

# **Lottery and Gaming Control Commission**

1800 Washington Boulevard, Suite 330, Baltimore, MD 21230

# NON-GAMING and NON-SPORTS WAGERING VENDOR REGISTRATION APPLICATION

# Form #1023

Vendor's Business Name (Applicant):	
\ <del>-</del> -	MUST be exactly as it is registered with Maryland SDAT
Enter 'D/B/A' or 'T/A' name, if applicable: ("Doing Business As" or "Trading As")	
Name of Sponsoring Entity:	
Sponsoring Entity is a/an: (check one)	
☐ Video Lottery Facility (Gaming Casino) lice	ense holder or license applicant
☐ Gaming Manufacturer license holder or licen	nse applicant
☐ Gaming Contractor license holder or license	applicant
☐ Sports Wagering Facility license holder or li	cense applicant
☐ Sports Wagering Facility Operator license he	older or license applicant
☐ Mobile Sports Wagering license holder or license	cense applicant
☐ Online Sports Wagering Operator license ho	lder or license applicant
☐ An authorized Certified Non-Gaming and No	on-Sports Wagering Construction Vendor

#### **NOTICE**

Maryland's Gaming Law and Sports Wagering Law are long and complex. Maryland Gaming Law is located in State Government Article, Title 9, Subtitle 1A, Annotated Code of Maryland ("SG"). The regulations promulgated by the Maryland Gaming Control Commission ("Commission") are found in Code of Maryland Regulations ("COMAR") 36.03. Collectively, SG § 9-1A *et seq.* and COMAR 36.03 are referred herein as the "Gaming Law". Maryland's Sports Wagering Law is located in SG Title 9, Subtitle 1E, and the regulations promulgated the Commission are found in COMAR 36.10. Collectively, SG § 9-1E *et seq.* and COMAR 36.03 are referred herein as the "Sports Wagering Law".

The cites referenced within this application are for explanatory purposes only, are subject to change, may be different from what is provided, and should not be relied upon. You are expected to be familiar with the current Sports Wagering Law and Gaming Law; updates and information may be found at https://www.mdgaming.com/.

Failure or refusal to adhere to the Gaming Law and Sports Wagering Law may result in the Commission imposing sanctions and/or penalties, to include, but not be limited to, placing conditions on the applicant; suspension or cancellation of the certification; and/or fines, and may result in criminal and/or civil charges being filed against the certificate holder.

#### **SECTION A - ELIGIBILITY**

- **A.1** A **Sponsoring Entity** for the purposes of the Non-Gaming and Non-Sports Wagering Vendor Registration Application is an applicant for, or a license holder of, a/an:
  - (a) Video Lottery Facility (Casino) License;
  - (b) Gaming Manufacturer License;
  - (c) Gaming Contractor License;
  - (d) Sports Wagering Facility License;
  - (e) Sports Wagering Facility Operator License;
  - (f) Mobile Sports Wagering License;
  - (g) Online Sports Wagering Operator License;
  - (h) Sports Wagering Contractor License; or
  - (i) Non-Gaming or Non-Sports Wagering Construction Vendor Certification.
- **A.2** A "Vendor" has the meaning stated in COMAR 36.03.02.07 and COMAR 36.10.06.11 and is any person who provides non-gaming or non-sports wagering goods and services to a Sponsoring Entity.

A Non-Gaming or Non-Sports Wagering Vendor is **prohibited** from providing or attempting to provide any gaming or sports wagering goods, services, parts, components, or supplies unless **licensed** by the Commission as a:

- (a) Gaming Manufacturer;
- (b) Gaming Contractor; or
- (c) Sports Wagering Contractor.

**A.3** Pursuant to COMAR 36.03.02.17 and COMAR 36.10.06.11, a Vendor, unless exempt, is required to be registered or certified with the Commission **prior to conducting any business** with a Maryland Sponsoring Entity.

