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RECEIPT NUMBER RCW1400651632		CASE TYPE I924A Supplement to Form I-924
RECEIVED DATE December 30, 2013		APPLICANT KELLER, DAVID C
NOTICE DATE January 06, 2014	PAGE 1 of 1	
LIBERTY NEBRASKA REGIONAL CENTER 17470 N PACESETTER WAY SCOTTSDALE AZ 85255		NOTICE TYPE: Receipt Notice

Receipt Notice - This notice confirms that USCIS received your application or petition as shown above. Please reference the receipt number, above, on any correspondence with USCIS. If any of the above information is incorrect, please immediately contact us at USCIS.ImmigrantInvestorProgram@dhs.gov to let us know. This will help avoid future problems.

This notice does not grant any immigration status or benefit. It is not even evidence that this case is still pending. It only shows that the application or petition was filed on the date shown.

Processing time – Processing times vary by kind of case. You can check our website at www.uscis.gov for our current processing times for this kind of case at the particular office to which this case is or becomes assigned. If you do not receive an initial decision or update from us within our current processing time, email us at USCIS.ImmigrantInvestorProgram@dhs.gov. Save this notice, and any other notice we send you about this case, and please make and keep a copy of any papers you send us by any means along with any proof of delivery to us. Please have all these papers with you if you contact us about this case.

If your address changes – If your mailing address changes while you case is pending, notify us at USCIS.ImmigrantInvestorProgram@dhs.gov, otherwise you may not receive notice of our action on this case.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P.O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Immigrant Investor Program
Washington, DC 20529

U.S. Citizenship and Immigration Services

Date: October 24, 2013

David Charles Keller
Liberty Nebraska Regional Center, LLC
17470 N. Pacesetter Way
Scottsdale, AZ 85255

Application:	Form I-924, Application for Regional Center under the Immigrant Investor Pilot Program
Applicant(s):	David Charles Keller
Re:	Initial Regional Center Designation Liberty Nebraska Regional Center, LLC RCW 13 122 51130 / 1312251130

This notice is in reference to the Form I-924, Application for Regional Center Under the Immigrant Investor Pilot Program that was filed by the applicant with the U.S. Citizenship and Immigration Services ("USCIS") on May 2, 2013. The Form I-924 application was filed to request approval of initial regional center designation under the Immigrant Investor Program. The Immigrant Investor Program was established under § 610 of the Department of Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act of 1993 (Pub. L. 102-395, Oct. 6, 1992, 106 Stat. 1874).

I. Executive Summary of Adjudication

Effective the date of this notice, USCIS approves the Form I-924 request to designate Liberty Nebraska Regional Center, LLC as a qualifying participant in the Immigrant Investor Program.

II. Regional Center Designation

USCIS approves the applicant's request to focus, promote economic growth, and offer capital investment opportunities in the following geographic area and industry categories:

A. Geographic Area

The failure to timely file a Form I-924A Supplement for each fiscal year in which the regional center has been designated for participation in the Immigrant Investor Program will result in the issuance of an intent to terminate the participation of the regional center in the Immigrant Investor Program, which may ultimately result in the termination of the designation of the regional center.

The regional center designation is non-transferable.

If the applicant has any questions concerning the regional center designation under the Immigrant Investor Program, please contact the USCIS by email at USCIS.ImmigrantInvestorProgram@uscis.dhs.gov.

Sincerely,

Daniel M. Renaud
Acting Chief, Immigrant Investor Program

OMB No. 1615-0061; Expires 01/31/2015

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-924, Application for Regional Center Under the Immigrant Investor Pilot Program

Do Not Write in This Block - for USCIS Use Only (except G-28 block below)	
Action Block U.S. Department of Homeland Security APPROVED OCT 24 2013 005952 U.S. Citizenship and Immigration Services	Fee RCW1312251130 (b)(6) [redacted] 1924 05/02/2013 G-28 attached Attorney's State License No.

Part 1. Information About Principal of the Regional Center

Name: Last	First	Middle
Keller	David	Charles

C/O: Liberty Nebraska Regional Center, LLC

Street Address/P.O. Box: 17470 N. Pacesetter Way

City: Scottsdale (b)(6)	State: AZ	Zip Code: 85255

Date of Birth (mm/dd/yyyy): [redacted]	Fax Number (include area code): (480) 365-0342	Telephone Number (include area code): (480) 797-6475

Web site address: Liberty-nebraska.com

Part 2. Application Type (Check one)

☒ a. Initial Application for Designation as a Regional Center

☐ b. Amendment to an approved Regional Center application. Note the previous application receipt number, if any (also attach the Regional Center's previous approval notice): _____

Part 3. Information About the Regional Center

(Use a continuation sheet, if needed, to provide information for additional management companies/agencies, Regional Center principals, agents, individuals or entities who are or will be involved in the management, oversight, and administration of the regional center.)

A. Name of Regional Center: Liberty Nebraska Regional Center

Street Address/P.O. Box: 17470 N. Pacesetter Way

City: Scottsdale	State: AZ	Zip Code: 85255

Web site address:	Fax Number (include area code):	Telephone Number (include area code):
www.Liberty-nebraska.com	(480) 365-0342	(480) 797-6475

RECD CSC'13 AUG 2 1547 C30060

Part 3. Information About the Regional Center *(Continued)*

B. Name of Managing Company/Agency: Libertyregionalcenters.com

Street Address/P.O. Box: 17470 N. Pacesetter Way

City: Scottsdale	State: AZ	Zip Code: 85255
Web site address: www.Libertyregionalcenters.com	Fax Number (include area code): (480) 365-0342	Telephone Number (include area code): (480) 797-6475

C. Name of Other Agent: n/a

Street Address/P.O. Box:

City:	State:	Zip Code:
Web site address:	Fax Number (include area code):	Telephone Number (include area code):

D. Continuation, if needed, to provide information for additional management companies/agencies, regional center principals, agents, individuals or entities who are or will be involved in the management, oversight, and administration of the regional center.)

There are only three managing partners involved in the management of liberty Nebraska regional center. See attachment for section 3, part D, of the Liberty Nebraska I-924 application for additional details.

Part 3. Information About the Regional Center *(Continued)*

Note: If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and provide the response.

1a. Describe the structure, ownership and control of the regional center entity.

Liberty Nebraska regional center is one of the family of regional centers under the parent, Liberty Regional Centers. Currently, there is one approved regional center, (Liberty West Regional Center), and two other sub-Liberty Regional Centers submitted to USCIS for approval. See attachment for section 3, part 1a, of the Liberty Nebraska I-924 application for additional details.

b. Date the Regional Center was established(mm/dd/yyyy): 03/28/2013

c. Organization Structure for the Regional Center:

- ☐ 1. Agency of a U.S. State or Territory (identify) _____
- ☐ 2. Corporation
- ☐ 3. Partnership (including Limited Partnership)
- ☒ 4. Limited Liability Company (LLC)
- ☐ 5. Other (Explain) _____

2. Has this regional center's designation ever been formally terminated by USCIS, or has the regional center ever filed a Form I-924 or regional center proposal or amendment that was denied?

☒ No ☐ Yes - Attach a copy of the adverse decision, with an explanation, the date of decision, and case number, if any.

3. Describe the geographic area of the regional center. Note: This area must be contiguous. Provide a map of the geographic area.

See attached for section 3, part 3, of the Liberty Nebraska I-924 application for additional details and map of contiguous counties.

4. Describe the regional center's administration, oversight, and management functions that are or will be in place to monitor all EB-5 capital investment activities and the allocation of the resulting jobs created or maintained under the sponsorship of the regional center.

The parent company, Liberty Regional Centers, has established systems and processes that are applied to every new regional center. Liberty Nebraska regional Center will use NES Financial as their escrow company. The NES Financial system allows the regional center to track every investor's money from start to finish assuring total compliance and reporting to USCIS and to the investor. Liberty Nebraska will also use their exclusive Liberty Tracker software to track job creation and hours worked per week to assure each job is qualified. We will also use e-verify to assure compliance as well. See attachment for section 3, part 4, of the Liberty Nebraska I-924 application for additional details. See answer to section 3, part 5 as well for more definitive information.

Part 3. Information About the Regional Center *(Continued)*

5. Describe the past, current, and future promotional activities for the regional center. Include a description of the budget for this activity, along with evidence of the funds committed to the regional center for promotional activities. Submit a plan of operation for the regional center that addresses how EB-5 investors will be recruited, the method(s) by which the capital investment opportunities will be offered to the investors, and how they will subscribe or commit to the investment interest.

Liberty Nebraska has already allocated funds for this project and we are following strict adherence to USCIS & SEC compliance. See attachment for section 3, part 5, of the Liberty Nebraska I-924 application for additional, specific details.

6. Describe whether and how the regional center is engaged in supporting a due diligence screening of its alien investor's lawful source of capital and the alien investor's ability to fully invest the requisite amount of capital. Also, describe the regional center's prospective plans in this regard if they differ from past practice.

Liberty Nebraska will be using Marcum LLP to screen and obtain source of funds documents for all investors and assure their accuracy & truthfulness. This will be followed by a review of the documents by our immigration attorney prior to submittal to USCIS. See attachment for section 3, part 6, of the Liberty Nebraska I-924 application for additional, details.

7. Identify each industry that has or will be the focus of EB-5 capital investments sponsored through the regional center.

Industry Category Title: Accommodations NAICS Code for the Industry Category: 7211	Is the Form I-924 application supported by an economic analysis and underlying business plan for the determination of prospective EB-5 job creation through EB-5 investments in this industry category? ☐ No - Attach an explanation ☒ Yes
Industry Category Title: Full Service Restaurants NAICS Code for the Industry Category: 7221	Is the Form I-924 application supported by an economic analysis and underlying business plan for the determination of prospective EB-5 job creation through EB-5 investments in this industry category? ☐ No - Attach an explanation ☒ Yes
Industry Category Title: NAICS Code for the Industry Category:	Is the Form I-924 application supported by an economic analysis and underlying business plan for the determination of prospective EB-5 job creation through EB-5 investments in this industry category? ☐ No - Attach an explanation ☐ Yes

Part 3. Information About the Regional Center *(Continued)*

8a. Describe and document the current and/or prospective structure of ownership and control of the commercial entity(s) in which the EB-5 alien investors have or will make their capital investments.

(b)(4) As the manager of the new commercial enterprise, Liberty Nebraska Regional Center, LLC will own [redacted] of the new commercial enterprise, and EB-5 foreign investors will collectively own at most [redacted] as Members. See attachment for section 3, part 8a, of the Liberty Nebraska I-924 application for additional details and a schematic of investors money into the new enterprise and the flow of monies and due diligence that is performed.

b. Date commercial enterprise established, if any (mm/dd/yyyy): 03/28/2013

c. Organization Structure for commercial enterprise:

- ☐ 1. Corporation
- ☐ 2. Partnership (including Limited Partnership)
- ☒ 3. Limited Liability Company (LLC)
- ☐ 4. Other (Explain) _____

d. Has or will the Regional Center or any of its principals or agents have an equity stake in the commercial enterprise?

☐ No ☒ Yes - Attach an explanation and documentation that outlines when and under what circumstances these remittances will be paid.

e. Has or will the Regional Center or any of its principals or agents receive fees, profits, surcharges, or other like remittances through EB-5 capital investment activities from this commercial enterprise, beyond the minimum capital investment threshold required of the EB-5 alien entrepreneurs?

☒ No ☐ Yes - Attach an explanation and documentation that outlines when and under what circumstances these remittances will be paid.

Part 4. Applicant Signature *Read the information on penalties in the instructions before completing this section. If someone helped you prepare this petition, he or she must compete* ***Part 5.***

I certify, under penalty of perjury under the laws of the United States of America, that this form and the evidence submitted with it are all true and correct. I authorize the release of any information from my records that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit being sought. I also certify that I have authority to act on behalf of the Regional Center.

Signature of Applicant	Daytime Phone Number *(Area/Country Codes)*	Date *(mm/dd/yyyy)*
David C Keller	(480) 797-6475	04/29/2013
Printed Name of Applicant	**E-Mail Address**	
David C. Keller	dkeller@empyreanwest.com	
Relationship to the Regional Center Entity (Managing Member, President, CEO, etc.)		
MANAGER		

Part 5. Signature of Person Preparing This Form, If Other Than Above *(Sign Below)*

I declare that I prepared this application using information provided by someone with authority to act on behalf of the Regional Center, and the answers and information provided by the Regional Center.

Attorney or Representative: In the event of a Request for Evidence (RFE), may the USCIS contact you by Fax or E-mail? ☐ No ☐ Yes

Signature of Preparer		**Printed Name of Preparer**	**Date** *(mm/dd/yyyy)*
Firm Name and Address			
Daytime Phone Number *(Area/Country Codes)*	**Fax Number** *(Area/ Country Codes)*	**E-Mail Address**	

I-924 Application - Attachments

Applicant: Liberty Nebraska Regional Center

ATTACHMENT TO 1-924, PART 3, ITEM D

Applicant: Liberty Nebraska Regional Center

ATTACHMENT TO 1-924, PART 3

Liberty Nebraska Regional Center Management

David C. Keller – Managing Partner

Mr. Keller is a Managing Partner of Liberty Nebraska Regional Center, LLC and the founder and CEO of Empyrean West, LLC, its manager. Mr. Keller has 16 years of experience and an extensive background in real estate development and project financing. Mr. Keller is an EB-5 consultant and principal of several USCIS-designed regional centers under the EB-5 Pilot Program. His primary role is working with commercial real estate developers to create strategic financing solutions, with a concentration on government-incentive based financing, such as the EB-5 Program.

Prior to establishing Empyrean West, Mr. Keller worked for two Fortune 50 companies, Proctor & Gamble and PepsiCo and also for and Sara Lee, a Fortune 500 company. While at PepsiCo and Sara Lee, Mr. Keller held executive vice-president roles and his responsibilities included engineering, research and development, manufacturing and outsourcing, and business development. In 1997 Mr. Keller established a construction and real estate company and began developing an international portfolio of activity in Latin America, including real estate development in Costa Rica and sales in the Dominican Republic and Mexico.

Mr. Keller earned a Bachelor of Science degree from Purdue University and a Business degree from Emory University. Mr. Keller holds a Professional Engineers License in Ohio, Georgia, and Texas and is a LEED Certified Builder.

Jay Carter – Managing Partner

Mr. Carter is a Managing Partner of Liberty Nebraska Regional Center, LLC and Empyrean West, LLC. Mr. Carter has over 42 years of experience and an extensive background in project financing, real estate development, and marketing. Mr. Carter has assisted in creating Empyrean West, LLC which strategizes in enhancing regional center operations under the Pilot Program. His primary role is working as an EB-5 consultant and creating, developing, branding, and mapping strategies for securitizing foreign investor funds.

Prior to joining Empyrean West, Mr. Carter worked at Kraft/General Foods, Executrain, Techies.com, Mohawk MFG & Supply, and as a mortgage company owner and broker. During this time Mr. Carter's experiences included marketing, sales, research and business development.

Mr. Carter earned a Bachelor of Arts in Administration, Marketing, Management and Computer Science from Central State University. Mr. Carter has received a President's Award, Broker Manager of the Year Award, and Director of the Year Award, while working for Kraft/General Foods.

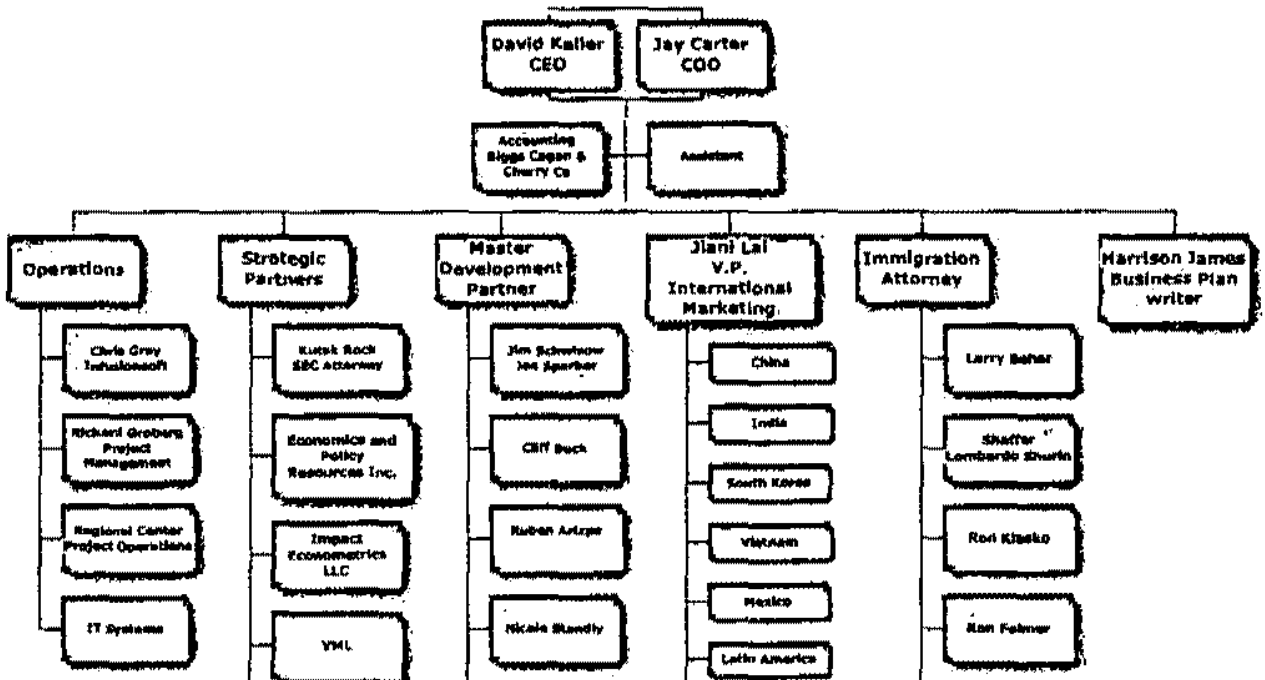
Michael T. Moylan – Managing Partner

Mr. Moylan is an Omaha native, graduate of Creighton Prep High School. With a BS degree from Marquette University in Milwaukee, Wisconsin, he moved back to Omaha and began his real estate career as a sales associate in 1988. In 1991, he joined Investors Realty, Inc., a leading Omaha Commercial Real Estate firm of which he is still affiliated. Mike is a Certified Commercial Investment Member (CCIM), since 1996; a member of International Council of Shopping Centers (ICSC); a

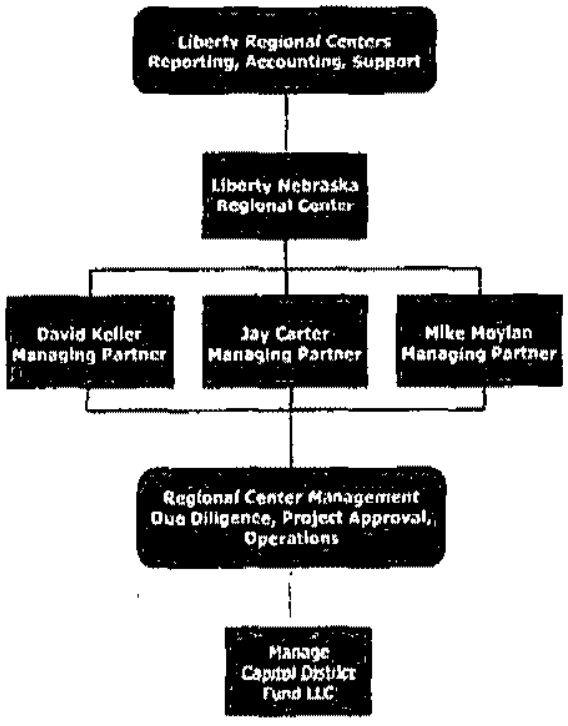
participant in Strategic Coach, an entrepreneurial training program in Chicago, since 2001. Mike is active in many charities including Sacred Heart Church, Ronald McDonald House as well as other civic activities that support Omaha, especially Downtown Omaha. Mike founded Shamrock in 1994.

ATTACHMENT TO I-924, PART 3, ITEM 1A

Liberty Regional Centers, LLC - Organizational Chart



Liberty Nebraska Regional Center – Organizational Chart



ATTACHMENT TO I-924, PART 3, ITEM 1A (continued)

Strategic Partners

SEC Attorney – Kutak Rock	EB-5 Attorney –Larry Behar	Corporate Council – Shaffer Lombardo and Shurin
Immigration Attorney – Larry Behar	Economist – Economic and Policy Resources, Inc.	Marketing – VML, Conversi
Web Design – Reinsch Communications	International Tax Consultants – Marcum LLP	Business Plan Writer – Harrison James

ATTACHMENT TO 1-924, PART 3, ITEM 3

Regional Center Geography

Figures 1 and 2 below illustrate the four Nebraska counties in the Regional Center and the two Iowa counties in the Regional Center.

The six counties are contiguous despite lying on opposites sides of the Iowa-Nebraska borderline.

Figure 1: The Four Nebraska Counties In The Liberty Nebraska Regional Center: Douglas County, Sarpy County, Lancaster County, And Cass County

Figure 2: The Two Iowa Counties in the Liberty Nebraska Regional Center: Pottawattamie County and Mills County

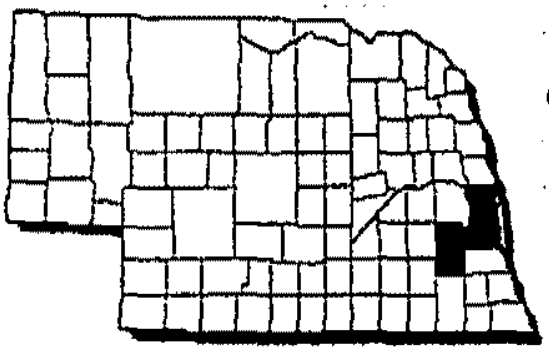


Figure 1

Figure 2

ATTACHMENT TO 1-924, PART 3, ITEM 4

Investor Management Responsibilities

Each alien investor will be Members of the LLC that finances a particular capital investment project. Members shall engage in policy formulation activities and be granted certain rights expressly afforded to them as Member under the Delaware Limited Liability Company Act. The day-to-day business of the regional center will be handled by the Manager

Minimum Investment Amount: Under the Immigrant Investor Pilot Program, an alien can become eligible to obtain U.S. lawful permanent resident status by investing a minimum of either US$1,000,000 or US$500,000 in a new commercial enterprise in the United States. To qualify for the lower US$500,000 investment threshold, the alien must invest his or her capital into a location that qualifies as a Targeted Employment Area ("TEA"). A TEA is defined as an area that, at the time of investment, is a rural area or an area that has experienced an unemployment rate that is at least 150 percent of the national

average unemployment rate. See §203(b)(5)(B) of the Immigration and Nationality Act ("INA") and §204.6(e) of Title 8 of the Code of Federal Regulations ("8 CFR").

Thus, for capital investments in Liberty Nebraska RC projects, the minimum investment amount per EB-5 investor will be US$500,000 since the project resides in a TEA, as indicated by the Nebraska TEA letter found in Exhibit H. Pursuant to 8 CFR §204.6(j)(6)(ii).

Hypothetical Capital Investment Projects: Liberty Nebraska RC will engage in funding of projects which may involve construction, development, operations, retirement of financing and/or management of projects. Liberty Nebraska RC has one initial hypothetical project, referred to in this application as "hypothetical" since their precise details have not yet been finalized

- [redacted] Omaha, Nebraska (b)(4)

[redacted]

ATTACHMENT TO 1-924, PART 3, ITEM 5 (b)(4)

Financial Management

[redacted]

Compliance – USCIS and SEC

Liberty Regional Centers have worked with our SEC Attorney to develop a Master Marketing Agreement stating; "(iv) The Foreign Marketing Consultant agrees that all offers by it shall be made in compliance with all applicable laws and regulations; and (v) the Foreign Marketing Consultant will comply with all applicable requirements relating to investor suitability, and will maintain appropriate records substantiating the foregoing. All representatives of the Foreign Marketing Consultant engaged in the offering will have all required licenses, registrations, and approvals necessary to act in the offering, and will at all times identify themselves as representatives of the Foreign Marketing Consultant in connection with its activities relating to the offering." In addition all marketing and agreements are reviewed by our SEC Attorney for SEC compliance

Project Tracking

Liberty Regional Centers have developed proprietary software to track all aspects of an EB-5 project. Job Creation will be supported by an approved Economic Impact Study backed up by our employment tracking software capturing the I-9's, W-2's, hours worked and employee location for each employee assigned to a foreign investor. Liberty Regional Centers also track funds to the project measuring them against the project business plan. All of this documentation is provided to the Immigration Attorney filing the I-829 for the foreign investor.

ATTACHMENT TO 1-924, PART 3, ITEM 6

Each alien investor will be Members of the LLC that finances a particular capital investment project. Members shall engage in policy formulation activities and be granted certain rights expressly afforded to them as Member under the Delaware Limited Liability Company Act. The day-to-day business of the regional center will be handled by the Manager

Minimum Investment Amount: Under the Immigrant Investor Pilot Program, an alien can become eligible to obtain U.S. lawful permanent resident status by investing a minimum of either US$1,000,000 or US$500,000 in a new commercial enterprise in the United States. To qualify for the lower US$500,000 investment threshold, the alien must invest his or her capital into a location that qualifies as a Targeted Employment Area ("TEA"). A TEA is defined as an area that, at the time of investment, is a rural area or an area that has experienced an unemployment rate that is at least 150 percent of the national average unemployment rate. See §203(b)(5)(B) of the Immigration and Nationality Act ("INA") and §204.6(e) of Title 8 of the Code of Federal Regulations ("8 CFR").

Investor questionnaires will also be used to assess each investor's suitability and funding source. Please refer to the regional center's operational plan, enclosed, for further detail.

ATTACHMENT TO 1-924, PART 3, ITEM 8a

As the manager of the new commercial enterprise, Liberty Nebraska Regional Center, LLC will own [redacted] of the new commercial enterprise, and EB-5 foreign investors will collectively own at most [redacted] as Members. (b)(4)

Liberty Nebraska Regional Center, LLC will charge each investor administrative fees of [redacted] to cover the costs associated with operating and promoting the regional center. The regional center in its capacity as manager of each new commercial enterprise will not receive any profits from operations. None of the capital contribution funds of EB-5 investors will be used to pay the regional center entity's costs or to pay its principals or agents.

Regional Center Project Funding Structures

For each capital investment project, investment capital will be contributed by individual alien investors into a single purpose LLC as a new funding entity. Liberty Nebraska RC will be the manager for each Fund LLC. The number of investors in each LLC will be determined based on the budget and projected job creation for the project. Capital invested into a LLC will be used by the LLC to fund the development or acquisition, renovation/redevelopment, retirement of financing, and/or operation and management of one or more projects.

