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## **BUSINESS OPPORTUNITY TRANSACTIONS STANDARD DISCLOSURE FORM**

*Pursuant to Ind. Code 24-5-8-1-21*

### **Instructions for Completing the Attorney General's Standard Disclosure Form**

#### **INTRODUCTION**

The Attorney General's Standard Disclosure Form and the instructions for completing it have been prepared as aids to sellers of business opportunities in Indiana. They are not official documents and are not to be relied upon as such. Should the user have any questions or require additional information, he or she should consult IC 24-5-8-2 directly, seek counsel from an attorney, or contact the Consumer Protection Division.

#### **CONTENTS**

Only the title, "DISCLOSURES REQUIRED BY INDIANA LAW," and the pre-printed paragraph may appear on the cover sheet. Do not make any other marks on this page.

#### **I. REGISTRATION**

A registration number and the official date of filing will be assigned to the business opportunity, in writing, by the Consumer Protection Division. The number and date must

be filled in on any disclosure document turned over to a prospective or actual investor.

## II. IDENTITY OF SELLER

(A) List the Seller's official name, organizational status, and address in the spaces provided. List all names under which the seller has, currently does, or intends to solicit any business opportunity.

(B) If the Seller is affiliated with any company which is legally responsible for statements made by the Seller, or which will engage in business transactions with Investors, list that company.

## III. SELLER'S MANAGER

List the names, business and home addresses, business and home telephone numbers, social security numbers, and titles of the Seller's officers, directors, trustees, general partners, general managers, principal executives, and any other persons charged with responsibility for the seller's business activities relating to the sale of business opportunities.

## IV. SELLER'S AGENTS IN INDIANA

List the names, business and home addresses, business and home telephone numbers, and social security numbers of all the Seller's representatives who are soliciting any business opportunities in Indiana.

## V. SELLER'S BUSINESS RECORD

(A) State the length of time the Seller has solicited business opportunities.

(B) State the length of time the Seller has solicited business opportunities involving the goods or service currently being offered to the Investor.

(C) Attach a copy of the Seller's balance sheet as of the close of its last fiscal year.

(D) Attach copies of the Seller's (and/or the Seller's predecessor's) income statements for its last three (3) fiscal years.

VI. TERMS OF AGREEMENT BETWEEN SELLER AND INVESTOR

(A) Describe in detail the initial payment required of the Investor. If the amount is not known, state the approximate initial payment, and indicate that it is an estimate.

(B) Describe completely, and in detail, any service(s) that the Seller undertakes to perform for the Investor.

(C) Describe completely any training offered by the Seller, including the length of the training.

If there is a fee for the training, itemize in detail the costs to be covered by the fee.

(D) Attach an unexecuted copy of each of the proposed contracts between the Seller and the Investor.

VII. PREVIOUS INVESTORS

(A) List the names, home addresses, and home phone numbers of all persons (including partnerships and corporations) who have been investors in a business opportunity offered by the Seller in the last two (2) years.

(B) List the names, home addresses, and home telephone numbers of any investors who have requested refunds from the Seller in the last three (3) years.

VIII. LITIGATION

(A) State whether the Seller or any of its officers, directors, trustees, general partners, general managers, principal executives, or representatives has been held liable in a civil action for unfair, false, misleading, or deceptive practices. IF NONE, SO STATE.

(B) State whether the Seller or any of its officers, directors, trustees, general partners, general managers, principal executives, or representatives has been convicted of a crime involving fraud, embezzlement, conversion, or theft in the last seven (7) years. IF NONE, SO STATE.

(C) State whether the Seller or any of its officers, directors, trustees, general managers, principal executives, or representatives has been declared bankrupt in any judicial proceeding in the last seven (7) years. IF NONE, SO STATE.

(D) State whether the Seller or any of its officers, directors, trustees, general partners, general managers, principal executives, or representatives has been a party to a lawsuit brought by a local, state, or federal government agency. IF NONE, SO STATE.

