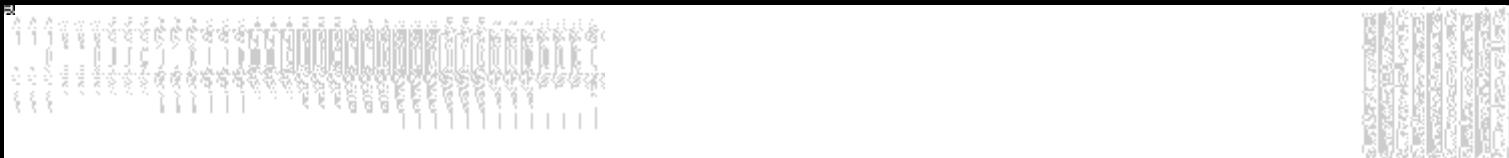


OHGLFDO 5HFRUGV &RS\LQJ &KDUJHV 6WDWH 6WDWXWHV /DZ 2IILFHV RI 7KRPDV - /DPE

\$ 3HUVRQDO ,QMXU\ /DZ)LUP :LWK 3HUVRQDO \$
+PQWED JDSUPRA
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2WKHU 6LWHRXW)LUPDFWL FH \$&BON (YDOXDOHGRQDO 5HFRUGV &RS\LQJ &RV



/DZ 2IILFHV RI 7KRPDV - /DPE 3 \$

+LJKOLJKWV

▪ OHGLFDO UHFRUGV FRS\LQJ
FKDUJH VWDWXWHV E\ VWDVII RI
LQIRUPDWLRQ SXUSRVHV RQO\

)DFHERRN

7ZLWW#URP/DPE

7ZLWW#URPDV-/DPE

6WXPEOH8SRQ

<RX7XEH

+XE3DJHV

6TXLGRR

/LQNHG,Q



OHGLFDO 5HFRUGV &RS\LQJ &KDUJHV

7KLV ZHE SDJH OLVWV WKH YDULRXV VWDWH VWDWXWHV WK
KRVSLWDOV DQG RWKHU KHDOWK FDUH SURYLGHUV FDQ FK
UHFRUGV DV ZHOO DV UHFRUGV SURYLGHG WR WKH SDW
LQMXU\ FDVHV 1RWH WKDW XQGHU WKH +HDOWK ,QVXUDQFH
+,3\$\$ D FRYHUHG HQWLW\ FDQ RQO\ FKDUJH UHDVRQDEOH
PHGLFDO UHFRUGV HWR&\$DWLHQWFV \$UJXDEO\ IHHV WKDW DU
HYHQ LI SHUPLWWHG E\ D VWDWH VWDWXWH PD\ EH FRQWU
SUHHPSWHG E\ WKLV IHGHUDO UHJXODWLRQ

,I \RX DUH DZDUH RI DGGLWLRQDO VWDWXWHV ZKLFK VKRXO
VHQG WKH IRORPRZDLQJ WR

- D OLQN WR WKH UHOHYDQW VWDWXWH LQ \RXU VWDVH
DVSHFW RI WKDW VWDWXWH
- 127(,I \RXU VWDWH V VWDWXWH LV QRW DYDLODEOH R
SUHFLVH 85/ OLQN IRU WKH VWDWXWH SOHDVH ID[RU F

/LNHZLVH DQ\ FODULILFDWLRQV FRUUHFWLRQV RU XSGDW
VKRXOG EH VXTERPPL WD\PHEG WR

3OHDVH XQGHUVWDQG WKDW WKH PDWHULDQW RQ WKLV ZHE
RQO\ DQG PXVW QRW EH UHJDUGHG DV OHJDO DGYLFH

\$/ _ \$. _ \$ = _ \$ 5 _ & \$ _ & 2 _ & 7 _ ' (_ ' & _) / _ * \$ _ + , _ , ' _ , / _ , 1 _ , \$ _
.6 _ . < _ / \$ _ 0 (_ 0 ' _ 0 \$ _ 0 , _ 0 1 _ 0 6 _ 0 2 _ 0 7 _ 1 (_ 1 9 _ 1 + _ 1 -
10 _ 1 < _ 1 & _ 1 ' _ 2 + _ 2 . _ 2 5 _ 3 \$ _ 5 , _ 6 & _ 6 ' _ 7 1 _ 7 ; _ 8 7 _ 9 7 _
9 \$ _ : \$ _ : 9 _ : , _ : < _

\$ODEDPD
6HFWLRQ \$ODEDPD &RGH 5HSURGXFWLRQ

7KH UHDVRQDEOH FRVWV RI UHSURGXFLQJ FRSLHV RI ZULW

QRW EH PRUH WKDQ

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- 2QH GROODU IRU HDFK SDJH RI WKH ILUVW SDJHV
- 1RW PRUH WKDQ FHQWV IRU HDFK SDJH LQ H[FH
- \$ VHDUFK IHH RI ILYH GROODUV
- ,I WKH PHGLFDO UHFRUGV DUH PDLOHG WR WKH SHUVRQ VKDOO LQFOXGH WKH DFWXDO FRVWV RI PDLOLQJ WKH F
- \$ SHUVRQ PD\ FKDUJH LQ DGGLWLRQ WR WKH DERYH IHH UD\V DQG RWKHU VSHFLDO PHGLFDO UHFRUGV

\$ODVND

\$UL]RQD

\$ 5 6

([FHSW DV RWKHUZLVH SURYLGHG E\ ODZ D KHDOWK FDUH S
SHUVRQ ZKR UHTXHVWV FRSLHV RI PHGLFDO UHFRUGV D UHD
UHFRUGV ([FHSW DV QHFHVVDU\ IRU FRQWLQXLW\ RI FD
UHTXLUH WKH SD\PHQW RI DQ\ IHHV LQ DGYDQFH