#### **SECTION B - APPLICATION CLASSIFICATION**

- **B.1** A vendor must determine the correct application based on the **combined total value within a calendar year** of non-gaming and/or non-sports wagering goods and services provided to, or anticipated to be provided to, a Sponsoring Entity or to multiple Sponsoring Entities.
- **B.2** As described in COMAR 36.03.02.17 and COMAR 36.10.06.11, a vendor that provides, or anticipates providing, non-gaming and/or non-sports wagering goods and services within a calendar year with a combined total value of:
  - (a) Less than \$20,000 to a Sponsoring Entity is **exempt** from submitting an application to the Commission, but is required to be registered with Maryland SDAT;
  - (b) \$20,000 to \$299,999 to a single Sponsoring Entity is required to be **Registered** by the Commission (Form 1023);
  - (c) \$20,000 to \$599,999 to multiple Sponsoring Entities is required to be **Registered** by the Commission (Form 1023);
  - (d) \$300,000 or above to a single Sponsoring Entity is required to be **Certified** by the Commission (Form 1021 or Form 1021CC); or
  - (e) \$600,000 or above to multiple Sponsoring Entities is required to be **Certified** by the Commission (Form 1021 or Form 1021CC).
- **B.3** The Commission monitors all payments to Vendors by each Sponsoring Entity. If the Commission determines that a Vendor's combined total value of non-gaming and/or non-sports wagering goods and services is approaching a prescribed threshold, the Sponsoring Entity may delay or cease payments to the Vendor to prevent a violation of the Gaming Law or Sports Wagering Law.

If the Commission determines that a Vendor's combined total value of non-gaming and/or non-sports wagering goods and services has exceeded a prescribed threshold, the Sponsoring Entity is required to cease payments to the Vendor.

If a Vendor, approaching a prescribed threshold, anticipates providing non-gaming and/or non-sports wagering goods and services which have a combined value exceeding a prescribed threshold, the Vendor is required to submit the pertinent application to the Commission. The Vendor is prohibited from conducting business which will exceed a prescribed threshold until the Commission approves the Vendor's pertinent and proper application.

If a Vendor has exceeded a prescribed threshold, the Vendor is required to submit the pertinent and proper application to the Commission. The Vendor is prohibited from conducting any further business until the Commission approves the Vendor's pertinent and proper application.

Violations of Gaming Law and Sports Wagering Law related to the combined total value of non-gaming and non-sports wagering goods and services provided by a Vendor may result in penalties or sanctions against a licensee or cancellation of a Vendor's registration or certification.

#### SECTION C – VARIOUS VENDOR-RELATED FORMS

- **C.1** Non-construction-based Vendor Certification, Form 1021. If a Vendor provides, or anticipates providing, non-gaming and/or non-sports wagering goods and services for the <u>duration of the hospitality phase</u> (i.e. gaming and sports wagering operations), then the Vendor is a non-construction based vendor and if certification is required, see B.2, then Form 1021 must be submitted to the Commission.
- **C.2** Construction-based Vendors Certification Application, Form 1021CC. If a Vendor provides, or anticipates providing, non-gaming and/or non-sports wagering goods and services during the construction phase for a Sponsoring Entity then it is a construct-based vendor. This includes construction management, general contractors and subcontractors. If certification is required, see Section B.2, then Form 1021CC must be submitted to the Commission.
- **C.3 Vendor Registration, Form 1023**. As described in Section B.2 and as provided by COMAR 36.03.02.17 and COMAR 36.10.06.11, if a Vendor provides or anticipates providing non-gaming or non-sports wagering goods and services between \$20,000 to \$299,999 to a single Sponsoring Entity or between \$20,000 to \$599,999 to multiple Sponsoring Entities in a calendar year, then it is required to be registered with the Commission.
- **C.4 Emergency Usage of Non-Approved Vendor Services, Form 1024.** This form is completed by the Sponsoring Entity and not the prospective Vendor. The Commission provides Sponsoring Entities, including Certified Construction Vendors with the opportunity to use non-approved vendors in an emergency by completing the Emergency Services Response Vendor Application, Form 1024.

As provided by COMAR 36.03.02.17 and COMAR 36.10.06.11, this notification via Form 1024 must be completed by the Sponsoring Entity, which may include a Certified Construction Vendor, and submitted to the Commission if a Sponsoring Entity encounters an emergent threat to public health, safety, or welfare that is outside its control and requires immediate provision of goods or services by a Vendor. This emergency notification shall occur no later than the next State work day.

Unless exempt, a Vendor that provided goods or services as an **emergency non-approved Vendor**, then within **20 business days** of submitting Form 1024 a registration or certification form, as applicable shall be submitted to the Commission.

