

CONFIDENTIAL

2. Are you an “accredited investor” as defined by 17 C.F.R. § 230.501(a)?

Yes No

Note: If any of the following apply to you, you are an accredited investor pursuant to 17 C.F.R. § 230.501(a):

- ▶ You are a director, executive officer, general partner, or manager of the Company.
- ▶ You are a natural person whose individual net worth, or joint net worth with the net worth of your spouse, (excluding your primary residence) exceeds \$1,000,000.
- ▶ You are a natural person whose annual income (**excluding the income of your spouse**) from all sources for each of the last two calendar years and anticipated income (excluding the income of your spouse) for the current calendar year exceeds \$200,000.
- ▶ You are a natural person whose annual joint income (**including the income of your spouse**) from all sources for each of the last two calendar years and anticipated joint income (including the income of your spouse) for the current calendar year exceeds \$300,000.
- ▶ You are an employee benefit plan within the meaning of the Employee Retirement Income Security Act of 1974, where:
 - The investment decision is made by a plan fiduciary, as defined in Section 3(21) of such Act, which is either a bank, savings and loan association, insurance company, or registered investment advisor OR
 - The employee benefit plan has total assets in excess of \$5,000,000, OR
 - The plan is self-directed, with investment decisions made solely by persons that are accredited investors.
- ▶ You are an organization described in Section 501(c)(3) of the Internal Revenue Code, corporation, Massachusetts or similar business trust, or partnership, not formed for the specific purpose of acquiring the securities offered, with total assets in excess of \$5,000,000.
- ▶ You are a trust with total assets in excess of \$5,000,000, not formed for the specific purpose of acquiring the securities offered, whose purchase is directed by a sophisticated person as described in 17 C.F.R. § 203.506(b)(2)(ii).
- ▶ You are an entity in which all of the equity owners are accredited investors.

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3. (a) Are you aware that an investment in the Membership Interest will involve non-marketable, nontransferable securities requiring your capital investment to be maintained for an indefinite period of time?

Yes No

(b) Can you afford the complete loss of your investment in the Membership Interest?

Yes No

4. If your bid is accepted, would you be purchasing the Membership Interest for investment purposes only and not with a view to distribution?

Yes No

5. If your bid is accepted, would you be purchasing the Membership Interest for your own account?

Yes No

If not, please indicate for whom you are acting and attach evidence of your authority to act for such other person and entity.

6. (a) Are you acting in concert with or on behalf of Mark Phillips?

Yes No

If Yes, please explain:

(b) Are you (i) an employee of the United States Department of Justice; (ii) an employee of any Federal, State or Local Governmental Agency which participated in investigations that led to the forfeiture of the Membership Interest to the United States; (iii) an employee of any contractor or subcontractor whose contract or subcontract provides goods or services to the United States Department of Justice Asset Forfeiture Program; or (iv) an agent or member of the immediate family/ household of any employee described in (i), (ii), or (iii) above.

Yes No

If Yes, please explain:

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By signing below, I understand and agree that:

A. The USMS and its representatives will rely upon the information which I provide herein in determining my status as an accredited investor or non-accredited investor and my suitability under the Securities Act of 1933 (“the Securities Act”) for the purchase of the Membership Interest. Therefore, I represent and warrant that, to the best of my knowledge and belief, the above information supplied by me is true and correct in all respects as of the date hereof, and I undertake the obligation to notify the USMS of any material change in the information presented herein that occurs prior to the acceptance or rejection of my bid;

B. This Questionnaire is merely a request for information and is not an offer to sell, a solicitation of an offer to buy, or a sale of the Membership Interest and that no sale to me will occur prior to the acceptance of my bid by the USMS;

C. I may be required to furnish additional information;

D. The Membership Interest has not been reviewed or evaluated for fairness or recommended or endorsed by any federal or state agency, and the Membership Interest has not been registered under the Securities Act, or the securities laws of any state, in reliance upon exemptions from registration contained in the Securities Act and such laws;

E. The certificates representing the Membership Interest may contain a legend stating that their issuance has not been registered under the Securities Act or any state securities laws and referring to the above restrictions on transferability and sale. A notation may also be made in the records of the Company so that transfers of the Membership Interest will not be effected in the records of the Company without compliance with these restrictions; and

F. As a prospective bidder, I am aware that in order to ensure compliance with the Crime Control Act I may be subject to a background check. Title 18 U.S.C. § 1963(g) and 21 USC Section 853(h) of the Comprehensive Crime Control Act of 1984, prohibits the United States Government from reverting forfeited property to the defendant(s) convicted of violation under 18 USC Section 1962 nor 21 USC Section 841 *et seq.*, or any person acting in concert with or on behalf of such defendant(s). If my bid is successful, to ensure compliance with the prohibition, I will be required to certify that I am not acting and will not act in concert with or on behalf of the defendant(s) in this case upon the satisfaction of my purchase. A records check may be made with the investigative agencies involved in the prosecution of the said case to confirm my submitted certification. In the event my certification cannot be confirmed, the USMS will reject my bid. If my certification is found to be materially false, further criminal action may be taken.

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Signed,

Date: _____

Individual Purchaser

BUSINESS ENTITY INFORMATION TO BE COMPLETED IF BIDDER IS A BUSINESS ENTITY:

Name of entity (print): _____

Date: _____

By: _____

(print name and title of duly authorized signatory for the entity)

Signature: _____

Address of principal office of entity (if different than address in #1 above):

Street: _____ Suite: _____

City: _____ State: _____ Zip: _____

Telephone: _____