(E) State whether the Seller or any of its officers, directors, trustees, general partners, general managers, principal executives, or representatives has been a party to any lawsuit brought by an investor in the last seven (7) years. IF NONE, SO STATE.

(F) State whether the Seller or any of its officers, directors, trustees, general partners, general managers, principal executives, or representatives is currently involved in litigation alleging unfair, false, misleading,

or deceptive practices. IF NONE, SO STATE.

For each of the above, list the names of the parties, the name of the court, the cause or docket number of the lawsuit, the date the suit was filed, and the date the judgment was entered, if applicable.

#### IX. SURETY OR IRREVOCABLE LETTER OF CREDIT

Indicate in the space provided the name, address and telephone number of the surety company from which the Seller has obtained a bond. If an irrevocable letter of credit is issued in favor of the State in lieu of this bond, provide the name, address, and telephone number of the financial institution from which the seller has obtained an irrevocable letter of credit.

#### X. EARNINGS INFORMATION

Indicate the number and percentage of investors whose earnings from the business opportunity have exceeded their initial payment.

**FILING INSTRUCTIONS**

Return a copy of the completed disclosure statement, together with a copy of the Seller's surety bond or irrevocable letter of credit and a cashier's check or money order, payable to the State of Indiana, for fifty dollars (\$50.00), to:

**ATTORNEY GENERAL  
OFFICE OF ATTORNEY GENERAL  
5th Floor - Indiana Government Center South  
402 West Washington Street  
Indianapolis, IN 46204.**



## **DISCLOSURES REQUIRED BY INDIANA LAW**

**The State of Indiana has not reviewed and does not approve, recommend, endorse, or sponsor any business opportunity. The information contained in this disclosure has not been verified by the state. If you have any questions about this investment, see an attorney before you sign a contract.**

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[Name of Business Opportunity]

**INSTRUCTIONS**

Complete ALL portions of this document in accordance with the attached instructions. Attach additional sheets when necessary to give complete disclosure.

**I. REGISTRATION**

This business opportunity disclosure document has been filed with the Consumer Protection Division, Office of the Indiana Attorney General, and has been assigned the following registration number:

C.P.D. Reg. No. \_\_\_\_\_  
Date Filed \_\_\_\_\_

**II. IDENTITY OF SELLER**

(A) This investment is offered by \_\_\_\_\_, [Seller's name] a(n) \_\_\_\_\_ [individual, partnership or corporation] located at \_\_\_\_\_ [address], which has done, is doing, or intends to do business under the following name or names:

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(B) (Complete if applicable).

The Seller is a(n) \_\_\_\_\_ [subsidiary or affiliate] of \_\_\_\_\_, [parent or affiliate's name(s)] which: [check either or both]  
q will take responsibility for all statements made by the Seller in this document or elsewhere;  
q will engage in business transactions with Investors in this business opportunity.

**III. SELLER'S MANAGERS**

The following individuals are responsible for the Seller's business activities relating to the sale of

business opportunities.

<u>Name</u>	<u>SSN</u>	<u>Position</u>	Home (H) & Business (B) <u>Addresses</u>	Home (H) & Business (B) <u>Phones</u>
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IV. SELLER'S AGENTS IN INDIANA

The following individuals solicit business opportunities for the Seller in the State of Indiana.

<u>Name</u>	<u>SSN</u>	<u>Home (H) &amp; Business (B) Addresses</u>	<u>Home (H) &amp; Business (B) Phones</u>
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V. SELLER'S BUSINESS RECORD

(A) The Seller has solicited business opportunities for \_\_\_\_ years and \_\_\_\_ months.

(B) The Seller has solicited business opportunities involving the goods or services currently being offered for \_\_\_\_ years and \_\_\_\_ months.

(C) [Attach Seller's balance sheet as of the close of its last fiscal year.]

(D) [Attach Seller's (and/or predecessor's) income statements for the last three (3) fiscal years.]

VI. TERMS OF AGREEMENT BETWEEN SELLER AND INVESTOR

(A) The initial payment to be paid by the Investor is (describe terms in detail):

or a total sum of \_\_\_\_\_.

