

## **Notices Required by Law**

The following is a brief summary of the laws applicable to this collection of information.

### **PAPERWORK REDUCTION ACT (44 U.S.C. Chapter 35)**

**Purpose for Collecting Information:** The information requested in this Form 2181 (including, but not limited to, Exhibits A through D and the Assessment Questionnaire) will be used in connection with an investigation of your experience and character. The scope of this investigation includes, but is not limited to, your interactions with banks, other financial institutions, individuals, business associates, law enforcement offices (including the Federal Bureau of Investigation), and other agencies. SBA will assist SBA in making an adequate appraisal of your general business reputation and character. SBA may also use the information from credit bureau reports, including consumer credit reports and scores on the principals of the SBIC applicant, for the purpose of determining your principal's participation in the SBIC program. If information provided to SBA indicates a violation or potential violation of law, whether criminal or administrative in nature, SBA may refer it to the appropriate agency, whether Federal, State, local or foreign, charged with responsibility for the investigation, prosecution, enforcement or prevention of such violations.

### **Personal information (Privacy Act, 5 U.S.C. 552a)**

Any person can request to see or get copies of any personal information that is maintained by SBA. However, requests for information may be denied unless SBA has the written permission of the individual to release the information to the requestor or unless the information is exempt under the Freedom of Information Act (5 U.S.C. 552). Generally, you are not required to provide your social security number and your social security number generally may not affect any right, benefit or privilege to which you are entitled. However, the Debt Collection Improvement Act (1996) 7701(c)(1)) requires a Federal agency to obtain the taxpayer identification number (TIN) from each person doing business with the agency. It is mandatory that you furnish your TIN to the SBA as part of your licensing application. Additionally, disclosure of your name and address information requested is mandatory. SBA is required under Section 301(c)(3) of the Small Business Investment Act, 15 U.S.C. 681(c)(3), to collect and maintain information on the reputation of certain key individuals in order to make a determination about whether each individual has the business experience and creditworthiness to participate in the SBIC program. Your social security number and other personal identifiers assist SBA in making these determinations. If you do not provide this information, SBA will be unable to reach a favorable determination concerning your participation in the SBIC program.

### **Freedom of Information Act (U.S.C. 552)**

This law provides, with some exceptions, that we must make records or portions of records contained in our files available to the public. This law generally includes aggregate statistical information on the SBIC program and other information such as names of licensed SBICs that have been financed by SBICs. We do not routinely make available to third parties your proprietary data or information that would constitute a clearly unwarranted invasion of personal privacy. We note that Exemptions, 4, 6 and 8 of the Freedom of Information Act apply to financial data on individual companies. To request information under FOIA, you must send the request to the SBA office maintained by the Chief, FOI/PA Office, 409 3rd Street, SW, Washington, DC 20416, or by e-mail to foia@sba.gov, and identify it as a Freedom of Information Act request. The request must describe the specific records you want.

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Improvement Act of 1996 (31 U.S.C.  
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**Individual Legal Questionnaire**

**As of Date:** MM/DD/YYYY

You are required to submit this exhibit for each principal. Answer all of the following questions. If the answer to any question requires you to provide any necessary attachments. Include all pertinent information, including, name(s) under which charged, dates, fines and penalties (paid and unpaid), sentences, type of offense (misdemeanor or felony), dates of parole/probation, dispute resolution professionals, and relevant documents. For the purposes of this exhibit, a "substantial ownership interest, direct or indirect, of 20% or more in equity interests, voting interests, or profit interests. The term "senior management" includes participation in budget or investment decisions, including participation as a member of the board of directors. If you have been considered part of senior management, discuss the issue with SBA Office of Investment and Innovation. This includes either a MAQ application and/or a Final License application. Any changes in the responses between the MAQ application and explained.

Name of Applicant:

Name of Principal:

**1** Have you ever been charged with or arrested for any criminal offense other than a minor motor vehicle violation (in which you have been dismissed, discharged, expunged, or not prosecuted or settled through plea deal or other similar process)?

**2** Have you ever been convicted, placed on pretrial diversion, entered into a plea deal or other similar process, or placed on probation (including adjudication withheld pending probation) for any criminal offense other than a minor motor vehicle violation?

**3** Have you ever ever (a) been found civilly liable, (b) entered into a settlement through mediation, arbitration or other dispute resolution process or (c) been permanently or temporarily enjoined by a court or other regulatory body by reason of any act or practice involving fraud, breach of fiduciary duty or breach of trust?

**4** Has any organization either while you were a member of senior management or when you had a substantial ownership interest, been charged with, entered into a plea deal for, or convicted of any criminal offense involving fraud, breach of fiduciary duty or breach of trust?

**5** Has any organization, either while you were a member of senior management or when you had a substantial ownership interest, been convicted or permanently or temporarily enjoined by a court, or entered into a settlement agreement for by mediation or dispute resolution process by reason of any act or practice involving fraud, breach of fiduciary duty or breach of trust?