### **SECTION D - FEES AND COSTS**

#### **Application Fee:**

Vendor Registration (Form 1023) is \$100.

# SECTION E - TERM OF REGISTRATION AND RENEWAL OF REGISTRATION

- **E.1 Term:** A Maryland Non-Gaming and Non-Sports Wagering Vendor Registration is valid for five (5) years from the date of approval of registration.
- **E.2** Renewal Process: The Commission may renew the Non-Gaming and Non-Sports Wagering Vendor's Registration if the Vendor:
  - (a) Submits an application for renewal to the Commission at least 90 days before the Vendor's registration expires, but not more than 120 days before the Vendor's registration expires;
  - (b) Continues to comply with all vendor registration or certification requirements; and
  - (c) Pays the Non-Gaming and Non-Sports Wagering Vendor's Registration renewal fee of \$100.

#### **SECTION F - REMITTANCE OF FEES**

#### **Notice Regarding Required Fees:**

An Applicant is required by the Gaming Law and Sports Wagering Law to submit a payment to the Commission *at the time the application is submitted to the Commission*. If an applicant fails to submit the required payment, the Commission may determine that an Applicant has submitted an incomplete and inaccurate application and may deny the registration.

**Note:** Vendor application fees, made payable to "*Maryland Lottery and Gaming Control Agency*" are due at the time of application. These fees are **non-refundable**.

#### **Payment Submission Process:**

The Sponsoring Entity will designate or assign at least one employee who will be responsible for its vendors, which is the Sponsoring Entity Vendor Administrator. The Licensing Division will authorize the Vendor Administrator to perform certain tasks within the 'eLicensing' system such as uploading documents, entering data, and submitting information. The Licensing Division expects the Vendor Administrator to convey certain information to the Vendor.

#### Step 1:

The Applicant is required to submit a payment via option 'A' or 'B' in a timely manner.

- A. The Applicant may submit a payment directly to the Licensing Division in the form of a:
  - 1. Business Check;
  - 2. Cashier's Check; or a
  - 3. Money Order (**no** personal checks).

The Business Check, Cashier's Check or Money Order must be sent to:

Maryland Lottery and Gaming Control Agency Attn: Licensing and Background Investigations Division 1800 Washington Boulevard, Suite 330 Baltimore, Maryland 21230

B. The Applicant may submit a payment via a Wire Transfer:

**Bank Name**: Wells Fargo Bank, N.A.

**Bank Address**: 420 Montgomery Street, San Francisco, CA 94104

**Account Name**: Maryland State Lottery

**ABA Routing Number**: 121000248 **Swift Code**: WFBIU6S **Account Number**: 4928823376

#### **Step 2**:

The Applicant is **required** to send an email to the Licensing Division (<u>gaming.services@maryland.gov</u>), entitled "Payment Notification."

The email must notify the Commission of the following:

- 1. The name of the Vendor applicant (especially important if the company's name on the check is different from the Vendor's name);
- 2. The name of the Sponsoring Entity;
- 3. The type of application the Vendor is submitting; and
- 4. The certified / bank check, money order or wire transfer number.

#### **SECTION G - IMPORTANT NOTICES**

- G.1 Official Document. This form is an official document of the Maryland Lottery and Gaming Control Commission ("Commission"). It may not be altered or changed, except to insert the information that is required. Any alteration or change to this document is prohibited and may cause the application or the Vendor's certification to be delayed or denied.
- G.2 Accuracy, Completeness, and Truthfulness. You must make accurate statements and include all material facts. Any misrepresentation, failure or refusal to provide any required information; intentional omissions of material facts; misrepresentation of details; or failure or refusal to meet any other requirement as set out in the Gaming Law and Sports Wagering Law may result in the denial of the application. False or misleading statements to the Commission may subject a Vendor applicant to civil and/or criminal penalties. All submissions are subject to verification.
- **G.3 Vendor's Conduct.** Upon receipt of the certification fee, completed form and verification of the information provided by the Vendor, the Commission will determine whether the Vendor's conduct of business with the Sponsoring Entity is consistent with the public interest of the State and the policies in the Gaming Law and Sports Wagering Law. If the Vendor's conduct is contrary to public interest of the State or the policies of the Gaming Law and Sports Wagering Law then the Commission shall deny the Vendor's request for registration.
- **G.4 SDAT Compliance**. Failure or refusal to maintain the criteria for approval, to include compliance with all Maryland State Department of Assessments and Taxation ("Maryland SDAT") regulations, may

lead to the Commission suspending or cancelling the Vendor's Registration. Applicant's compliance with Maryland SDAT regulations will be audited periodically.