\$UNDQVDV

\$UNDQVDV &RGH \$QQRWDWHG >\$ & \$ @ 6HF

OHGLFDO &OLQLFV DQG 'RFWRUV 2IILFH V

- 0D\ FKDUJH QR PRUH WKDQ IRU WKH ILUVW ILYH
- 1R PRUH WKDQ SHU SDJH WKHUHDIWHU IRU H[LVWLC
- &RVW RI HDFK SKRWRFRS\ H[FOXGLQJ [UD\V VKDOO QF
SDJH IRU WKH ILUVW ILYH SDJHV DQG WZHGW\ ILYH F
SDJH H[FHSW WKDW WKH PLQLPXP FKDUJH VKDOO EH IL

+RVSLWDOV DQG \$PEXODQFH 3URYLGHV

- 0D\ FKDUJH D UHDVRQDEOH DPRXQW IRU UHFRUGV UHW
WKH SKRWRFRS\ FKDUJHV

8SGDWH LQFOXGLQJ ODERU FKDUJH

&DOLIRUQLD

&DOLIRUQLD (YLGHQFH &RGH 6HFWLRQ

- 1RW PRUH WKDQ SHU SDJH IRU [LQFKHV RU OHV
- SHU SDJH IRU PLFURILOP FRSLHV
- DFWXDO FRVWV IRU WKH UHSURGXFWLRQ RI RYHUVLJH G
GRFXPHQWV UHTXLULQJ VSHFLDO SURFHVVLRQ ZKLFK DU
- UHDVRQDEOH FOHULFDO FRVWV LQFXUUHG LQ ORFDWLQ
ELOOOG DW WKH PD[LPXP UDWH RI WZHGW\ IRXU GROOD
FRPSXWHG RQ WKH EDVLV RI VL[GROODUV SHU TXDI
- DFWXDO SRVWDJH FKDUJHV

(YLGHQFH &RGH 6HFWLRQ

,I D SDWLHQW V DWWRUQH\ UHTXHVWV WKH PHGLFDO UHFRU

- 7HQ FHQWV SHU SDJH IRU GRFXPHQWV [LQFKH
- 7ZHGW\ FHQWV SHU SDJH IRU GRFXPHQW FRSLHV I
- \$FWXDO FRVWV IRU RYHUVLJH GRFXPHQWV RU VSHFLDO
- 5HDVRQDEOH FOHULFDO FRVWV WR UHWULHYH UHFRUGV
- \$FWXDO SRVWDJH FKDUJHV

&DOLIRUQLD +HDOWK 6DIHW\ &RGH 6HFWLRQ

& RORUDGR

& & 5

& K D P S W H U 3 D U W

)RU D UHSUHVHQWDWLYH RI WKH SDWLHQW RWKHU WKDQ D
+ ,3\$\$ & 5 J

- IRU WKH ILUVW RU IHZHU SDJHV
- SHU SDJH IRU SDJHV
- SHU SDJH IRU HYHU\ DGGLWLRQDO SDJH
- 7KH SHU SDJH IHH IRU UHFRUGV FRSLHG IURP PLFURILO
- \$FWXDO SRVWDJH RU VKLSSLQJ FRVWV DQG DSSOLFDEO FKDUJHG

)RU WKH GLVFKDUJHG SDWLHQW RU SHUVRQDO UHSUHVHQW

- 5HDVRQDEOH FRVW QRW WR H[FHHW] IRU WKH ILUVW
- SHU SDJH IRU SDJHV
- SHU SDJH IRU HYHU\ DGGLWLRQDO SDJH
- \$FWXDO SRVWDJH PD\ EH FKDUJHG
- 3HU SDJH IHHV IRU PLFURILOP VKDOO EH SHU SDJH

& RQQHFWLFXW

7LWOH † F E

8SRQ D ZULWWHQ UHTXHVW RI D SDWLHQW KLV DWWRUQH\ D ZULWWHQ DXWKRUL]DWLRQ D SURYLGHU H[FHSW DV SUR SHUVRQ PDNLQJ VXFK UHTXHVW D FRS\ RI WKH SDWLHQW V WR ELOOV [UD\ DQG FRSLHV RI ODERUDWRU\ UHSRUWV H[DPLQDWLRQV DQG ILQDO FRQWDFW OHQV ILWWLQJV JLYHQ ORQJHU SHULRG RI WLPH DV GHWHUPLQHG E\ WKH SURYLGHR RI SUHVFULSWLRQV DQG RWKHU WHFKQLFDO LQIRUPDWLRQ X FRQGLWLRQ 1R SURYLGHU VKDOO FKDUJH PRUH WKDQ

-)RUW\ ILYH FHQWV SHU SDJH LQFOXGLQJ DQ\ UHVHDUFK DQG WKH FRVW RI ILUVW FODVV SRVWDJH LI DSSOLFDEO
- ([FHSW VXFK SURYLGHU PD\ FKDUJH D SDWLHQW WKH DF RI PDWHULD OV IRU IXUQLVKLQJ D FRS\ RI DQ [UD\ SUR IRU IXUQLVKLQJ D KH DOWK UHFRUG RU SDUW WKHUHRI UHSUHVHQWDWLYH LI WKH UHFRUG RU SDUW WKHUHRI D FODLP RU DSSHDO XQGHU DQ\ SURYLVLRQ RI WKH 6RF DFFRPSDQLHG E\ GRFXPHQWDWLRQ RI WKH FODLP RU DS
- \$ SURYLGHU VKDOO IXUQLVK D KH DOWK UHFRUG UHTXHVW GD\ RI WKH UHTXHVW