**6** Are you now the subject of any investigation or disciplinary hearing or proceeding by a governmental agency, regulatory body, or professional association?

**7** Have you ever been the subject of any investigation or disciplinary hearing or proceeding by a governmental agency, regulatory body, or professional association?

**8** Are you now or have you ever been the subject of any suspension, debarment, or any other regulatory enforcement action by a State or Federal agency based on fraud, lack of business integrity, or violation or noncompliance with governmental requirements?

**9** Has any organization, either while you were a member of senior management or when you had a substantial ownership interest, been the subject of any investigation or disciplinary hearing or proceeding by a governmental agency, regulatory body, or professional association?

- 10** Is any organization of which you are currently a member of senior management, or in which you have a substantial interest, the subject of any investigation or disciplinary proceeding by a governmental agency, regulatory body, or professional association?

- 11** Have you ever entered into an agreement concerning (through mediation, arbitration, other alternative dispute resolution process or similar process) or otherwise consented to any order or decree by a court, governmental agency or regulatory body in connection with any federal or state securities law or regulation?

- 12** Has any organization, either while you were a member of senior management or when you had a substantial ownership interest, the subject of an agreement concerning (through mediation, arbitration, other alternative dispute resolution process or similar process) or order or decree by a court, governmental agency or regulatory body in connection with any federal or state securities law or regulation?

- 13** During the past 10 years, have you been a named defendant in any civil legal action involving commercial disputes (not limited to debt collection lawsuit, foreclosure, receivership, and involuntary liquidation) of greater than \$500,000 for business liabilities or \$100,000 for personal liabilities?

If "yes", did the subject matter involve your personal conduct or fall within your area of responsibility?

If the answer is "yes", were you active in settlement negotiations or arbitration?

- 14** Have you, as a result of your role as a member of senior management or as a member of the board of directors of a company, been a named defendant in any civil legal action involving (i) shareholder litigation, (ii) fraud or misrepresentation, or (iii) breach of fiduciary duty?

If "yes", did the subject matter involve your personal conduct or fall within your area of responsibility?

If the answer is "yes", were you active in settlement negotiations or arbitration?

- 15** Have you, in your individual capacity, ever been a named defendant in any civil legal action involving (i) shareholder litigation, (ii) fraud or misrepresentation, or (iii) breach of fiduciary duty?

- 16** During the past 10 years, have you filed voluntarily, or had filed against you involuntarily, a bankruptcy petition?

- 17** During the past 10 years, has any organization, either while you were a member of senior management or when you had a substantial ownership interest, filed voluntarily, or had filed against such organization involuntarily, a bankruptcy petition?

- 18** Have you ever failed to pay when due any debt or obligation, including any amounts in dispute, to the Federal government or any state government (including but not limited to taxes, business loans, or other obligations)?

- 19** Has any organization, either while you were a member of senior management or when you had a substantial ownership interest, failed to pay when due any debt or obligation, including any amounts in dispute, to the Federal government or any state government, or any state government (including but not limited to taxes, business loans, educational loans, etc.)?

**CERTIFICATION AND AUTHORIZATION TO RELEASE INFORMATION**

I certify that all of the information I have provided on this Individual Legal Questionnaire and any other information this Individual Legal Questionnaire is true, correct and complete to the best of my knowledge. I understand that kn violation of Federal law and could result in criminal prosecution under 18 USC §§ 287, 371, 1001, 1006, and 1014, inc up to 30 years imprisonment, 15 USC §§ 645 and 687(f), civil penalties under 31 U.S.C. § 3729, government-wide deb suspension, or revocation of a Small Business Investment Company license.

In connection with an application for an SBIC license, or operation of an SBIC, I hereby authorize the U.S. Small Busi agents to make inquiries, including obtaining a consumer report from a consumer reporting agency, to determine l

I have read the "Notices Required by Law" and I authorize the U.S. Small Business Administration Office of Inspector information about me from criminal justice agencies for the purpose of determining my eligibility for the Small Busi

**20 Printed Name**

**21 Title**

**22 Signature**

**23 Date**

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question is "yes", furnish complete details and locations, titles of proceedings, docket numbers, names of mediators, arbitrators or other alternative dispute resolution methods. If an organization is considered to be an "entity" generally refers to meaningful information. Have questions about whether or not you would like to exhibit must be signed when submitted as part of the application and the Final License application should be noted.

[First] [Last]

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including offenses that  
are listed?

has been placed on any form of probation  
or suspension?

has been involved in alternative dispute resolution  
or practice involving fraud or breach of

has a financial interest, ever been indicted for,  
convicted, or in breach of trust?

has a financial interest, ever been found liable,  
in litigation, arbitration or other alternative  
dispute resolution?

is a member of a regulatory body, or professional association?

is a member of a regulatory body, or professional

association, or any other regulatory  
body with regulations or other

has a financial interest, ever been the subject  
of litigation or professional association?

ownership interest, now the subject  
of a lawsuit?

of a lawsuit process or similar process), or  
in violation of any federal or state securities law?

ownership interest, ever entered into an  
agreement, or otherwise consented to any  
agreement under any state law?

for creditor's claims (including but not  
limited to corporate liabilities or greater than


any entity been a named defendant in  
any lawsuit?


litigation, (ii) fraud or

did you have a substantial ownership

in any federal government, or  
state government, or any state government, or  
student loans, etc.)?