Each LLC will finance a capital investment project utilizing the full amount of the EB-5 capital investment funds. The foreign investors will make at-risk equity investments into the new commercial enterprise. All of the EB-5 investment funds they contribute will be transferred into the capital investment project and fully utilized for job creation purposes, pursuant to the project-specific business plans for each project. Further Liberty Nebraska RC will be involved in an oversight role to ensure that all investment project activities comply with the project business plans and Immigrant investor pilot program requirements. For the hypothetical hotel project we will use a debt structure of mezzanine financing as illustrated in the diagram below

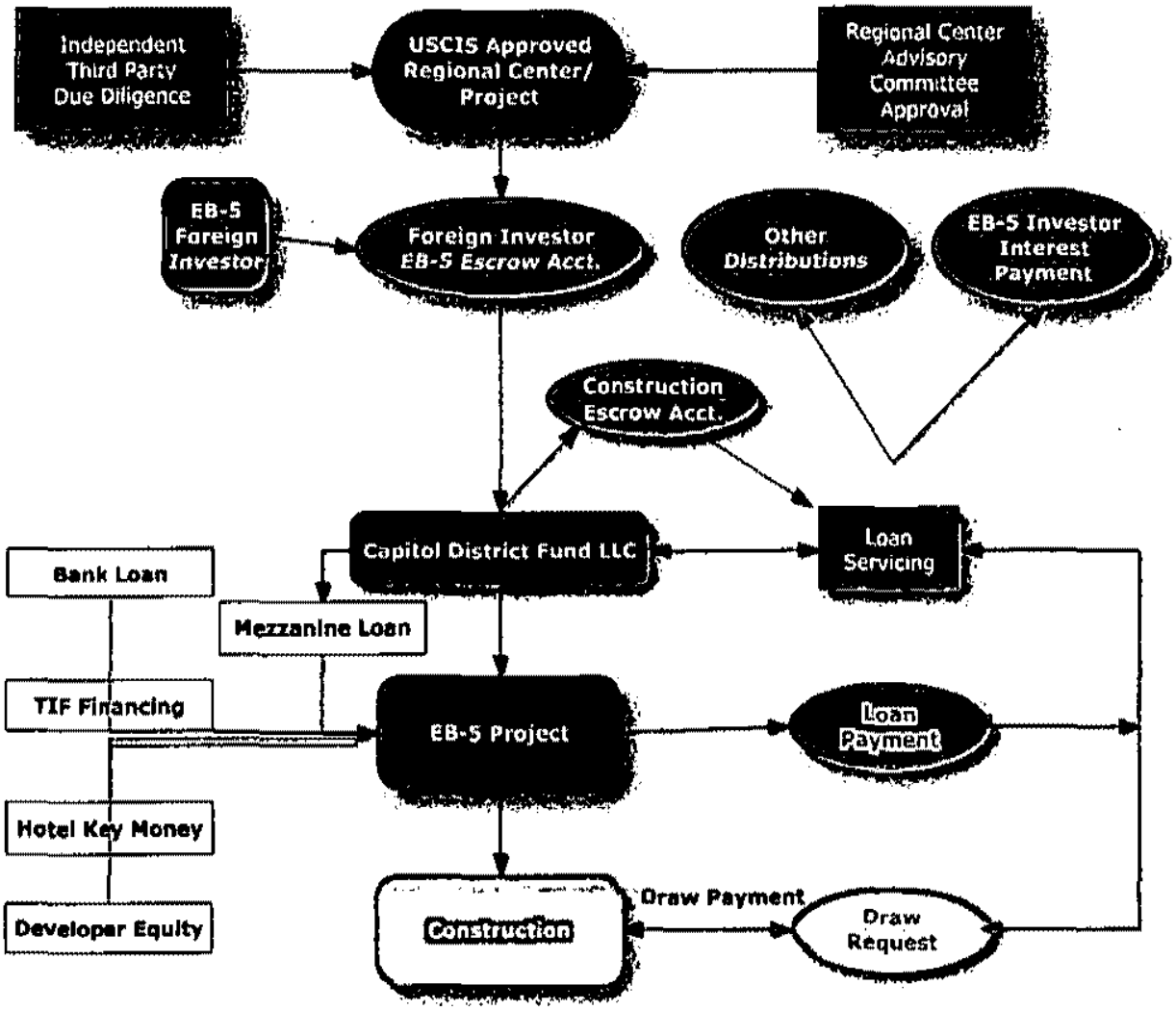


Table of Contents

(b)(4)

LIBERTY
REGIONAL CENTERS

Petition for a proposed:

LIBERTY NEBRASKA

REGIONAL CENTER

Submitted to:

United States Citizenship & Immigration Services | California Service Center
Attn: EB-5 Processing Unit
P.O. Box 10526
Laguna Nigel, CA 92607-0526

Prepared by:

Liberty Regional Centers, LLC
17470 N. Pacesetter Way
Scottsdale, AZ 85255

LIBERTY
REGIONAL CENTERS

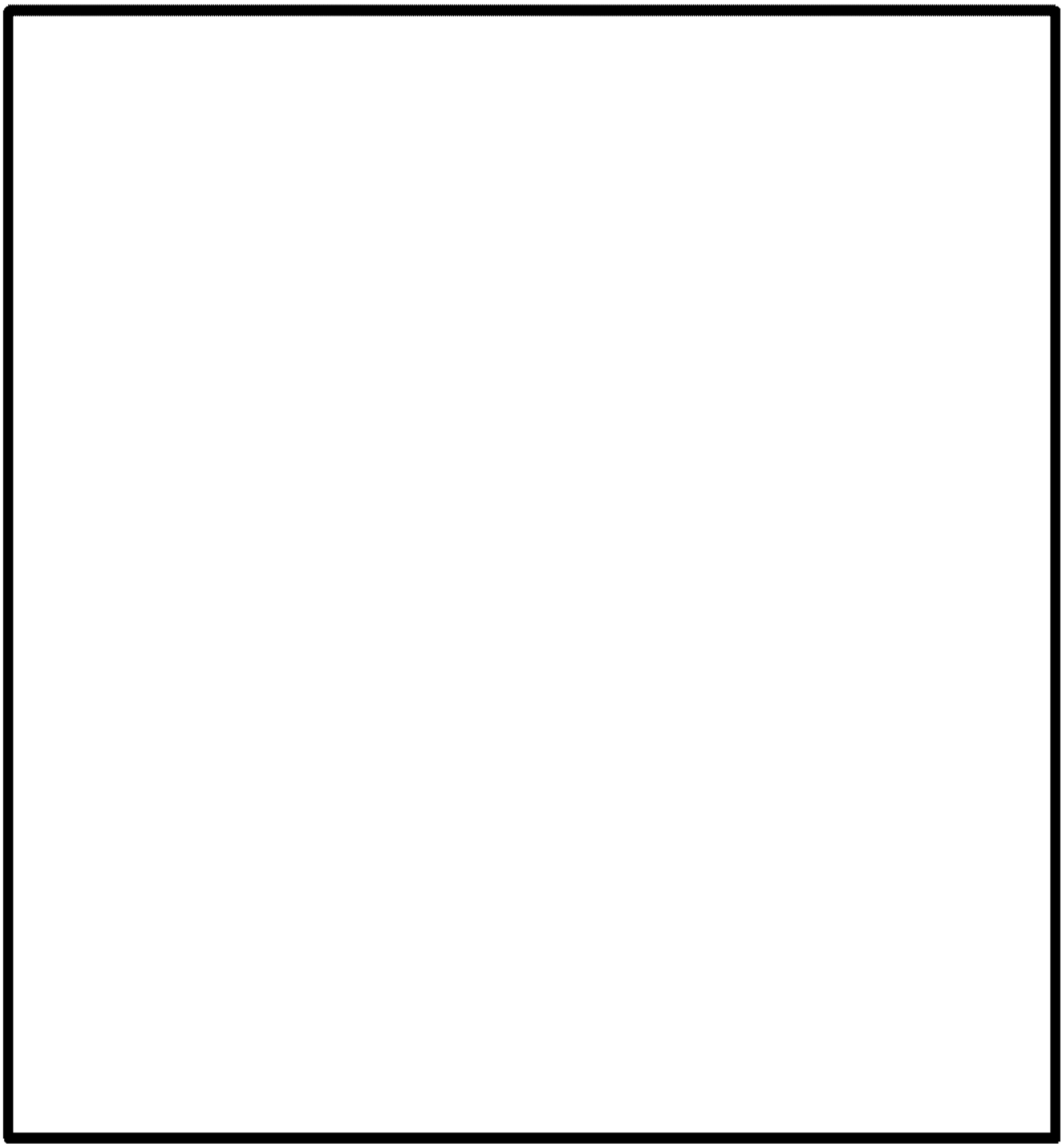
SUBMISSION CONTAINS CONFIDENTIAL COMMERCIAL INFORMATION.

PER THE FREEDOM OF INFORMATION ACT (FOIA) (5 U.S.C. 552 (b)(4). SUBMITTER REQUESTS PREDISCLOSURE NOTIFICATION PER PRESIDENTIAL EXECUTIVE ORDER NO 12,600, 52 fed. Reg. 23781 (JUNE 23, 1987)

United States Citizenship and Immigration Service | California Service Center
Attn: EB-5 Processing Unit
P.O. Box 10526
(b)(4) Laguna Niguel, CA 92607-0526
May 1, 2013

RE: Liberty West Regional Center Proposal

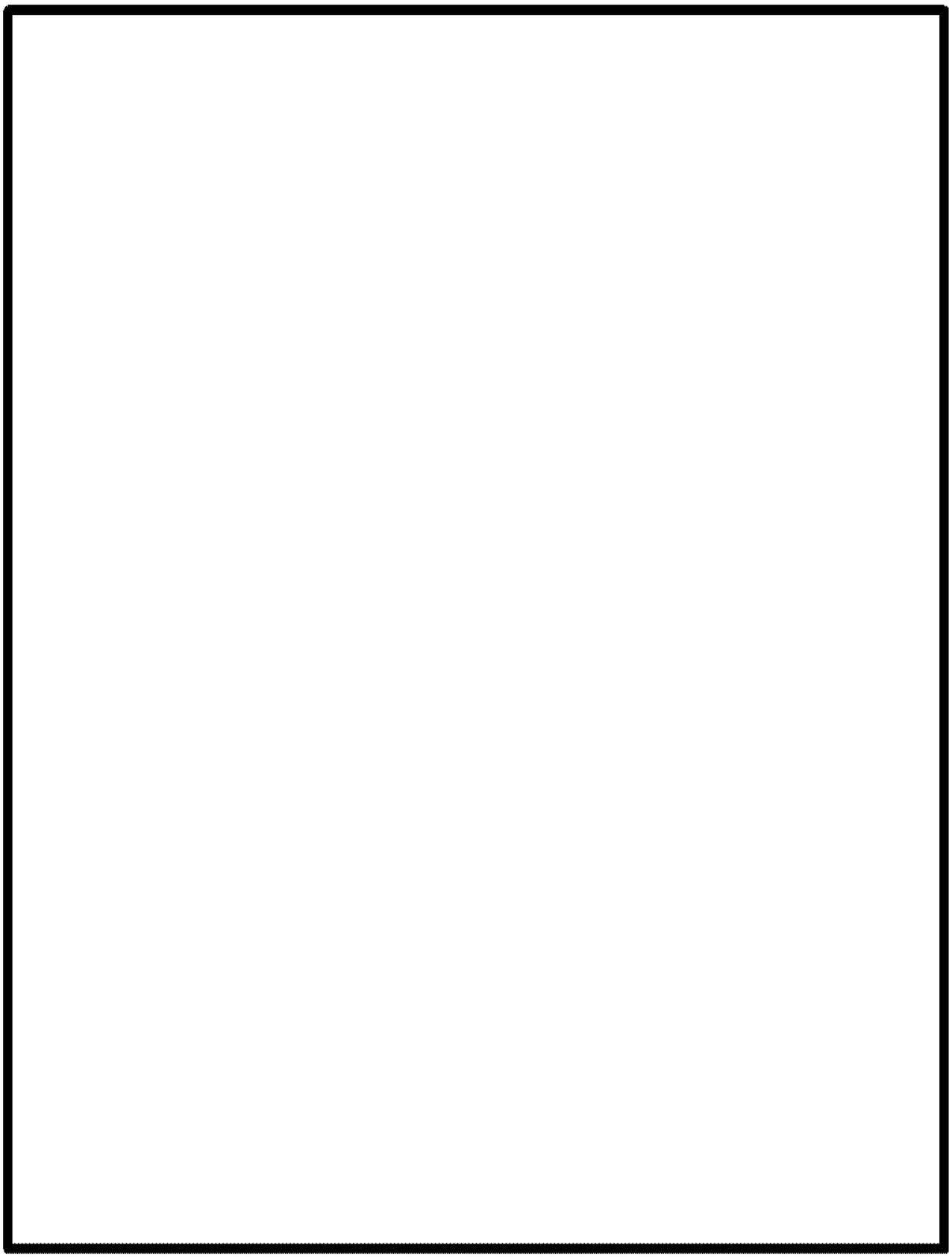
(b)(4)



(b)(4)

ECONOMIC AND EMPLOYMENT ANALYSIS OF HYPOTHETICAL PROJECT

(b)(4)

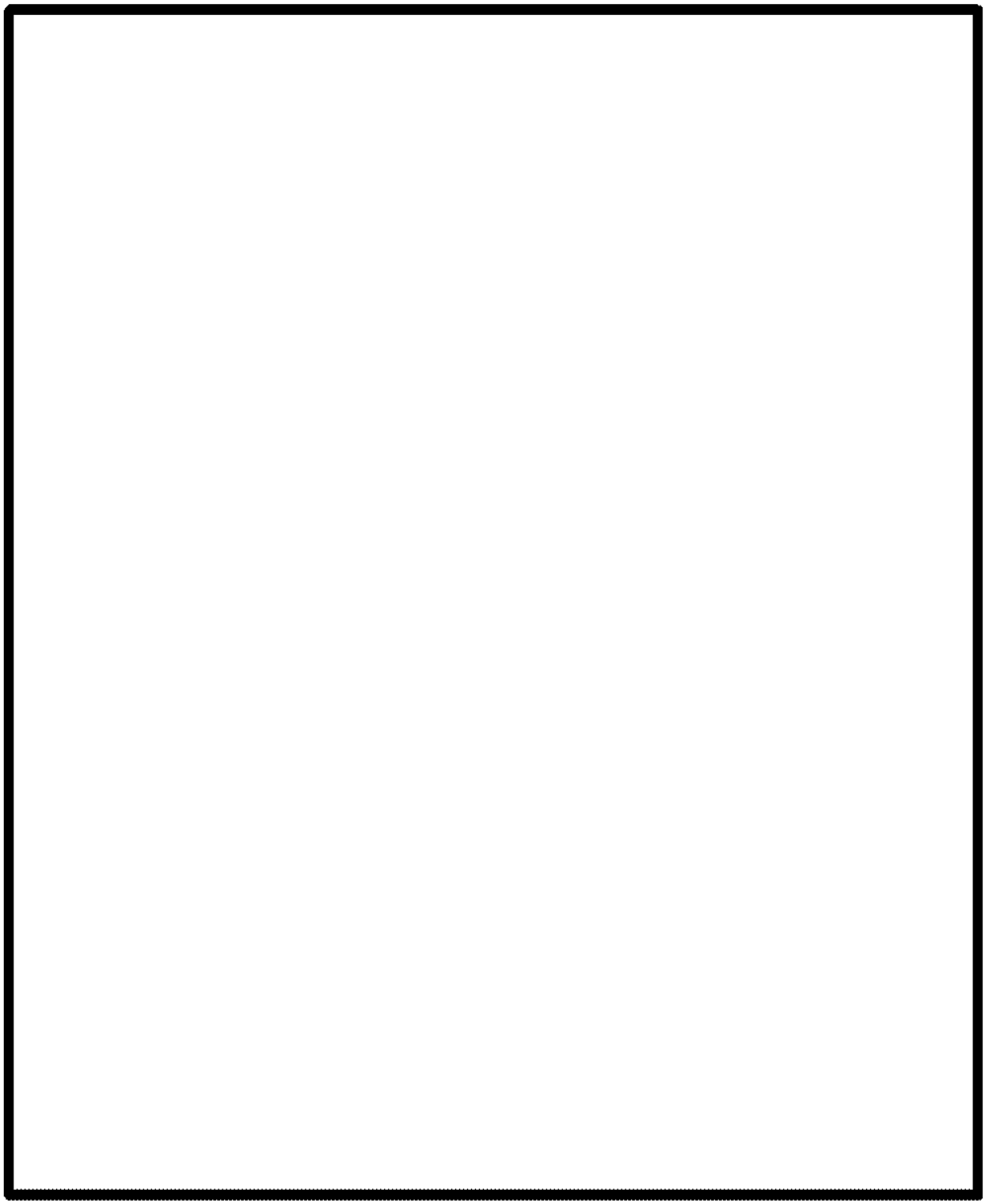


(b)(4)

ECONOMIC AND EMPLOYMENT IMPACT OF HYPOTHETICAL PROJECT

(b)(4)

TOTAL IMPACTS AND IMPACTS BY INDUSTRY SECTOR



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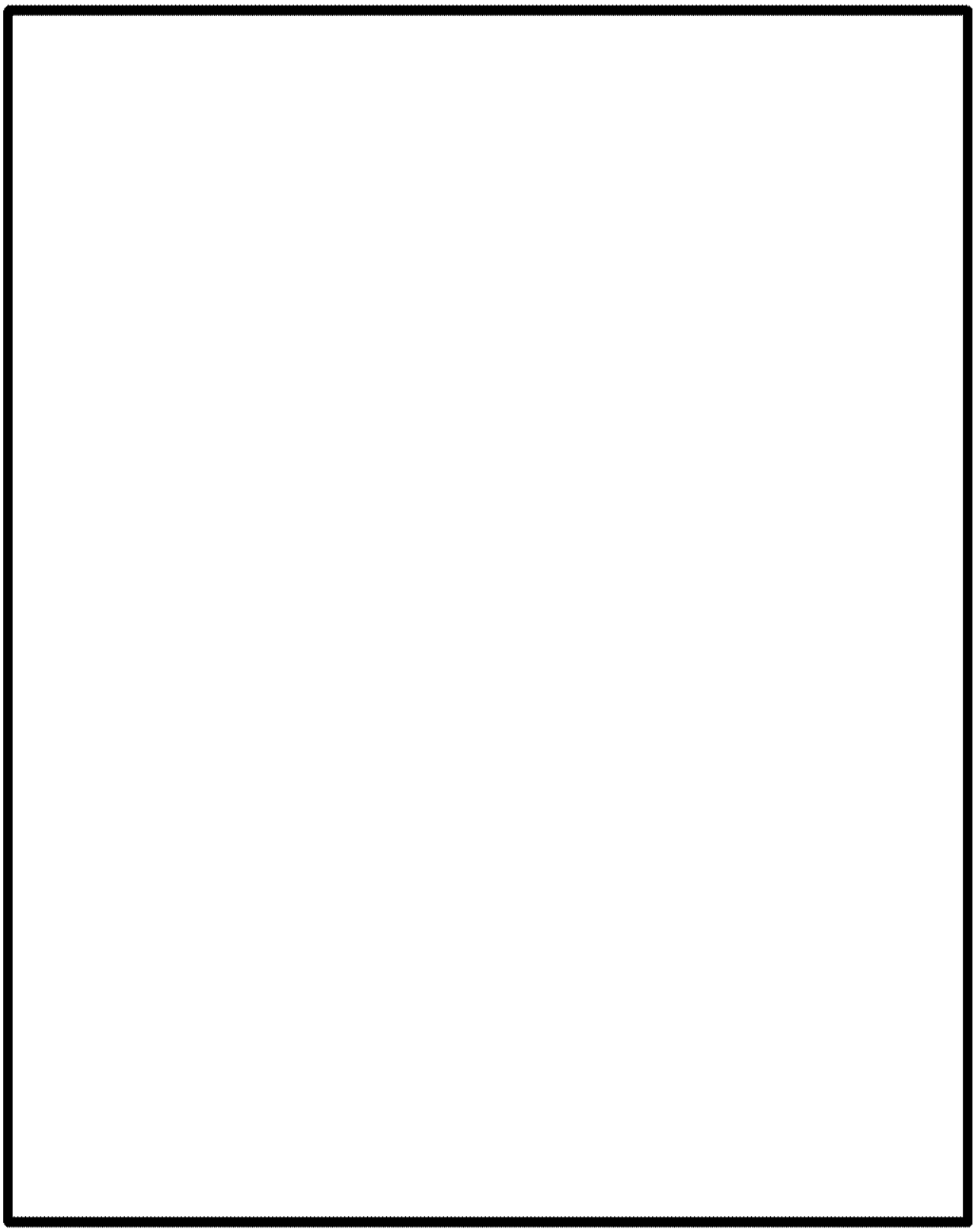


(b)(4)

SUMMARY AND RECOMMENDATION

The estimates of new economic activity and net new jobs creation presented in this economic and jobs-impact assessment study demonstrate that the construction and operation of the hypothetical Capitol District Marriott Hotel would promote substantial economic growth within the applicant Liberty Nebraska Regional Center.

In addition, the hypothetical project would generate far more than the minimum number of jobs necessary to ensure that all potential immigrant investors reach the 10-jobs threshold.

Thus, USCIS approval of the Regional Center is recommended from an economic standpoint.

Administrative Oversight (8 CFR 204.6)

Liberty Nebraska will manage and oversee all administrative functions of the LNERC (See R.C. Business Plan, Page 8). Mr. David Keller, LNERC executive and international development consultant, will be the member responsible for administering the LNERC and responding to USCIS requests (see Regional Center Business Plan Tab, Page 12 for Mr. Keller's biography).

Additionally, LNERC will select experienced immigration attorneys to work with all EB-5 investors, in order to ensure consistent, high-quality I-526 and I-829 petitions to USCIS. The Company will work in tandem with immigration counsel to provide all the necessary regional center business and investor documentation as required by 8 C.F.R. 204.6(j)(1)-(6) to facilitate USCIS adjudications of I-526 and I-829 petitions.

The Company will follow applicable U.S. Securities and Exchange Commission rules for classifying an EB-5 investor as an "Accredited Investor," according to the definitions provided in Rules 5021 of Regulation D. Each prospective EB-5 Investor will be required to complete a questionnaire that provides adequate supporting information to verify compliance with regulatory definitions. In addition to the securities or financial-related questions, the Company has provided a copy of its due diligence questionnaire which serves as early due diligence to a

pre-screen interested EB-5 investors for possible immigration issues.

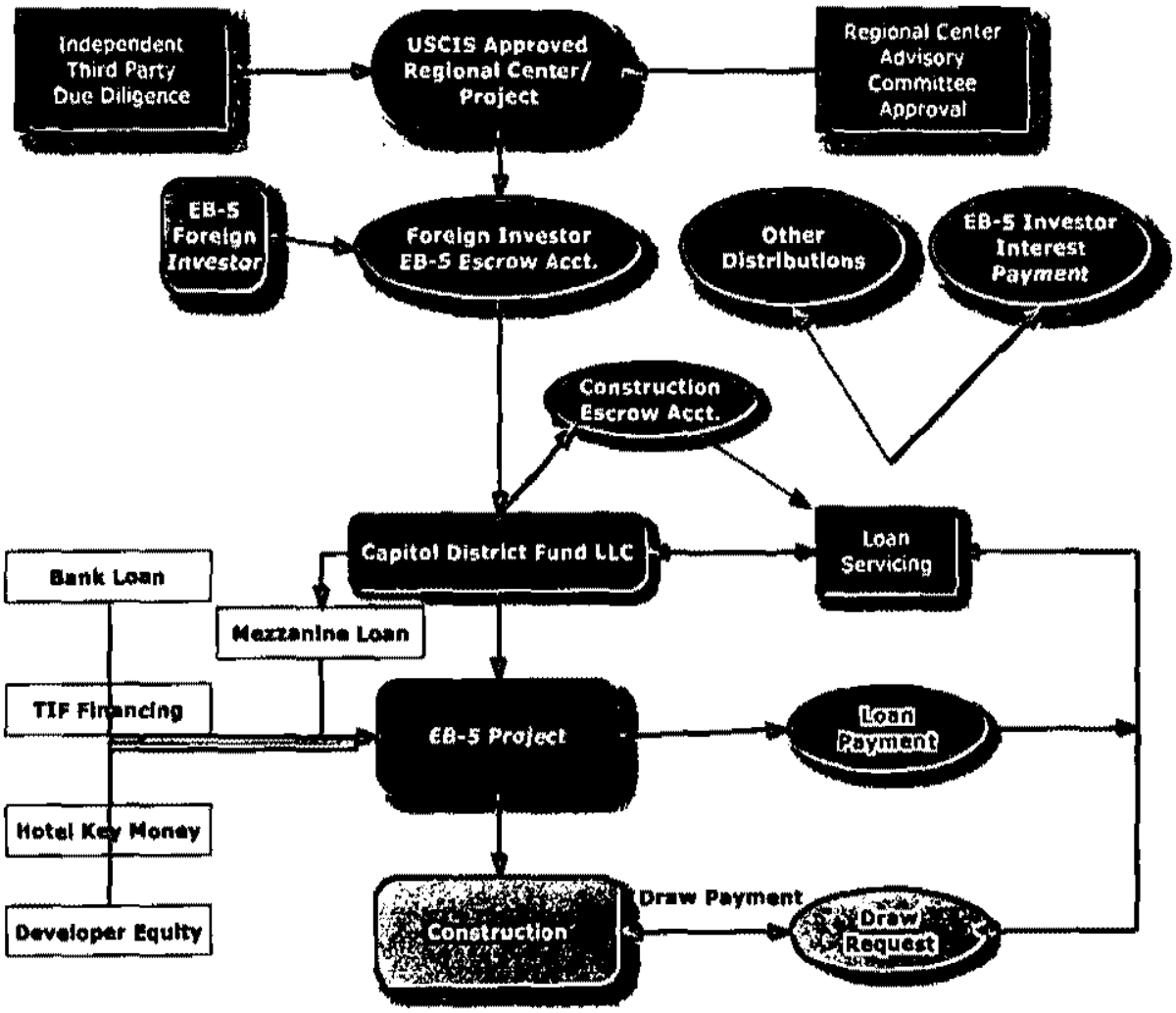
Finally, the Liberty Nebraska regional Center will adhere to all USCIS rules and regulations relating to confirming the legal source of funds used for investments in LNERC projects. The Company's designated escrow banks will comply with 31 U.S.C. 5318(i), "Due Diligence for United States Private Banking and Correspondent Bank Accounts Involving Foreign Persons".

The Business Approach and Structure of the Regional Center (INC 610(a))

Regional Center Project Funding Structures

For each capital investment project, investment capital will be contributed by individual alien investor into a single purpose LLC as a new Funding entity. Liberty Nebraska RC will be the manager for each Fund LLC. The number of investors in each LLC will be determined based on the budget and projected job creation for the project. Capital invested into a LLC will be used by the LLC to fund the development or acquisition, renovation/redevelopment, retirement of financing, and/or operation and management of one or more projects.

Each LLC will finance a capital investment project utilizing the full amount of the EB-5 capital investment funds. The foreign investors will make at-risk equity investments into the new commercial enterprise. All of the EB-5 investment funds they contribute will be transferred into the capital investment project and fully utilized for job creation purposes, pursuant to the project-specific business plans for each project. Further Liberty Nebraska RC will be involved in an oversight role to ensure that all investment project activities comply with the project business plans and immigrant investor pilot program requirements. For the hypothetical hotel project we will use a debt structure of mezzanine financing as illustrated in the diagram below.



Capital Investment Funds:

Capital investment contributed to a Capitol Fund LLC Membership will be placed into the bank account of the new commercial enterprise with an established financial institution. The administrative fee will also be placed into the bank account with [redacted] of the funds available for the use of Liberty Nebraska RC upon receipt. (b)(4)

Investor Management Responsibilities

Each alien investor will be Members of the LLC that finances a particular capital investment project. Members shall engage in policy formulation activities and be granted certain rights expressly afforded to them as a Member under the Delaware Limited Liability Company Act. The day to day business of the regional center will be handled by the Manager

Minimum Investment Amount: Under the Immigrant Investor Pilot Program, an alien can become eligible to obtain U.S. lawful permanent resident status by investing a minimum of either US$1,000,000 or US$500,000 in a new commercial enterprise in the United States. To qualify for the lower US$500,000 investment threshold, the alien must invest his or her capital into a location that qualifies as a Targeted Employment Area ("TEA"). A TEA is defined as an area that, at the time of investment, is a rural area or an area that has experienced an unemployment rate that is at least 150 percent of the national average unemployment rate. See §203(b)(5)(B) of the Immigration and Nationality Act ("INA") and §204.6(e) of Title 8 of the Code of Federal Regulations ("8 CFR").

Thus, for capital investments in Liberty Nebraska RC projects, the minimum investment amount per EB-5 investor will be US$500,000 since the project resides in a TEA, as indicated by the Nebraska TEA letter found in Exhibit H, Pursuant to 8 CFR §204.6(j)(6)(ii).

Hypothetical Capital Investment Projects: Liberty Nebraska RC will engage in funding of projects, which may involve construction, development, operations, retirement of financing and/or management of projects. Liberty Nebraska RC has one initial hypothetical project, referred to in this application as "hypothetical" since their precise details have not yet been finalized

(b)(4)

The attached application includes sample legal documents (Subscription Agreement, Private Placement Memorandum, etc.) to illustrate the investment structure for prospective EB-5 investors.

Regional Center Capital Commitment and Marketing (8 CFR 204.6 (m)(3)(iii))

The principals of the Company will market the Liberty Nebraska Regional Center both domentically and internationally to maximize the economic and employment benefits within the regional center (EXHIBIT G). Internationally, the Company will market to potential EB-5 investors through seminars, trade shows, immigration consults and law firms, and through direct and online marketing campaigns. Domestically, the Company endeavors a public relations campaign to raise the Regional Center's profife with local government officials and businesses. The members of the company will provide the capital commitment necessary to launch the Regional Center promotion.

(b)(4)

Financial Management

Liberty Nebraska RC has committed [redacted] to cover the initial projected promotional and operational expenses of the regional center operations. Ongoing operational costs of Liberty Nebraska RC will continue to be paid by Liberty Nebraska RC until such time as administrative fees are collected from investors (which are in addition to and apart from capital investment funds), and as otherwise needed. In no event will such costs be funded using capital investment amounts. Funding for capital investment projects within Liberty Nebraska RC will be separate from funding for Liberty Nebraska RC's operational costs.

The Liberty Nebraska Regional Center, LLC is organized by means of a duly executed operating agreement and will be managed according to terms of that agreement.

[redacted]

(b)(4)

TEA Designations (8C.F.R. 204.6)

Multiple economic development and labor agencies, designated by their respective Governors – in compliance with 8 C.F.R. 204.6 (i), as the agency authorized to identify the cities, countries, metropolitan statistical areas (MSAs) and geopolitical subdivisions (census tracts) that meet the "high unemployment" definition – provided letters certifying high unemployment areas or procedures for which these areas would be certified for future projects. These high unemployment areas quality as Targeted Employment Areas (TEAs), which reduce the minimum EB-5 investment required under the regulations $500,000. A letter from each state agency is included to delineate the respective TEAs within the Liberty West Regional Center (EXHIBIT G). This information or described protocol should be sufficient for USCIS to identify whether a proposed EB-5 investment opportunity is located in a TEA, or how the state agency will make known a specific project is located in TEA for an I-526 exemplar, and therefore, qualified for the $500,000 investment amount permitted under 8 CFR 204.6(f)(2). A letter certifying the TEA qualifications for future *specific* EB-5 projects will be included as part of an I-526 exemplar.

Conclusion

The proposed Liberty Nebraska Regional Center application satisfies the requirements of 8 C.F.R. 204.6; therefore, we respectfully request USCIS approval in order to begin EB-5 investment into the declining economic areas of Nebraska.

This Regional Center proposal is specifically requesting approval for six (6) counties:

-- The four Nebraska counties are Douglas County, Sarpy County, Lancaster County, and Cass County.
-- The two Iowa counties are Pottawattamie County and Mills County

and, two (2) NAICS codes:

-- Accomodations (NAICS Code 7211)
-- Full Service Restaurants (7221)

Regards,

Manager, Liberty Regional Centers, LLC

LIBERTY
REGIONAL CENTERS

Petition for a proposed:

LIBERTY NEBRASKA

REGIONAL CENTER

Submitted to:

United States Citizenship & Immigration Services | California Service Center
Attn: EB-5 Regional Center Proposal
P.O. Box 10590
Laguna Nigel, CA 92607-0590

Prepared by:

Liberty Regional Centers, LLC
17470 N. Pacesetter Way
Scottsdale, AZ 85255

Summary

Executive Summary

Liberty Regional Centers, LLC is please to submit the attached documents for approval of Liberty Nebraska Regional Center, LLC under the EB-5 immigration program (8 U.S.C. 1153 (b)(5), 8 C.F.R. 204.6)

The attached exhibit pages 1 through 13 provide a summary of the required C.F.R.'s and the location to be found in the total document. All documents are being submitted to gain approval for the proposed Regional Center and Hypothetical project industry codes.

Vision

To be recognized as the most outstanding Regional Center organization in the United States.