6HFWRQ D E

8SRQ WKH ZULWWHQ UHTXHVW RI D SDWLHQW RU WKH SDWL RU SXUVXDQW WR D ZULWWHQ DXWKRUL]DWLRQ DQ LQVWLW IXUQLVK WR WKH SHUVRQ PDNLQJ VXFK UHTXHVW D FRS\ RI EXW QRW OLPLWHG WR FRSLHV RI ELOOV ODERUDWRU\ UHS LQIRUPDWLRQ XVHG LQ DVVHVVLQJ WKH SDWLHQW V KH DOW

- 1R LQVWLWXWLRQ VKDOO FKDUJH PRUH WKDQ VL[W\ ILYH IHHV FOHULFDO IHHV KDQGOLQJ IHHV RU UHODWHG FF

'HODZDUH

'LVWULFW RI & ROXP ELD

)ORULGD

)ORULGD 6WDWXWHV

5HJDUGLQJ UHFRUGV IURP KRVSLWDOV

- ((FOXVLYH FKDUJH IRU FRSLHV PD\ LQFOXGH VDOHV WD[
- 1RQ SDSHU UHFRUGV QRW WR H[FHHG SHU SDJH
- 3DSHU UHFRUGV QRW WR H[FHHG SHU SDJH
- \$Q DGGLWLRQDO PD\ EH FKDUJHG IRU HDFK \HDU RI

5XOH %)ORULGD \$GPLQLVWUDWLYH & RGH

5HJDUGLQJ UHFRUGV IURP SK\VLFLDQV

- 1R PRUH WKDQ SHU SDJH IRU WKH ILUVW SDJHV F
- IRU HDFK DGGLWLRQDO SDJH
- \$FWXDO FRVW RI UHSURGXFLQJ QRQZULWWHQ UHFRUGV

*HRUJLD

*HRUJLD *HQHUDO \$VVHPEO\ 8QDQQRWDWHG & RGH †

- \$ FKDUJH RI XS WR PD\ EH FROOHFWHG IRU VHDUF
- GPLQLVWUDWLYH FRVWV
- \$ IHH IRU FUHWLI\LQJ WKH PHGLFDO UHFRUGV PD\ DOVR
- HDFK UHFRUG FUHWLILHG
- 7KH DFWXDO FRVW RI SRVWDJH LQFXUUHG LQ PDLOLQJ V
- FKDUJHG
- &RS\LQJ FRVWV IRU D UHFRUG ZKLFK LV LQ SDSHU IRUP
 - SHU SDJH IRU WKH ILUVW SDJHV RI WKH SDW
 - SHU SDJH IRU SDJHV WKURXJK
 - IRU HDFK SDJH FRSLHG LQ H[FHVV RI SDJHV
 - 7KHZ QXPEHUV UHIOHFW -XO\ LQFUHDVH IRU
-)RU PHGLFDO UHFRUGV ZKLFK DUH QRW LQ SDSHU IRUP
- UDGLRORJ\ ILOPV WKH SURYLGHU VKDOO EH HQWLWOHG
- VXFK UHSURGXFWLRQ

-XO\ XSGDWH

+DZDLL

+DZDLL 5HYLVHG 6WDWXWH 6HFWRQ J

- 5HDVRQDEOH FRVWV LQFXUUHG E\ D KHDOWK FDUH SUR
- UHFRUGV VKDOO EH ERUQH E\ WKH UHTXHVWLQJ SHUVR

,GDKR

,OOLQRLV

,/ 67 &+ †

7KH SUDFWLWLRQHU VKDOO EH UHLPEXUVHG E\ WKH SHUVR

VXFK FRS\LQJ IRU DOO UHDVRQDEOH H[SHQVHV LQFOXGLQJ

FRPSDQLHV LQFXUUHG E\ WKH SUDFWLWLRQHU LQ FRQQHFW

- D KDQGOLQJ FKDUJH IRU SURFHVVLQJ WKH UHTXHV
- FHQWV SHU SDJH IRU WKH ILUVW WKURXJK WK SDJ
- FHQWV SHU SDJH IRU WKH WK WKURXJK WK SDJH
- FHQWV SHU SDJH IRU DOO SDJHV LQ H[FHVV RI
- WKH FKDUJH VKDOO QRW H[FHHG SHU SDJH IRU DQ\ PLFURILOP
- DQG DFWXDO VKLSSLQJ FRVWV

7KHZ UDWHV VKDOO EH DXWRPDWLFDOD\ DGMXVWHG DV V

RWKHU SUDFWLWLRQHU PD\ KRZHYHU FKDUJH IRU WKH UHD

PDWHULD RU LQIRUPDWLRQ WKDW FDQQRW URXWLQHO\ EH

FRPPHUFLDO SKRWRFRS\ PDFKLQH VXFK DV [UD\ ILOPV RU

\$QQXDO \$GMXVWPHQW

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- SHU SDJH IRU WKH ILUVW SDJHV
- IRU SDJHV
- IRU SDJHV DQG KLJKHU
- /DERU IHH QRW WR H[FHHG]
- \$FWXDO FRVW RI PDLOLQJ WKH UHFRUGV
- \$GGLWLRQDO LI WKH UHTXHVW LV IRU FRSLHV WR EH
- IRU FHUWLILQJ D SDWLHQW V PHGLFDO UHFRUG

