

UVI RTPARK APPLICANT DUE DILIGENCE SUBMITTAL

NAME:	_____
SOCIAL SECURITY NUMBER:	_____
DATE OF BIRTH:	_____
ADDRESS:	_____ _____ _____

PERSONAL INFORMATION

1. Have you been known by any name or names other than the name listed on this application? If so, please list them and the authority and/or jurisdiction date, etc. where the change took place.

2. Of what country are you a citizen?

 - A. Please indicate the following:
 - i. Place of birth (City, State):

 - ii. Country of birth:

 - B. If you are not a citizen of the United States, please indicate:
 - i. Port of entry to the United States:

 - ii. Name and address of sponsor upon your arrival:

 - iii. If you are a natural citizen, provide the following information:
 - a. Petition number: _____
 - b. Date granted: _____
 - c. Court: _____
 - d. City/State of Court: _____
 - e. Certificate number: _____

BACKGROUND INFORMATION

3. Have you had or do you have any propriety interest in any other enterprise which is or has been a beneficiary under any economic development program in the USVI (including, but not limited to, RTPark and/or EDC)?

Yes _____ *(attach explanation, including for each circumstance the name and type of business)*

No _____

4. Has any entity in which you or your spouse, is was a director, officer, partner or an owner of a five percent (5%) or greater interest ever had any license, permit or certificate issued by a governmental agency in any jurisdiction denied, suspended, revoked, or subject to any conditions?

Yes _____ *(attach explanation)*

No _____

5. Have you ever been arrested or charged with any crime or offense in any jurisdiction?

Yes _____ *(attach explanation)*

No _____

6. Have you ever been the subject of an investigation conducted by any governmental agency/organization, court, commission, committee, grand jury or investigatory body (local, state, county, provincial, federal, national, etc.) other than in response to a traffic summons?

Yes _____ *(attach explanation, including for each circumstance the name and address of court or other agency, nature of proceeding or investigation date, whether testimony given and if so what date, and approximate time period of investigation.)*

No _____

7. In the past ten (10) years, have you as an individual, member of a partnership, or owner, director, or officer of a corporation, ever been a party to a lawsuit, as a defendant?

Yes _____ *(attach explanation, including for each circumstance the date filed, name and address of the court, docket/case number, names of any other parties to suit, nature of suit, disposition and date of disposition.)*

No _____

8. Have any of the beneficial owners ever been adjudicated bankrupt or filed a petition for any type of bankruptcy, insolvency or liquidation under any bankruptcy or insolvency law in any jurisdiction?

Yes _____ *(attach explanation)*

No _____

ADDITIONAL APPLICATION DUE DILIGENCE INFORMATION

Please attach Exhibits responding to each of the following.

9. Please provide Tax Clearance Letter.
10. Please provide Police Clearance Letter (Police Records Check).
11. Please describe how you became aware of the UVI RTPark program. Identify all individuals and entities that made you aware of the program.
12. Provide all legal opinions concerning the tax effects of participating in the UVI RTPark program.
13. Confirm that your legal counsel has analyzed IRS Source Rules Involving U.S. Possessions documented as Regulatory Information Number (RIN) 1545-BF85 effective April 9, 2008, IRS Notices 2006-76, 2004-45, 26 USC 932, 934, 937 and subsequent IRS regulations. Confirm that you personally understand that the examples used by the IRS in Notice 2006-76 refer specifically to companies organized in a U.S. territory, have their sole place of business in the U.S. territory, and are not engaged in the conduct of a trade or business in the United States. Describe whether your business will be substantially similar to the business described in Notice 2006-76. Describe any differences in the operation of your business.

Note that the first example is based on a software developing and sales company that receives orders from around the world and ships compact discs or allows customers to download its software. Under the contracts, the rights, title, and interest in the software pass to the customers at the company's place of business, that is, in the U.S. possession.

The second example involves an application service provider. Customers send data to be analyzed and stored in the company's server in the U.S. territory. Customers use the company's software to analyze data and produce reports from their locations but are not given a copy of the software).