Mission Statement

To help our Clients succeed...

- By providing systems that allow the foreign investor to achieve their dream of a permanent visa while simultaneously allowing the developer to realize their dream for financing their project
- Liberty Regional Centers strives to develop partnering relationships with all clients, listening to their needs and developing products and services to meet those needs.
- We are in a constant process of innovation, improving our products, services and people with a speed that anticipates our client's demands.

To help each other succeed...

- By ensuring and maintaining an exceptional level of operations we will help USCIS and the United States of America achieve their goals of quality and legal immigration
- Liberty Regional Centers', Liberty Link portal is designed to help immigrants learn how to live, work and stay in the U.S.

To operate a profitable business...

- Each project must go through an independent due diligence process before being selected as safe for foreign investment
- Regional Centers will implement sound financial practices, tracking and reporting this data to ensure the achieving the goals of the project and assuring the long-term success of the Regional Center

Keys to Success

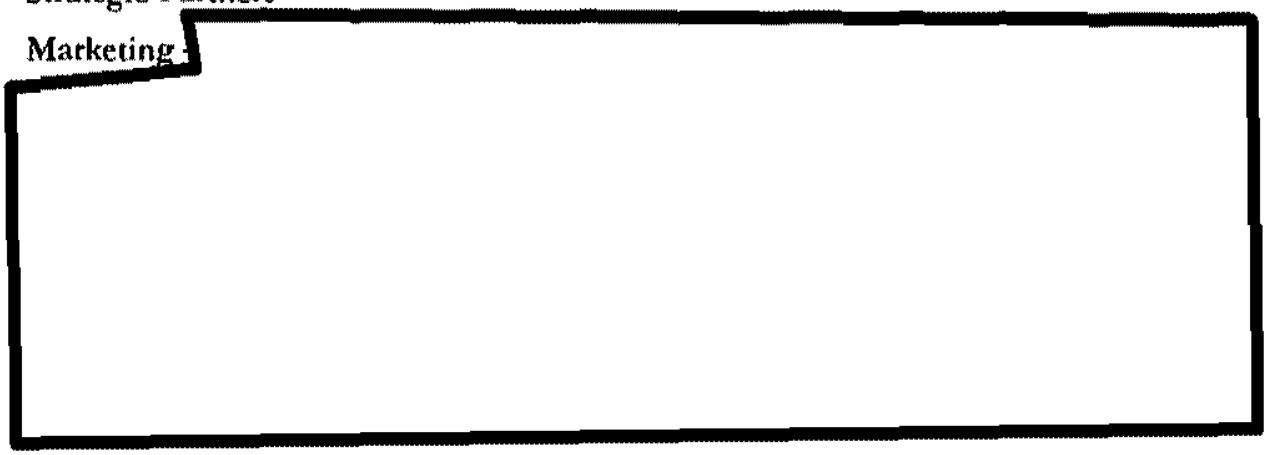
Evaluation of Projects

- Liberty Regional Centers conduct due diligence on the property status, management team and design status with input from our SEC Attorney, Economist, Marketing Consultants and the third party due diligence team
- Third Party certification of projects

(b)(4)

Strategic Partners

Marketing -



Compliance – USCIS and SEC

Liberty Regional Centers have worked with our SEC Attorney to develop a Master Marketing Agreement stating;

"(iv) The Foreign Marketing Consultant agrees that all offers by it shall be made in compliance with all applicable laws and regulations; and (v) the Foreign Marketing Consultant will comply with all applicable requirements relating to investor suitability, and will maintain appropriate records substantiating the foregoing. All representatives of the Foreign Marketing Consultant engaged in the offering will have all required licenses, registrations, and approvals necessary to act in the offering, and will at all times identify themselves as representatives of the Foreign Marketing Consultant in connection with its activities relating to the offering."

In addition all marketing and agreements are reviewed by our SEC Attorney for SEC compliance

Project Tracking

Liberty Regional Centers have developed proprietary software to track all aspects of an EB-5 project. Job Creation will be supported by an approved Economic Impact Study backed up by our employment tracking software capturing the I-9's, W-2's, hours worked and employee location for each employee assigned to a foreign investor. Liberty Regional Centers also track funds to the project measuring them against the project business plan. All of this documentation is provided to the Immigration Attorney filing the I-829 for the foreign investor.

LIBERTY
REGIONAL CENTERS

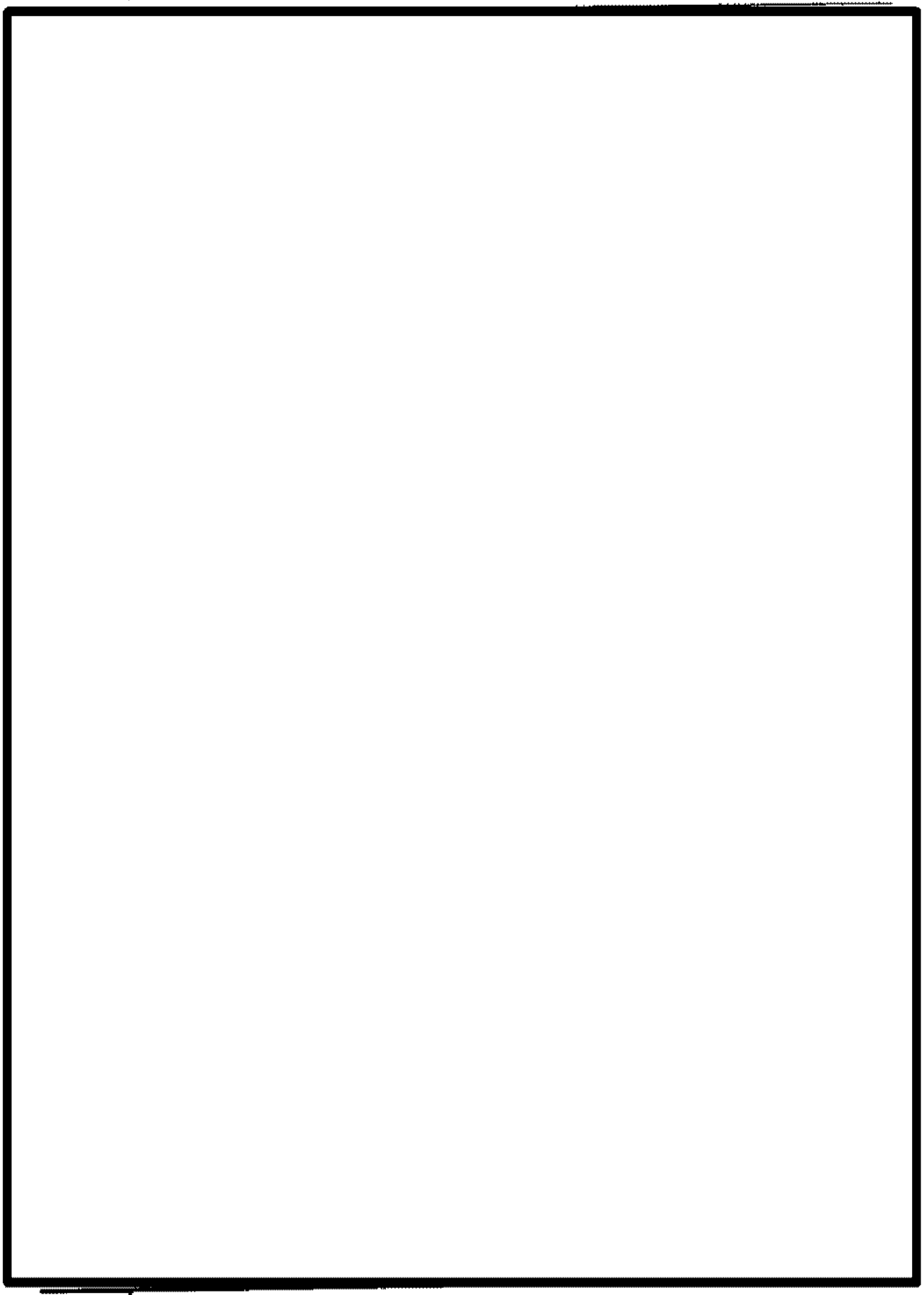
Liberty Nebraska Regional Center Business Plan

17470 N Pacesetter Way
Scottsdale, AZ 85255

p. 480-365-0345
f. 480-365-0342

dkeller@libertyregionalcenters.com
www.LibertyRegionalCenters.com

Liberty Nebraska Regional Center Business Plan



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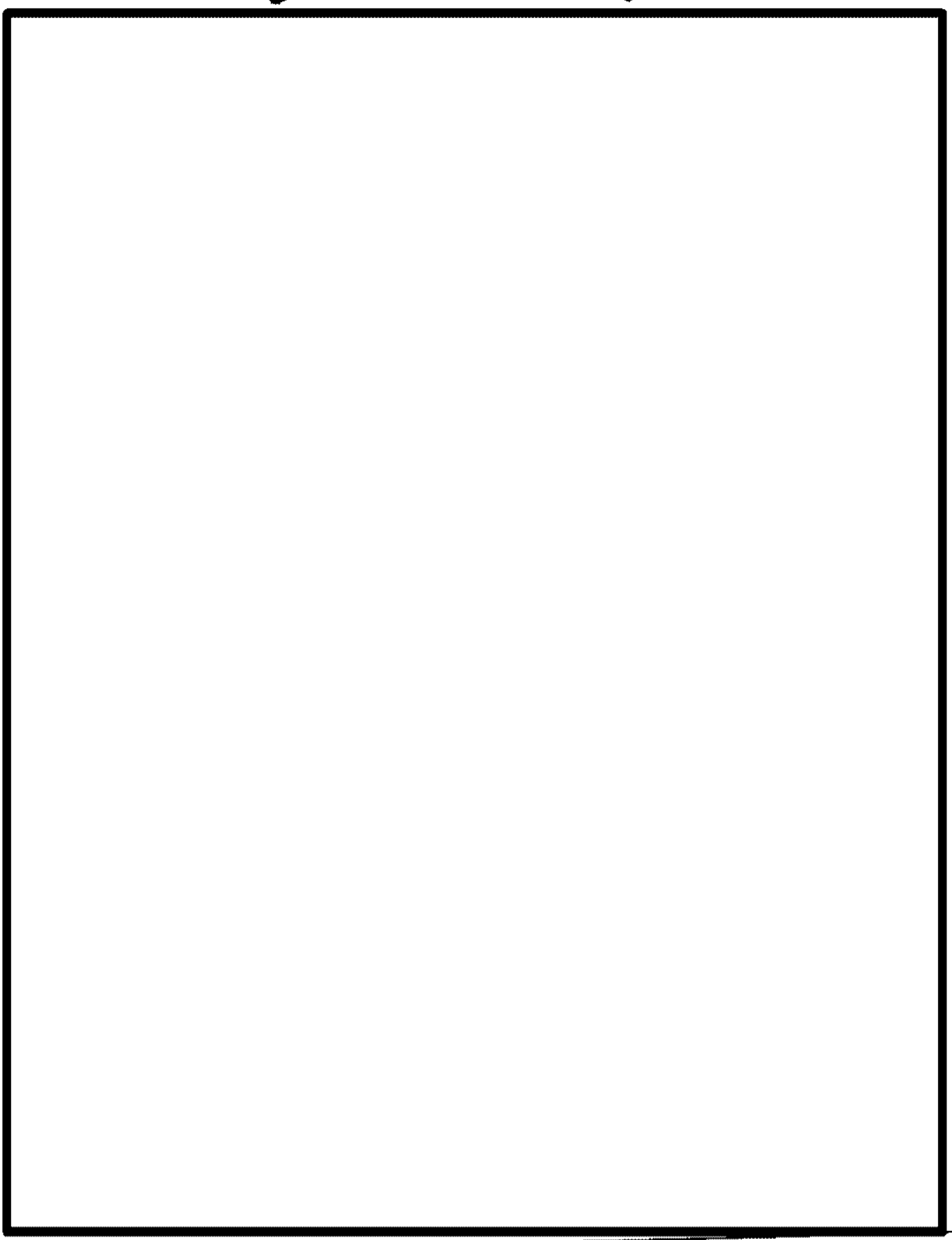

Regional Center: Liberty Nebraska Regional Center

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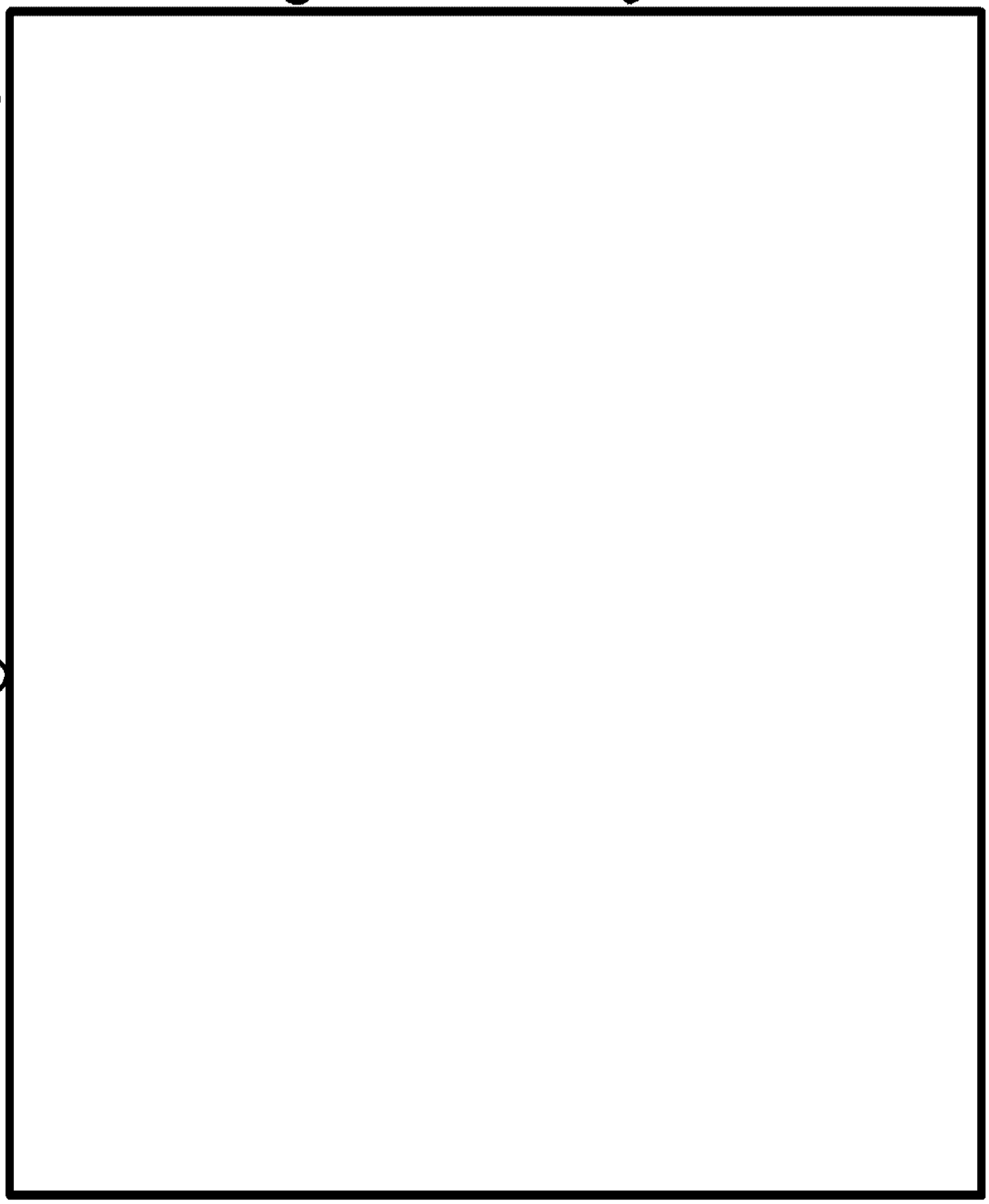

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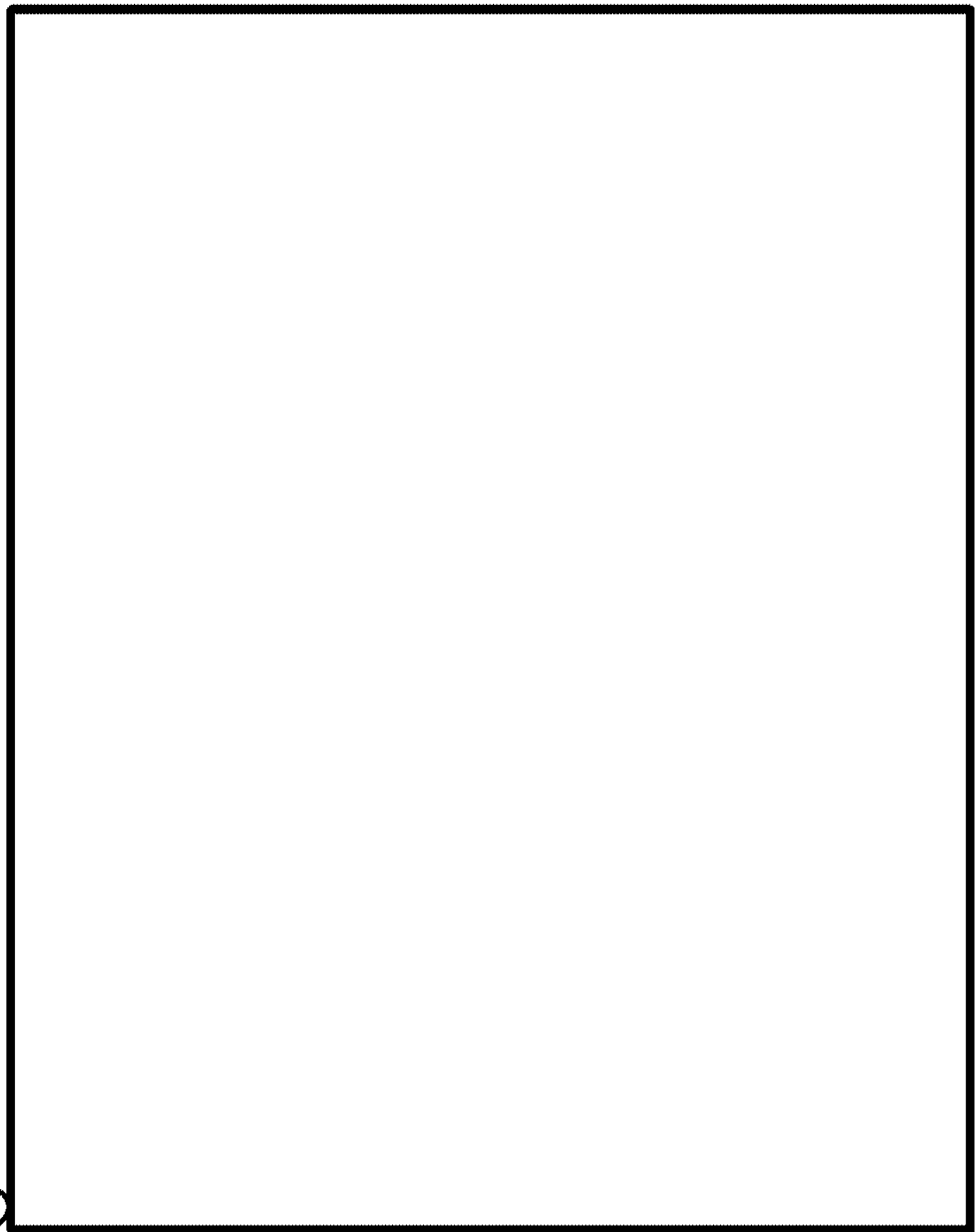

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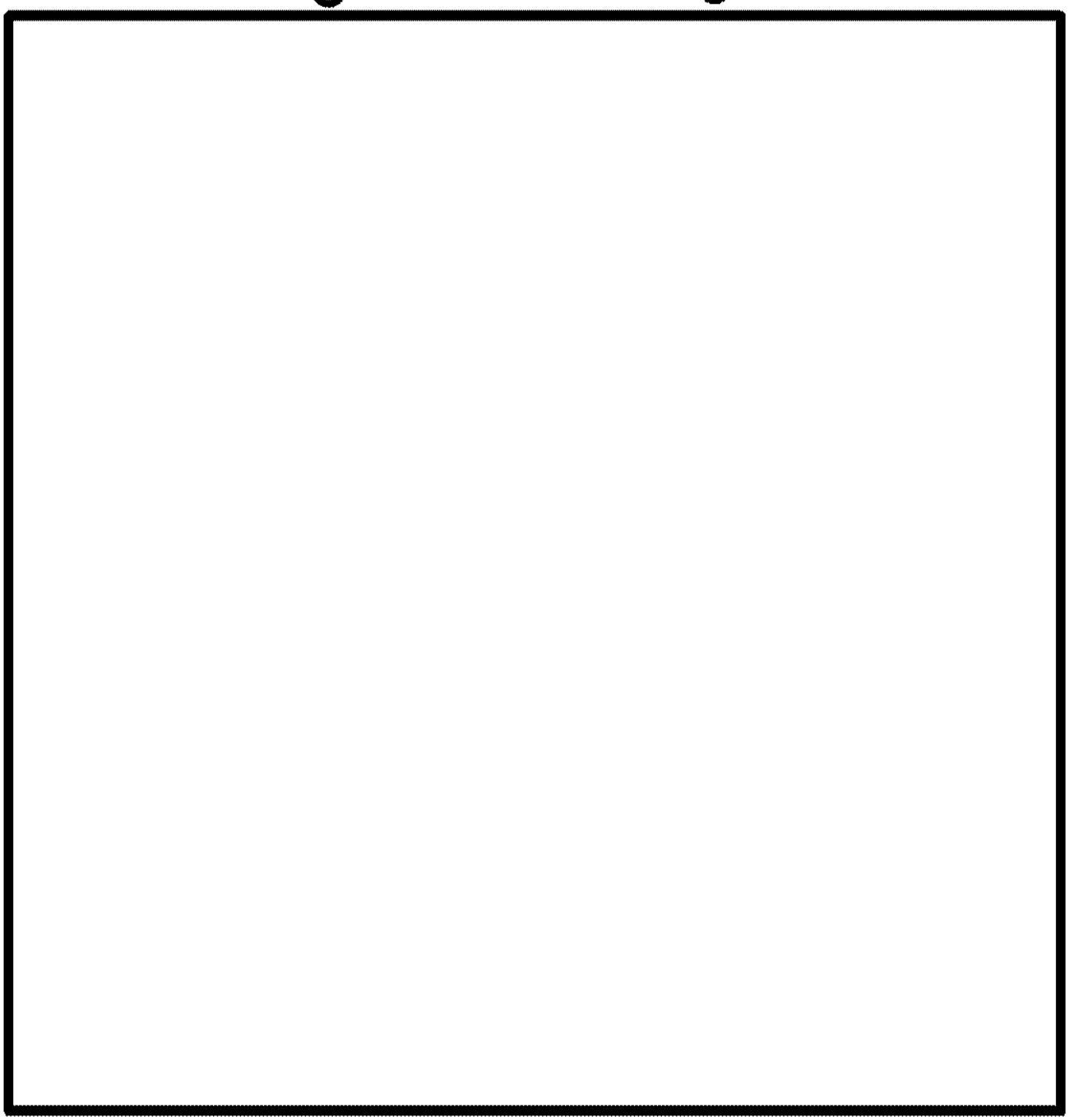

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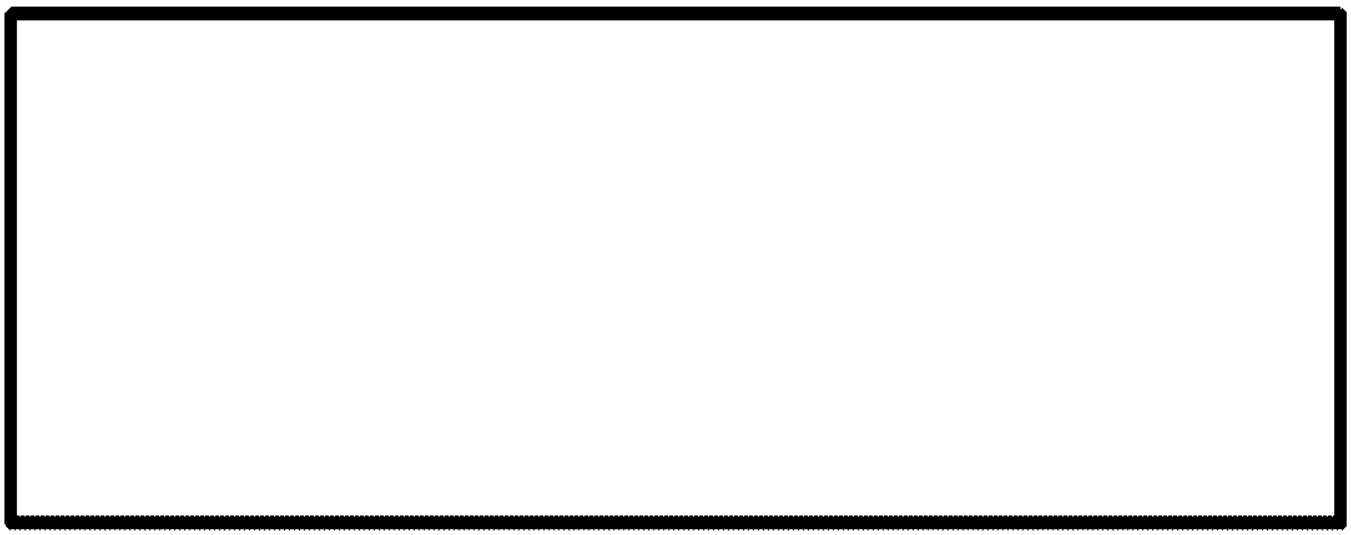

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EXHIBIT A
REGIONAL CENTER ABSTRACT