- **G.5 Denials**. The Commission's decision to deny or cancel a Vendor registration, or denial of the renewal of a Vendor registration does not give rise to an appeal right under the contested case provisions of the Maryland Administrative Procedure Act. COMAR 36.03.02.17; COMAR 36.10.06.11.
- **G.6 Continuing Obligation**. A Vendor is under a continuing obligation to promptly disclose any changes in information provided in the application, as well as, any changes to the materials submitted in connection with this Application. The duty to make such additional disclosures shall continue throughout any period of registration.
- **G.7** Changes to Submitted Information. The applicant shall promptly provide written notification to the Commission of any corrections or changes to this application once submitted or to materials submitted in connection with this Application. The duty to notify the Commission in writing of any changes or corrections shall continue throughout any period of registration.

Changes in the ownership of the Vendor; transfer or departure of individuals (e.g. any officer, partner, director, management or supervisory employees, or the designated point-of-contact); physical/email addresses; or phone numbers **require written notification** to the Commission. The Vendor must immediately submit a <u>Vendor Change of Information Form - Certified Vendor, Form 1023U</u>, available at <a href="https://www.mdgaming.com/licensing/vendors/">https://www.mdgaming.com/licensing/vendors/</a>.

- **G.8** Changes to Vendor's Business Name. The Vendor may only conduct business with a Sponsoring Entity by the name approved by the Commission. If a Vendor changes the name of the company with which it conducts business with a Sponsoring Entity, the Vendor must immediately submit a <u>Vendor Change of Information Form Certified Vendor, Form 1023U</u>, available at <a href="https://www.mdgaming.com/licensing/vendors/">https://www.mdgaming.com/licensing/vendors/</a>.
- **G.9** Required Disclosures. Applicants are required to disclose to the Commission each person or entity who owns more than five percent (5%) of the Applicant's business. See **I.4**. Additional disclosure include those officers, partners and directors, as well as, each employee in a position of supervision or management, who are responsible for directly or significantly overseeing, administering or controlling the provision of goods and/or services to a Sponsoring Entity. See I.4.
- **G.10 Maryland SDAT**. A company must be registered with Maryland SDAT to conduct business in Maryland. Companies must maintain compliance with Maryland SDAT laws for the duration of their registration by the Commission.

Submit a *.pdf* of the Applicant's "Good Standing" status or "Trade Name Registration" with Maryland SDAT (**not** a certificate from the Maryland Comptroller's Office) to the Vendor Administrator. The Applicant may submit a copy of the 'General Information' page (<a href="https://egov.maryland.gov/BusinessExpress/EntitySearch/Search">https://egov.maryland.gov/BusinessExpress/EntitySearch/Search</a>) that displays the status. The Applicant will not need to click on the >> Order Certificate of Status, (unless one is needed one for the Applicant's company records). The \$20 copy of the certificate from Maryland SDAT **is not needed** for this application process.

The Vendor Administrator will upload the .pdf into the 'eLicensing' system on behalf of the Applicant.

Information regarding the Maryland SDAT registration process may be found at: <a href="http://dat.maryland.gov/Pages/default.aspx">http://dat.maryland.gov/Pages/default.aspx</a>.

**NOTE**: The Commission periodically monitors each Vendor's compliance with Maryland SDAT. Vendors who fail to abide by Maryland SDAT regulations and allow their Maryland Business Charter to become "Forfeited" may no longer conduct business in Maryland. The Vendor's approved registration by the Commission will be **cancelled**, and the Vendor will be prohibited from conducting business with any Maryland Sponsoring Entity.

G.11 PIA Requests. An Applicant should clearly identify those portions of their application that they deem to be confidential, proprietary commercial information, trade secrets, or confidential financial information of the Applicant and provide justification of why such materials may not be disclosed by the Commission pursuant to a request made under the Public Information Act ("PIA"), Title 4, Subtitle 3, General Provisions Article, Annotated Code of Maryland ("GP"). An Applicant's blanket statement that its entire application is "confidential" is unacceptable. Confidential information supplied by the Applicant shall be used in the ordinary course of processing an application and evaluating the qualifications of an Applicant.

