



VKH DMJQP HQVRI D FRXUVH JUDGH E\ D VXEWDQMDXQJH DMRQDEGH DQG  
XQDQQRXQFHG GHSDUWHU IURP VKH LQWVKFRUJ\ SUHYRXVO DUNFXDNG WDCQDUGV

' 3\$ \* UDGLQ HUIRU LV D P DMHP DMFDOP LVFDGXDMRQ RI D ILQDQJUDGH RUDQ LQDFFXUDM  
UHFRUGQ RI VKH ILQDQJUDGH GRWDQ HUIRULQMGJ P HQW

( \$ FOW GDA LV DQ GDA RI VFKHGXDIG LQWVKFRUJ H\ FOXGLQ 6 DMUGDA DQG 6 XQGEDA  
LQFOXGHGRQ VKH DFDGHP LE FDQGGDULQ HUIFDVWKH VP H RI D UHMHZ DV GHILQHGLQ  
XQYHUVWUHU XDMRQV 5 ) LQ

7 KH LQWKFVRLV UHVSQMEØI IRUQRW LQJ WKH WAGHQWQZ UMQJ RI WKH LQWKFVRLV  
IICDOMGJHP HQVFRGFHUCQJ WKH JUDGH LQTXHMVRQZ LMLQ FOW GDA V RI UHFHSVRI  
WKH UHTXHWWDCG IRUSURP SVØ VXEP LWMQJ WKH DSSURSUDM FKDQJH RI JUDGH IRUP VR  
WKH 5 HU LWMQJ/2 IIFH IL DQ HUURURFFXUHG , I WKH GHFLVRQZ DV QRVAR FKDQJH WKH  
JUDGH WKH LQWKFVRLV KDOQRW WKH WAGHQWQZ UMQJ E\ FRP SOMQJ WKH LQIRUP DO  
SRUVRQ RQ WKH \$ SSHDORI \* UDGH IRUP

, I WKH WAGHQWGRHV QRWUHFHLYH D UHVSQMH IRUP WKH LQWKFVRLV WKH UHTXUHG  
GHDCQCH WKH WAGHQWQZ DVMHN WKH DMLWDCQH RI WKH FKDLURI WKH GHSDUW HQV  
Z KLEK WKH FRXUWH Z DV RI IHUHG

, I WKH LQWKFVRLV QR ØQJ HUDQHP SØA HH RI WKH XQYHUWLV RULV RWHUZ LVH  
XQDYDLOEØI WKH WAGHQWQZ DVMHN WKH DMLWDCQH RI WKH XQVGHSDUW HQVFKDLU  
Z KR Z IØP DNH HYHU HIRUVR FRQDFW WKH LQWKFVRLV WKH W FOW GDA RI WKH  
GH VHU XDUVHP HMMU

D , I WKH LQWKFVRLV FDQGRVEH FRQDFW EXVFRXUWH UHFRLV DUH DYDLOEØI WKH  
GHSDUW HQVFKDLU KDOØI HFVUHVROVRQZ LMLQ FOW GDA V RI GRVFDVRQ  
E\ WKH WAGHQW 7 KH GHSDUW HQVFKDLU D FRUHFVD JUDGQJ HUURUVRXJK  
WKH UHU XDUVFKDQJH RI JUDGH SURFHV RQ EHKØORI WKH LQWKFVRLV

E , I WKH LQWKFVRLV FDQGRVEH FRQDFW DGG FRXUWH UHFRLV DUH HUWU  
XQDYDLOEØI RULQGHFLVYH WKH WAGHQW D UHTXHWW IRUP DOJYHYZ DV  
GHVFEHG LQ VHFVRQ % EHOZ

% ) RUP DOB URFHGXUHV

, I QRWUHVROHG LQ WKH LQIRUP DOSURFHV WKH UHP DLQJ RSVRQ LV E\ UYHYZ IRUDØUHG DUEWDU  
DQG FDSUFIRXV JUDGQJ RUI RULQWDCQH V Z KHU WKH FRXUWH LQWKFVRLV XQDYDLOEØI DGG  
UHVROVRQ LV QRWRUVRP LQ IRUP WKH DSSURSUDM GHSDUW HQVFKDLU

