

# Investor Application Form (continued)

## G. Certification Regarding Initial Public Equity Offerings:

### Rule 5130 "Restricted Persons"

The Fund may elect not to invest in new issues even if your individual account is eligible for such transactions.

Please initial the appropriate statement. The Undersigned has initialed those statements below which apply to it or, if the Undersigned is a corporation, partnership, trust or other entity, which apply to any person having a **Beneficial Interest** in the Undersigned.

#### The Investor is any of the following:

- (a) A FINRA member firm or other broker dealer
- (b) An officer, director, general partner, associated person or employee of a FINRA member firm or other Covered Broker Dealer;
- (c) An agent of a Covered Broker Dealer if the agent is engaged in the investment banking or securities business;
- (d) An Immediate Family Member of a person specified in (b) or (c) above;
- (e) A finder or other person acting in a fiduciary capacity to a Covered Broker Dealer, including attorneys, accountants and financial consultants;
- (f) A person who has the authority to buy or sell securities for a bank, savings and loan institution, insurance company, investment company, investment adviser or Collective Investment Account;
- (g) An Immediate Family Member of a person specified in (e) or (f) above who receives from or provides to such person Material Support;
- (h) A person listed (or required to be listed) in Schedule A or Schedule C to Form BD as owning 10% or more of a Covered Broker Dealer;
- (i) A person listed (or required to be listed) in Schedule B or Schedule C of Form BD whose ownership interest is in a person listed in (h);
- (j) A person that owns directly or indirectly 10% or more of a public reporting company listed (or required to be listed) in Schedule A of Form BD with respect to a Covered Broker Dealer, other than a public company that is listed on a national securities exchange;
- (k) A person that owns directly or indirectly 25% or more of a public reporting company that is a person listed in (i) above other than a public company that is listed on a national securities exchange;
- (l) An Immediate Family Member of a person listed in (h) through (k) above who receives from or provides to such person Material Support;
- (m) An account (including a corporation, partnership, limited liability company, trust or other entity) in which any of the persons referred to in (a) through (l) above has a Beneficial Interest (any person in (a) through (m), a "5130 Restricted Person").
- The Investor is none of the above.

**For Entities only:** If you initialed any of items (a) through (m) above, you may still be eligible to participate in "new issues" if you satisfy one of the exemptions listed under "New Issues Exemptions" at the back of the Subscription Agreement.

If so, please specify the exemption number (1 through 10) here (exemption 1(b) is not available): \_\_\_\_\_

**NOTE:** Exemptions are not applicable for individual retirement accounts, individual or joint accounts, UGMA or UTMA accounts, which are treated as natural persons for this purpose.

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# Investor Application Form (continued)

## G. Certification Regarding Initial Public Equity Offerings (cont'd):

### Rule 5131 "Covered Persons"

(1) Please initial below if applicable or if the Investor is a corporation, partnership, trust or other entity, which apply to any person having a **Beneficial Interest** in the Investor:

\_\_\_\_\_ The Investor, or any person having a **Beneficial Interest** in the Investor, is (i) an executive officer or director of a Public Company or a Covered Non-Public Company, or (ii) a person receiving Material Support by an executive officer or director of a Public Company or a Covered Non-Public Company (any person in (i) or (ii), a "5131 Covered Person").

(2) If you initialed statement (1) above, you must name each relevant Public Company and/or Covered Non-Public Company:

(3) If you initialed statement (1) above, please initial the following only if such applicable Public Company or Covered Non-Public Company:

\_\_\_\_\_ (a) is currently a client receiving Investment Banking Services provided by a FINRA member, or has paid compensation to a FINRA member for Investment Banking Services in the past 12 months;

\_\_\_\_\_ (b) expects to retain a FINRA member for Investment Banking Services within the next 3 months; or

\_\_\_\_\_ (c) has entered into an express or implied obligation, directly or indirectly through its executive officers or directors, to retain a FINRA member for the performance of future Investment Banking Services.

**If you initialed any of items (a) through (c) above, you may still be eligible to participate in "new issues" if you satisfy one of the exemptions listed under "New Issues Exemptions" at the back of the Subscription Agreement.**

**If so, please specify the exemption number here (exemption 1(a) is not available):** \_\_\_\_\_

**If the Investor has represented that he, she or it is not a "Restricted Person" or a "Covered Person", the Investor further represents that he, she or it understands that this certificate expires after one year and agrees promptly to notify the Fund should the account become a "Restricted Person" or "Covered Person".**

## H. Government Entity Status

(i) Is the Investor a Government Entity?

Yes  No

(ii) If the Investor is acting as agent, representative or nominee for one or more investors, is any of such investors a Government Entity?

Yes  No

(iii) If the answer to question (ii) is "Yes", please indicate the names of any such investor:

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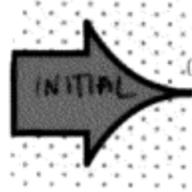
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# Investor Application Form (continued)

## I. NFA Bylaw 1101 Certification (Please initial as appropriate.)



(a)  \_\_\_\_\_

### Individual, IRA and Foundation Investors:

The Investor represents and warrants that it is an individual, IRA or a foundation and that it is not required to be a member of the National Futures Association ("NFA") or to be registered with the Commodity Futures Trading Commission ("CFTC") in any capacity. (Please continue on to Section J. Investor Acknowledgement)

OR

(b) \_\_\_\_\_

### All Other Entity Investors:

The Investor (or, if the Investor is a commodity pool, the operator thereof) represents and warrants it is not required to be a member of the NFA or to be registered with the CFTC in any capacity.

**(Please note, while not always the case, generally, certain private investment vehicles such as single member limited liability companies and certain limited partnerships comprised of family members, among others, should initial this section and below if applicable.)**

If the Investor is a fund or another investment entity and initialed item (b) above, please complete the following:

\_\_\_\_\_ The Investor is a family investment vehicle whose participants include only spouses, children, in-laws, grandparents and cousins, or the Investor is a family office and has filed a notice with the CFTC under No-Action Letter 12-37.

\_\_\_\_\_ The Investor relies upon an exemption from registration under CFTC Rule 4.13 and has filed a notice claiming this exemption with the NFA.

\_\_\_\_\_ The Investor relies upon an exclusion from the definition of the term "commodity pool operator" under CFTC Rule 4.5 and has filed a notice claiming this exemption with the NFA.

\_\_\_\_\_ The Investor is a noncontributory plan, a contributory defined benefit plan<sup>1</sup>, a governmental plan, an employee welfare benefit plan, or a church plan covered under the Employee Retirement Income Security Act of 1974.

\_\_\_\_\_ The Investor relies upon another exemption or otherwise is not required to register with the CFTC (please indicate below the applicable exemption upon which the Investor relies or indicate the basis upon which the Investor has determined that registration or an exemption is not required).

OR

(c) \_\_\_\_\_

### Entities that are NFA Members and/or those required to register with the CFTC:

The Investor (or, if the Investor is a commodity pool, the operator thereof) represents and warrants that it is a member of the NFA and is registered with the CFTC.

Please indicate below the capacity in which the Investor (or the operator thereof) is registered (commodity pool operator, commodity trading advisor, futures commission merchant, introducing broker, or retail foreign exchange dealer).

<sup>1</sup> With respect to any such plan to which an employee may voluntarily contribute, no portion of an employee's contribution is committed as margin or premiums for futures or options contracts.