon Logistics is not the insurance company. Rubicon Logistics purchases insurance for its clients from the insurance company. Rubicon Logistics' liability is dictated by its Terms and Conditions of Service, copy available upon request.