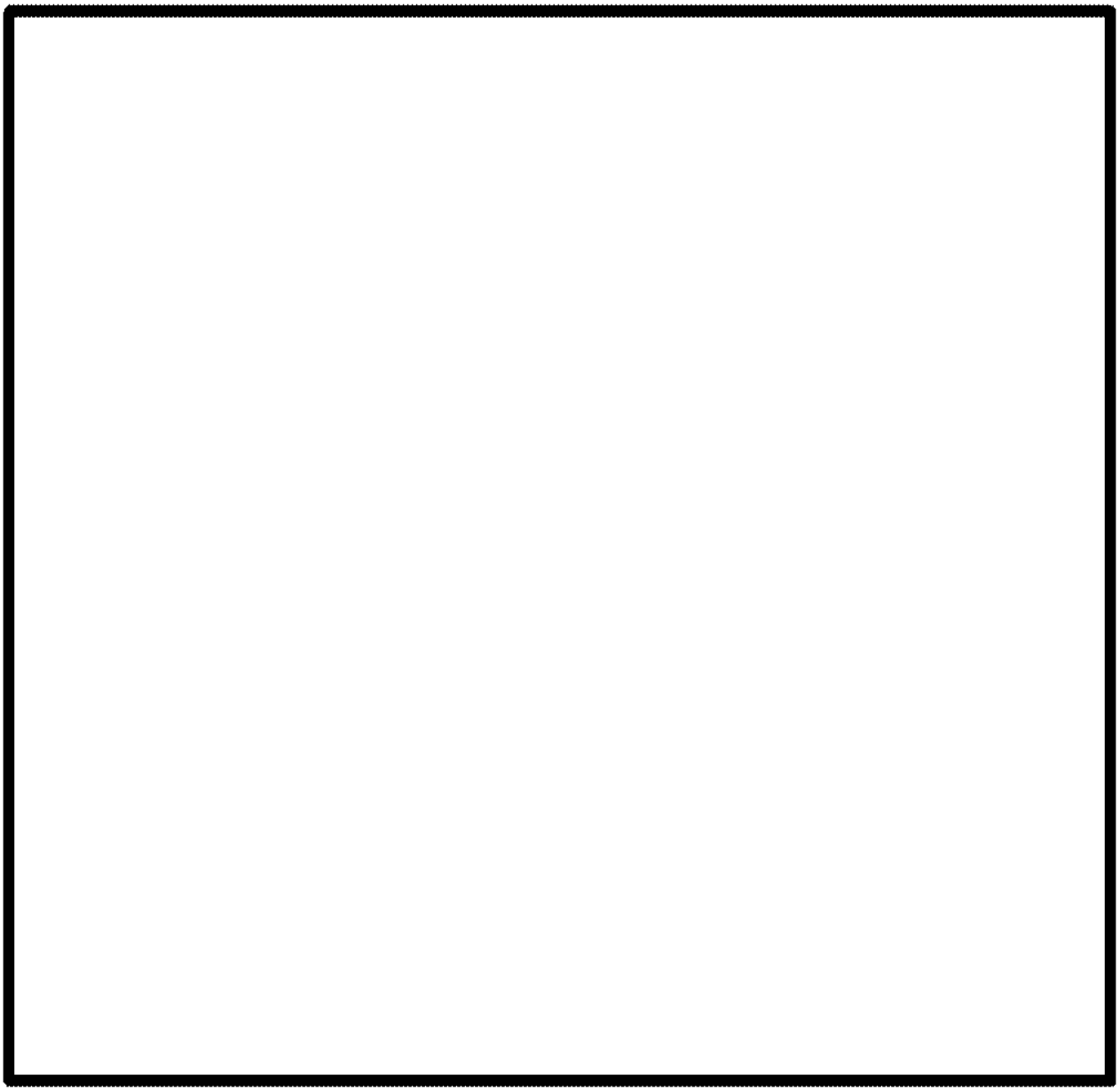

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EXHIBIT B

SERVICES

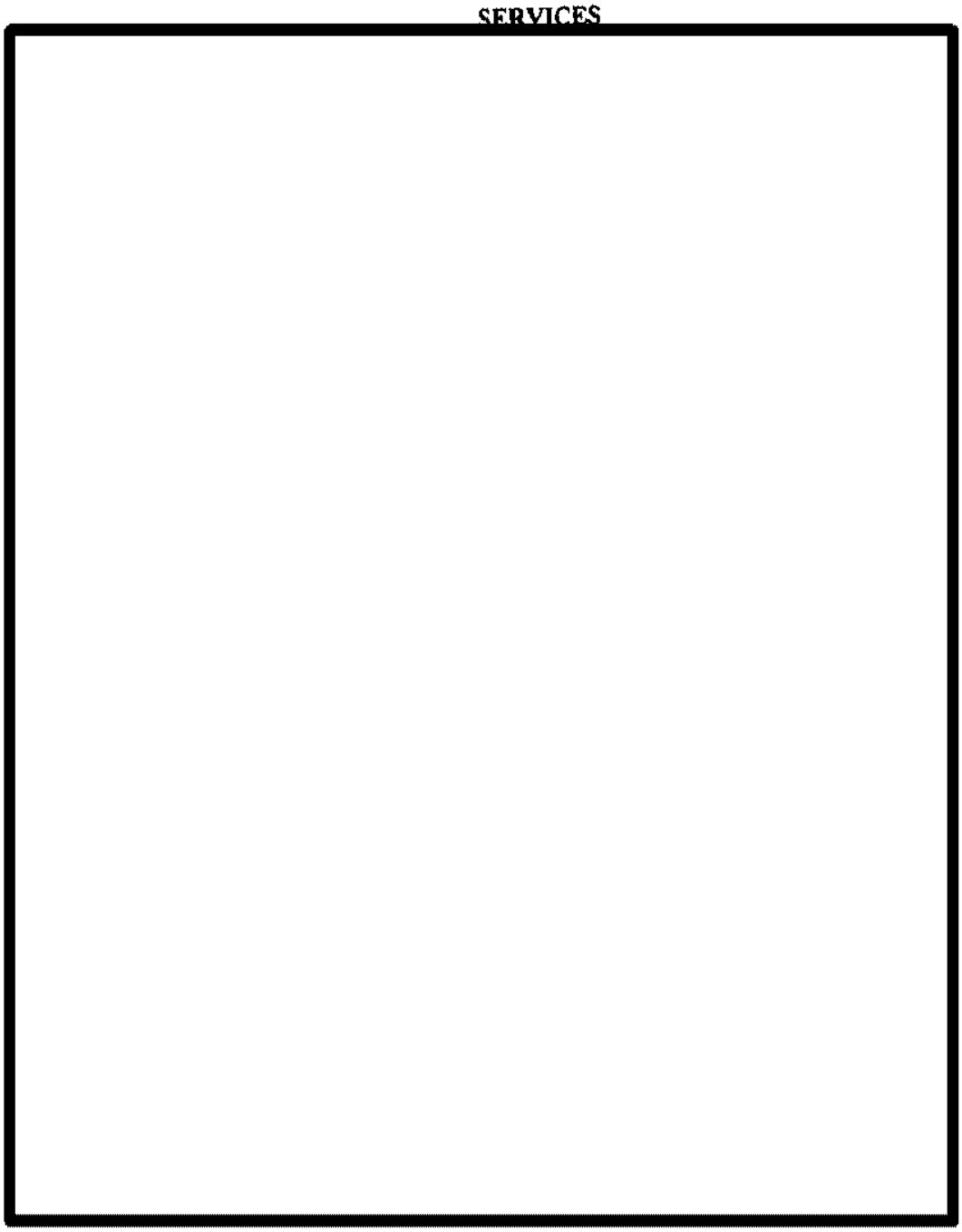

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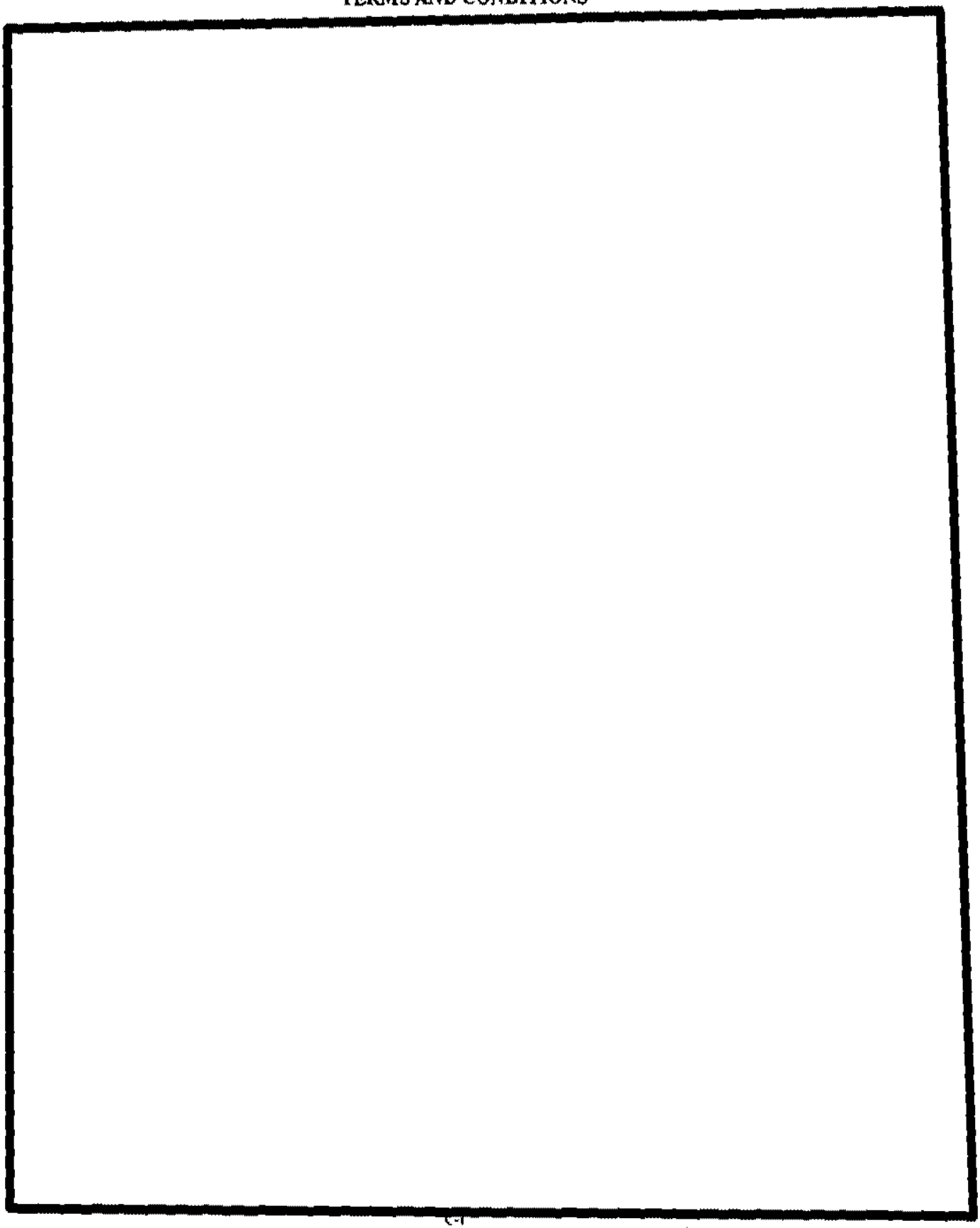
EXHIBIT C

TERMS AND CONDITIONS



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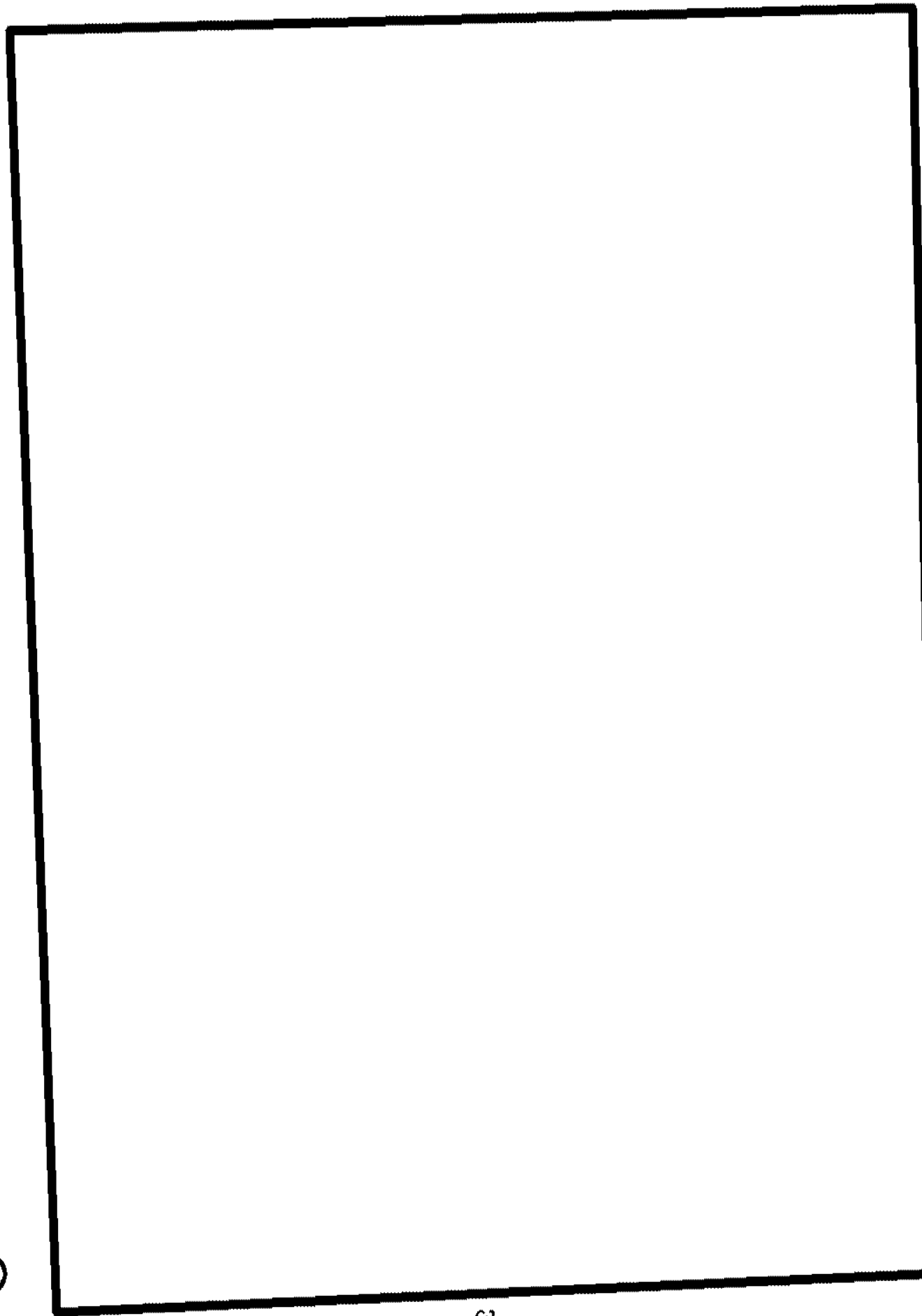

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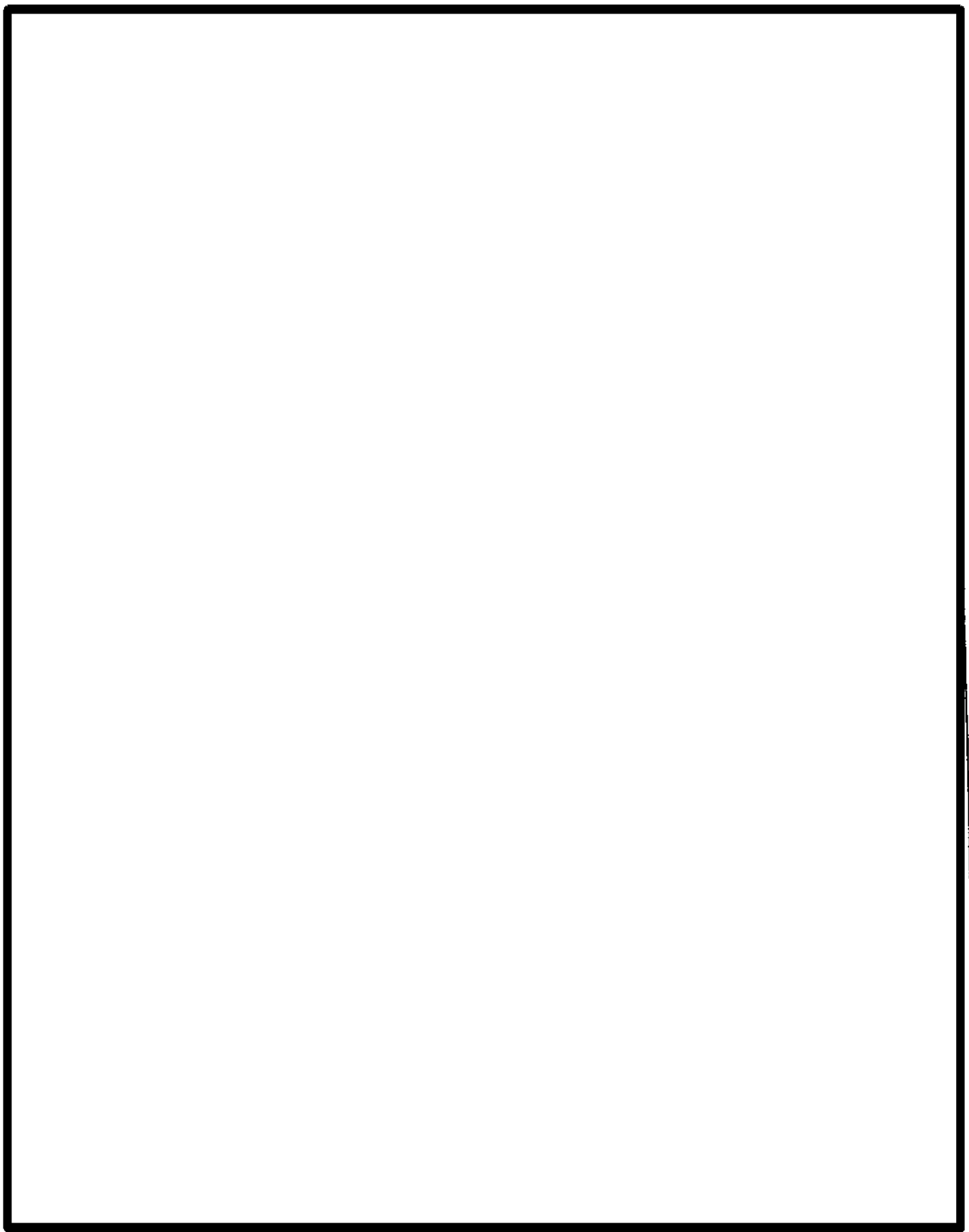

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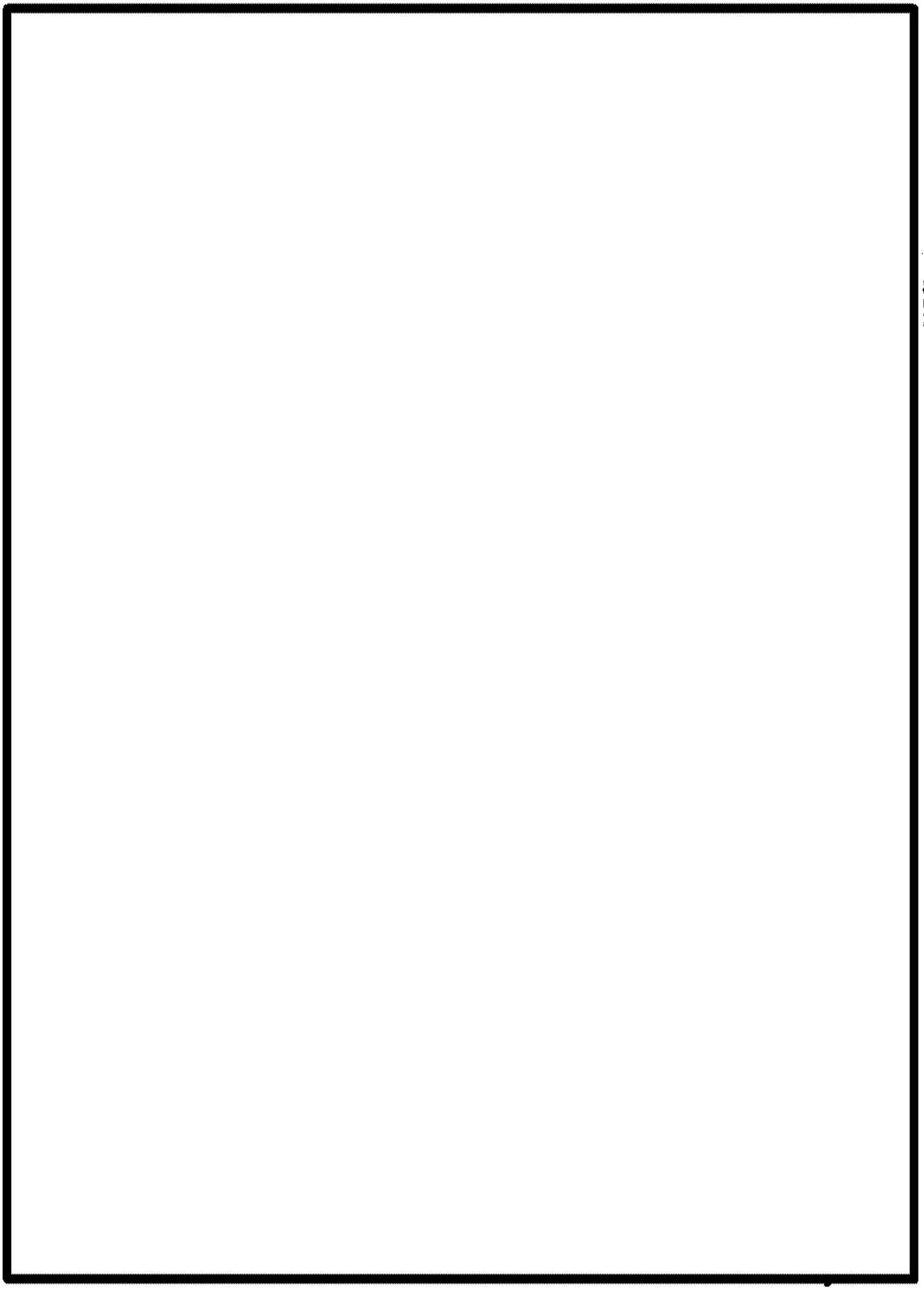

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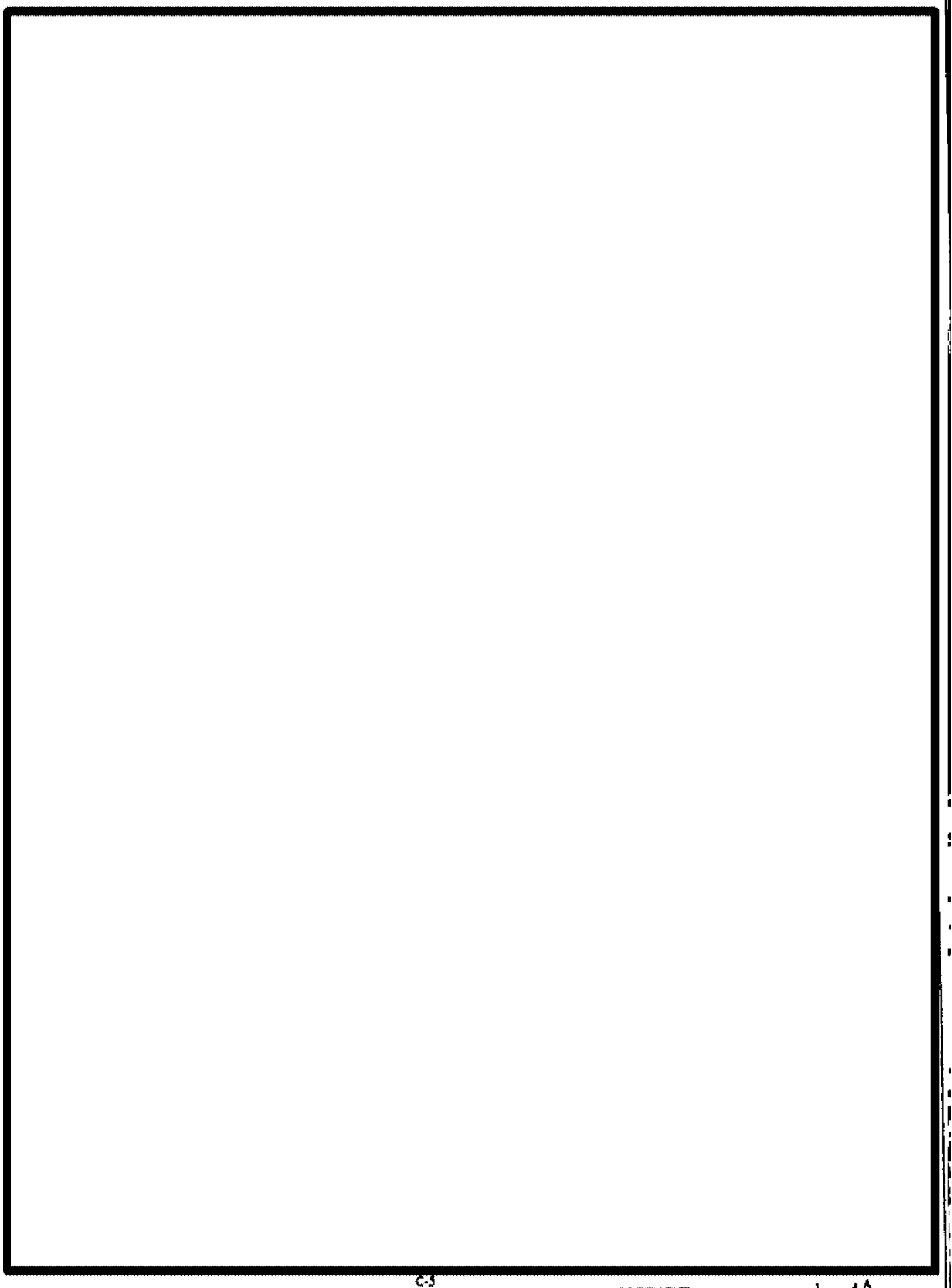

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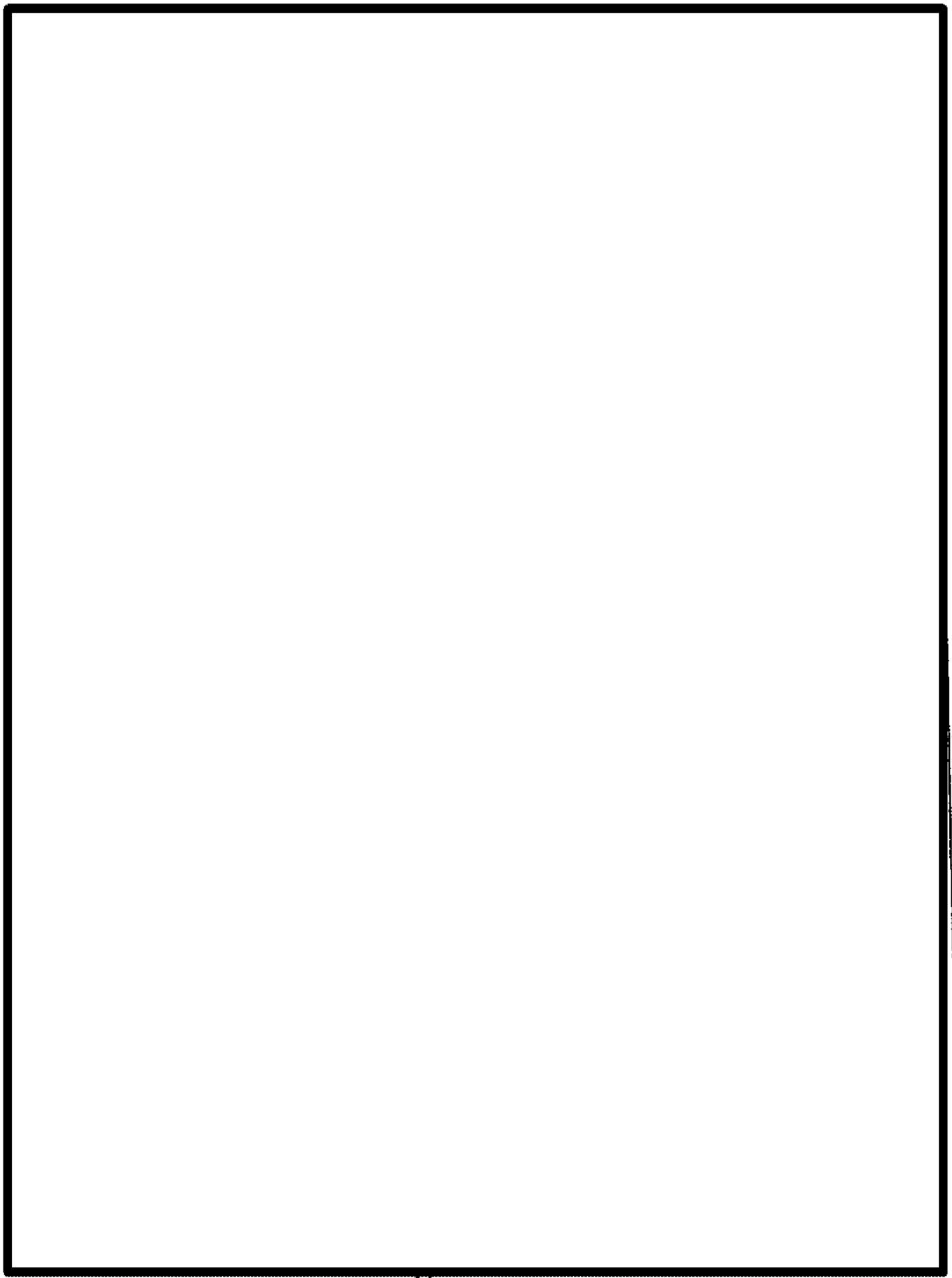

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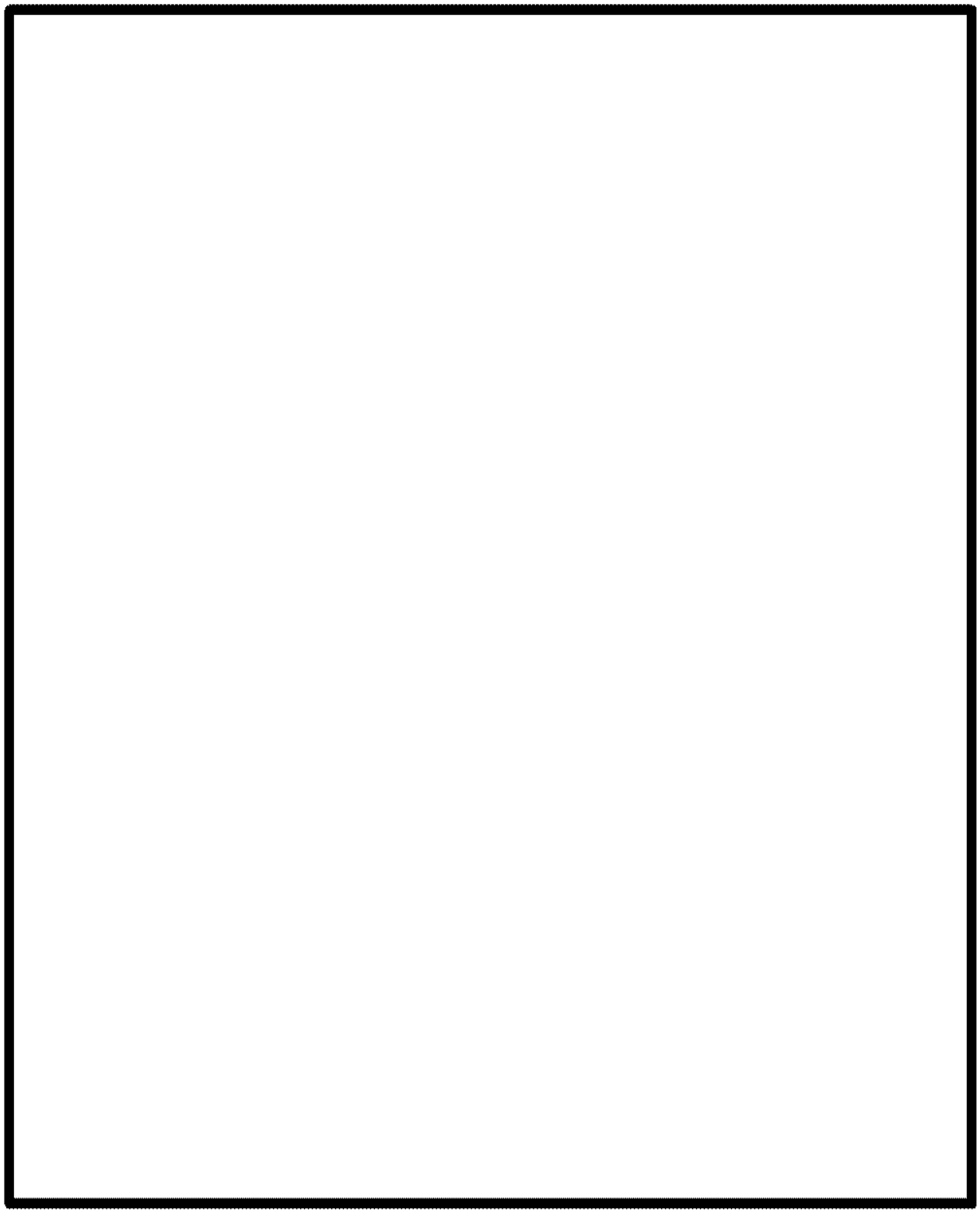