14. Please identify all controlled affiliates and explain what relationship they have or will have to your USVI company.
15. Anatomy of a transaction. Please describe in narrative and chronological order how a transaction will occur in your USVI business. Include money movements and banking transactions.
16. Have you individually or by and through a controlled affiliate ever been subject to a post audit penalty assessment by a tax authority (including, but not limited to, the IRS and/or the Virgin Islands Bureau of Internal Revenue)? If so, please explain and provide appropriate documentation.
17. Confirm that you agree to report to UVI RTPark any suspicious financial transactions of your customers when you become aware of them. For guidance on suspicious activities consult with the U.S Department of the Treasury's FINCEN website at <http://www.fincen.gov/>.

DEFINITIONS

"Act" – The enabling legislation of the Government of the USVI which established RTPark, comprising Acts 6502, modifications thereto by Act 6726, and any other relevant legislation of the Government of the USVI.

"Applicant" – A prospective applicant for the establishment of a Protected Cell through RTPark-PC.

"Bona fide resident of the Virgin Islands" – shall have the same meaning as that term is used in 26 U.S.C. §932(c)(1)(A) and (4)(A).

"Document" and/or "documents" – any writings, drawings, graphs, charts, photographs, phone records, and other data compilations or recordings (translated, if necessary, by you through a computer or other detection devices into reasonably usable form) from which information can be obtained. It shall include hand printed, handwritten, typewritten, printed, photocopied, photographic, or recorded material. It refers to communications in words, symbols, pictures, sound recordings, films, tapes, and information stored in, or accessible through, a computer or other information storage or retrieval system, including electronic mail ("eMail"). As used herein "document" and "documents" are used in their customary and broad sense and shall mean the original and each copy of the original which is no longer identical to the original for whatever reason, including, but not limited to, copies which contain marginal notes, inserted material, or attachments.

"EDA" – Virgin Islands Economic Development Authority, as defined primarily in 29 VIC Chapter 21.

"EDC" – Economic Development Commission, a "subsidiary entity wholly administered and operated by" EDA, as defined in 29 VIC Chapter 12 Subchapter II.

"Person" and/or "persons" – individuals, firms, corporations, limited liability companies, partnerships, associations, joint ventures, trusts, entities, or other groups, however organized.

"Protected Cell" – A legal entity created through RTPark-PC a) in which RTPark-PC is a shareholder, partner, member or other equity owner as defined in the Act; b) which is a tenant of RTPark; and c) which automatically qualifies for certain tax benefits administered by RTPark-PC.

"RTPark" – The University of the Virgin Islands Research and Technology Park; more specifically, the University of the Virgin Islands Research and Technology Park Corporation.

"RTPark Board" – The Board of Directors of RTPark and RTPark-PC (which while separate, are comprised of the same individuals and thus are treated interchangeably for the purposes of this document).

"RTPark-PC" – The Research and Technology Park Protected Cell Corporation, a subsidiary of RTPark.

"USVI" or "Virgin Islands" – United States Virgin Islands, an unincorporated Territory of the United States.

"UVI" – The University of the Virgin Islands.

"VIC" – Virgin Islands Code. For ease of reference, the VIC may be browsed online at <http://www.michie.com/virginislands>.

RELEASE AUTHORIZATION

To all Courts, Probation Departments, Selective Service Boards, Employers, Educational Institutions, Banks, Financial and Other Such Institutions, Credit Agencies, and All Private or Government Agencies, federal, state and local, without exception, both foreign and domestic.

On behalf of _____.

(Name of Enterprise)

I, _____, have authorized the University of the Virgin Islands Research and Technology Park Corporation (RTPark), or its designee, to conduct a full investigation into the background of the said enterprise, its principals, agents and employees.

Therefore, you are hereby authorized to release any and all information pertaining to the said enterprise, documentary otherwise, as requested by any agent of the RTPark or its designees.

A copy of this authorization will be considered as effective and valid as the original.

(Signature & Title)

Subscribed and sworn to before me this _____ day of _____, 2008.

Notary Public

SEAL