, R Z D

. D Q V D V

. 6 \$ E

- IHH IRU ODERU
- SHU SDJH IRU ILUVW
- SHU SDJH IRU DGGLWLRQDO SDJHV

)RU FRSLHV RI UHFRUGV WKDW FDQQRW EH GXSOLFDWHG RC
3UHDVRQDEOH FRVW

. H Q W X F N \

. 5 6

8SRQ D SDWLHQW V ZULWWHQ UHTXHVW D KRVSLWDO OLFH
FDUH SURYLGHU VKDOO SURYLGH ZLWKRXW FKDUJH WR WKH
UHFRUG \$ FRS\LQJ IHH QRW WR H[FHHG] RQH GROODU S
FDUH SURYLGHU IRU IXUQLVKLQJ D VHFRQG FRS\ RI WKH SD
HLWKHU E\ WKH SDWLHQW RU WKH SDWLHQW V DWWRUQH\ R

/RXLVLDQD

/RXLVLDQD 5HYLVHG 6WDWXWHV

)RU UHFRUGV D UHDVRQDEOH FKDUJH QRW WR H[FHHG]

- SHU SDJH IRU ILUVW SDJHV
- SHU SDJH IRU SDJHV
- SHU SDJH WKHUHDIWHU
- 3OXV KDQGOLQJ FKDUJH RI IRU KRVSLWDOV
- 3OXV DFWXDO SRVWDJH

)RU [UD\V PLFURILOP HOHFWURQLF DQG LPDJLQJ PHGLD

- 5HDVRQDEOH UHSURGXFWLRQ FRVWV
- 3OXV KDQGOLQJ FKDUJH RI IRU KRVSLWDOV

+RXVH %LOO 1R 6HVVLQRQ 5HJDUGLQJ +HDOWK 5HFRUGV

0DLQH

7LWOH 6HFWLRQ

- IRU WKH ILUVW SDJHV
- IRU DGGLWLRQDO SDJHV

0DU\ODQG

+HDOWK *HQHUDO \$UWLFOH 6HFWLRQ

F

0HGLFDO 5HFRUGV &RS\LQJ &KDUJHV 6WDWH 6WDWXWHV /DZ 2IILFHV RI 7KRPDV - /DPE

+HDOWK FDUH SURYLGHU PD\ FKDUJH D IHH IRU FRS\LC
FHQWV IRU HDFK SDJH RI WKH PHGLFD@countdown.JDSUPRADG
VXESDUDJUD <http://www.jdsupra.com/post/documentViewer.aspx?fileid=9501896-261c-49e0-a7fa-119601fed904> R
• \$ SUHSDUDWLRQ IHH QRW WR H[FHHG] IRU PHGLFD
SUHSDUDWLRQ
• 7KH DFWXDO FRVW IRU SRVWDJH DQG KDQGOLQJ RI
■ 7KLV ODZ RULJLQDOO\ HVWDEOLVKHG LQ VWDWHV
DQQXDOO\ IRU LQIODWLRQ LQ DFFRUGDQFH ZLWK WKH &

8SGDWH

0DVVFDFKXVHWWV
&05 F

■ \$ IHH IRU FRS\LQJ LQ H[FHVV RI SDJH RU D IHH IRU
KRXU LV SUHVXPWSWLYHO\ XQUHDVRQDEOH
■ &KDUJHV IRU FRSLHV RI [UD\V DQG VLPLODU GRFXPHQW
SKRWRFRS\LQJ VKDOO EH DW WKH OLFHQVHH V DFWXDO
LQ H[FHVV RI KRXU

&KDSWHU 6HFWLRQ 5HFRUGV RI KRVSLWDOV RU FOLQL

0LFKLJDQ

0HGLFDO 5HFRUGV \$FFHVV \$FW 6HRWLRQ)HH

■ ,QLWLDO IHH RI SHU UHTXHVW IRU D FRS\ RI WKH
■ 3DSHU FRSLHV
• 2QH GROODU SHU SDJH IRU WKH ILUVW SDJHV
•)LIW\ FHQWV SHU SDJH IRU SDJHV WKURXJK
• 7ZHGW\ FHQWV IRU SDJHV DQG RYHU
■)RU PHGLXPV RWKHU WKDQ SDSHU WKH DFWXDO FRVW
■ 3RVWDJH RU VKLSSLQJ FRVWV
■ \$FWXDO FRVWV LQFXUUHG IRU UHFRUGV ROGHU WKDQ V

&RQVXPHU 3ULFH ,QGH[,QFUHDVH RI 0HGLFDO 5HFRUGV \$FF

0LQQHVRWD

0LQQHVRWD 6WDWXWH

6XEGLYLVLQRQ

:KHQ D SURYLGHU RU LWV UHSUHVHQWDWLYH PDNHV FRSLHV
UHTXHVW XQGHU WKLV VHFWLRQ WKH SURYLGHU RU LWV UH
SDWLHQW V UHSUHVHQWDWLYH QR PRUH WKDQ

■ FHQWV SHU SDJH SOXV IRU WLPH VSHQW UHWULHY
RWKHU ODZ RU D UXOH RU FRQWUDFW SURYLGH IRU D O
■ 7KLV OLPLWDWLRQ GRHV QRW DSSO\ WR [UD\V
■ 7KH SURYLGHU PD\ FKDUJH D SDWLHQW QR PRUH WKDQ
UD\V
■ 3OXV QR PRUH WKDQ IRU WKH WLPH VSHQW UHWULHY
■ 7KH UHVSHFWLYH PD[LXPXP FKDUJHV RI FHQWV SHU SD
WKLV VXEGLYLVLQRQ DUH LQ HIIHFW IRU FDOHQGDU \HDX
HDFK FDOHQGDU \HDX DV SURYLGHG LQ WKLV VXEGLYLV