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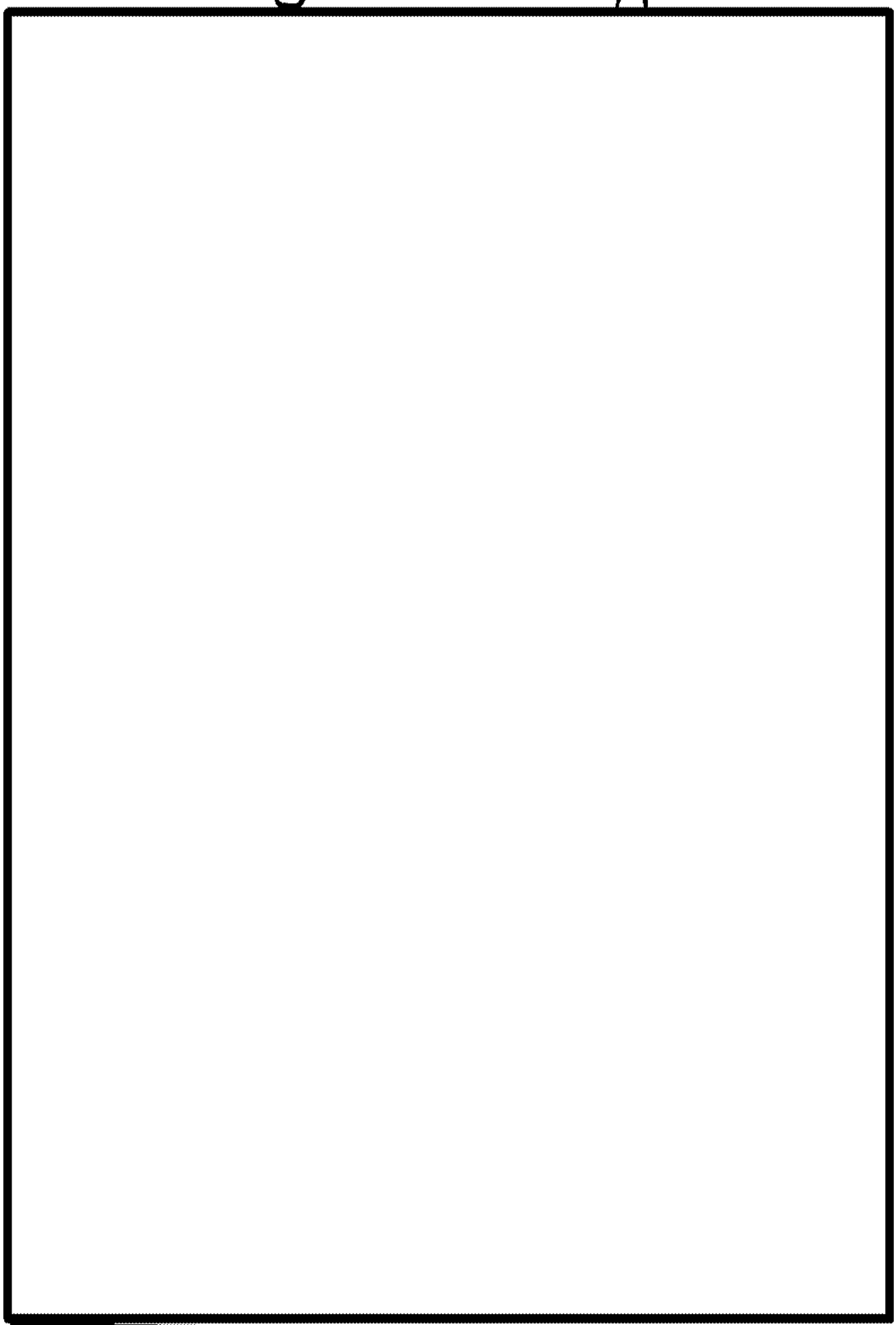

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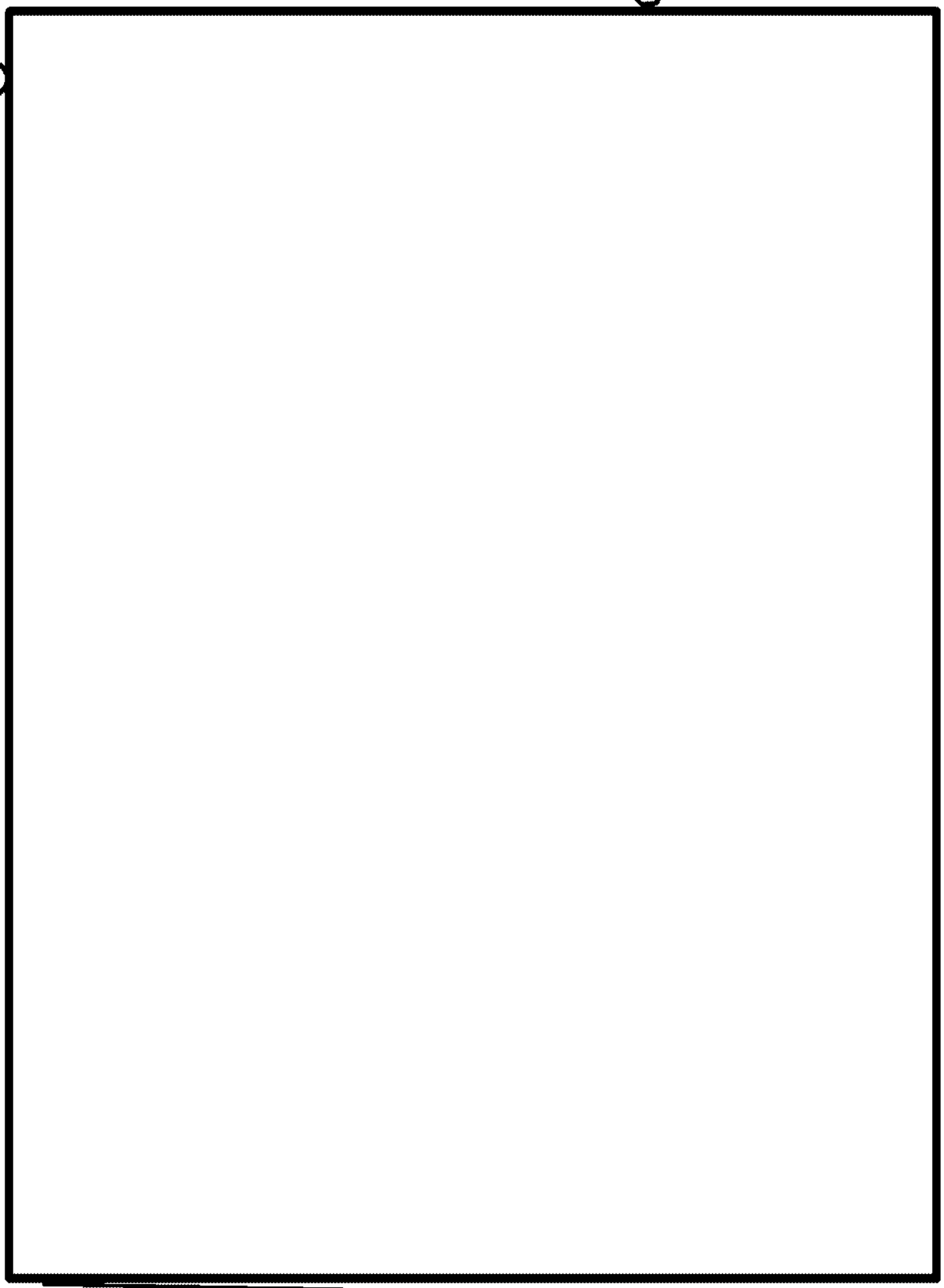

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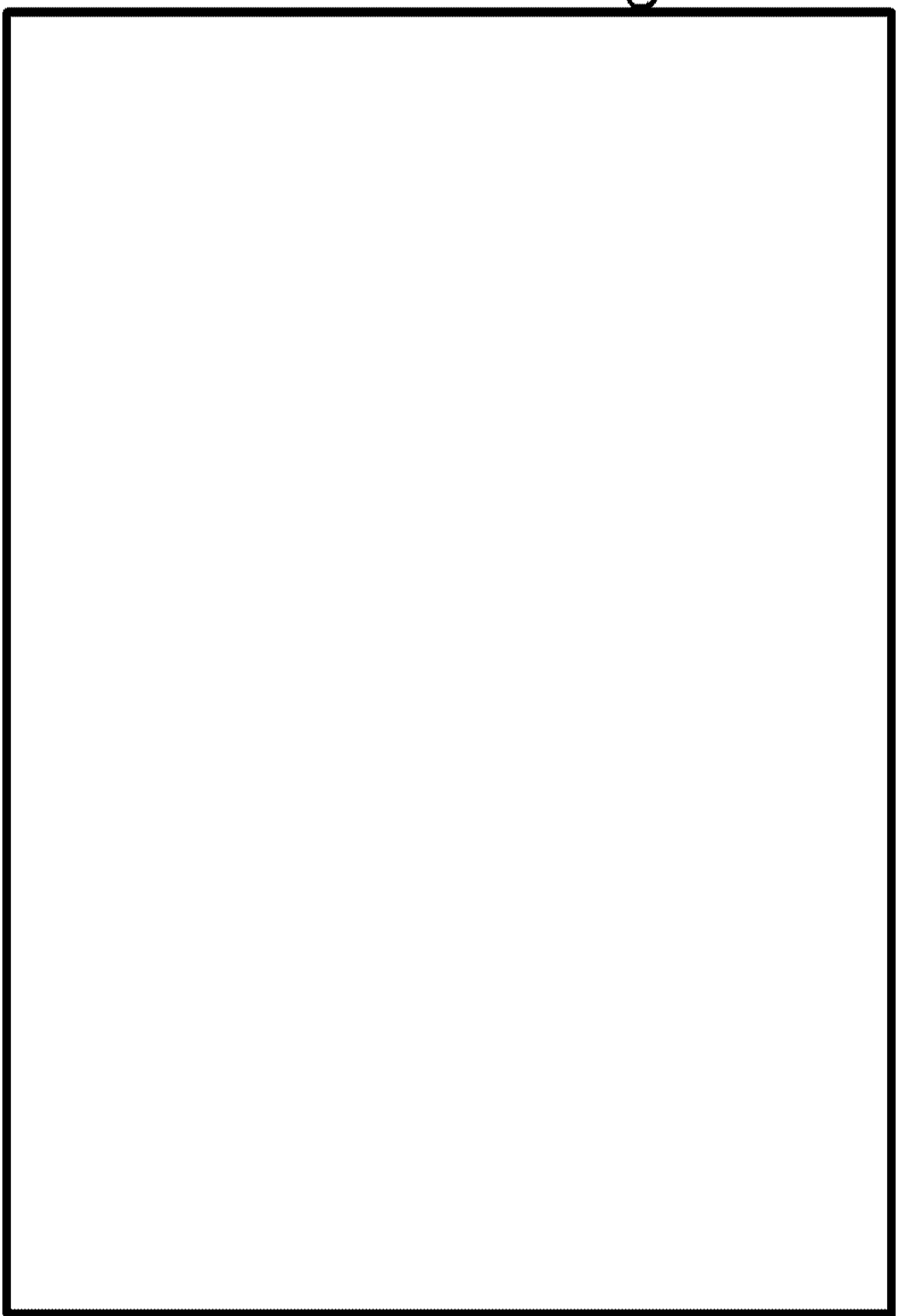

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MASTER FOREIGN MARKETING CONSULTANT AGREEMENT

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COMPANY

LIBERTY _____ REGIONAL CENTER, LLC

By: _____
Name: David C. Keller
Title: Manager

Notices to Company:
17470 N. Pacesetter Way
Scottsdale, AZ 85255

FOREIGN MARKETING CONSULTANT

[redacted]

By: _____
Name: [redacted]
Title: [redacted]

Notices to Foreign Marketing Consultant:

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EXHIBIT A
PROJECT ASSIGNMENT

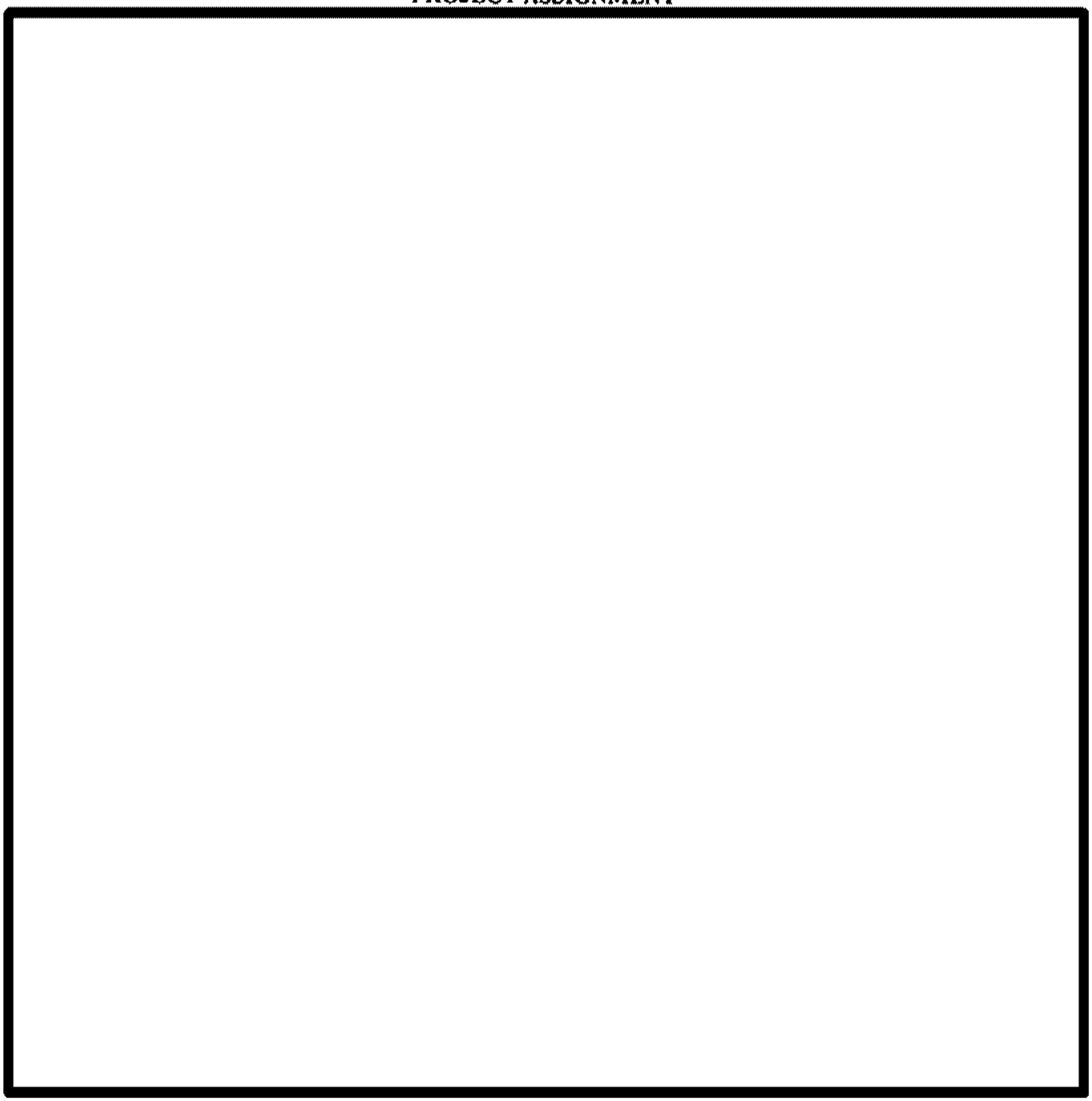

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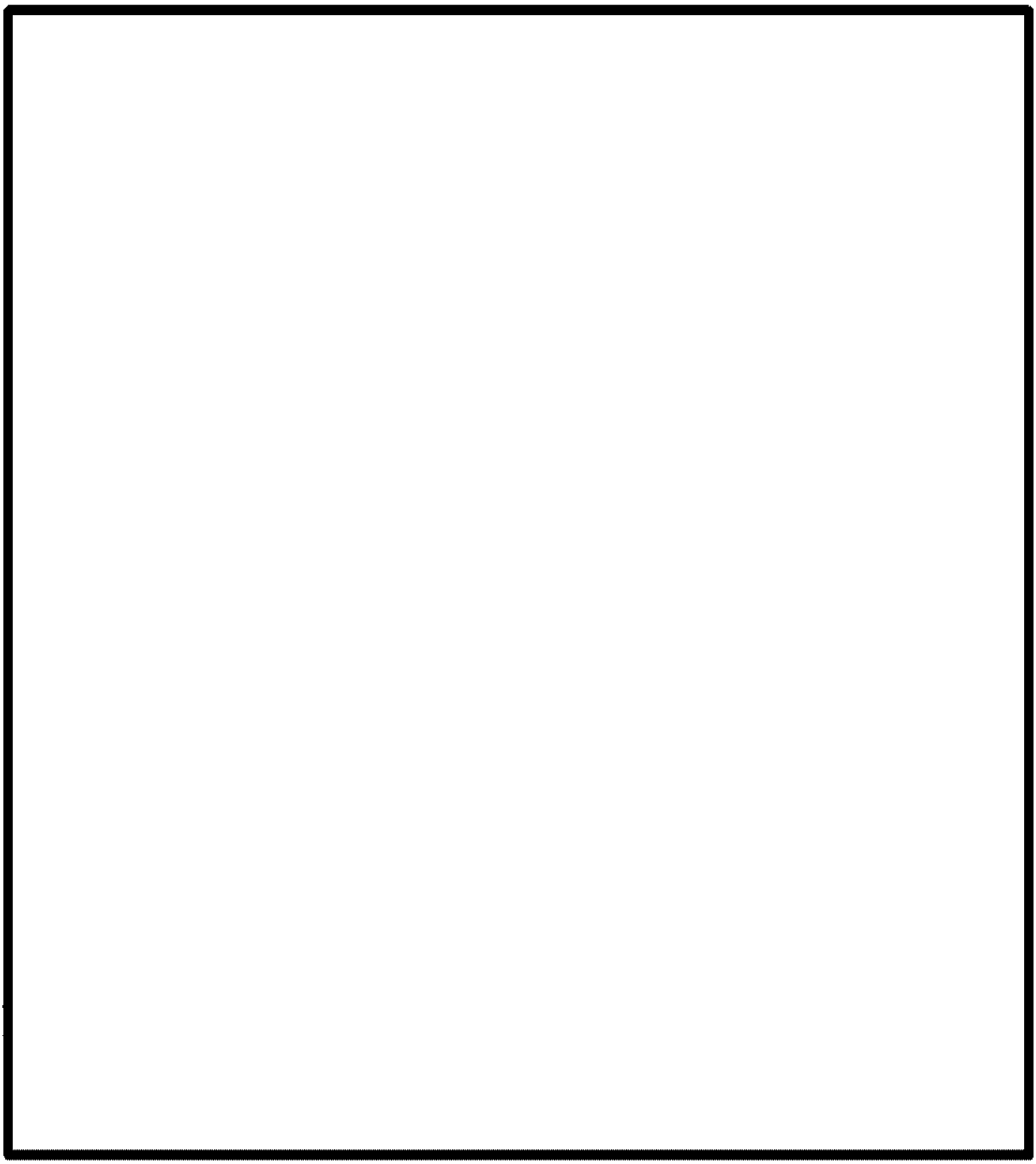
EXHIBIT B

TERMS AND CONDITIONS



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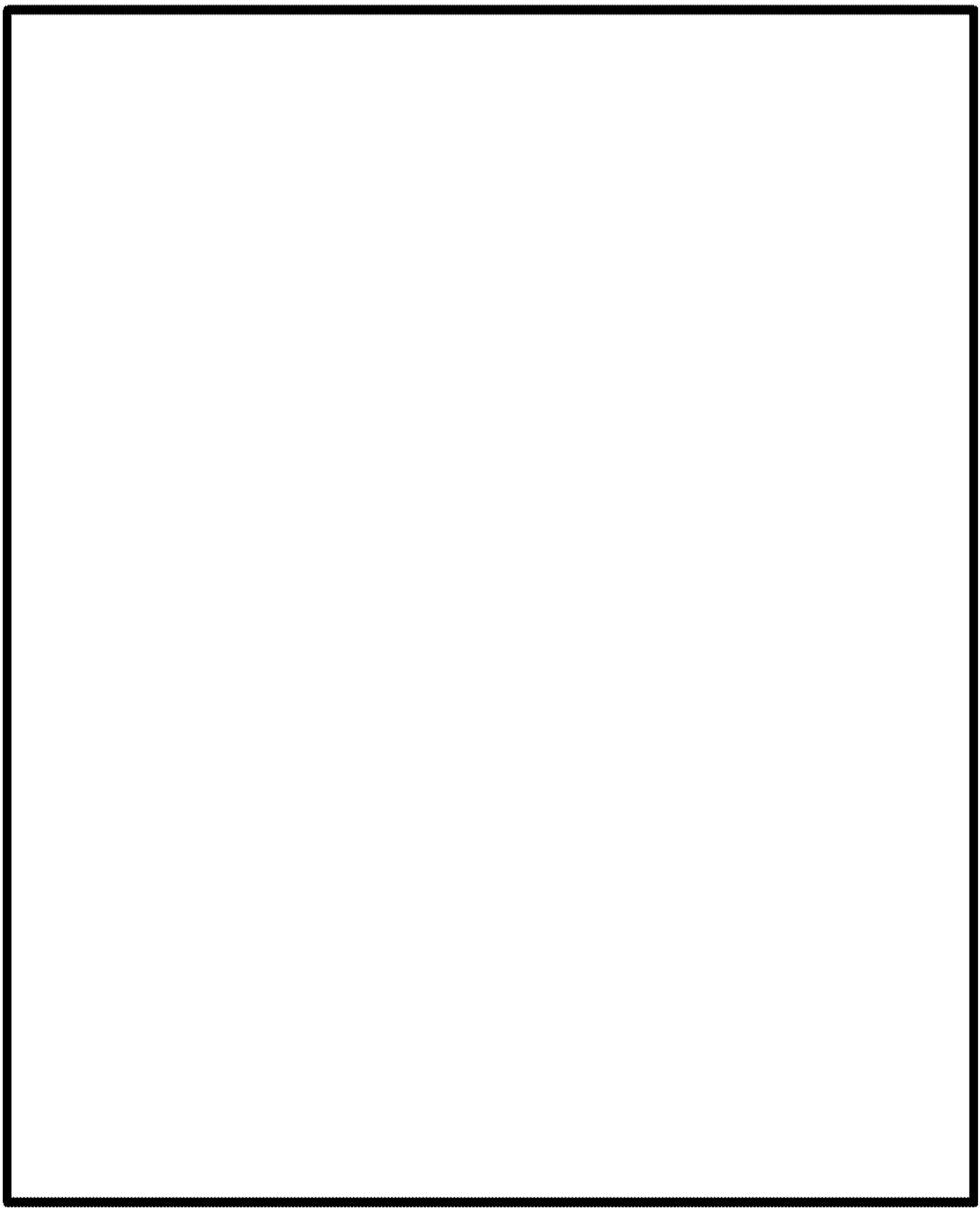

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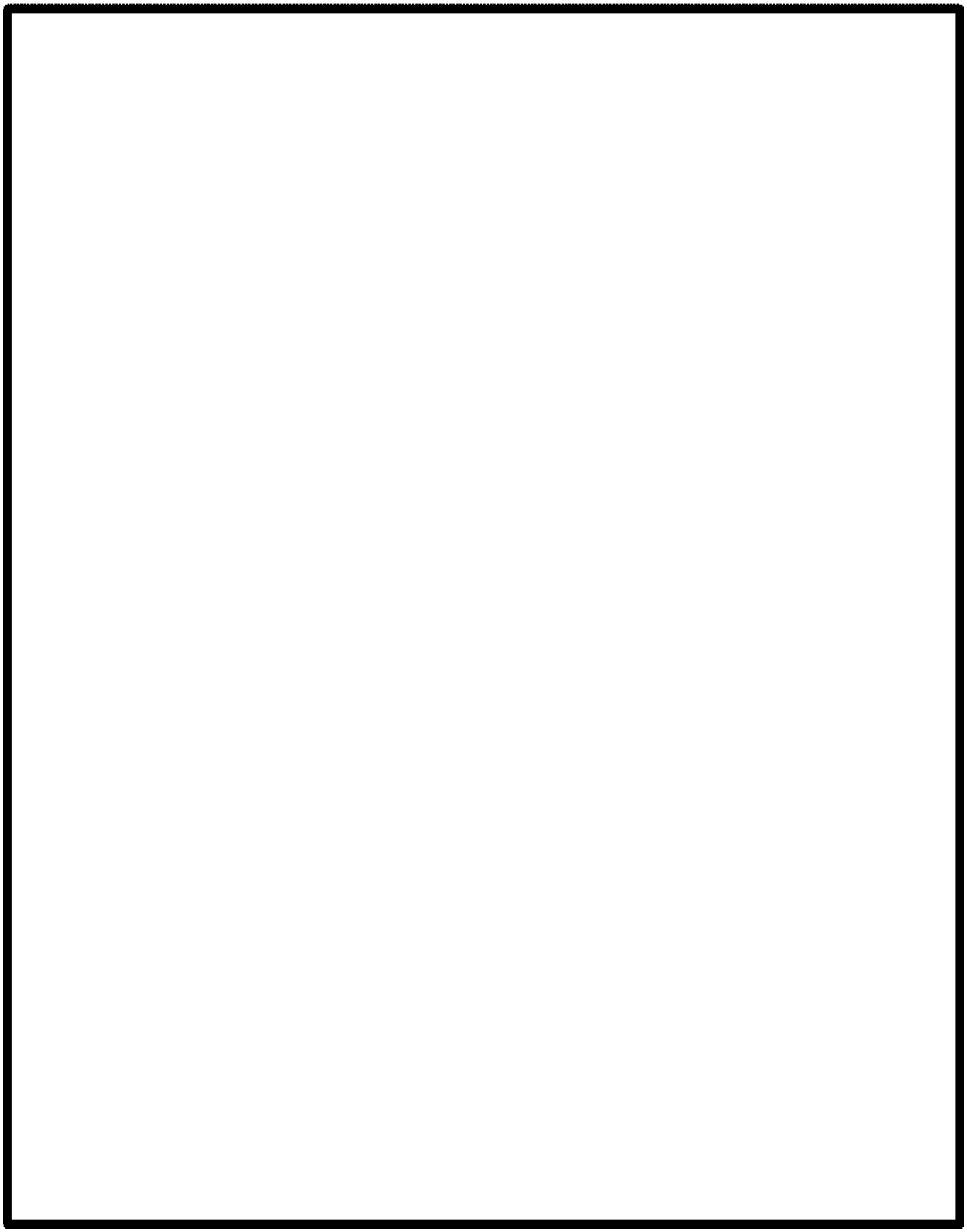

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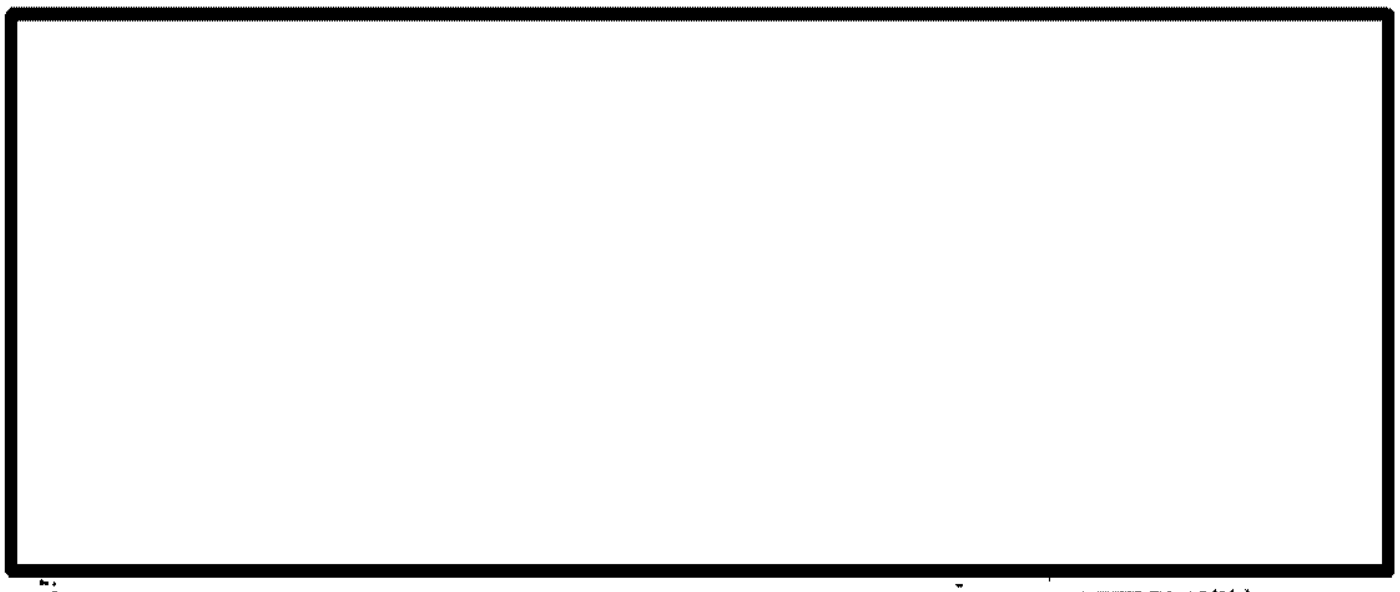

