

EB-5 (Immigrant Investor Program) Questionnaire

Underwritten by The Hanover Insurance Company

NOTICE: THIS QUESTIONNAIRE IS FOR A CLAIMS-MADE AND REPORTED POLICY. SUBJECT TO ITS TERMS, THIS POLICY WILL APPLY ONLY TO CLAIMS FIRST MADE AGAINST THE INSURED AND REPORTED TO THE INSURER DURING THE POLICY PERIOD OR ANY EXTENDED REPORTING PERIOD THAT MAY APPLY. PLEASE READ THE POLICY CAREFULLY TO DETERMINE RIGHTS, DUTIES, COVERAGE AND COVERAGE RESTRICTIONS.

INSTRUCTIONS

Whenever used in this Questionnaire, the term **Firm** shall mean the **Named Insured** proposed for insurance, and **You** or **Your(s)** shall mean the persons and entities proposed for insurance, unless otherwise stated.

GENERAL INFORMATION

1. Name of **Firm** _____
2. Lawyers engaged in EB-5 (Immigrant Investor Program) Practice:

Lawyer Name	EB-5 Fees From Most Recent 12 Months	EB-5 Fees Prior 12 Months	Years of EB-5 Experience	Hours of CLE in this Area From Most Recent 12 Months
	\$	\$		
	\$	\$		
	\$	\$		
	\$	\$		
	\$	\$		

3.

Number of Cases:		Filed	Approved	Denied	On Appeal
Petition by Alien Entrepreneur I-526	Most recent 12 months				
	Prior 12 months				
Petition by Entrepreneur to Remove Conditions I-829	Most recent 12 months				
	Prior 12 months				
Application for Regional Center I-924 filed with I-526	Most recent 12 months				
	Prior 12 months				
Application for Regional Center I-924 Exemplar/Pro Forma	Most recent 12 months				
	Prior 12 months				

4. If **You** have handled fewer than five EB-5 cases, do **You** co-counsel with or seek advice from more experienced counsel? ☐ Yes ☐ No
5. Does the **Firm** use engagement letters which detail the scope of services to be provided? ☐ Yes ☐ No
If Yes:
- a. Does the engagement letter address actual and/or potential conflicts of interest, joint representation, and confidentiality issues? ☐ Yes ☐ No
- b. Does the engagement letter address termination of services? ☐ Yes ☐ No
- c. Does the engagement letter address the return of unearned legal fees? ☐ Yes ☐ No

If any above are not addressed in the **Firm's** engagement/fee agreement, please explain:

If No, explain how the **Firm** communicates scope of services to clients:

6. Does the **Firm** provide the engagement and fee documents in the client's primary language? ☐ Yes ☐ No
7. Does the **Firm** provide the following in the scope of service? ☐ Yes ☐ No
- a. Investment advice ☐ Yes ☐ No
Is this addressed in the engagement/fee agreement? ☐ Yes ☐ No
- b. U.S. or foreign country tax and tax planning advice ☐ Yes ☐ No
Is this addressed in the engagement/fee agreement? ☐ Yes ☐ No
- c. Estate planning advice ☐ Yes ☐ No
Is this addressed in the engagement/fee agreement? ☐ Yes ☐ No
- d. U.S. or foreign country securities laws issues ☐ Yes ☐ No
Is this addressed in the engagement/fee agreement? ☐ Yes ☐ No
- e. Foreign country currency laws and restrictions ☐ Yes ☐ No
Is this addressed in the engagement/fee agreement? ☐ Yes ☐ No
- f. Recommendation of a specific regional center or project ☐ Yes ☐ No
Is this addressed in the engagement/fee agreement? ☐ Yes ☐ No

If any above are not addressed in the **Firm's** engagement/fee agreement, please explain:

8. Does the **Firm** agree to refund legal fees if the client's I-526 or I-829 application is denied? ☐ Yes ☐ No
If Yes, does the **Firm** hold these legal fees in a trust account until the matter is concluded? ☐ Yes ☐ No
9. Does the **Firm** hold legal fees in a trust account until earned by the **Firm**? ☐ Yes ☐ No
10. Does the **Firm** work with foreign migration agents or case workers? ☐ Yes ☐ No
If Yes:
- a. Does the engagement agreement address potential confidentiality issues? ☐ Yes ☐ No
- b. If yes, what percent of clients are referred from migration agents/case workers? ☐ Yes ☐ No
11. Does/Has the **Firm** represent/ed multiple clients who have invested in the same project? ☐ Yes ☐ No
If Yes:
- a. Does the engagement letter/agreement used with all such clients address potential conflicts of interest/confidentiality issues? ☐ Yes ☐ No
- b. What is the largest number of investors the **Firm** has represented in any one project? ☐ Yes ☐ No
12. What percent of clients have invested in
- Regional center projects: _____ %
- Independent projects: _____ %

13. Does the **Firm** accept referral fees or commissions from Regional Center projects? ☐ Yes ☐ No
If Yes, is this disclosed in the **Firm's** engagement agreement? ☐ Yes ☐ No
14. Does the **Firm** recommend other professionals, such as securities and/or tax lawyers, economists, business planners or others to clients? ☐ Yes ☐ No
If Yes, please explain: _____

15. Have any of **You** represented any clients whose applications were denied because of, problems with a Regional Center? ☐ Yes ☐ No
If Yes, please provide details: _____

16. Does the **Firm** provide legal services to Regional Centers, projects, or other investment vehicles? ☐ Yes ☐ No
If Yes:
 a. Does the **Firm** provide securities advice? ☐ Yes ☐ No
If yes, please complete a Securities Supplement
 b. Does the **Firm** provide tax advice? ☐ Yes ☐ No
 c. Is any of **You** a licensed broker/dealer with the SEC? ☐ Yes ☐ No
If yes, please complete a Securities Supplement
 d. Does the **Firm** seek or procure investors for the project? ☐ Yes ☐ No
 e. Does the **Firm** advertise or promote the project to potential investors or migration agents? ☐ Yes ☐ No
17. Do any of **You** have ownership or management responsibilities in any Regional Center or project? ☐ Yes ☐ No
If Yes, is this disclosed in the **Firm's** engagement agreement? ☐ Yes ☐ No

**PLEASE ATTACH SAMPLES OF ALL ENGAGEMENT LETTERS/FEE AGREEMENTS USED BY THE FIRM
IN EB-5 (IMMIGRANT INVESTOR PROGRAM) PRACTICE**

The undersigned, acting on behalf of all of **You**, declares that the statements above are true and complete, that thorough efforts were made to obtain requested information from all persons to be insured, no facts have been suppressed or misstated, and I/we understand that this supplement becomes part of the application.

Date **Signature / Title**

(mm/dd/yyyy) (Chief Executive Officer, President, Financial Officer, Managing Partner or Owner)

(mm/dd/yyyy) (Print Name and Title)

A POLICY CANNOT BE ISSUED UNLESS THE "QUESTIONNAIRE" IS PROPERLY SIGNED AND DATED.
 Please submit this "Questionnaire" including appropriate documentation to your agent.