8SGDWH

0LVVLVVLSSL

6HFWLRQ 0LVVLVVLSSL &RGH RI

■ 0D[LXPXP FRS\LQJ FKDUJH LV IRU XS WR SDJHV
■ SHU SDJH IRU WKH QH[W RU PRUH SDJHV
■ SHU SDJH IRU DOO SDJHV WKHUHDIWHU
■ SHUFHQW RI WKH WRWDO FKDUJH PD\ EH DGGHG IRU S
■ PD\ EH UHFRYHUHG E\ WKH PHGLFDO SURYLGHU RU
UHWULHYLQJ PHGLFDO UHFRUGV LQ DUFKLYHV DW D ORF
LV ORFDWHG

OHGLFDO 5HFRUGV &RS\LQJ &KDUJHV 6WDWH 6WDWXWHV /DZ 2IILFHV RI 7KRPDV - /DPE

▪ \$FWXDO FRVW RI UHSURGXFWLQJ [UD\V RU RWKHII VSH
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OLVVVRXUL

OLVVVRXUL 5HYLVHG 6WDWXWHV †

- \$ KDGQGOLQJ IHH RI
- 3OXV D IHH RI SHU SDJH IRU FRSLHV RI GRFXPHQWV PDFKLQH
- 3URYLGHUV PD\ FKDUJH IRU WKH UHDVRQDEOH FRVW RI PDWHULDQ RU LQIRUPDWLRQ ZKLFK FDQQRW URXWLQHO\ FRS\ PDFKLQH

3URYLGHV WKDW HIIHFVLYH)HEUXDU\ VW RI HDFK \HDX WKLQFUHDVHG RU GHFUHDVHG EDVHG RQ WKH DQQXDO SHUFHG FLW\ DYHUDJH DQQXDO DYHUDJH LQIODWLRQ UDWH RI WKH 3ULFH ,QGH[IRU DOO XUEDQ FRQVXPHUV &3, 8

8SGDWH

0RQWDQD

0RQWDQD &RGH \$QQRWDWHG

- \$ UHDVRQDEOH IHH IRU SURYLGLQJ KHDOWK FDUH LQIRU HDFK SDJH IRU D SDSHU FRS\ RU SKRWRFRS\
- \$ UHDVRQDEOH IHH PD\ LQFOXGH DQ DGPLQLVWUDWLYH VHDFKLQJ DQG KDQGOLQJ UHFRUGHG KHDOWK FDUH LQ

1HEUDVND

- \$ SURYLGHU PD\ FKDUJH QR PRUH WKDQ WZHQW\ GROOD
- 1R PRUH WKDQ ILIW\ FHQWV SHU SDJH DV D FRS\ LQJ IHH
- \$ SURYLGHU PD\ FKDUJH IRU WKH UHDVRQDEOH FRVW RI ZKLFK FDQQRW URXWLQHO\ EH FRSLHG RU GXSOLFDWHG
- \$ SURYLGHU PD\ FKDUJH DQ DPRXQW QHFHVVDU\ WR FRY IRU IXUQLVKLQJ D FRS\ RI DQ ; UD\ RU VLPLodu VSHFLD GRHV QRW KDYH WKH DELOLW\ WR UHSURGXFH ; UD\ V RI PDNLQJ WKH UHTXHVW PD\ DUUDQJH DW KLV RU KHU H[UHFRUGV

6RXUFH /DZV /% † (IIHFVLYH GDWH \$XJXVW

1HYDGD

156

- \$FWXDO FRVW RI SRVWDJH
- &RVWV RI PDNLQJ WKH FRS\ QRW WR H[FHHG FHQWV UHDVRQDEOH FRVW IRU FRSLHV RI [UD\ SKRWRJUDSKV SURGXFHG E\ VLPLodu SURFHVVHV
- 1R DGPLQLVWUDWLYH IHH RU DGGLWLRQDO VHUYLFH IHH IXUQLVKLQJ D FRS\

1HZ +DPSVKLUH

7LWOH ;;; 2FFXSDWLRQV DQG 3URIHVVLQV &KDSWHU , OH

- 7KH FKDUJH IRU WKH FRS\ LQJ RI D SDWLHQW V PHGLFDC WKH ILUVW SDJHV RU SHU SDJH ZKLFKHYHU LV JU
- &RSLHV RI ILOPHG UHFRUGV VXFK DV UDGLRJUDPV [UD\ DW D UHDVRQDEOH FRVW

1HZ -HUVH\

1HZ -HUVH\ \$GPQLQLVWUDWLYH &RGH †

OHGLFDO 5HFRUGV &RS\LQJ &KDUJHV 6WDWH 6WDWXWHV /DZ 2IILFHV RI 7KRPDV - /DPE

+RVSLWDOV

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- SHU SDJH <http://www.jdsupra.com/pas/documents.aspx?fid=9561f896-2e1c-49e0-a7fa-419691fed9c4> SDJHV
- SHU SDJH WKHUHDIWHU WR D PD[LPXP FKDUJH RI