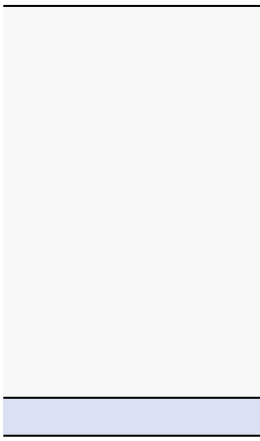
ownership interest, ever failed to pay when  
the loan was guaranteed by the Federal

I have submitted in connection with knowingly making a false statement is a including fines of up to \$1 million and arment or suspension, and denial,

ness Administration ("SBA") and its by person credit standing.

General to request criminal record ness Investment Company program.









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**Statement of Personal History**

**As of Date:** MM/DD/YYYY

Each principal and individual identified on the "Identified Parties" tab is required to submit and execute this Statement answer to any question is "yes", furnish complete details and provide any necessary attachments. Include all pertinent locations, titles of proceedings, docket numbers, fines and penalties (paid and unpaid), sentences, type of offense (mis mediators, arbitrators or other alternative dispute resolution professionals, and relevant documents.

Name of Applicant: [Name Here] Name of Prin

<b>SBIC</b>	Applicant or Licensee Name		[Name Here]	
	Address: Street, City, State, Zip Code		[Street Address]	[Ci
	Telephone:	(###) ###-####	Email	

First Name in Full	Middle Name(s) in Full (If "none", so state)	
List All Former Name(s) and Any Other Current Names Used (If "none", so state)		From (Date)
		MM/DD/YYYY
List current and any former or other social security numbers (SSNs) used and names associated with these numbers. (If no other SSNs used, so state.)		

Date of Birth (Month, Day, Year)	MM/DD/YYYY	
Place of Birth (City, State, Country)		
Citizen of U.S.? (Y/N)		
If a U.S. citizen	Native Born (Y/N)?	
If naturalized, date, city, state and the naturalization or citizenship certificate number	MM/DD/YYYY	City, State
If you are not a citizen of the U.S., are you a permanent resident alien?		

If "yes" to "permanent resident alien", provide the date you entered the U.S., the location (city and state) and your alien registration number	MM/DD/YYYY	City, State
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Starting with your present address, list all residence addresses for the last ten years.

From (Date)	To (Date)	Address
MM/DD/YYYY	MM/DD/YYYY	Street, City, State

**1** Have you ever been charged with or arrested for any criminal offense other than a minor motor vehicle violation (including dismissed, discharged, expunged, or not prosecuted or settled through plea deal or other similar process)?

**2** Have you ever been convicted, placed on pretrial diversion, entered into a plea deal or other similar process, or placed on probation (including adjudication withheld pending probation) for any criminal offense other than a minor motor vehicle violation?

**3** Have you ever (a) been found civilly liable, (b) entered into a settlement through mediation, arbitration or other dispute resolution process, or (c) been permanently or temporarily enjoined by a court or other regulatory body by reason of any act or practice involving fraud or other illegal activity?

**CERTIFICATION AND AUTHORIZATION TO RELEASE INFORMATION**

I certify that all of the information I have provided on this Statement of Personal History and any other information I have provided is true, correct and complete to the best of my knowledge. I understand that knowingly making false or misleading statements could result in criminal prosecution under 18 USC §§ 287, 371, 1001, 1006, and 1014, including fines of up to \$1 million, imprisonment for up to 5 years, or both; civil penalties under 31 U.S.C. § 3729, government-wide debarment or suspension, and denial, suspension, or revocation of my Investment Company license.

I have read the "Notices Required by Law" and I authorize the U.S. Small Business Administration Office of Inspector General to release information about me from criminal justice agencies for the purpose of determining my eligibility for the Small Business Investment Company license.

**Printed Name**

**Title**

**Signature**

**Date**

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of Personal History. Answer all of the following questions. If the  
information, including, name(s) under which charged, dates,  
demeanor or felony), dates of parole/probation, names of

Principal:      [First]      [Last]

City	[State XX]	[Zip Code]

Last Name	
	To (Date)
	MM/DD/YYYY


ars.
ress
, State, Zip

cluding offenses that have been

ed on any form of probation (including

alternative dispute resolution process or (c) been  
 fraud or breach of trust?

I have submitted in connection with this Statement  
 a false statement is a violation of Federal law and  
 on and up to 30 years imprisonment, 15 USC §§  
 nsion, or revocation of a Small Business

General to request criminal record information  
 ment Company program.

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