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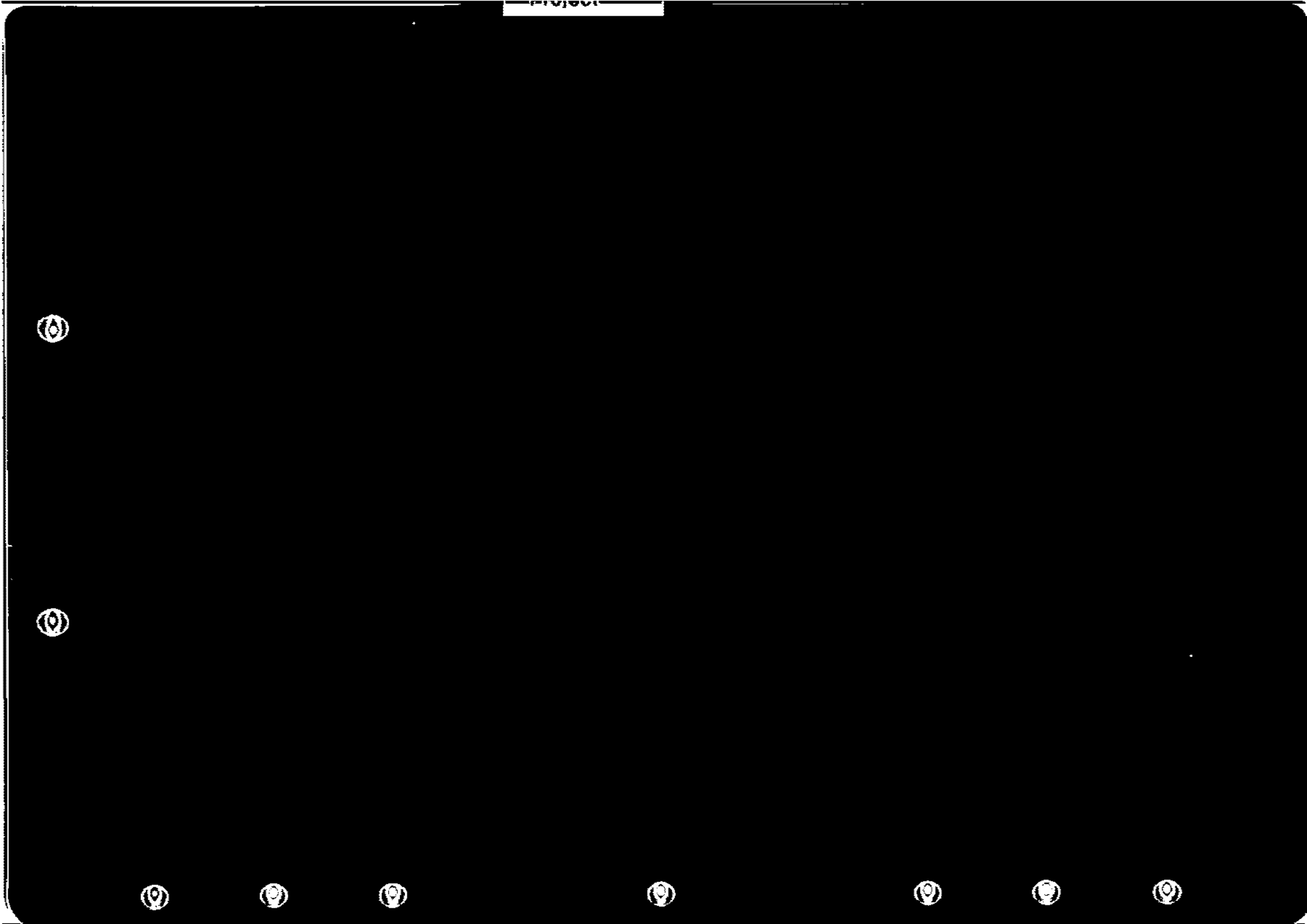

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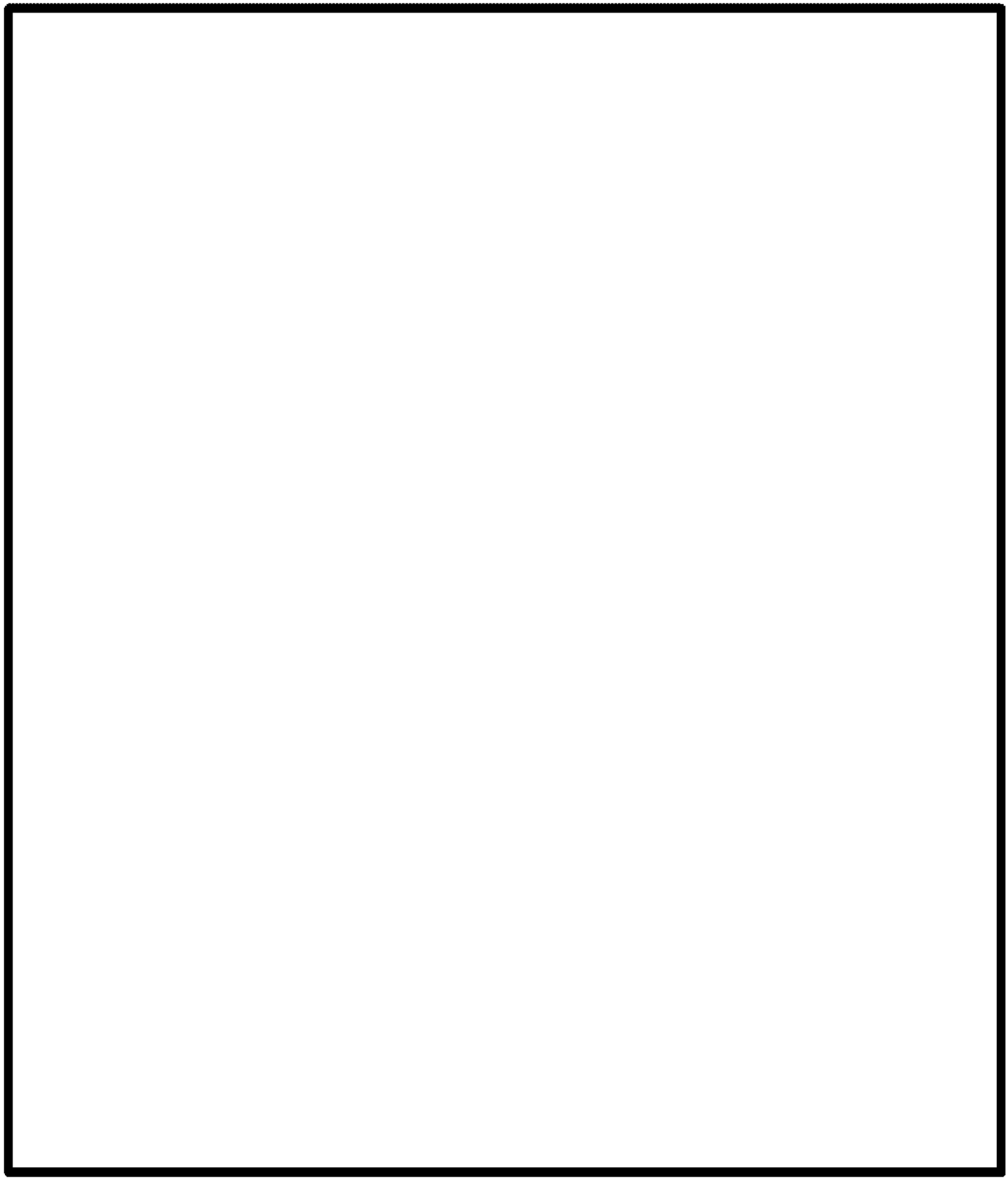

LIBERTY

CONFIDENTIAL GENERIC BUSINESS PLAN
April 2013

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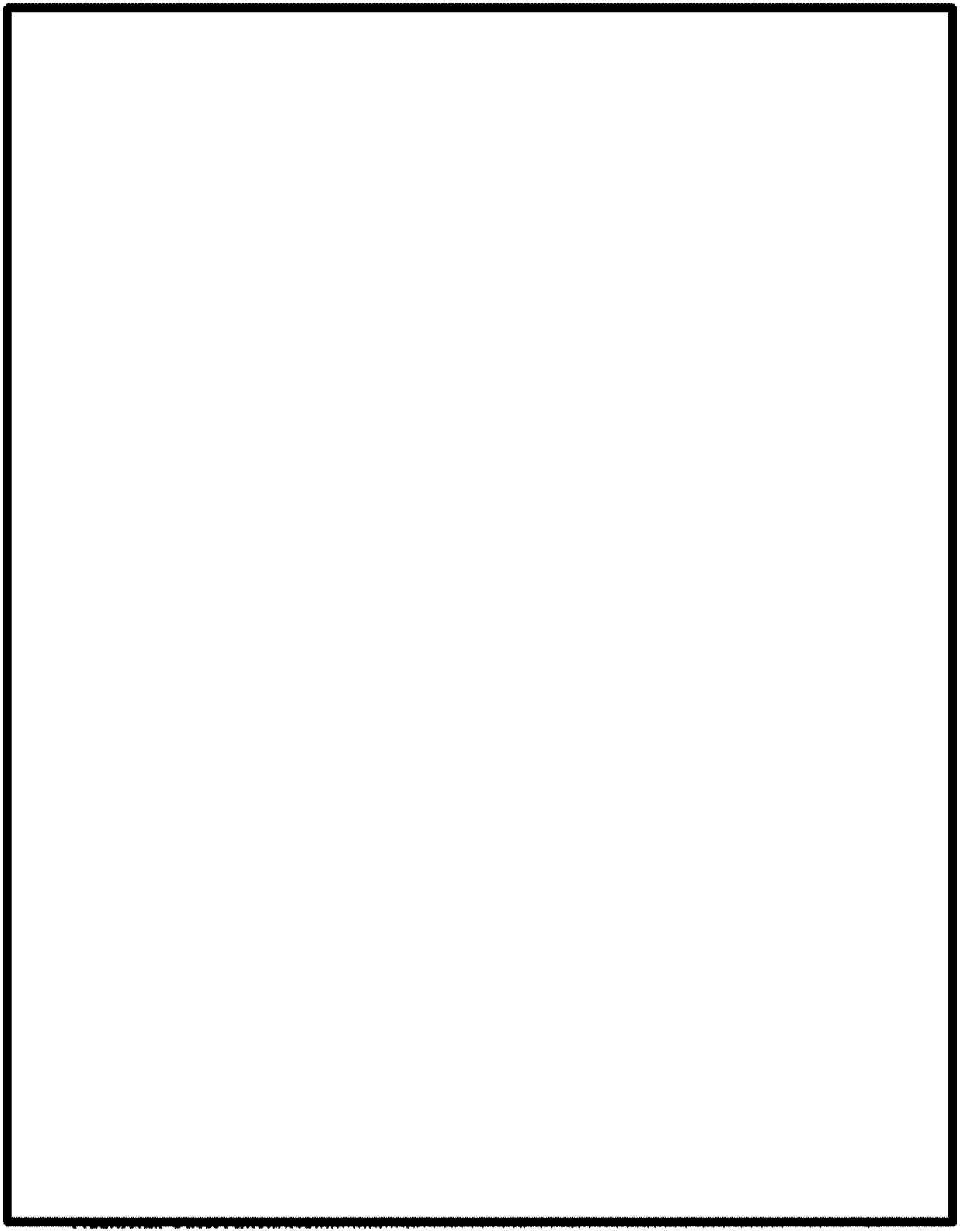

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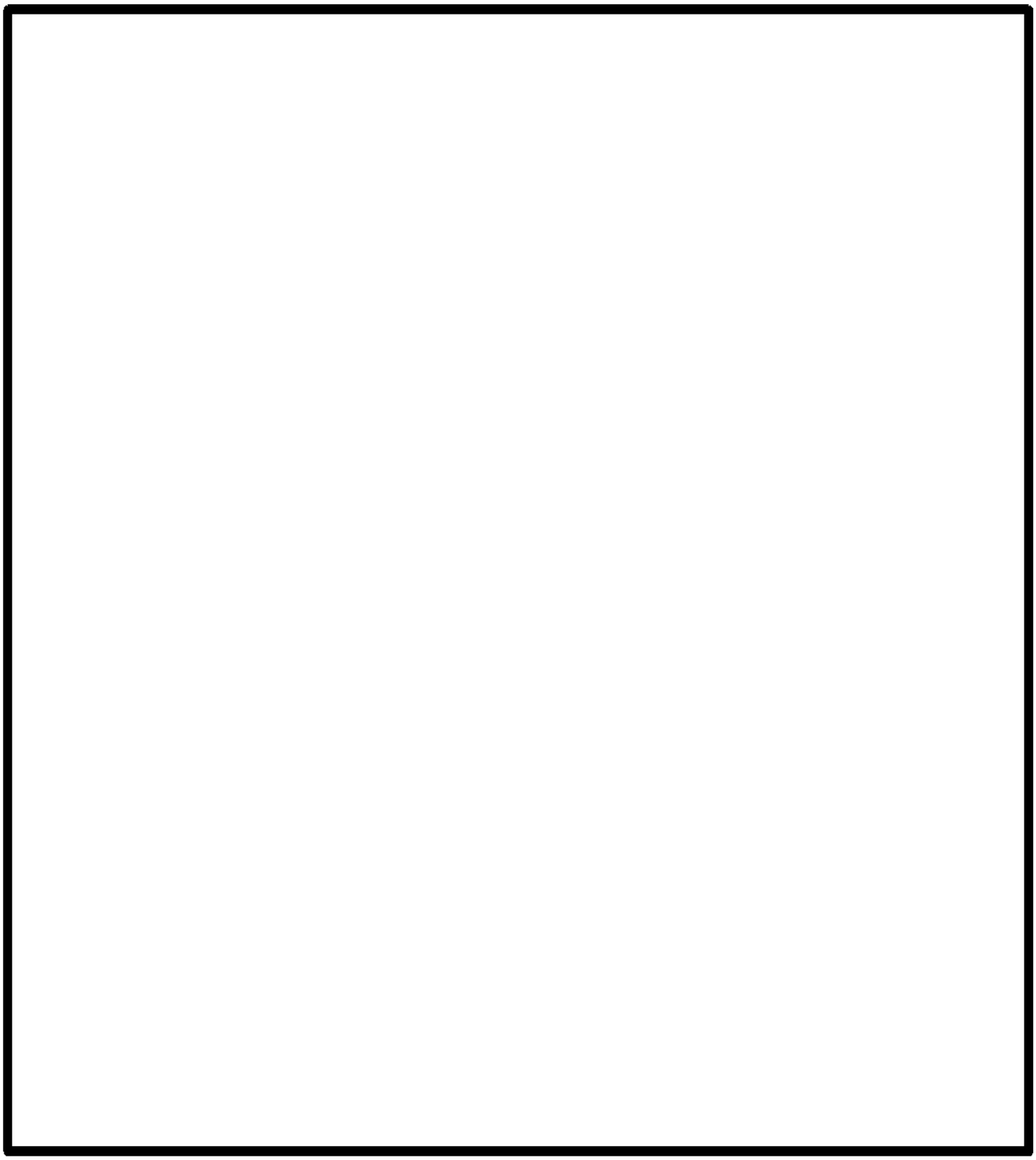

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***Job Creation/Economic Benefits** and the **Economic Report itself in Exhibit A.** Also see the **Market Study in Exhibit D.**)*

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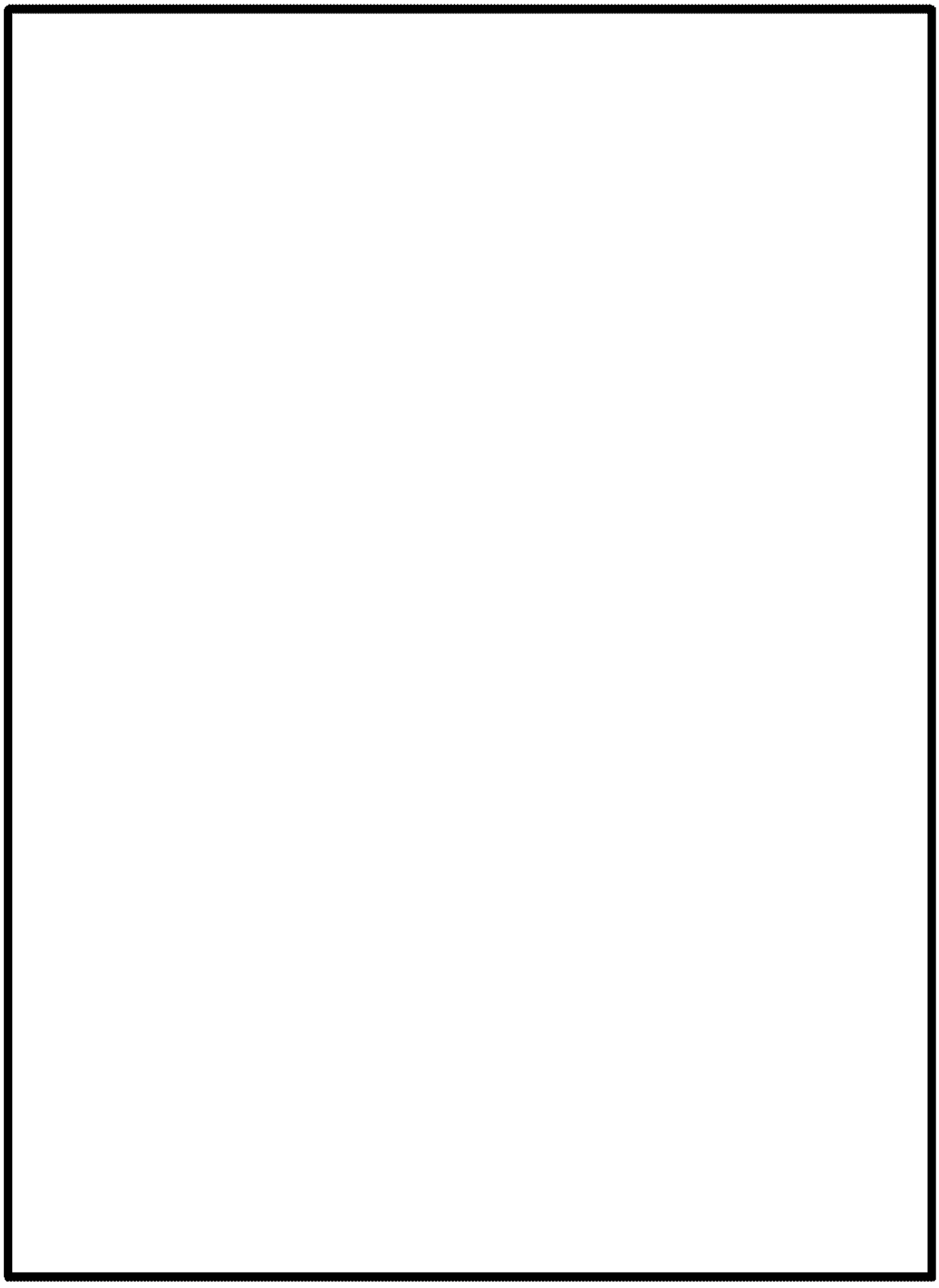

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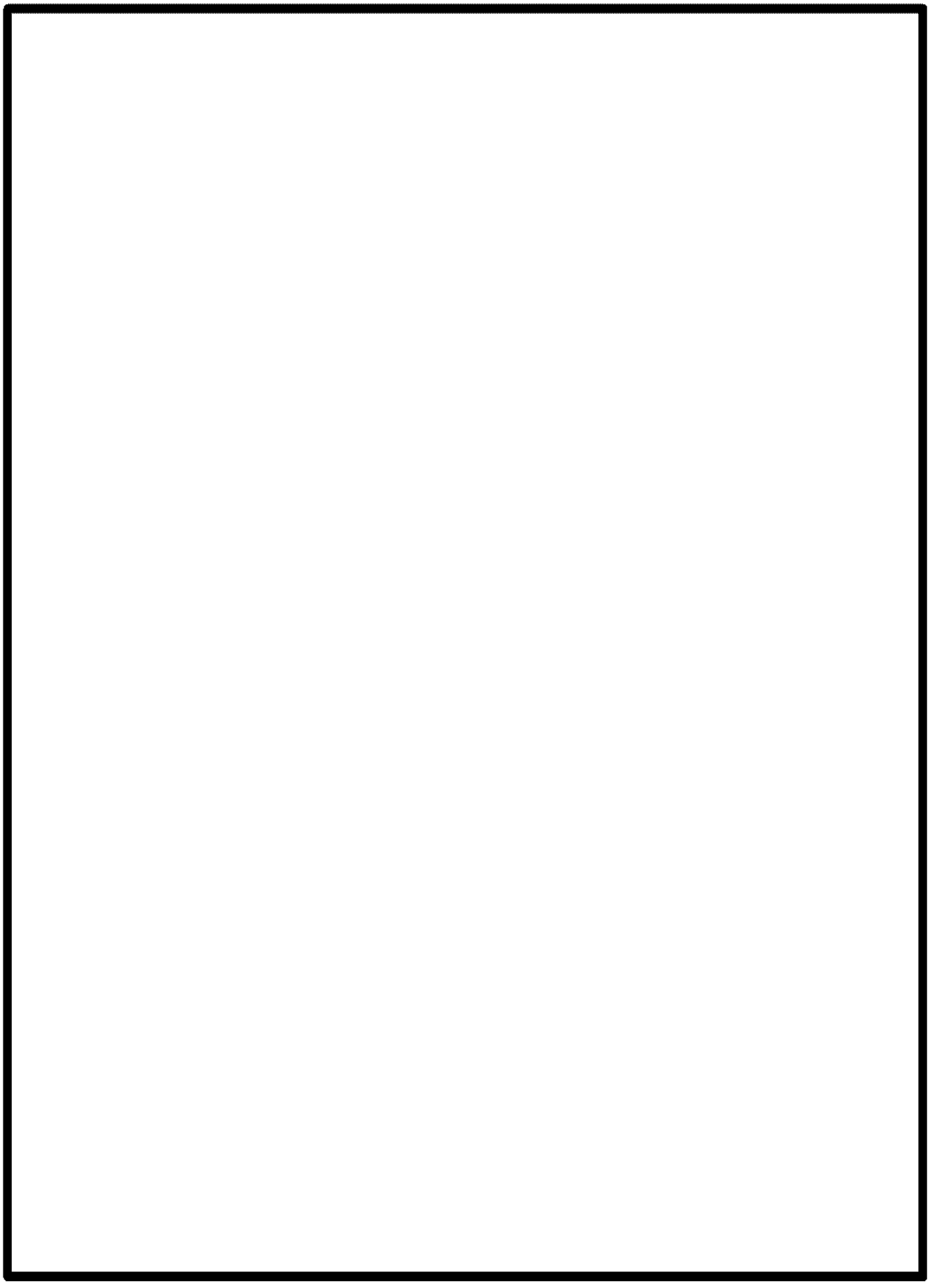

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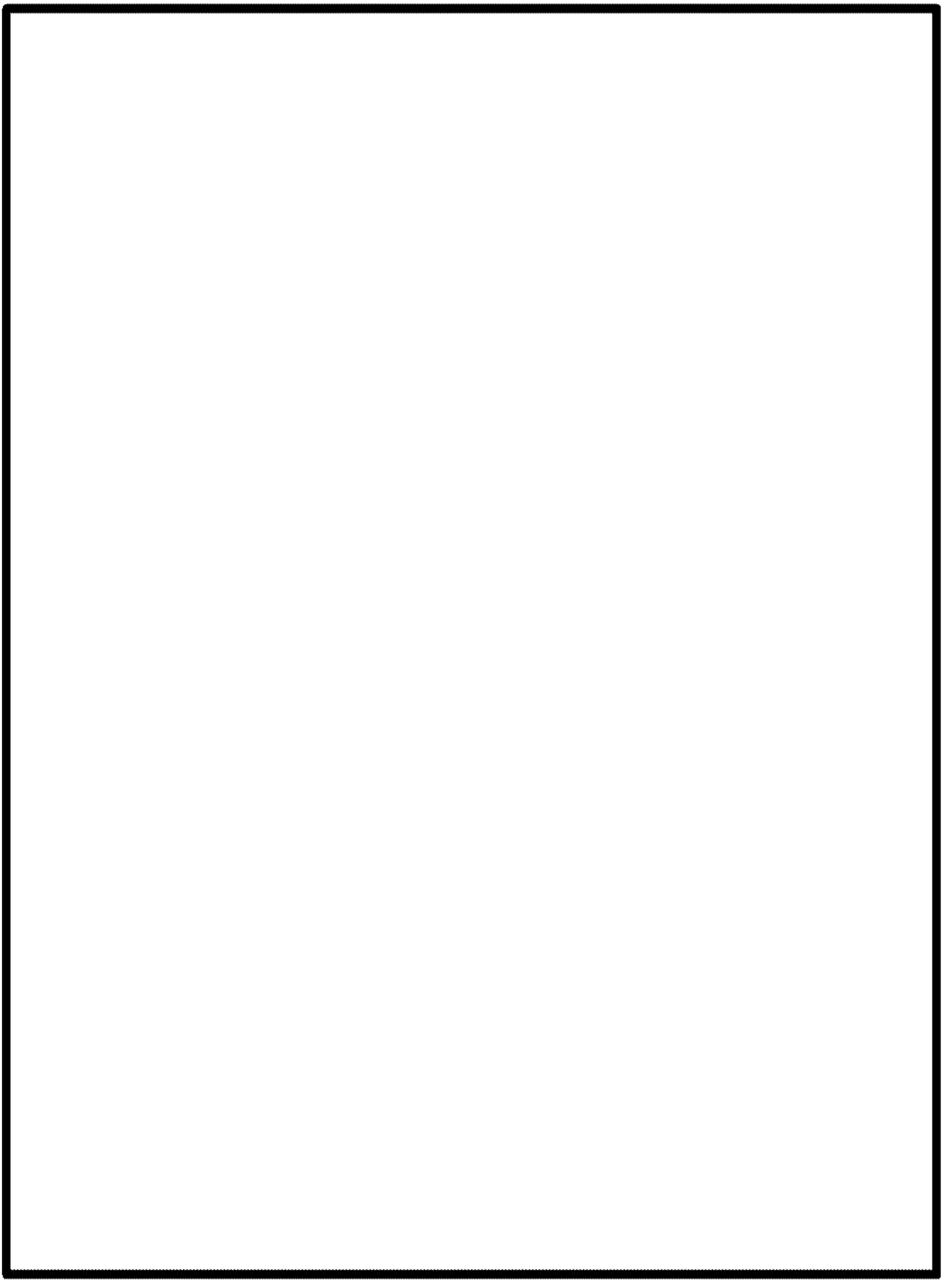

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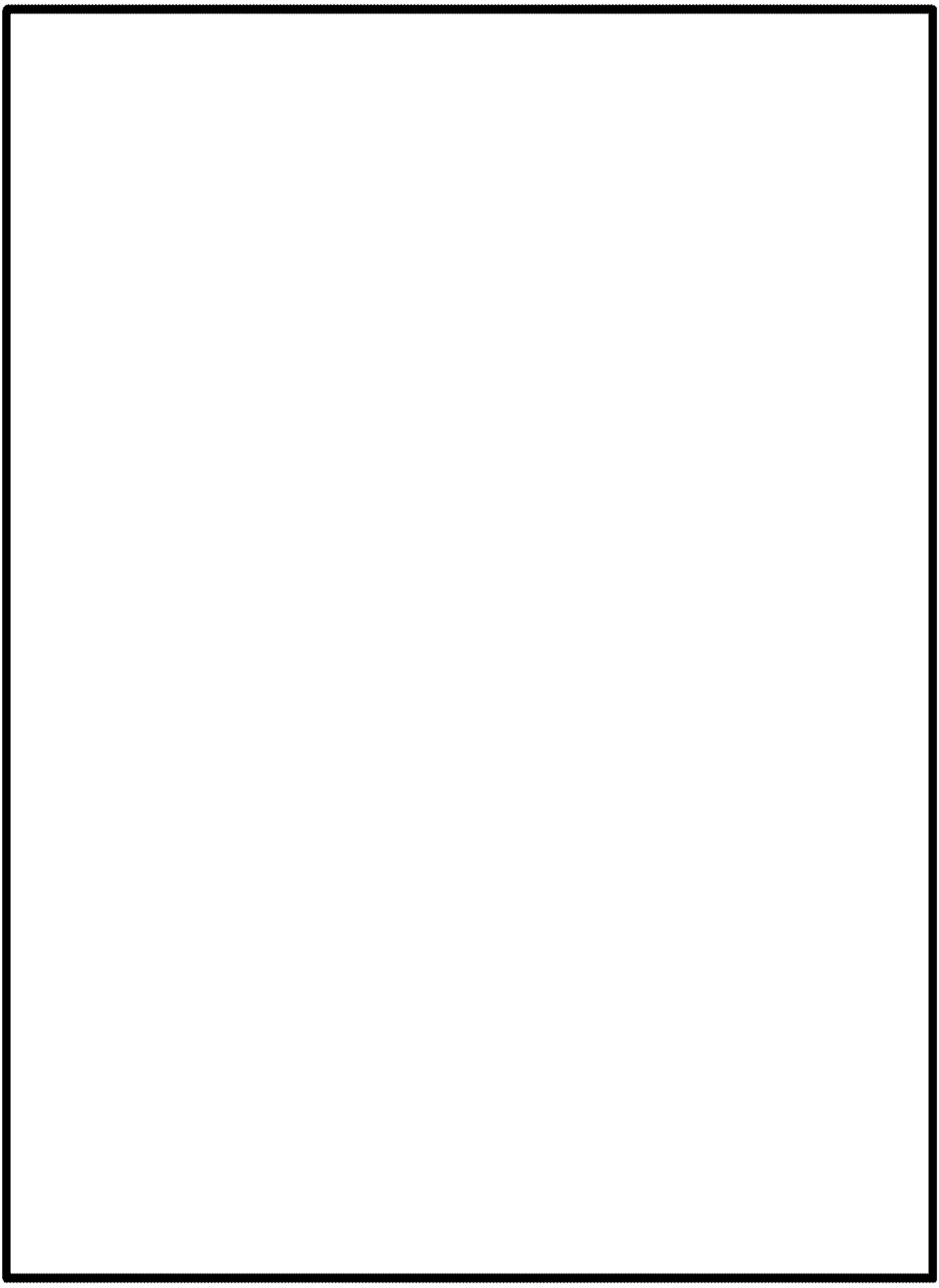