7 KLV UYHYZ LV LQWDCG E\ WKH WAGHQWVRXJK D VJCHG Z UMMQ UHTXHWWVR WKH  
GHSDUW HQVFKDLU Z LK D FRS\ VR WKH GHDCQ RI WKH FROU H RUVKRRQZ KLEK WKH  
FRXUWH Z DV RI IHUHG

D 7 KH WAGHQW UHTXHWWRUUUYHYZ VKDOEH VXEP LWMG XVLQJ XQYHUWLV IRUP V  
VSHFLLFDØ GHMJCHG IRUWLV SXLSRVH DGG DYDLOEØI RQCH DW

[KWS ZZZ XDI HGX ILOV SURYRWQHZ BJUDGHBDSSHØORUP SG](#)

E 7 KH WAGHQWFRP SOMM WKH JUDGH DSSHØFKHFNDWDCG VXEP LV WKH \* UDGH  
\$ SSHØORUP DFCRZ ØGJLQ WKH FRP SOMRQ RI WKH LQIRUP DOSURFHV

F 7 KH UHTXHWWRUUUYHYZ P XWEH UHFHLYHG E\ WKH GHDCQ GUHFVRURI WKH  
FROU H RUVKRRQZ KLEK WKH FRXUWH Z DV RI IHUHG Z LMLQ FOW GDA V RI  
FRP SOMRQ RI LQIRUP DOJUDGH DSSHØOSURFHV

G 7 KH UHTXHWWP XWGHMØØH EDMV IRUWKH DOU DMRQ VØVØ JUDGH Z DV WKH  
UHVØRI DUEWDU DQG FDSUFIRXV JUDGQJ DGG P XWSUHVHQW WKH UHØYDQW  
HYLGHCFH WKH SØA UYHVRQ VXEFRP P LWMH VXJJHM D GHZ WMP SOMM VR  
P DNH LVHDMHU IRUWKH WAGHQWVR XQGHUWDCG Z KDMØUEWDU DGG FDSUFIRXV  
JUDGQJ LV DGG WKH WSHV RI HYLGHCFH VØVØ RXØ DMLWDCG P DNQJ WKHU  
FDMH

: LMLQ ILYH GDA V RI UHFHLSVRI VHX Z UMMQ UHTXH-MWRUJUHMEZ VHX GH-DQ GRVMEV LQ  
Z UMMQ VHX LQMKFVRUZ KR LVXHG VHX JUDGH DQG VHX GH-SDUW HQ/VFKDLURI VHX XQW  
VKDWD IRUP DOJUDGH DSSH-DOKDV EHHQ ILOIG DQG VXSSOHV D FRSA RI VHX VHXGHQW  
UHTXH-MWRUD IRUP DOJUDGH DSSH-DOR VHX LQMKFVRU

7 KH LQMKFVRU VKDOEH LQYMWG VR UHVSROG LQ Z UMMQ VR VHX VHXGHQW DOU DMROV  
VHX LQMKFVRU UHVSROVH VKDOEH GUHFVWG VR VHX JUDGH DSSH-DQ FRP P LMMH

, I VHX LQMKFVRU RI VHX FRXUHV LV DOR VHX' HDQ RI VHX & ROUH VHX 3 URYRWZ LO  
GHMJQDM DGRVHU' HDQ Z LMLQ VHX 8 QYHUW VR DFVDV VHX FROUH VHX P RQVARI DO  
SURFHGQV

\$ UHMEZ FRP P LMMH Z LOEH DSSRQMG DV IROZ V

D 7 KUHH IDFXOV P HP EHV KROQJ DFDGHP IF UDN Z KR DUH UHSUHVQMG  
VHX RJK VHX FXUHQV DSSOFDEH FROFVYH EDJ DQJQJ DUUHP HQW TURP VHX  
) DFXOV 6 HQDM DG KRF 6 VHXGHQV SSHDQ & RP P LMMH 6 \$ & VKDOEH  
DSSRQMG E VHX 6 \$ & FKDLU 2 QH YRMQ P HP EHV KDOV HUH DV FKDLURI  
VHX VHXGHQV DSSH-DQ FRP P LMMH

7KH DOUHGDVRO RI WLFW

