

Nebraska Department of Economic Development

Angel Investment Tax Credit

Qualified Investor Certification Application - Individual

NOTE: TAX CREDITS MAY ONLY BE UTILIZED BY RESIDENTS OF THE STATE OF NEBRASKA. ONLY NEBRASKA RESIDENTS WHO ARE OTHERWISE ELIGIBLE TO UTILIZE AN ALLOCATION OF TAX CREDITS WILL BE ALLOCATED ANY ANGEL INVESTMENT TAX CREDITS.

Section I. Name and identifying information

Legal Name ("Investor"): _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ SSN: _____

E-mail: _____

Section II. Qualified Investment

A. Does the Investor intend to make a "Qualified Investment" in a Qualified Small Business pursuant to the Nebraska Angel Investment Tax Credit Program ("Program") totaling at least \$25,000.00? **Note: Qualified Investors who invest in Qualified Funds are not required to make a \$25,000 minimum Qualified Investment in a Qualified Small Business.**

No Yes

B. Has the Investor already made the Qualified Investment for which it seeks allocation of Nebraska Angel Investment Tax Credits ("Tax Credits") prior to submitting this application for certification?

No Yes (indicate date of investment _____)

Section III. Investor

A. Is the Investor an "accredited investor" under Rule 501 of Regulation D under the Security Act of 1933, as in effect on January 1, 2011?

Not an accredited investor
 Investor qualifies as an accredited investor for the following reason(s) (check below all that apply)

_____ The undersigned is an individual with a net worth, or a joint net worth together with his or her spouse, in excess of \$1,000,000. In calculating net worth, you may include equity in personal property and real estate (other than your personal property residence), cash, short-term investments, stock and securities. Equity in personal and real estate should be based on fair market value of such property minus debt secured by such property.

_____ The undersigned is an individual who had gross income in excess of \$200,000 in each of the prior two years and reasonably expects an individual gross income in excess of \$200,000 in the current year

_____ The undersigned is an individual who had, with his or her spouse, gross income in excess of \$300,000 in each of the prior two years and reasonably expects an individual and spousal gross income in excess of \$300,000 in the current year.

_____ The undersigned is a director, executive officer, or general partner of the issuer of the securities being offered or sold.

B. Does Investor control fifty percent or more of the Qualified Small Business in which Investor will invest and apply for an allocation of Tax Credits under the Program?

No Yes

C. Is the Investor anything other than an individual?

No Yes

D. Does the Investor receive more than forty-nine percent of its gross annual income from the Qualified Small Business in which the Investor will invest and apply for an allocation of Tax Credits under the Program?

No Yes

Section IV. Tax Credits (initial in the blank below)

_____ I understand that subject to certain limitations, I will be required to maintain any Qualified Investment in a Qualified Small Business for which I am allocated Tax Credits under the Program for the applicable three-year holding period, consisting of the calendar year in which the Qualified Investment is made and the following two years.

_____ I understand that Tax Credits may only be utilized by residents of the state of Nebraska. Only Nebraska residents will be allocated Tax Credits.

Section V. Certifications, Representations, and Authorizations

The undersigned certifies that it has been advised, acknowledges, and understands that no action taken by the State of Nebraska, the Nebraska Department of Economic Development, or by any employee, agent, or official of the State has been intended or shall be construed to:

- (a) constitute an endorsement or recommendation of any business, its business activities, the quality of management of the business, the potential for earnings or of any financial investments made or proposed by any person or entity in the business, as a result of or related to the business' certification as a Qualified Small Business pursuant to the provisions of the Nebraska Angel Investment Tax Credit Act;
- (b) constitute an endorsement or recommendation of the financial condition of, or of the business activities of, any investor or fund that has been certified as either a Qualified Investor or Qualified Fund under the Nebraska Angel Tax Investment Tax Credit Act;
- (c) provide any assurance that a business as a Qualified Small Business, or any investor or fund certified as a Qualified Investor or Qualified Fund, or any investment classified as a Qualified Investment, under the Nebraska Angel Investment Tax Credit Act, is in compliance with any and all applicable federal and state securities or tax laws and regulations; or
- (d) relieve any business or any person or business entity associated with it from any obligation to comply in full with the requirements of any and all applicable federal and state securities and tax laws and regulations.

The undersigned further certifies that has been advised, acknowledges, and understands that:

- (a) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not selling, offering to sell, or soliciting an offer to buy any securities by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act;
- (b) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not acting as a broker or dealer by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act; and
- (c) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not acting as an investment advisor by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act.

Signature

Date

United States Citizenship Attestation Form

For the purpose of complying with Neb. Rev. Stat. §§ 4-108 through 4-114, I attest as follows:

I am a citizen of the United States.

— OR —

I am a qualified alien under the federal Immigration and Nationality Act, my immigration status and alien number are as follows: _____, and I agree to provide a copy of my USCIS documentation upon request.

I hereby attest that my response and the information provided on this form and any related application for public benefits are true, complete, and accurate and I understand that this information may be used to verify my lawful presence in the United States.

SIGNATURE _____

PRINT NAME _____

(first, middle, last)

DATE _____

Mail or email completed application and attachments to:

Nebraska Department of Economic Development

AITC Coordinator

301 Centennial Mall South

P.O. Box 94666

Lincoln, NE 68509-4666

nisha.avey@nebraska.gov

<http://opportunity.nebraska.gov/program/angel-investment-tax-credit>