8SGDW

5HDGRSWLRQ IURP 1- 'HSW RI +HDOWK DQG 6HQLRU 6HU
1HZ -HUVH\ \$GPLQLVWUDWLYH &RGH † * F
'RFWRUV

- SHU SDJH RU IRU WKH ZKROH UHFRUG ZKLFKH

8SGDW IURP %RDUG RI OHGLFDO ([DPLQHUV

1HZ 0H[LFR
10\$&

- IRU WKH ILUVW SDJHV
- SHU SDJH WKHUHDIWHU
- 7KH DFWXDO FRVW RI UHSURGXFWLRQ IRU HOHFWURQLF
SDSHU VXFK DV [UD\V

1HZ <RUN
6HFWLRQV DQG RI 3XEOLF +HDOWK /DZ 3+/ /DZV RI
DQG

7KH FRVW FDQ EH QR PRUH WKDQ 6HYHQW\)LYH FHQWV
UHDVRQDEOH FKDUJH IRU GLDJQRVWLFD PDJHV SOXV SRVWD

1RUWK &DUROLQD
1RUWK &DUROLQD *HQHUDO 6WDWXWHV †
,QFOXVLYH RI VHDUFKLQJ KDQGOLQJ FRS\LQJ DQG PDLOLQ

- IRU ILUVW SDJHV
- IRU SDJHV
- IRU SDJHV RYHU
- 0LQLPXP IHH RI SHUPLWWHG

1RUWK 'DNRWD
1 ' &HQW &RGH 6HFWLRQ

8SRQ WKH UHTXHVW IRU PHGLFDO UHFRUGV ZLWK WKH VLJQ
FDUH SURYLGHU VKDOO SURYLGH PHGLFDO UHFRUGV DW D F

- IRU WKH ILUVW SDJHV
- SHU SDJH DIWHU
- 7KLV FKDUJH LQFOXGHV DQ\ DGPLQLVWUDWLRQ IHH UHV

2KLR

>† @ †

([FHSW DV SURYLGHG LQ GLYLVLRQV & DQG (RI WKLV VH
UHFRUGV FRPSDQ\ WKDW UHFHLYHV D UHTXHVW IRU D FRS\ SDWLHQW RU SDWLHQW V SHUVRQDO UHSUHVHQWDWLYH PD\ LQ WKLV VHFWLRQ 7RWDO FRVWV IRU FRSLHV DQG DOO VH
H[FHHG WKH VXP RI WKH IROORZLQJ

- SHU SDJH IRU WKH ILUVW WHQ SDJHV
- SHU SDJH IRU SDJHV HOHYHQ WKURXJK ILIW\
- SHU SDJH IRU SDJHV ILIW\ RQH DQG KLJKHU
- :LWK UHVSHFW WR GDWD UHFRUGHG RWKHU WKDQ RQ SD

HGLFDO 5HFRUGV &RS\LQJ &KDUJHV 6WDWH 6WDWXWHV /DZ 2IILFHV RI 7KRPDV - /DPE

- 7KH DFWXDO FRVW RI DQ\ UHODWHG SRVWDJH I QFXUJH
UHFRUGV FRPSDQ\

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0HWKRQ WR 'HWHUPLQH &KDQJH IRU 2KLR 5HYLVHG &RGH 6
8SGDWH IURP 2KLR 6WDWH %RDUG RI 2SWRPHWU\ :HEVLV

2NODKRPD

2NOD 6WDW 6HF

\$Q\ SHUVRQ ZKR LV RU KDV EHHQ D SDWLHQW RI D GRFWRU
VKDOO EH HQWLWOHG XSRQ UHTXHVW WR REWDLQ DFFHVV
PHGLFDO UHFRUGV LQFOXGLQJ DQ\ [UD\ RU RWKHU SKRWR

- 7KH FRVW RI HDFK FRS\ QRW LQFOXGLQJ DQ\ [UD\ RU
QRW H[FHHG 2QH 'ROODU IRU WKH ILUVW SDJH DQ\
VXEVTXHQW SDJH
- 7KH FRVW RI HDFK [UD\ RU RWKHU SKRWRJUDSK RU LPD
RU WKH DFWXDO FRVW RI UHSURGXFWLRQ ZKLFKH
- 7KH SK\VLFLDQ KRVSLWDO RU RWKHU PHGLFDO SURIHV
SDWLHQW IRU WKH DFWXDO FRVW RI PDLOLQJ WKH SDW
QRW FKDUJH D IHH IRU VHDUFKLQJ UHWULHYLQJ UHYLH
RI WKH SHUVRQ

6WDWXWH ZDV UHFHQWO\ XSGDWHG

2UHJRQ

256 +HDOWK FDUH SURYLGHU DQG VWDWH KHDOWK SO

\$ KHDOWK FDUH SURYLGHU RU VWDWH KHDOWK SODQ WKDW
SURWHFWHG KHDOWK LQIRUPDWLRQ PD\ FKDUJH

- 1R PRUH WKDQ IRU FRS\LQJ RU IHZHU SDJHV RI ZU
WKDQ SHU SDJH IRU SDJHV WKURXJK DQG QR PF
DGGLWLRQDO SDJH
- %RQXV FKDUJH RI LI UHTXHVW IRU UHFRUGV LV SURFH
FODVV PDLO WR WKH UHTXHVWHU ZLWKLQ VHYHQ EXVLQ
- 3RVWDJH FRVWV WR PDLO FRSLHV RI SURWHFWHG KHDO
VXPPDU\ RI SURWHFWHG KHDOWK LQIRUPDWLRQ LI UHT
UHSUHVHQWDWLYH RI WKH LQGLYLGXDO
- \$FWXDO FRVWV RI SUHSDULQJ DQ H[SODQDWLRQ RU VXP
LI UHTXHVWHG E\ DQ LQGLYLGXDO RU D SHUVRQDO UHS

3HQQV\OYDQLD

8SGDWH WR \$FW RI

\$FW VHWV WKH PD[LPXP IHHV WKDW FDQ EH FKDUJHG IRU
XSGDWHG \HDUO\ WKURXJK WKH 'HSDUWPHQW RI +HDOWK :L
IRU D UHFRUG UHTXHVW IURP D SDWLHQW RU DWWRUQH\ IRU

- VHDUFKLQJ DQG UHWULHYLQJ WKH UHFRUG
- SDJHV WKURXJK SHU SDJH
- SDJHV WKURXJK SHU SDJH
- SDJHV DQG DIWHU SHU SDJH
- DFWXDO PDLOLQJ RU GHOLYHU\ IHHV

