

# WORKING CAPITAL GUARANTEE CLAIMS



*Reducing Risk. Unleashing Opportunity.*



# CLAIMS PROCESSING OVERVIEW



- ✓ Claims Processing – What We Do
- ✓ Claim Submission
- ✓ Common Reasons for Claim Denial
- ✓ Lifecycle of a Claim
- ✓ Claim Denials – Appeals Process



# CLAIMS PROCESSING – WHAT WE DO



***Our objective is to process claim filings in accordance with EXIM's policies and procedures and to ensure payment of claims in a timely manner.***

- ✓ Process all short- and medium-term insurance claims, medium- and long-term guarantee claims, and working capital claims
- ✓ Review requests for claim filing deadline extensions
- ✓ Coordinate appeals process for reconsideration of denied or partially approved claims



# CLAIM SUBMISSION



## READ YOUR MASTER GUARANTEE AGREEMENT

- ✓ Focus on MGA Section 4.10 – Events of Default and Section 4.11 – Notice of Events
- ✓ E-file claims through EXIM Online (EOL) at <https://eximonline.exim.gov/>
  - ✓ Include all required documentation
- ✓ File your claim before the claim filing deadline or request a claim filing extension
  - ✓ Claim filing is between 30 and 120 days after default date
- ✓ Visit the Claims website for more information: <https://www.exim.gov/tools-for-exporters/claims>

# CLAIM SUBMISSION - continued



Key conditions precedent to payment – MGA 5.01:

- ✓ Written demand to EXIM Bank within claim filing window
- ✓ Written demand on Borrower and any Guarantors
- ✓ Copies of all Loan Documents
- ✓ Proof of payment of facility fee
- ✓ Copies of all UCC financing statements
- ✓ Copies of all field examination reports (if applicable)
- ✓ Copies of Export-Related Borrowing Base Certificates
- ✓ Copies of material records including loan transaction history, material communications to and from EXIM Bank, and modifications and waivers to the Loan Facility

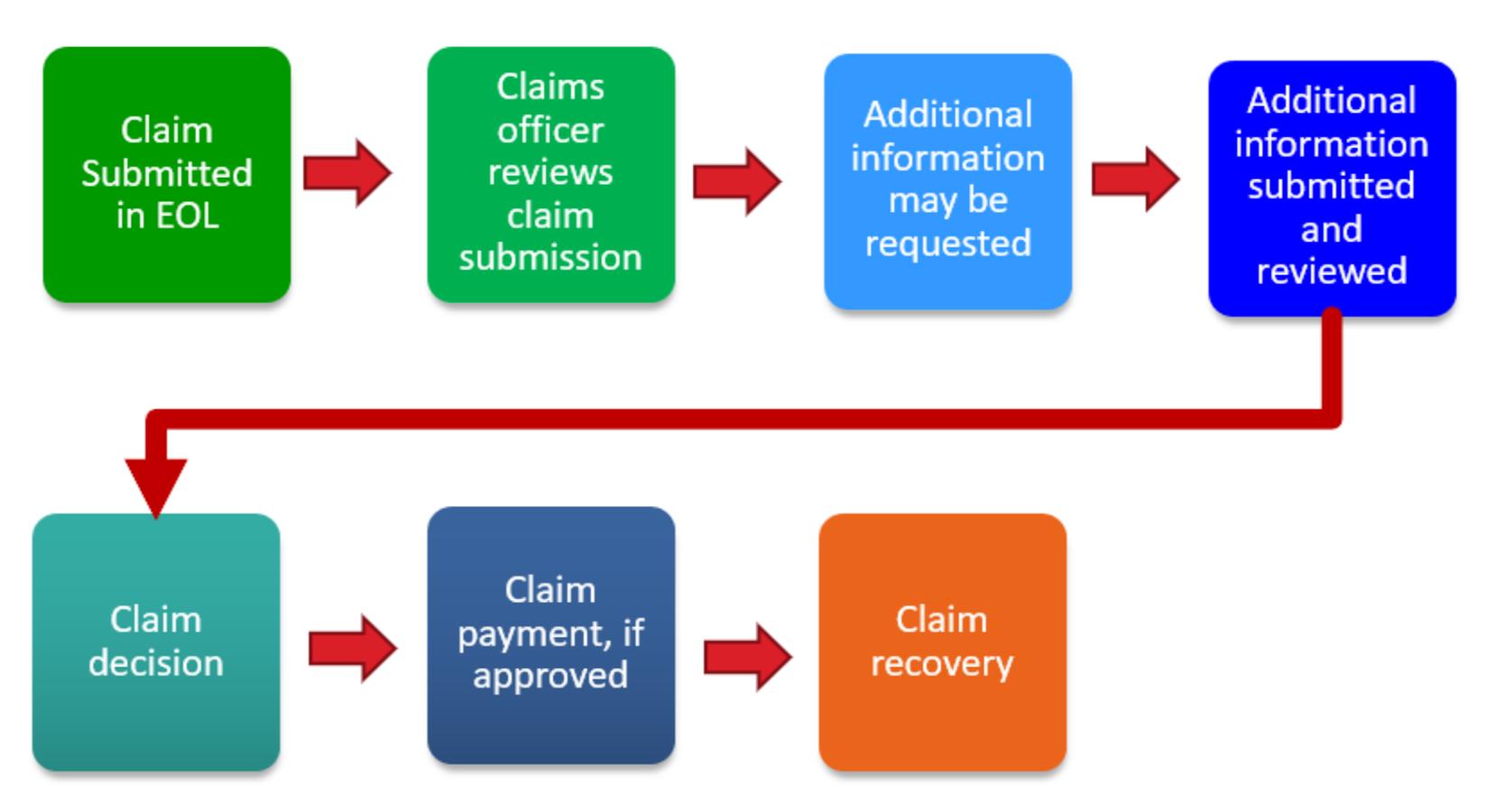
# COMMON REASONS FOR CLAIM DENIALS



Refer to MGA Section 5.02

- ✓ Late claim filing
- ✓ No valid and enforceable first priority lien on the Collateral
- ✓ Continuing to make Credit Accommodations or Renewing a Loan Facility to a Borrower following an event of default without EXIM Bank's prior written approval
- ✓ Making Credit Accommodations without an available Borrowing Base
- ✓ No notification to EXIM Bank of event of default or material events
- ✓ Changed material terms without EXIM Bank's prior written approval (i.e. selling the company or restructuring the loan)

# LIFECYCLE OF A CLAIM



# CLAIM DENIALS – APPEALS PROCESS



- ✓ A claim denial or partial approval can be appealed within 6 months of EXIM's decision letter
- ✓ Submit a claim reconsideration request to [claims@exim.gov](mailto:claims@exim.gov), including any written arguments and additional supporting documentation
- ✓ The Claims Officer, Office of General Counsel and the relevant Underwriting Division will review the appeal request and present it to the Claim Reconsideration Committee (CRC)
- ✓ CRC's decision is final
- ✓ Appeals process can take 3-6 months

# Any questions, [Claims@exim.gov](mailto:Claims@exim.gov)

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