

## **Investor Accreditation Evaluation (Data Intake)**

THE FOLLOWING INVESTOR ACCREDITATION EVALUATION IS ESSENTIAL TO ENSURE THAT THIS OFFERING IS CONDUCTED IN FULL COMPLIANCE WITH REGULATION D OR REGULATION S OF THE SECURITIES ACT OF 1933, AS AMENDED. THE EVALUATION WILL REMAIN ON FILE IN CONFIDENCE IN THE OFFICES OF EB-5 NEW YORK PROTON REGIONAL CENTER (THE "Limited Liability Company") FOR A PERIOD OF 4 YEARS.

YOUR COOPERATION IN THE FULL COMPLETION OF THE INVESTOR EVALUATION IS GREATLY APPRECIATED.

### **New York Proton Regional Center**

Name of Prospective Investor \_\_\_\_\_

Address  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the limited liability company interest (the "Interest") offered for sale to me by the Limited Liability Company will not be registered under the Securities Act of 1933, as amended (the "Act") and applicable State Securities Laws (the "State Acts"). I also understand that in order to ensure that the offering and sale of the Interest (the "Offering") are exempt from registration under the Act and the State Acts, the Limited Liability Company is required to have reasonable grounds to believe, and must actually believe, after making reasonable inquiry and prior to making any sale *(place "X" in appropriate box below)*;

that purchasers not resident in the United States at the time of the offer and purchase are purchasing for their own account and not for the benefit of a United States person, as that term is defined in Regulation S;

or;

that the purchaser is resident and is living in the United States, in which event Regulation D under the Act shall apply.

NOTE: The information provided herein will be relied upon in connection with the determination as to whether you meet the standards imposed by Regulation D or Regulation S promulgated under the Act, since the interests offered hereby have not been and will not be registered under the Act and are being sold in reliance upon the exemption provided by Regulation S or Regulation D as applicable to the Investor. All information supplied will be treated in confidence: except that this Evaluation may be presented to such parties as deemed appropriate or necessary to establish that the sale of the Unit to you will not result in violation of the exemption from registration under the Act which is being relied upon in connection with the sale of the unit.

**INSTRUCTIONS:** Please answer each question fully and attach additional information, if necessary. If the answer to any question is None or "Not Applicable" please so state. Please sign and date the Evaluation on the final page.

In order to induce the Limited Liability Company to permit me to purchase an Interest, I hereby warrant and represent to the Limited Liability Company as follows:

**Investor Accreditation Evaluation: New York Proton Regional Center**

1. Name: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ (mm/dd/yyyy)  
Firm Name: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Business Telephone Number: \_\_\_\_\_  
Residence Address: \_\_\_\_\_

2. (a) Education:  
\_\_\_\_\_  
\_\_\_\_\_

Other specialized Education or Instruction:

\_\_\_\_\_  
\_\_\_\_\_

(b) All Professional Membership Licenses:

\_\_\_\_\_  
\_\_\_\_\_

3. Occupation:  
Present Occupation (with date of commencement):  
\_\_\_\_\_  
\_\_\_\_\_

Occupation during last five years (with dates):

\_\_\_\_\_  
\_\_\_\_\_

**Please place "X" by all applicable**

My net worth (excluding home, home furnishings, and automobiles) is at least \$ \_\_\_\_\_ USD

My proposed investment \_\_\_\_\_ will \_\_\_\_\_ will not exceed ten percent of my net worth.

4. My income \_\_\_\_\_ has \_\_\_\_\_ has not exceeded **\$200,000.00 USD** in each of the two most recent years, and I \_\_\_\_\_ have \_\_\_\_\_ do not have a reasonable expectation of reaching the same income level in the current year.

My joint income with my spouse \_\_\_\_\_ has \_\_\_\_\_ has not exceeded **\$300,000.00 USD** in each of the two most recent years, and I \_\_\_\_\_ have \_\_\_\_\_ do not have a reasonable expectation of reaching the same income level in the current year.

5. I do not have any other investments or contingent liabilities which I reasonably anticipate could cause the need for sudden cash requirements in excess of cash readily available to me.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

6. I have checked my investment objectives where applicable:

\_\_\_\_\_ Income                      \_\_\_\_\_ Appreciation                      \_\_\_\_\_ Other

7. I can bear the risk of the proposed investment, including the loss of my entire investment, a lack of liquidity in the investment or an inability to sell the investment for an indefinite period of time.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

8. I learned about this investment in the following manner:

\_\_\_\_\_ Personal contact or acquaintance

\_\_\_\_\_ Investment adviser or counselor

\_\_\_\_\_ Prior investment or association with the Limited Liability Company

\_\_\_\_\_ Broker-Dealer

\_\_\_\_\_ Affiliation with business or management

\_\_\_\_\_ Immigration Research

\_\_\_\_\_ Other (please state)

9. I have received a copy of the Offering Memorandum, dated \_\_\_\_\_, 20\_\_\_\_, and all Exhibits thereto (the "Memorandum") setting forth information relating to the Limited Liability Company and the terms and conditions of a purchase of an Interest, as well as any other information deemed necessary or appropriate to evaluate the merits and risks of an investment in the Interest. I further acknowledge that I have had the opportunity to ask questions of, and to receive answers from, representatives of the Limited Liability Company concerning the terms and conditions of the Offering and the information contained in the Memorandum.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

Name and position of person talked to (if applicable): \_\_\_\_\_

I acknowledge that the individual(s) to whom I have spoken did only clarify the information contained in the Memorandum and that I am continuing to rely solely upon the information, representations and disclosures contained in the Memorandum.

10. With respect to my qualifications as an "alien entrepreneur" for purposes of the Regulations to the Immigration and Nationality Act, as amended, I represent and warrant that:
- (a) I have attained the age of 18 years and have the legal capacity and competence to execute all necessary documents in connection with this Offering;
  - (b) I have complied and will continue to comply with all the requirements, terms and conditions prescribed by the U.S. Citizen and Immigration Services and the U.S. Department of State in connection with my forthcoming petition as an EB-5 fifth employment-based visa preference "alien entrepreneur" and subsequent applications for lawful permanent residence;
  - (c) I have accumulated a net worth of not less than **\$1,000,000.00 USD**; or an individual income in excess of **\$200,000.00 USD** each of the two most recent years; or a joint income with my spouse in excess of **\$300,000.00 USD** in each of the two most recent years and reasonably expect to reach the same income level in the current year;
  - (d) I am in good health and know of no health impairment which would likely result in exclusion under the Immigration and Nationality Act, as amended; and
  - (e) I have never been convicted of any criminal offense or engaged in any acts which constitute crimes of which I have not been convicted and I do not know of any which would result in my failure to meet the requirements of an "alien entrepreneur" or to be admitted to the United States as a lawful permanent resident.

11. I was not solicited by any general form of advertisement for this investment.
  
12. I am aware that there are limitations on my ability to sell the Interest and that the certificate evidencing the Interest will carry a restrictive legend.
  
13. I am purchasing the Interest for personal investment and without a view to redistribution.
  
14. I represent and warrant to the Limited Liability Corporation and its General Partner that the information contained in this Investor Accreditation Evaluation is true, complete, and correct.
  
15. I agree to notify the Limited Liability Corporation promptly of any change in the foregoing information which may occur prior to transfer of the Interest to me.

**Dated:** \_\_\_\_\_

**Investor Name (print):** \_\_\_\_\_

**Investor Signature:** \_\_\_\_\_