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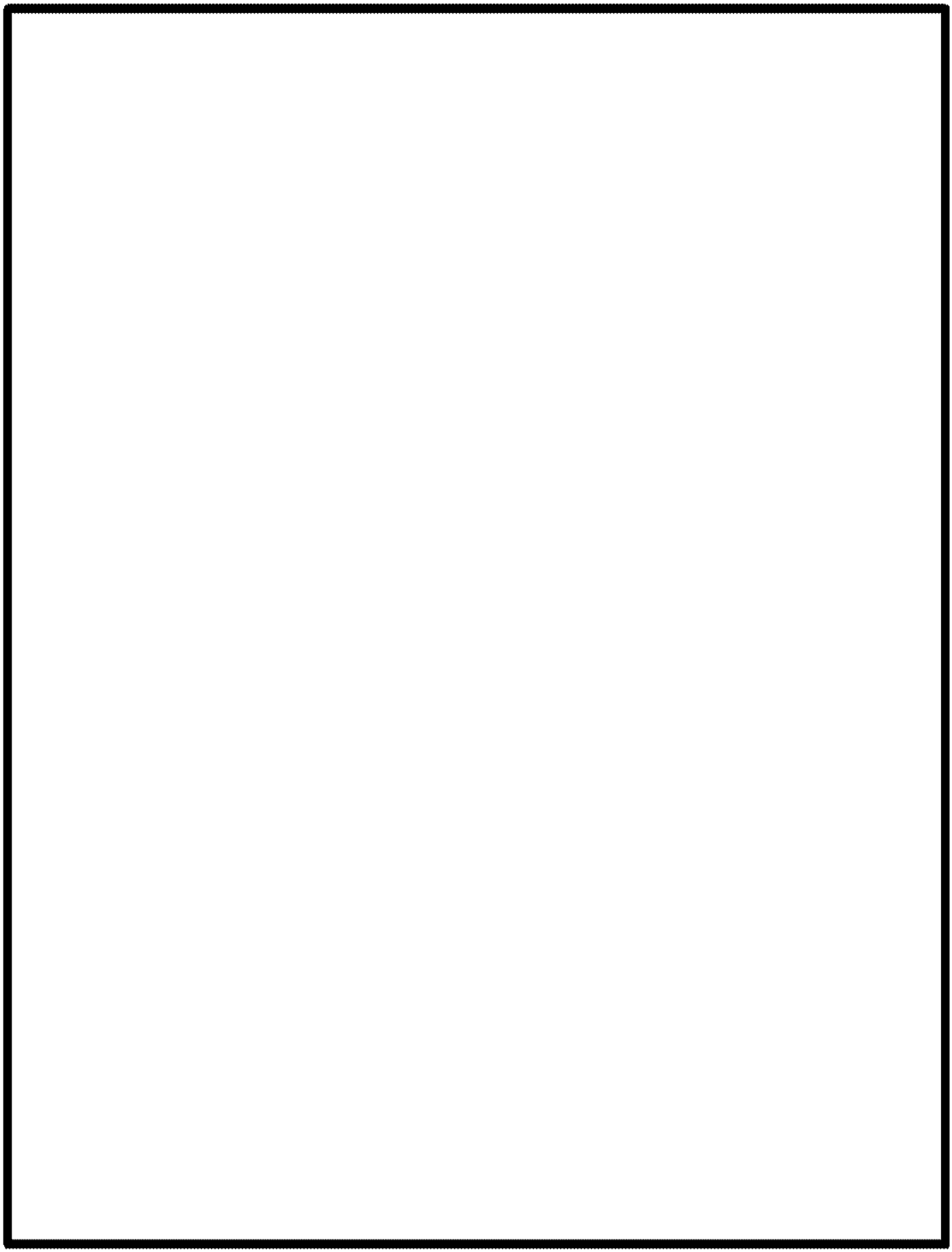

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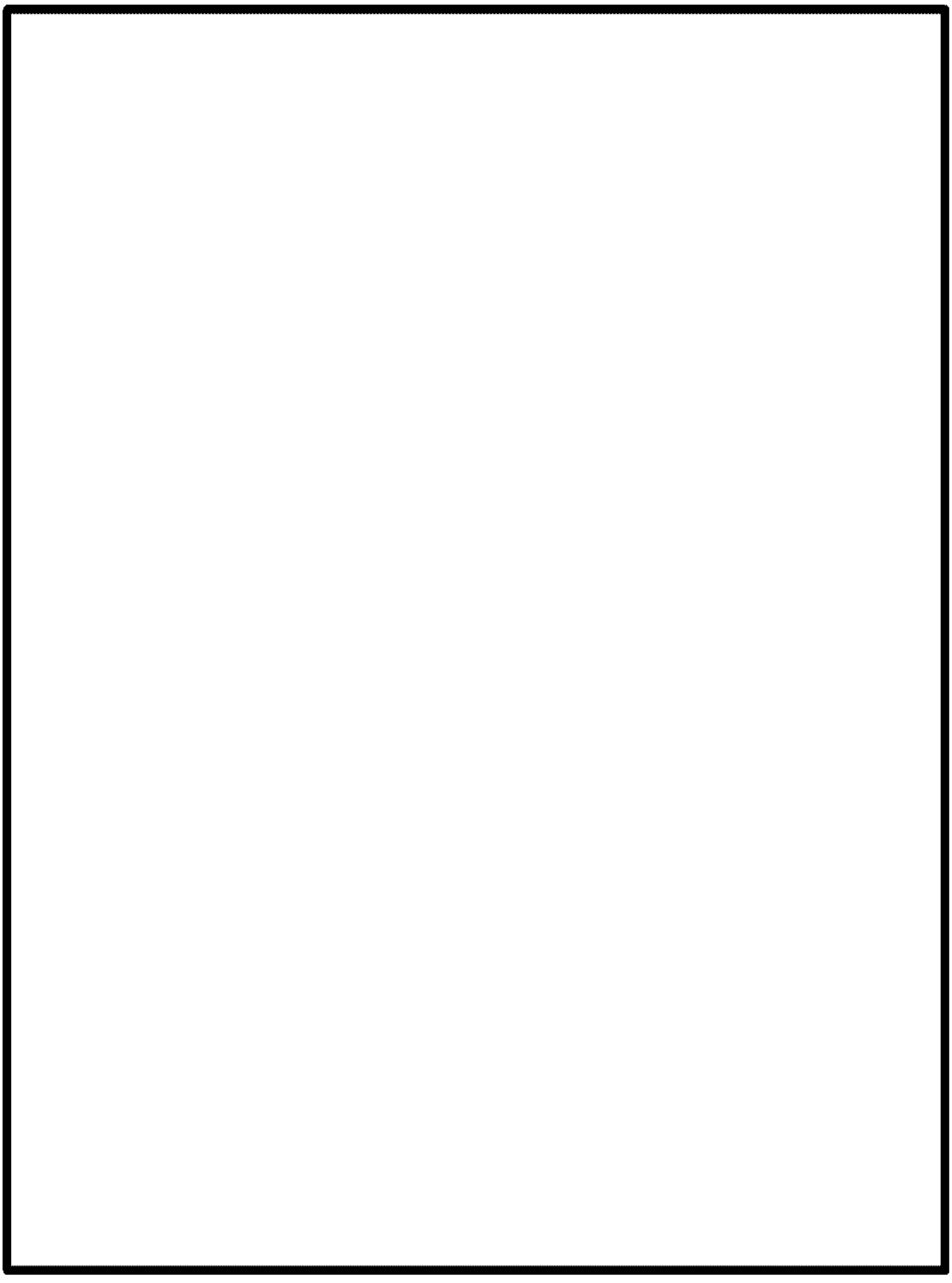

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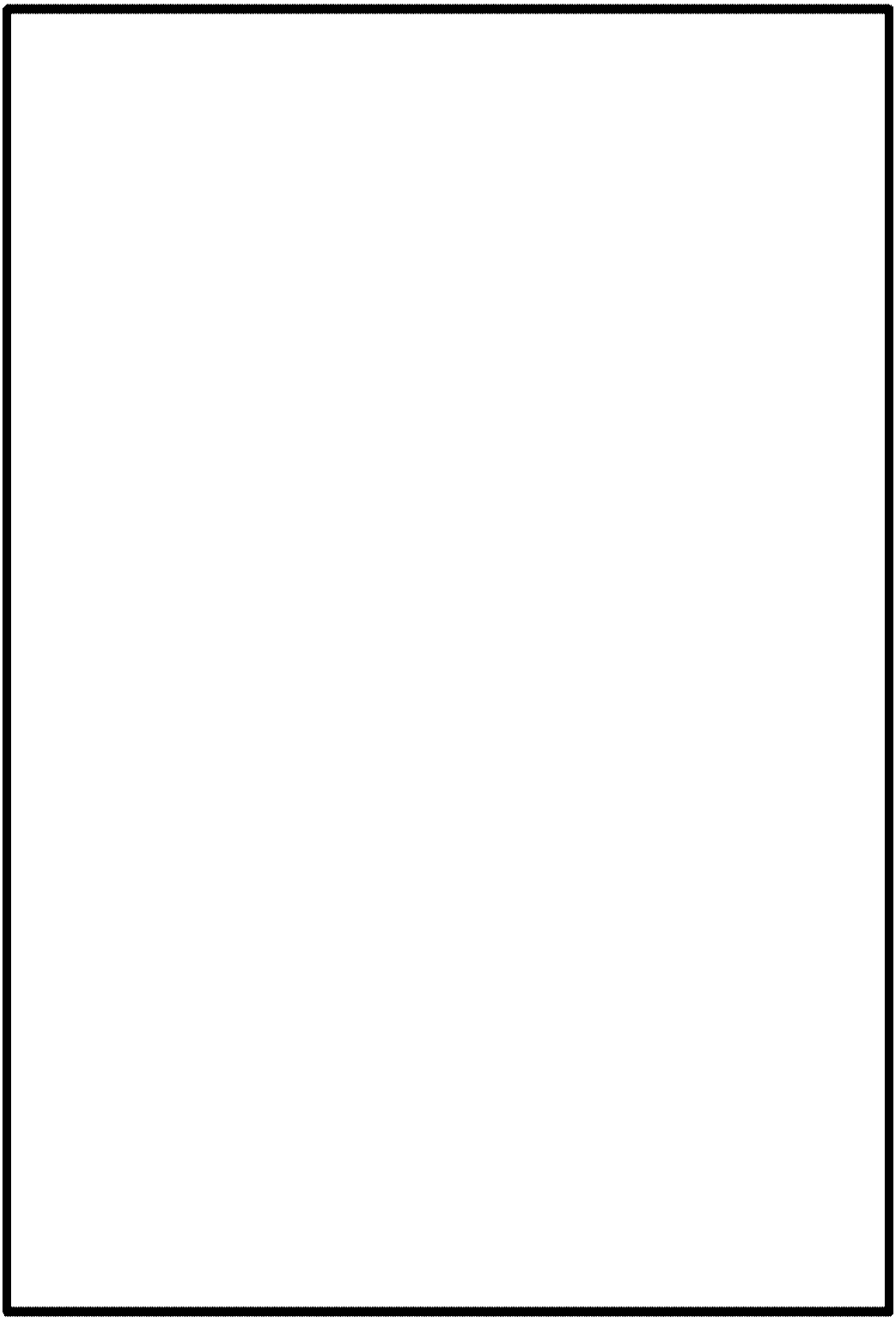

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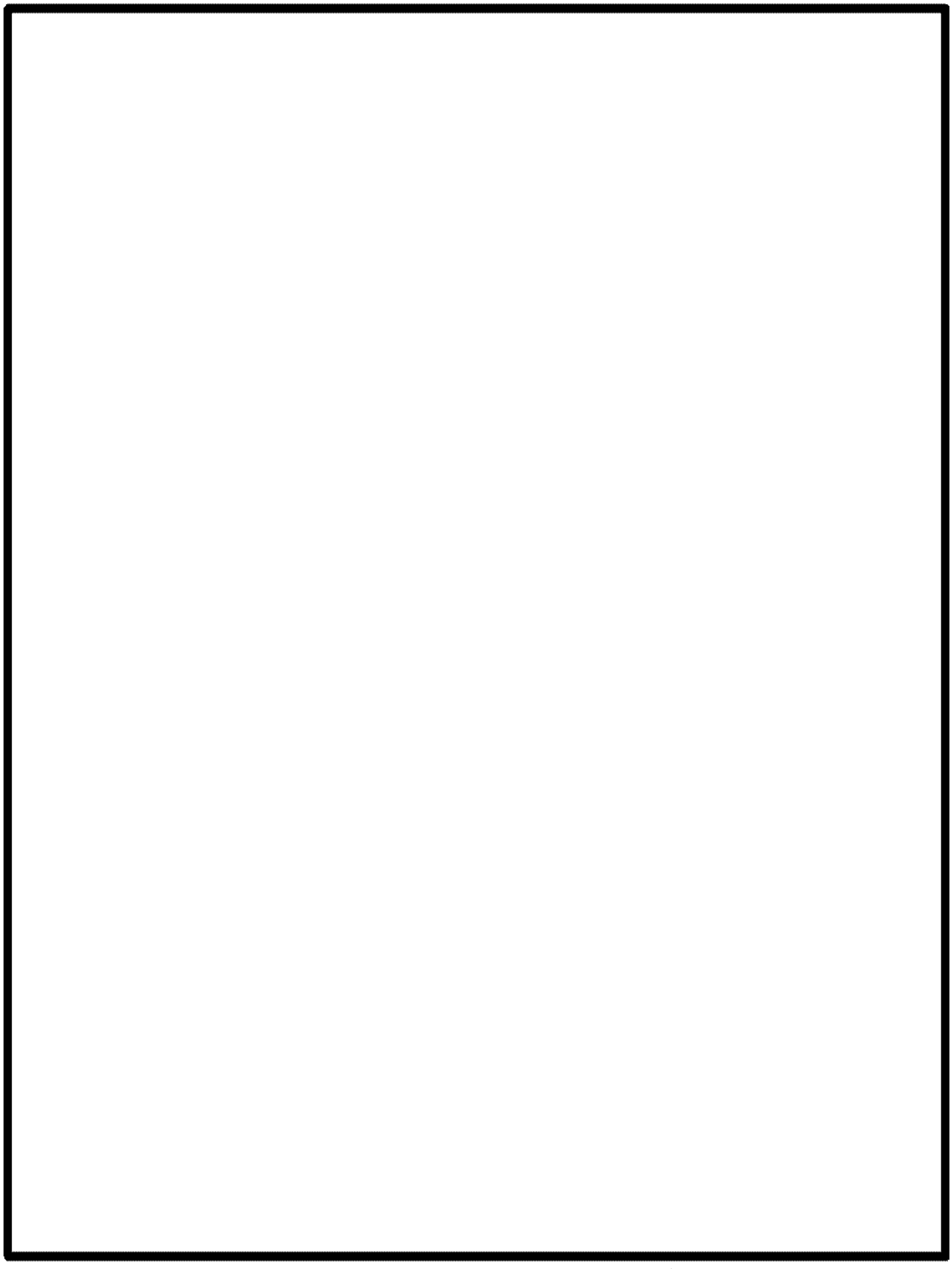

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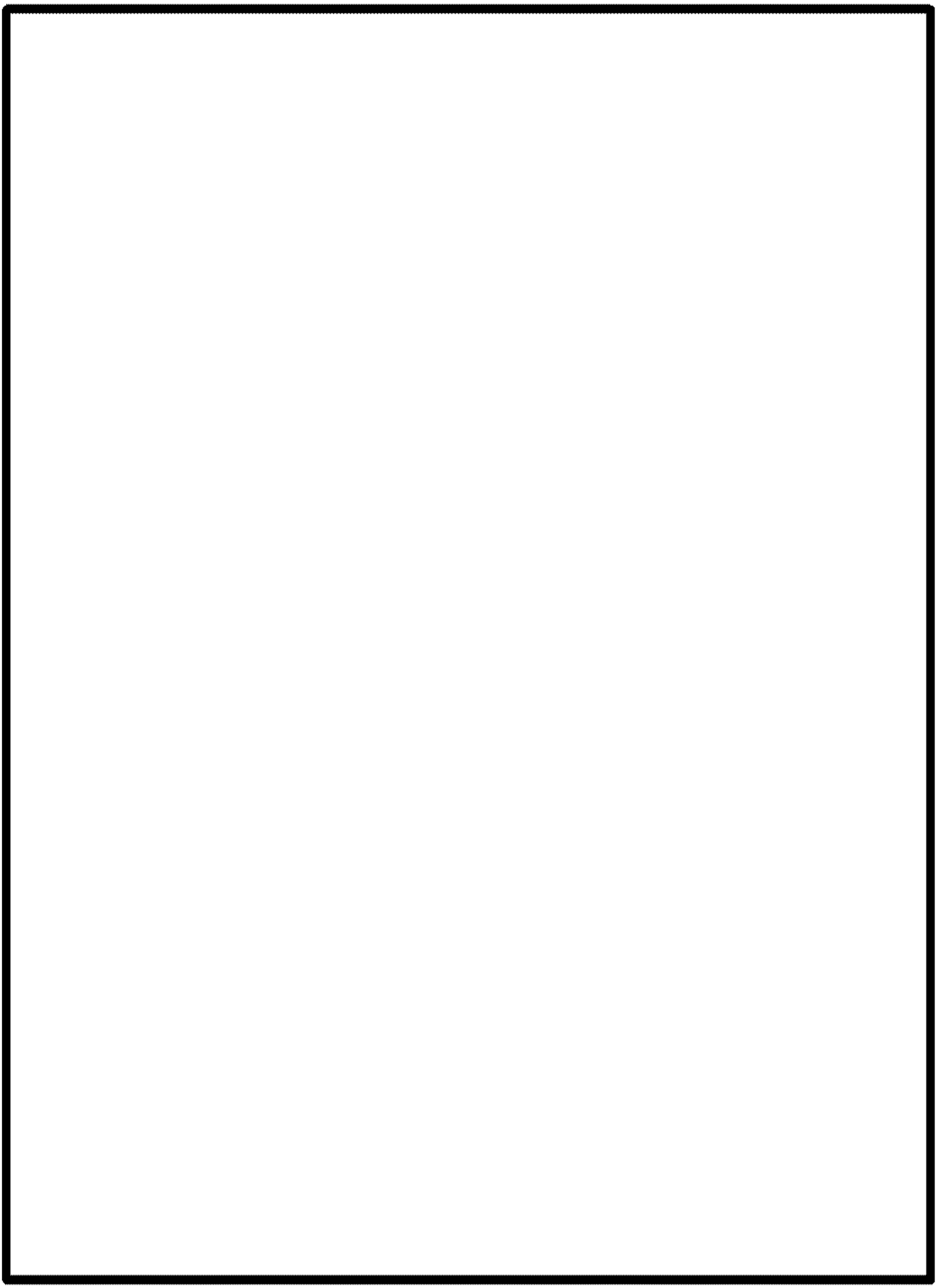

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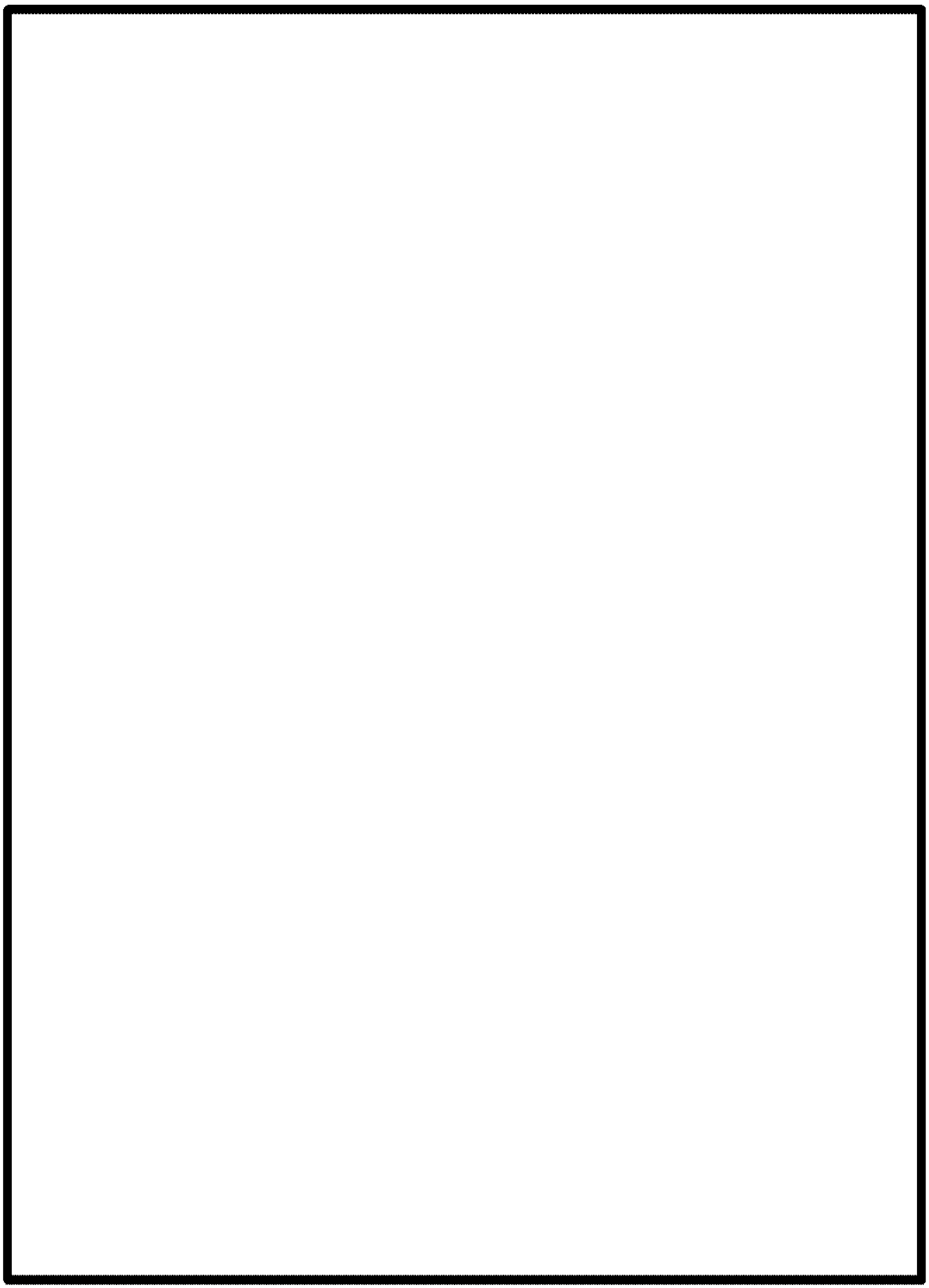

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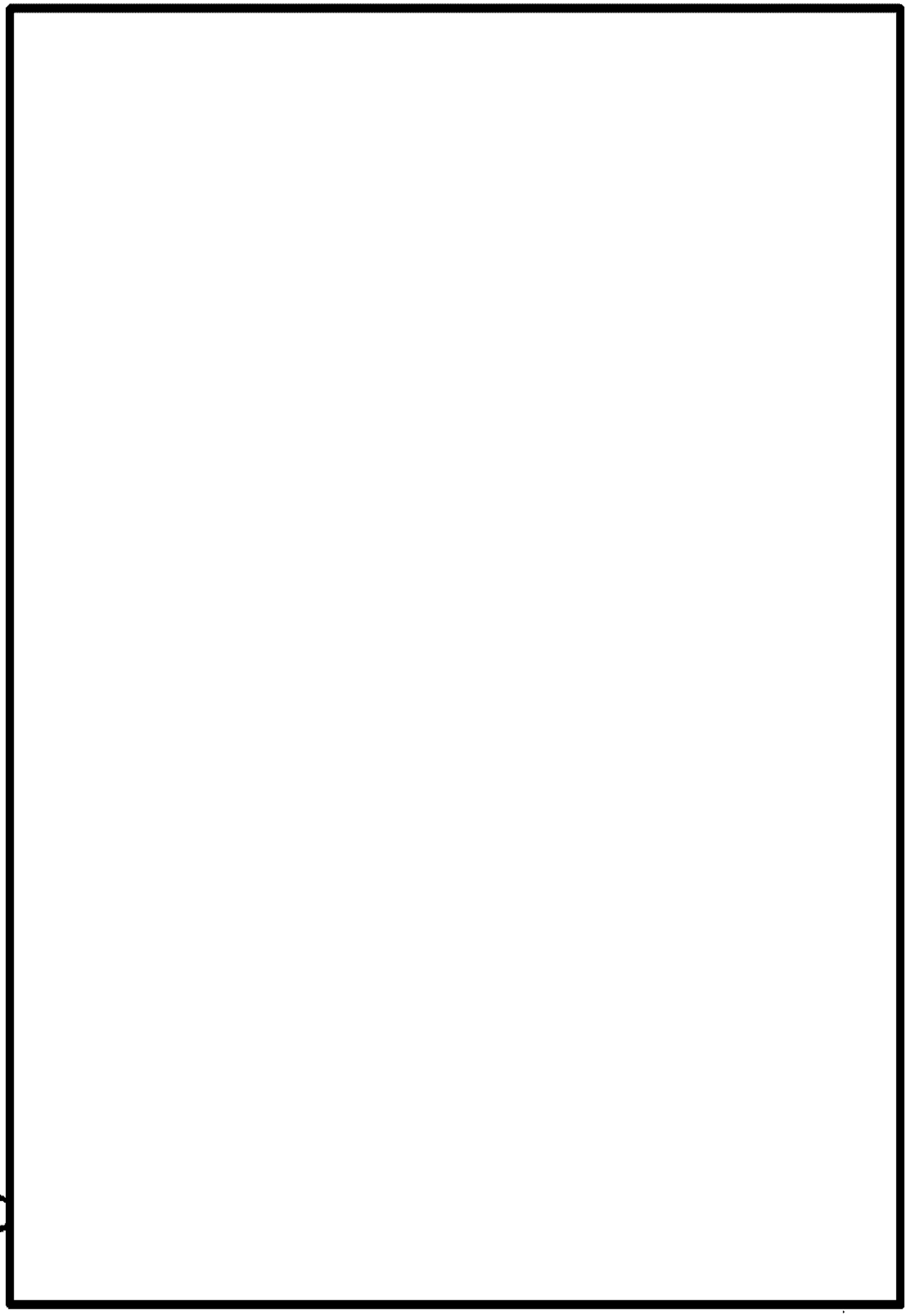

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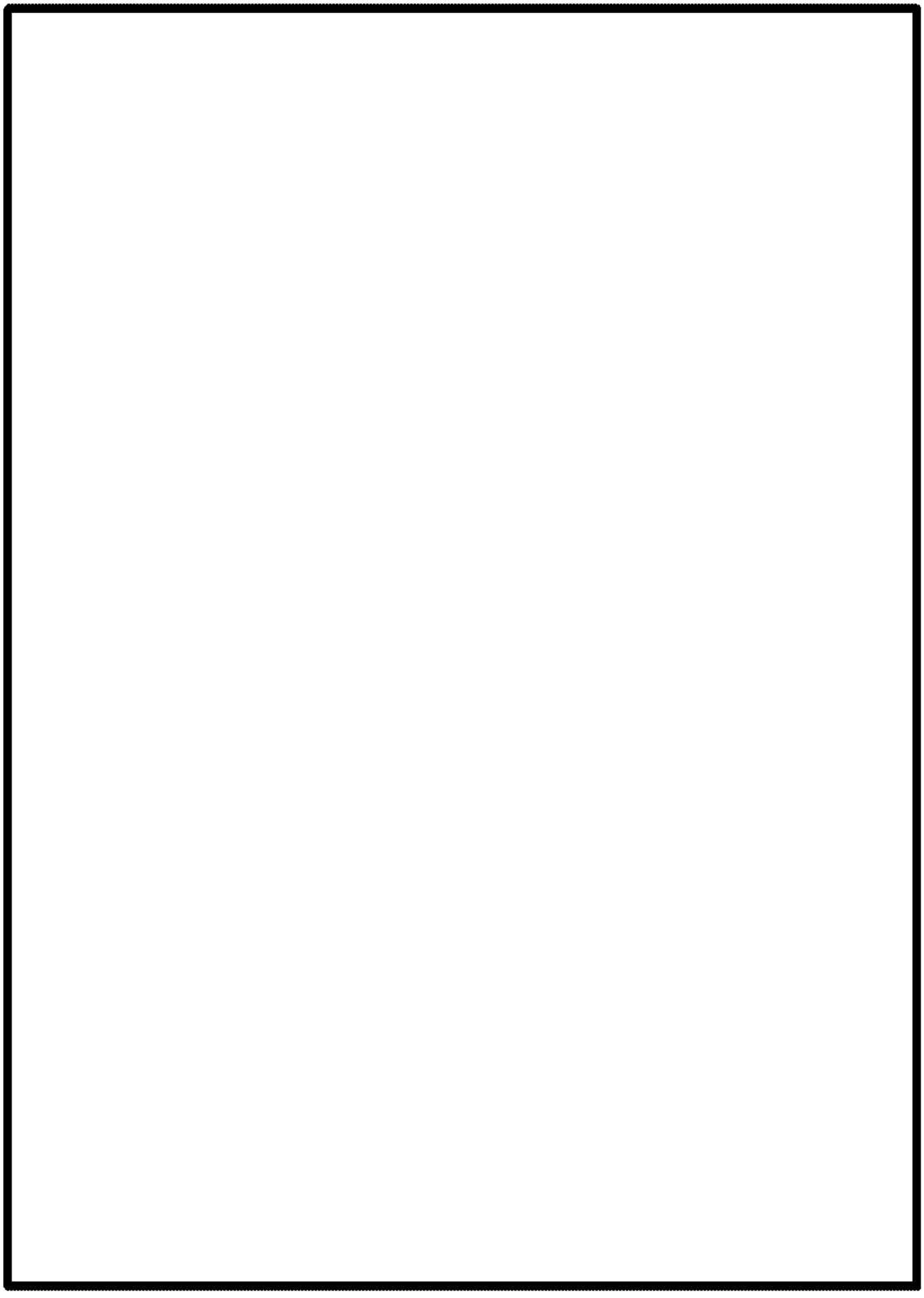