This represents the \_\_\_\_\_ [actual or approximate] sum to be paid.

(B) The Seller undertakes to perform the following services for the Investor (describe completely and in detail):

(C) The Seller offers the Investor the following training (describe fully, including length of training time):

The fee for the training is \_\_\_\_\_, and covers the following costs (itemize fully):

Instructor's Fee	_____
Rent for Location	_____
Materials Printing Cost	_____
Administrative Cost	_____
Other	_____

TOTAL \_\_\_\_\_

(D) [Attach an unexecuted copy of (each of) the proposed contract(s) between the Seller and the Investor.]

**VII. PREVIOUS INVESTORS**

(A) The following individuals have invested in a business opportunity offered by the Seller in the last two years.

<u>Name</u>	<u>Home Address</u>	<u>Home Phone</u>
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(B) The following investors in a business opportunity offered by the Seller have requested refunds in the last three (3) years.

<u>Name</u>	<u>Home Address</u>	<u>Home Phone</u>
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VIII. LITIGATION

(A) The Seller and/or the following of its managers or representatives have been held civilly liable for unfair, false, misleading, or deceptive practices. [IF NONE, SO STATE.]

1. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

2. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

3. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

4. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

**5. Name of manager or representative**

**Sued by**

**Court**

**Cause No.**

**Date filed**

**Date of Judgment**

**Conduct Alleged**

**(Use Additional Sheets if Necessary)**

(B) The Seller and/or the following of its managers or representatives have been convicted of a crime involving fraud, embezzlement, conversion, or theft during the last seven (7) years. [IF NONE, SO STATE.]

1. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

2. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

3. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

4. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

5. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

(Use Additional Sheets if Necessary)

(C) The Seller and/or the following of its managers or representatives have been declared bankrupt during the last seven (7) years. [IF NONE, SO STATE.]

1. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

2. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

3. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

4. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

5. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

(Use Additional Sheets if Necessary)

(D) The Seller and/or the following of its managers or representatives have been parties to lawsuits brought by investors during the last seven (7) years. [IF NONE, SO STATE.]

1. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

2. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

3. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

4. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

5. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

(Use Additional Sheets if Necessary)

(E) The Seller and/or the following of its managers or representatives have been parties to lawsuits brought by local, state, or federal government agencies. [IF NONE, SO STATE.]

1. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No:

Date of Judgment

2. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

3. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

4. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

5. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

(Use Additional Sheets if Necessary)

(F) The Seller and/or the following of its managers or representatives are currently involved in litigation alleging unfair, false, misleading, or deceptive practices. [IF NONE, SO STATE.]

1. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

2. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

3. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

4. Name of manager or representative

Sued by

Court

Cause No.

Date filed

Date of Judgment

Conduct Alleged

5. Name of manager or representative

Sued by

Court

Date filed

Conduct Alleged

Cause No.

Date of Judgment

(Use Additional Sheets if Necessary)

## IX. SURETY OR IRREVOCABLE LETTER OF CREDIT

### q Surety

Name of surety  
Address  
Telephone Number

As required by Indiana law, the Seller has secured a bond issued by \_\_\_\_\_, a surety company authorized to do business in Indiana. Before signing a contract to invest in this business opportunity, you should check with the surety company to determine the bond's current status.

(OR)

### q Irrevocable Letter of Credit

Name of issuer  
Address  
Telephone Number

As required by Indiana law, the Seller has secured an irrevocable letter of credit issued in favor of the State from \_\_\_\_\_, a financial institution authorized to do business within the State. Before signing a contract to invest in this business opportunity, you should check with this financial institution to determine what protection this affords the investor.

## X. EARNINGS INFORMATION

No guarantee of earnings or ranges of earnings can be made. The number of investors who have earned through this business opportunity an amount in excess of the amount of their initial payment is at least \_\_\_\_\_, which represents \_\_\_\_ percent of the total number of investors in this business opportunity.