5KRGH ,VODQG

5XOHV DQG 5HJXODWLRQV IRU 0HGLFDO &RS\LQJ)HHV

- 1RW PRUH WKDQ SHU SDJH IRU WKH ILUVW SDJH
- \$IWHU SDJHV QRW PRUH WKDQ SHU SDJH
- 0D[LPXP IHH RI IRU UHWULHYDO UHJDUGOHVV RI W
- 6SHFLDO KDQGOLQJ IHH RI DQ DGGLWLRQDO LI UHF
KRXUV RI UHTXHVW

SHCLERO-SHERUGV-8RSVLOL-8KDHLLHV-6WDWHL-6WDWXWHV-(DZ-2HLEHV-BLZKBRDV)-(DRE

- &RS\LQJ RI [UD\V RU RWKHU GRFXPHQWV QRW IHSUHG DFWXDO FRVW SOXV FOHULFDO IHVQD Document posted at JDSUPRA™ <http://www.jdsupra.com/post/documentViewer.aspx?fid=9561f896-2e1c-49e0-a7fa-419691fed9c4>

6 RXWK & DUROLQD
6 & 67 6(&

\$ SK\VLFLDQ RU RWKHU RZQHU RI PHGLFDO UHFRUGV PD\ FK
GXSOLFDWLRQ RI D PHGLFDO UHFRUG EXW WKH IHH PD\ QR

- 6L[W\ ILYH FHQWV SHU SDJH IRU WKH ILUVW WKLUVW\ SD
▪)LIW\ FHQWV SHU SDJH IRU DOO RWKHU SDJHV
▪ \$ FOHULFDO IHH IRU VHDUFKLQJ DQG KDQGOLQJ QRW W
▪ 3OXV DFWXDO SRVWDJH DQG DSSOLFDEOH VDOHV WD[
▪ 7KH SK\VLFLDQ PD\ FKDUJH QR PRUH WKDQ WKH DFWXDO

6HF IRU +HDOWK &DUH)DFLOLWLHV

- SHU SDJH IRU WKH ILUVW SDJHV
SHU SDJH IRU DOO RWKHU SDJHV
& OHULFDO IHH QRW WR H[FHHG
3OXV DFWXDO SRVWDJH

6RXWK 'DNRWD

6 ' &RGLILHG /DZV 6HFWLRQ

\$ KHDOWK FDUH IDFLOLW\ VKDOO SURYLGH FRSLHV RI DOO RI
SHUWLQHQW WR WKH KHDOWK RI WKH SDWLHQW LI DYDLOD
GHVLJQHH XSRQ UHFHLSW E\ WKH KHDOWK FDUH IDFLOLW\ RI
ZULWWHQ UHTXHVW VLJQHG E\ WKH SDWLHQW 7KH KHDOWK
WKDW WKH SDWLHQW SD\ WKH DFWXDO UHSURGXFWLRQ DQG

7 HQQHVVHH

7HQQHVHH & RGH 7LWOH 3URIHVVLRQV 2I 7KH +HDOLQJ \$U

-)RU RWKHU WKDQ UHFRUGV LQYROYLQJ ZRUNHUV FRPSHQDOO QRW H[FHHG WZHFW\ GROODUV IRU PHGLFLQ OHQJWK
 - WZHFW\ ILYH FHQWV SHU SDJH IRU HDFK SDJH FRS
 - WKH DFWXDO FRVW RI PDLOLQJ

7HQQHVVHH &RGH \$QQRWPDWHG

)HHV WKDW KRVSLWDOV FDQ FKDUJH SDWLHQWV WKHLU ODZ
KRVSLWDO UHFRUGV

- * HQHUDO\ D KRVSLWDO PD\ UHTXLUH D UHDVRQDEOH
LQWHUSUHWV UHDVRQDEOH QRW WR H[FHHG D UHW
UHFUG
 - IRU SDJHV
 - IRU SDJHV
 - IRU SDJH D QG WKHUHDIWHU

7 HQQHVVHH 6 HQDWH %LOO -XO\

7H[DV
7H[DV +HDOWK DQG 6DIHW\ &RGH t
+RVSLWDOV

\$ EDVLF UHWULHYDO RU SURFHVVVLQJ IHH QRW WR H[FHHG

- SHU SDJH IRU SDJHV

- SHU SDJH IRU SDJHV
- SHU SDJH IRU DQ\ UHPDLQLQJ SDJ Document hosted at JD SUPRA http://www.jdsupra.com/pool/DocumentViewer.aspx?Id=9561896_2ec0c49e0-37fa-419691fed9c4
- ,I WKH UHTXHVWHG UHFRUGV DUH VWRUHG RQ DQ\ PLFU UHWULHYDO RU SURFHVVLQJ IHH ZKLFK PXVW LQFOXGH RI WKH FRSLHV DQG ZKLFK PD\ QRW H[FHHG DQG
 - SHU SDJH WKHUHDIWHU
 - \$FWXDO FRVW RI PDLOLQJ VKLSSLQJ RU RWKHUZLV

7LWOH 3DUW &KDSWHU 5XOH
'RFWRUV

1R PRUH WKDQ IRU WKH ILUVW SDJHV WKHQ

- SHU SDJH IRU HYHU\ FRS\ WKHUHDIWHU
- ,Q DGGGLWLRQ DFWXDO FRVW RI PDLOLQJ RU VKLSSLQJ
- \$OVR D UHDVRQDEOH IHH QRW WR H[FHHG IRU H[H