Applications may be subject to partial disclosure pursuant to a request under the PIA. When the Commission receives a PIA request, Staff will collect and review all records that are responsive to the request. The Commission will notify an Applicant of a request made under the PIA and will consider the Applicant's views as to whether the requested information is exempt from disclosure under the PIA. The Commission will make a determination as to whether the information may be disclosed.

- **G.12 Qualification to Provide Goods and Services**. Once a Vendor is approved and registered by the Commission, the Vendor is authorized to conduct business with <u>all</u> Maryland Sponsoring Entities. The Vendor is not required to submit a new application for each new Sponsoring Entity with whom the Vendor contracts to provide goods and services. However, Registered Vendors are urged to carefully review Sections **B.2** and **B.3** before entering into a new contract.
- **G.13 Supplemental Documentation**. The Commission may request additional financial and other information as needed.

#### **SECTION H - INSTRUCTIONS**

These instructions are applicable to any Applicant for a Non-Gaming and Non-Sports Wagering Vendor Registration. Detailed instructions for completion and submission of an application in the 'eLicensing' system can be found in the <u>Vendor Applicant Reference Guide</u> which may be downloaded by the Applicant.

- **H.1** Vendor applications are submitted to the Commission electronically via the 'eLicensing' system. Paper applications for Vendor Registration will not be accepted by the Commission.
- **H.2** Applicants will be provided with a **logon ID** and **temporary password** by the Sponsoring Entity's Vendor Administrator. The 'eLicensing' system will generate a list of **required documents** that the Applicant must forward to the Vendor Administrator. The Vendor Administrator will upload the documents into 'eLicensing' on behalf of the Applicant.

- **H.3** Read each question carefully. **Do not leave blank spaces or blank blocks.** If a question does not apply, write "Does not apply" or "N/A." If the correct answer to a particular question is "None," write "None."
- **H.4** Do not omit or otherwise bypass answers to any response throughout the application. Vendor applicants who submit incomplete applications may be denied.

#### **SECTION I - APPLICANT INFORMATION**

I.1 BU	JSINESS NAME OI	APPLICANT
	itten in the Articles of Incorp	oration, By-Laws, Charter Partnership Agreement or other
Doing Business As (d/b/a) or Trading A	As (t/a) Name:	
		TIPAL ADDRESS(ES)
Describe the Applicant's use of this ac		
	orate □ Production □ Deve	elopment/Testing   Warehouse   Other
Address Line 1		
Address Line 2		
City	State	Zip
Mailing Address Line 1, if different fi	rom above, otherwise enter "S	ame"
Mailing Address Line 2, if different fi	om above, otherwise enter "S	ame"
City	State	Zip
Vendor's Website		
Describe the Applicant's use of this a	ddress: (check all that apply t	o this address)   No Secondary Address
☐ Mailing ☐ Residential ☐ Corpo	orate	elopment/Testing    Warehouse   Other
Address Line 1		
Address Line 2		
City	State	Zip
Mailing Address Line 1, if different fi	rom above, otherwise enter "S	ame"
Mailing Address Line 2, if different fr	om above, otherwise enter "S	ame"
City	State	Zip
Vendor's Website		L

I.	3 APPLICANT'S	POINT-OF-CONTACT	
Point-	-of-Contact*: (Name)	(Title) ns on behalf of the Vendor.	
E-mai All not	il address:	eck the "SPAM" folder for e-mails from "@maryland.gov."	
		Cell Phone Number:	
I.	4 OWNERS, OFFICERS, DIR	RECTORS and MANAGERS / SUPERVISORS	
th a ", d S	the Applicant's business, to include Vendors operating as a General Partnership). If necessary, upload a detailed explanation that clearly describes the corporate structure (in the "Name" block enter "Ownership information – see attached"). If parent companies are present, the memorandum <b>must</b> describe whether or not the parent company will have any direct or any indirect contact with the Sponsoring Entity.		
,	nvolved in the provision of goods and/or s	r, Partner and Director who will be directly or significantly ervices to the Sponsoring Entity.	
ir	ndividuals who manage, administer or con	ling positions of supervision or management including ntrol the Applicant's activities with the Sponsoring Entity, ors, account managers, site superintendents, distribution sentatives, etc.	
	Name	Position / Title	
<b>T</b>			
I.	5 COMPLIANCE WITH MA	ARYLAND SDAT REGISTRATION	
Mary	vland SDAT registration required (not a	certificate from the Maryland Comptroller's Office)	
Maryl	land SDAT Department ID Number (1 lett	• — — /	
_	Certificate of "Good Standing"		
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I.6	SPONSORING ENTITY	
Vendor's Sponsoring E	ntity:	
I.7 COM	IBINED TOTAL VALUE OF GOODS AND S	ERVICES
Identify the combined t to provide, during a cal	otal value of goods and services the Vendor expects to pro- endar year.	ovide, or has been contracted
	value of goods and services will be \$ ucted dollar amount, <b>NOT a range.</b>	Refer to Section <b>B.2.</b>
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# **I.10**

