APPENDIX 1

IDENTIFICATION AND COLLECTION PROCEDURES

The identifying and locating of unclaimed property from the books and records of the holders and the demand for delivery of property shall be made pursuant to the following procedures:

A. Contractor shall identify and examine, and may collect unclaimed property from persons, firms, and entities required to report to State

1. Which are incorporated, have their principal place of business, and have records located outside the state of Ohio, except as noted in Exhibit I, Item 3 and Appendix 2, Section B. below; and

2. Concurrently, for all escheatable property types, under ORC Chapter 169, as applicable, regardless of location of records, unless otherwise agreed to in advance in writing by State.

B. Contractor shall not:

1. Identify and locate unclaimed property from any holder (parent or subsidiary) where its principal place of business is in the State of Ohio (as evidenced by the latest Annual Report or Form 10-K filed by such holder) without obtaining the prior written approval from State.

2. Solicit a holder to enter into a voluntary compliance agreement or purchase other services in regard to holder’s unclaimed funds reporting liability if:

   (a) The holder is under an involuntary examination being conducted by Contractor on behalf of and at the initiation of the State, or if Contractor has been notified that such an examination is being conducted by another Contractor or auditor on behalf of and at the initiation of the State, or

   (b) Contractor has been notified in writing by the State that an examination of the holder is planned, or

   (c) The holder has been contacted within the scope of State’s Compliance Section’s Audit Program.

3. Interfere with any ongoing examination initiated by State.

4. Waive any rights or statutory entitlement on behalf of State.

5. Identify and locate unclaimed property from any holder if Contractor has been notified by the State that the examination of such holder is suspended or terminated.
C. Contractor:

1. Is not prohibited from entering into a voluntary compliance agreement with a holder in order to comply with Unclaimed Property Laws nor is Contractor prohibited from offering other services to a holder when an examination of the holder has not been initiated or planned by State.

2. Shall inform State of agreements with other states. Contractor may only include Ohio in such agreements if Contractor obtains prior written consent of State.

3. Shall commence processing of records within ninety (90) days from when State is notified of Contractor's intent to identify and collect unclaimed property from a holder, except on a showing of good cause.

4. Shall complete the identification, collection, and reporting of unclaimed property to State within one (1) year of the date the records processing began, except that such time may be extended by State for good cause.

5. Shall notify State if a holder company files for bankruptcy before or during an approved audit within seven (7) days of discovery by Contractor of the bankruptcy filing. In such a case, Contractor will prepare a proof of claim or provide such information to enable the State to file a proof of claim within seven (7) days of discovery by Contractor of the bankruptcy filing.

D. The period in which Contractor shall attempt to locate property shall be determined according to the following:

1. Contract Period

   The period in which Contractor attempts to locate unclaimed property shall consist of the current reporting cycle per ORC 169.03(C) as of the Contract date and in accordance with Contract Article III: Time of Performance, as well as any prior reporting cycles for which property remains unclaimed, subject to Article 4.1 of the Contract, and Section D(2) of Appendix 1.

2. Statute of Limitations

   (a) If the statute provides an express date setting forth when the obligation of a holder to report commenced, it will be used.

   (b) If the statute does not set forth such a date, the obligations of the holder will be deemed to require the reporting of all property in the possession of the holder on which the statute of limitations had not yet run as of the effective date of the adoption of the statute. However, in those instances where State advises Contractor that state law permits retroactive extension or abolition
of the statute of limitations, the longest period otherwise permitted by law will be used (subject to the availability of the records of the holder).


1. Where the name and last known address of the apparent owner according to the books and records of the holder is in the State of Ohio, it shall be deemed to be reportable to the State of Ohio.

2. Except as provided in paragraph (c) below, if the holder has not maintained records setting forth the name and last known address of the apparent owner, the property shall be deemed reportable to the holder’s state of incorporation or domicile consistent with the laws of that state. Where no address exists, but the records of the holder establish that the apparent owner resided in Ohio, Contractor shall advise State of Ohio and the holder’s state of incorporation, for the purpose of determining which state possesses the priority claim to the funds.

3. Property subject to applicable superseding federal law regarding which state has the right to escheat the property, including but not limited to 12 U.S.C. §2503, shall be reported to Ohio as required by the federal law.

4. Where the address of the apparent owner cannot be readily ascertained, but in fact exists in the books and records of the holder, sampling techniques will be used to allocate the property among the states participating in the review. In such event, if required, sampling techniques will also be utilized to ascertain the proportion of the total reportable property for which the holder has names and last known addresses.

F. If the amount of reportable property cannot be ascertained from the books and records of the holder, statistical estimation techniques may be used for such periods. All sampling and statistical estimation techniques used by Contractor shall be in accordance with AICPA Professional Standards AU Section 350, or an agreed methodology approved in writing by State.

G. Contractor shall not make a demand for the delivery of property upon a holder until such time as the holder and Contractor reconcile and agree upon the report to be filed with State. It is acknowledged and agreed that State reserves the right to participate in a joint audit of a holder, at any time, with Contractor.

H. Notwithstanding the provisions of paragraphs, A through G of Appendix 1, nothing contained herein shall prevent, waive, or otherwise affect the right of State to claim from any other state, property reported and delivered to such state, according to the provisions of paragraphs A through G. Contractor shall, upon request of State, provide State with such information as may be relevant to such claim.