7H[DV \$GPLQLVWUDWLYH &RGH †
'RFWRUV

- 0D[LPXP FKDUJH IRU [UD\V DQG GLDJQRVWLW LPDJLQJ V

8WDK

9HUPRQW

- 9 6 \$ † &KDUJHV IRU DFFHVV WR PHGLFDO UHFRUGV
- \$ FXVWRGLDQ PD\ LPSRVH D FKDUJH WKDW LV QR PRUH WKDQ SHU SDJH ZKLFKHYHU LV JUHDWHU IRU SUR KHDOWK FDUH UHFRUG
- \$ FXVWRGLDQ PD\ FKDUJH DQ LQGLYLGXDO D IHH UHDV FRVWV IRU SURYLGLQJ FRSLHV RI [UD\V ILOPV PRGH UHFRUG LQIRUPDWLRQ PDLQWDLQHG LQ RWKHU IRUPDW

9LUJLQLD

9D &RGH 6HFWLRQ

\$ UHDVRQDEOH FKDUJH PD\ EH PDGH IRU WKH VHUYLH RI P SUHSDULQJ VXFK FRSLHV ([FHSW IRU FRSLHV RI ; UD\ SKRW QRW H[FHHG

- ILIW\ FHQWV SHU SDJH IRU XS WR ILIW\ SDJHV
- WZHQB\ ILYH FHQWV D SDJH WKHUHDIWHU IRU FRSLHV I JHQHUDWHG IURP FRPSXWHUL]HG RU RWKHU HOHFWURQL PHFKDQLFDQ HOHFWURQLF LPDJLQJ RU FKHPLFDQ VWR
- RQH GROODU SHU SDJH IRU FRSLHV IURP PLFURILOP RU SRVWDJH DQG VKLSSLQJ FRVWV DQG D VHDFUK DQG KDG
- &RSLHV RI KRVSLWDO QXUVLQJ IDFLOLW\ SK\VLFLDQ V RU SDSHUV VKDOO EH IXUQLVKHG ZLWKLQ ILIWHHQ GD\W

9\$ &RGH † +HDOWK 5HFRUGV

,I DQ LQGLYLGXDO RU KLV DJHQW DWWRUQH\ UHTXHVWV D F FDUH HQWLW\ PD\ LPSRVH D UHDVRQDEOH FRVW EDVHG IHH VXSSOLHV IRU DQG ODERU RI FRS\LQJ WKH UHTXHVWHG LQIF DSSOLFDEOH

:DVKLQJWRQ

:\$&

- 1R PRUH WKDQ QLQHW\ VL[FHQWV SHU SDJH IRU WKH IL
- 1R PRUH WKDQ VHYHQW\ WKUHH FHQWV SHU SDJH IRU D

OHGLFDO 5HFRUGV &RS\LQJ &KDUJHV 6WDWH 6WDWXWHV /DZ 2IILFHV RI 7KRPDV - /DPE

■ 7KH SURYLGHU FDQ FKDUJH D WZHQW\ WZR GROODII FC
UHFRUGV Document hosted at JD SUPRA
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■ ,I WKH SURYLGHU SHU VRQDO HGLW\ TROELOH QDOO IHH
VWDWXWH WKH SURYLGHU FDQ FKDUJH WKH XVXDO IHH
■ 7KLV VHFWLRLQ LV HIIHFVLYH -XO\ WKURXJK -XQH

:HVV 9LUJLQLD
:HVV 9LUJLQLD &RGH + D

■ PD[LPXP VHDUFK IHH SOXV ³UHDVRQDEOH H[SHQVH
QRW H[FHHG SHU SDJH IRU FRS\LQJ RI UHFRUGV DOU

:LVFRQVLQ
:LVFRQVLQ &KDSWHU +)6

5HTXHVWV IRU UHFRUGV IURP WKH SDWLHQW RU UHTXHVWV
SDWLHQW ,I D SDWLHQW RU LI WKH SHUVRQDO UHSUHVHQW
SDWLHQW V KHDOWK FDUH UHFRUGV WKH KHDOWK FDUH SU
IROORZLQJ IHHV

■ 7KLUW\ RQH FHQWV SHU UHFRUG SDJH
■)RU [UD\ V SHU [UD\ FRS\
■ \$FWXDO FRVWV RI SRVWDJH RU RWKHU PHDQV RI GHOLY
WR WKH DWWRUQH\
■ 6DOHV WD[HV LI DSSOLFDEOH DOVR PD\ EH DGGHG WR
VXEVFHWLRQ

5HTXHVWV IRU UHFRUGV IURP LQGLYLGXDOV RWKHU WKDQ W
UHSUHVHQWDWLYH ,I D SHUVRQ LV UHTXHVWLQJ FRSLHV RI
WKH SHUVRQ PDNLQJ WKH UHTXHVW LV QRW WKH SHUVRQDO
SURYLGHU PD\ FKDUJH WKH IROORZLQJ

■ IRU WKH ILUVW ILYH SDJHV
■ IRU ILYH RU PRUH SDJHV
■ SHU UHFRUG SDJH
■ SHU [UD\ FRS\
■ \$FWXDO FRVW RI SRVWDJH
■ IRU FHUWLILQJ XS WR ILYH SDJHV
■ IRU FHUWLILQJ PRUH WKDQ ILYH SDJHV

+)6 \$PHQGPHQW
7R DPHQG VHFWLRLQV +)6 WR DQG UHSHDO DQG UH

: \RPLQJ
: \RPLQJ 6WDWXWHV 7LWOH &KDSWHU \$UWLFOH 6HFW

7KH KRVSLWDO PD\ FKDUJH D UHDVRQDEOH IHH QRW WR H[
SURYLGQJ WKH KHDOWK FDUH LQIRUPDWLRQ DQG LV QRW U
XQWLO WKH IHH LV SDLG

/DZ 2IILFHV RI 7KRPDV - /DPE 3 \$
(DVWZRRG 5RDG 6XLWH
‡ :LOPLQJWRQ 1& ‡
7HO ‡)D[
(PDLQIR#/DPE/DZ2IILFH FRP
'LVFODLPHU DQG &RS\ULJKW