## APPLICANT'S BUSINESS BACKGROUND

(a) <b>DESCRIPTION OF THE VENDOR'S PRESENT BUSINESS.</b> Furnish the Commission with a 'snapshot' of the Vendor Applicant's company and describe the Vendor's capacity and capabilities to provide the services declared in the application.
(b) DESCRIPTION OF THE SPECIFIC TYPE(S) OF GOODS OR SERVICES TO BE PROVIDED BY THE VENDOR TO THE SPONSORING ENTITY.
(c) NAME OF MARYLAND SPONSORING ENTITY(IES) TO WHICH SUCH GOODS OR SERVICES WILL BE PROVIDED. List each entity.
(d) LIST OTHER VIDEO LOTTERY FACILITIES (CASINOS), SPORTS WAGERING FACILITIES, AND ONLINE SPORTS WAGERING OPERATIONS
SERVED BY THE VENDOR. Provide a list of other jurisdictions where the Vendor conducts business related to gaming or sports wagering. (List by Name, City, State,
Country). Applicant may upload a list if necessary.
(e) TALLY OF THE WORK FORCE SUPPORTING THE VENDOR'S PROVISION OF GOODS AND SERVICES. Furnish the Commission with the total
number of employees IN MARYLAND who will be directly associated with providing the goods or services. Furnish the Commission with the total number of employees OUTSIDE OF MARYLAND who will be directly associated with providing the goods or services.
In Maryland:
Outside of Maryland:
(f) IN THE LAST TEN (10) YEARS, HAS THE APPLICANT HAD ANY GAMING OR SPORTS WAGERING LICENSE APPLICATION, LICENSE, PERMIT
<b>OR OTHER AUTHORIZATION ISSUED BY A GOVERNMENT AGENCY IN ANY JURISDICTION BE DENIED, SUSPENDED OR REVOKED?</b> If "Yes," provide 1) type of license or permit; 2) jurisdiction; 3) details of jurisdiction's actions; and 4) current status of license or permit.
YES NO

# **CERTIFICATION OF BUSINESS RELATIONSHIP**

This page is to be completed <u>only</u> by an authorized representative of a Maryland Sponsoring Entity.

A Vendor applicant is prohibited from signing this form.

Sponsoring Entity:	<del></del>			
Vendor Applicant's Business Name:				
(Include 'T/A' or 'D/B/A' Name, if applicable)				
contract with the Maryland Sponsoring Entity listed gaming and/or non-sports wagering goods and service.  The Applicant is required by the Commission Application since the value of the goods and service provided to a single Sponsoring Entity; or 2) the codoes not exceed \$599,999 to be provided to more to	ove has entered into a business relationship through agreement or d above. The Applicant will provide, or anticipates providing, non-vices with an anticipated value of \$			
I,Printed name of Sponsoring Entity Represent				
Timed name of Sponsoring Endry Represent	ative traine of Spousoffing Entity			
Sponsoring Entity, listed on this form.  Signature of Sponsoring Entity Representative	Date			
Printed Name	Title			
1	NOTARY PUBLIC			
, certifies that the above na	r the County of, in the State of amed individual appeared in person, and before me, either known to me			
or satisfactorily proven to be the individual whose nam Notification.	ne subscribed to the within instrument and signed the Authorization and			
This day of,	, 20, and to which witness my hand and seal.			
	Notary Public			
Stamp or Seal	Printed Name			
	My commission expires, 20			
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