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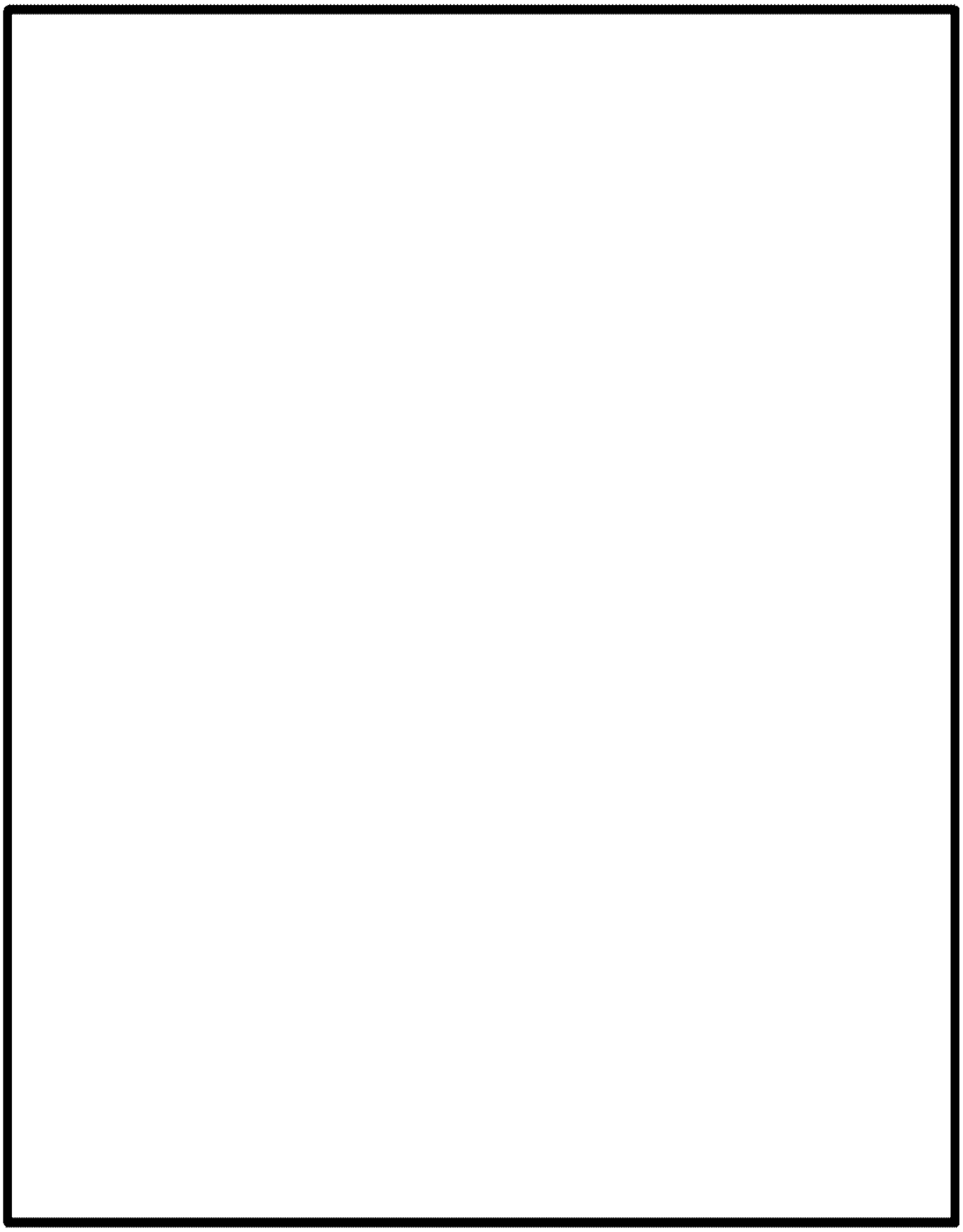

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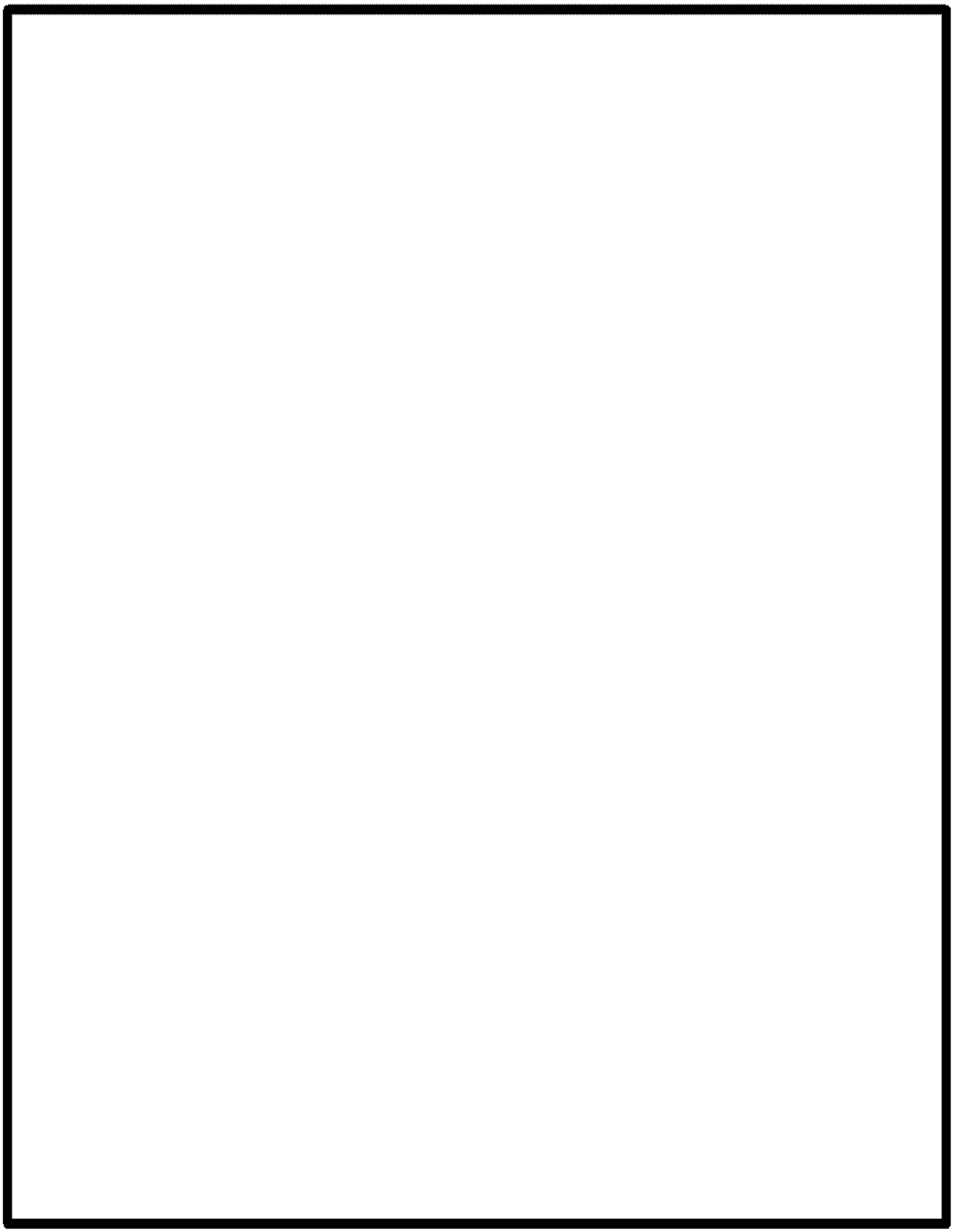

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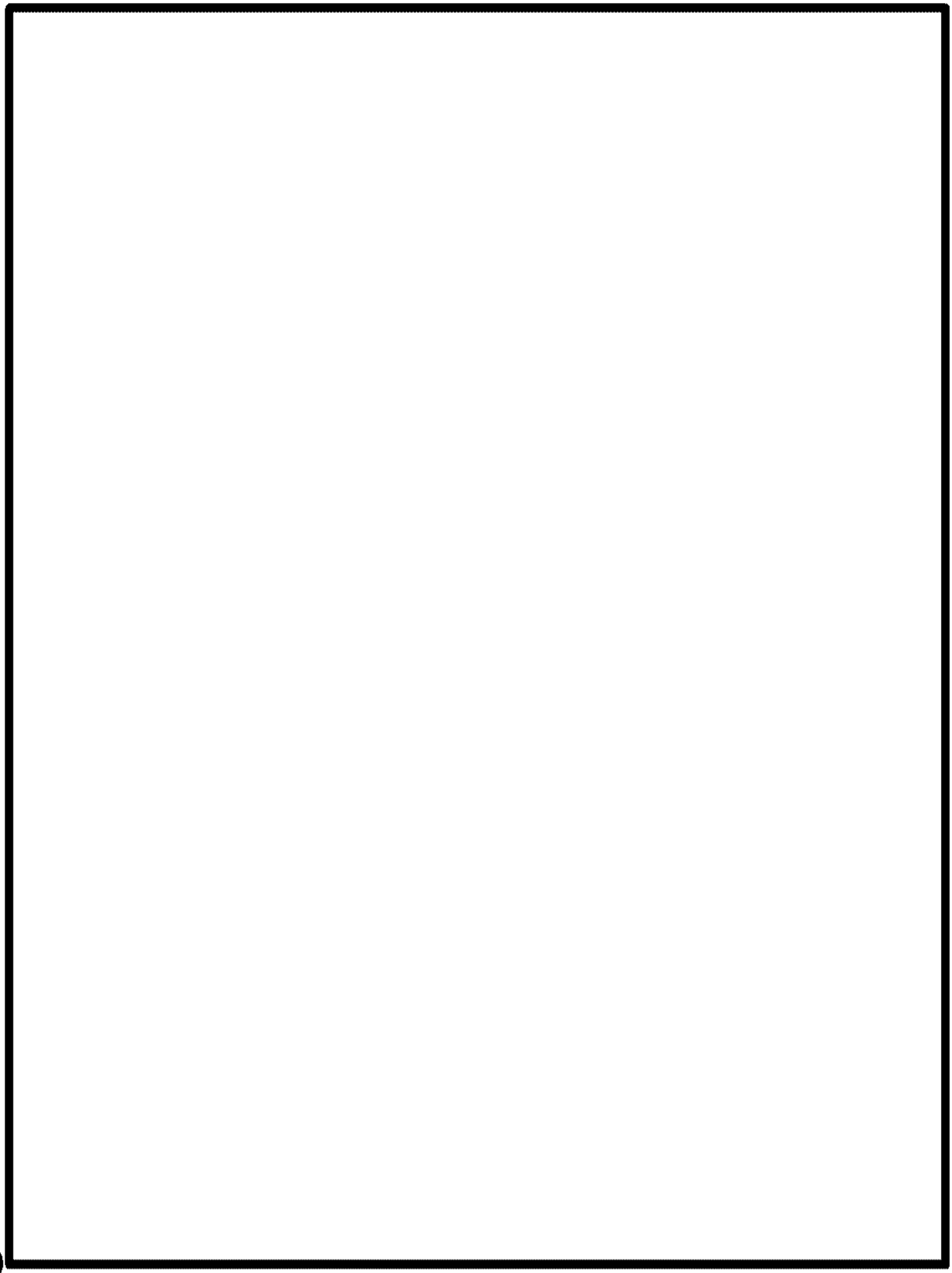

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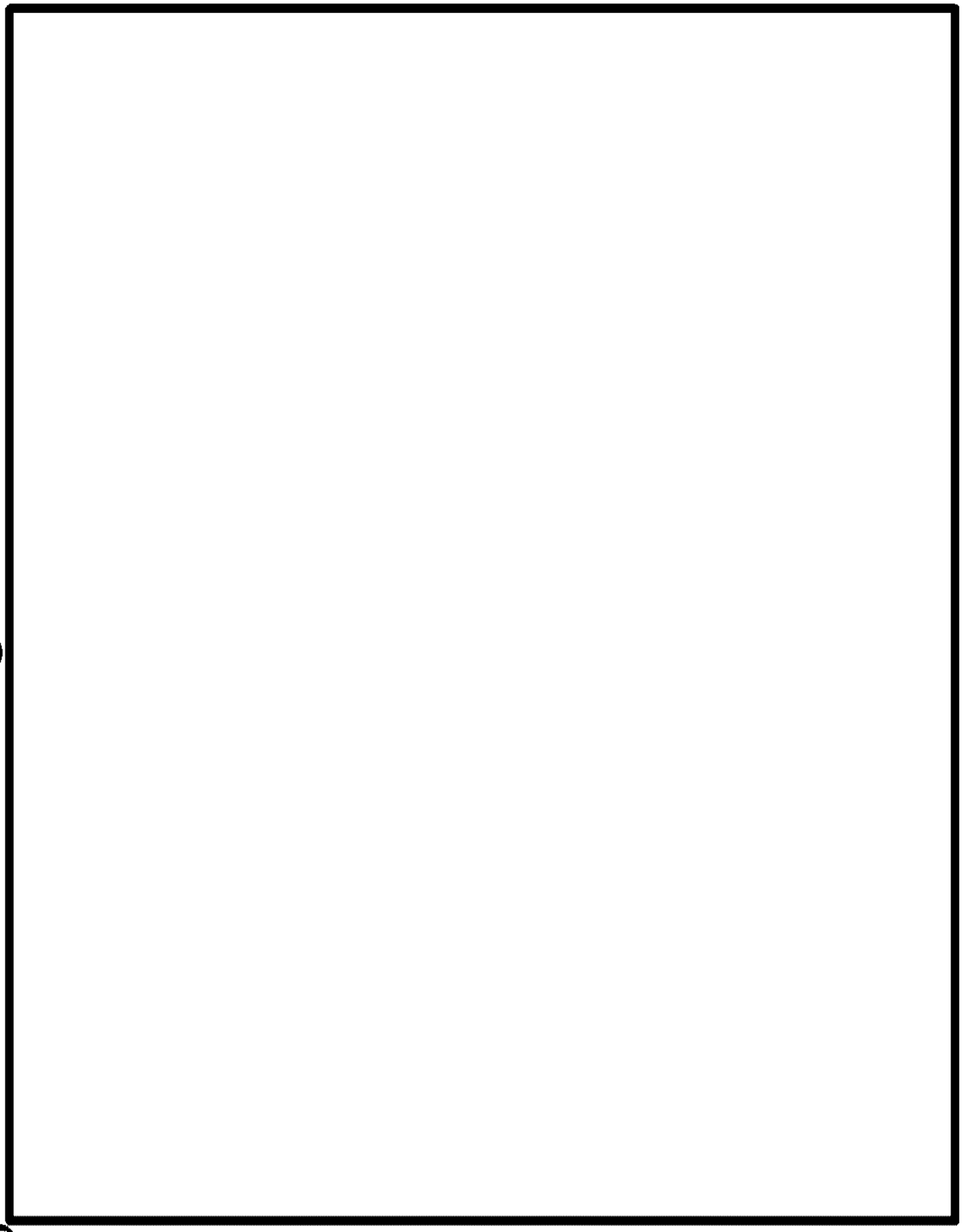

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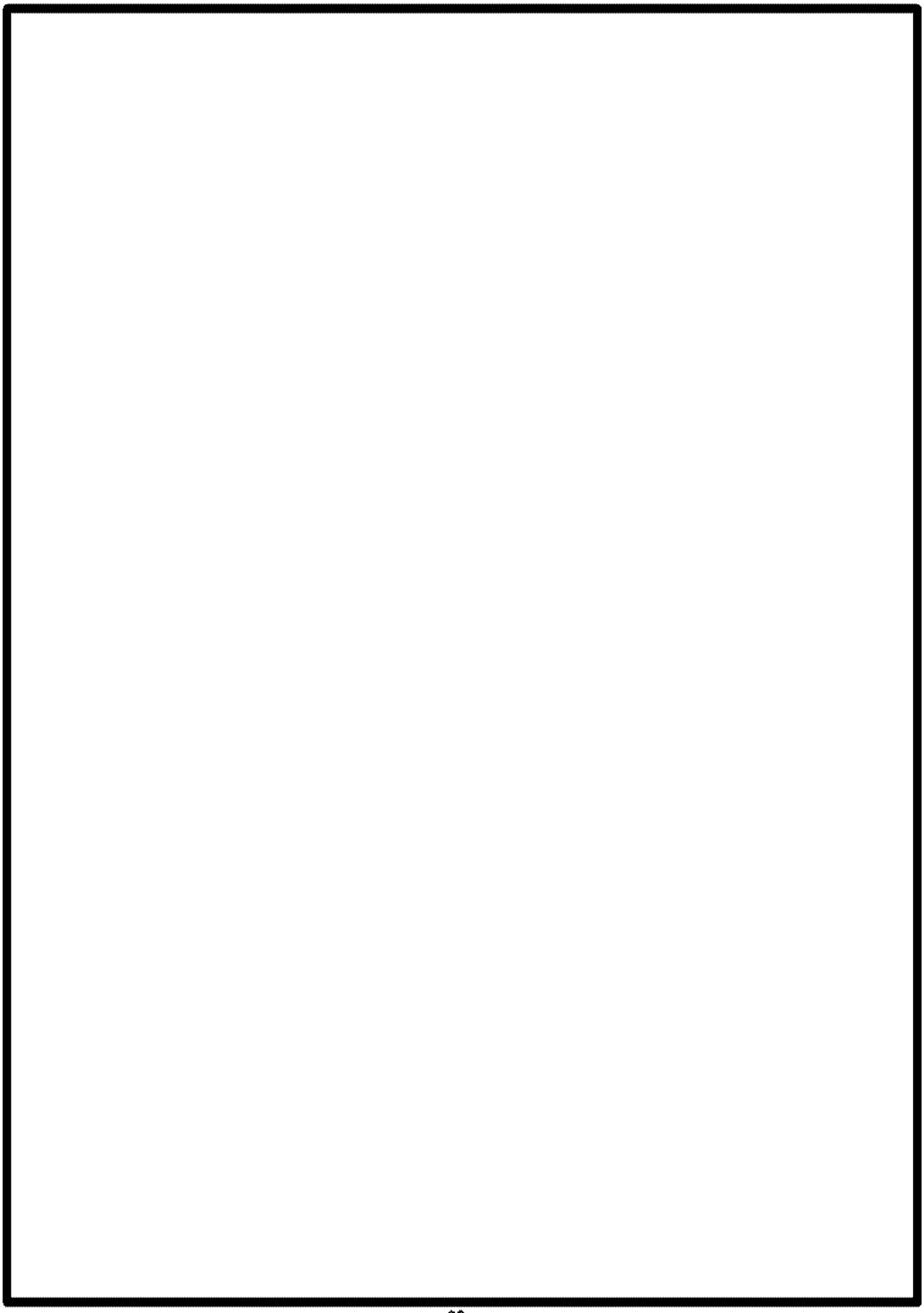

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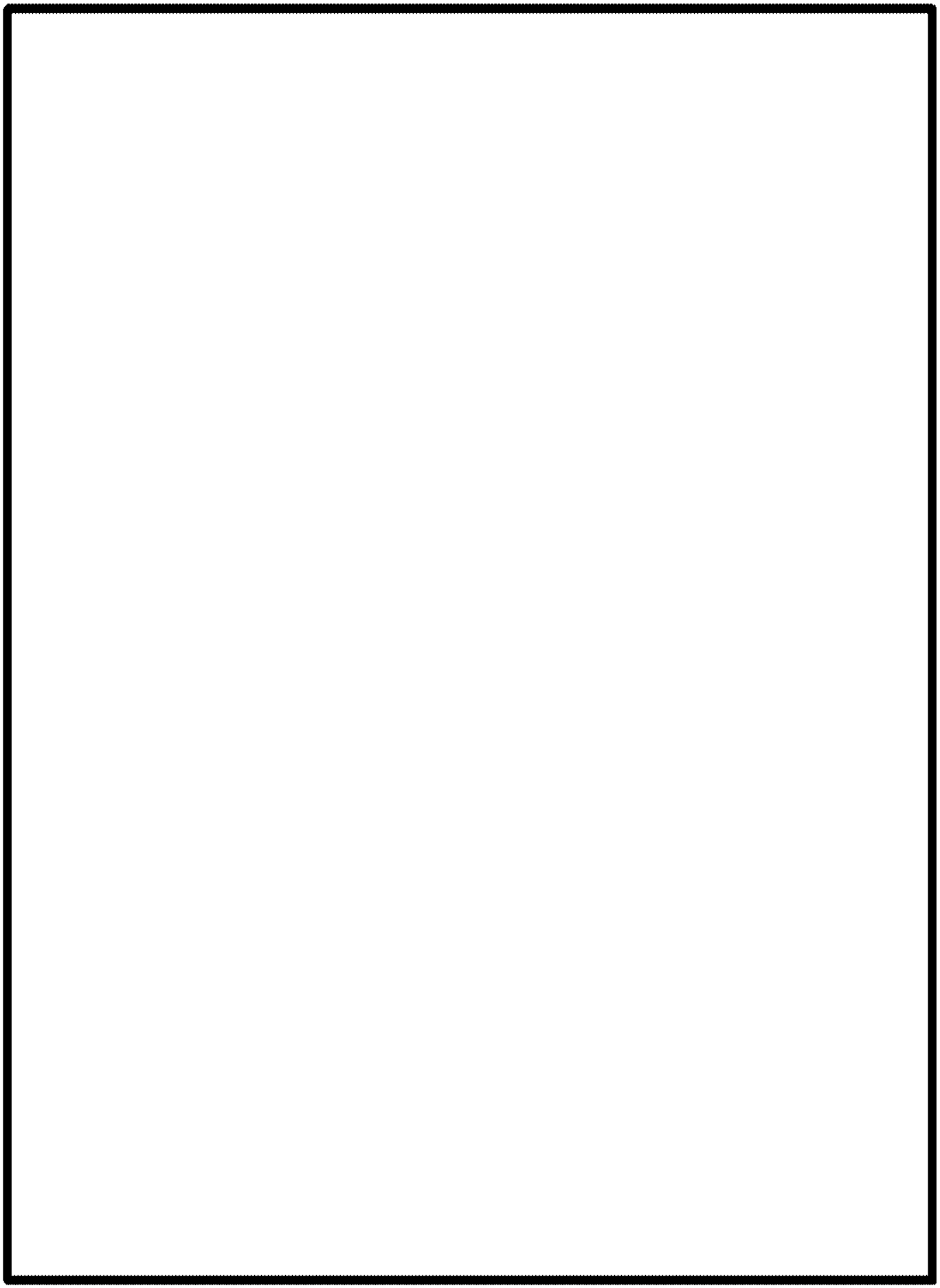

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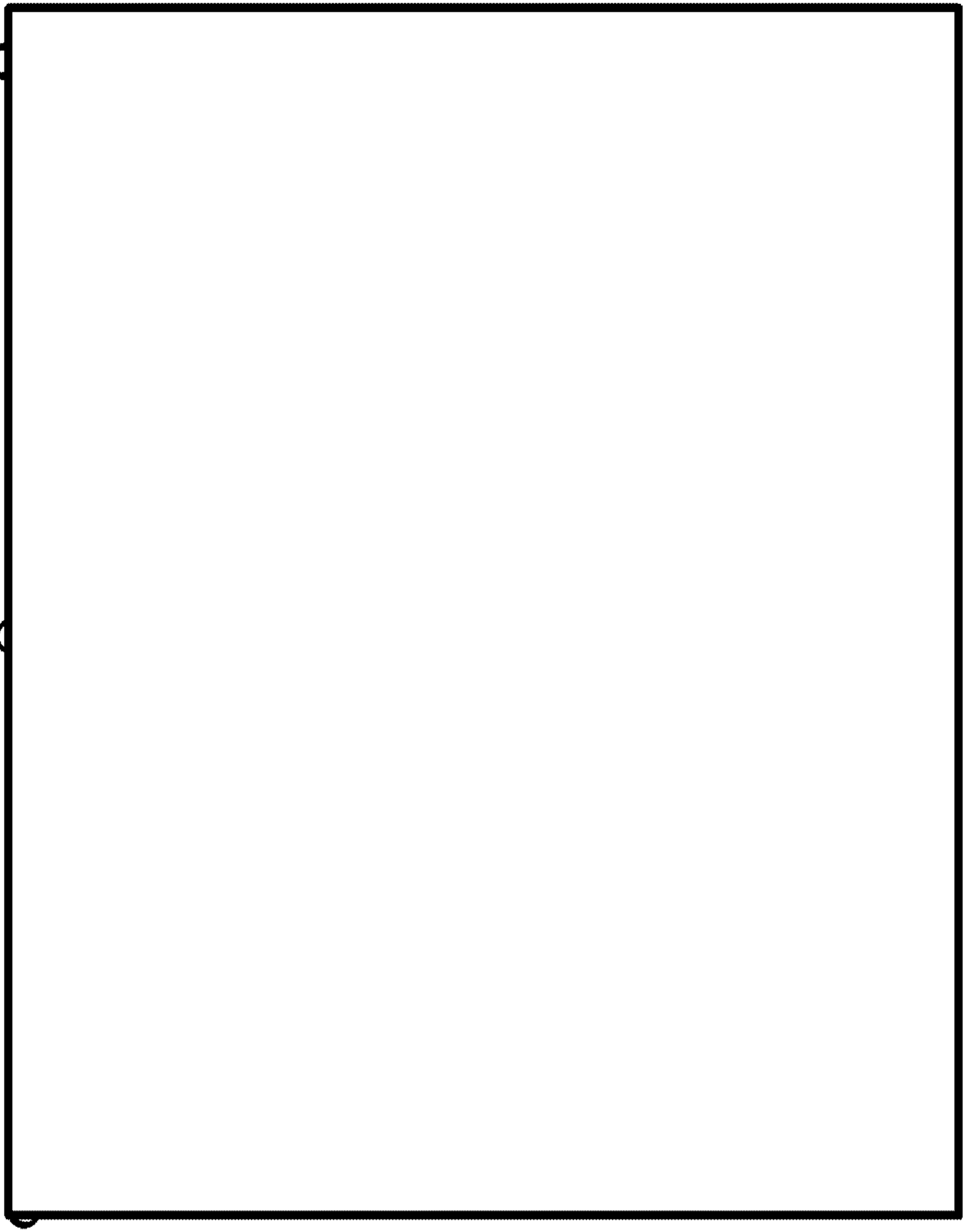

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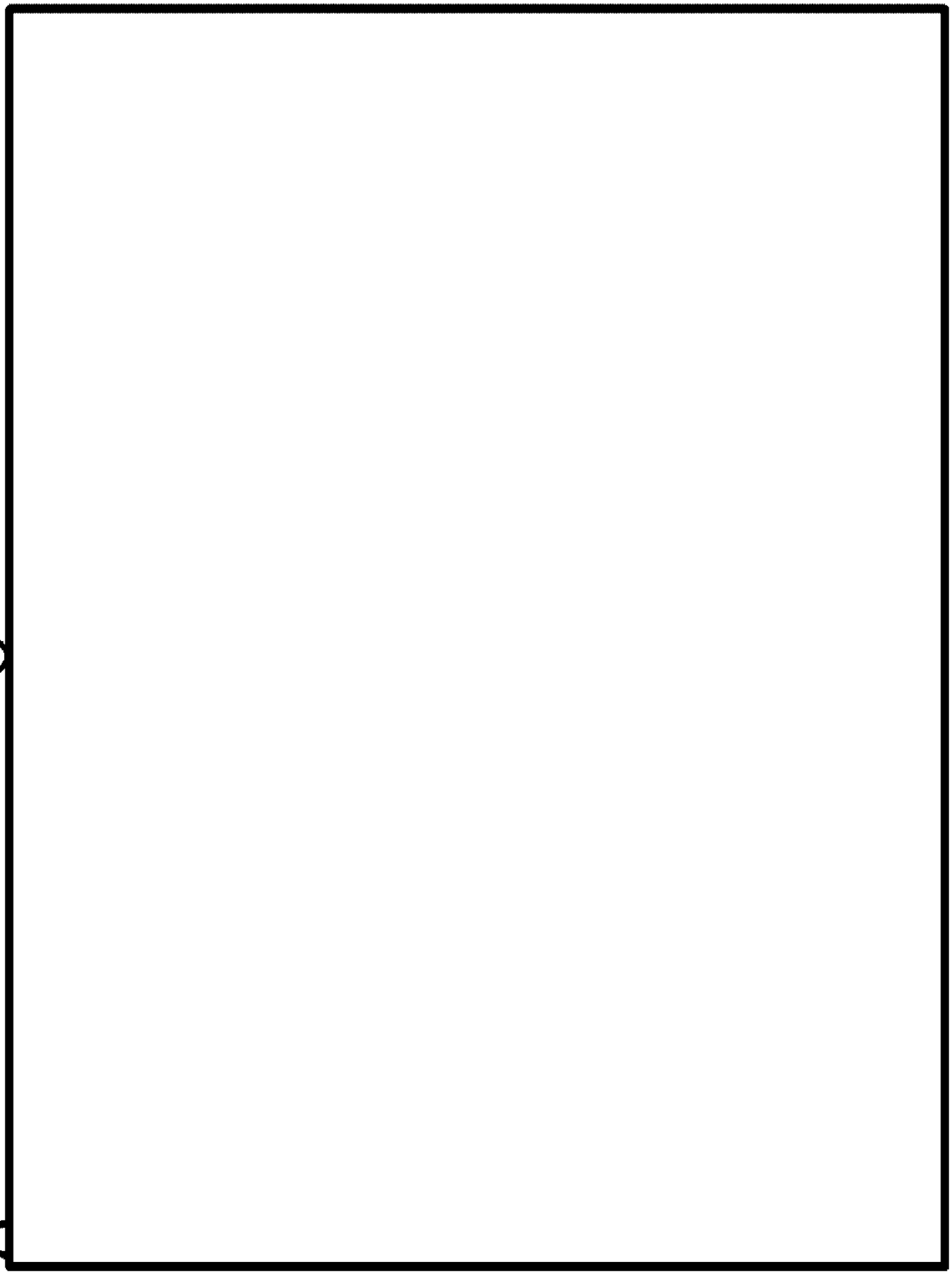

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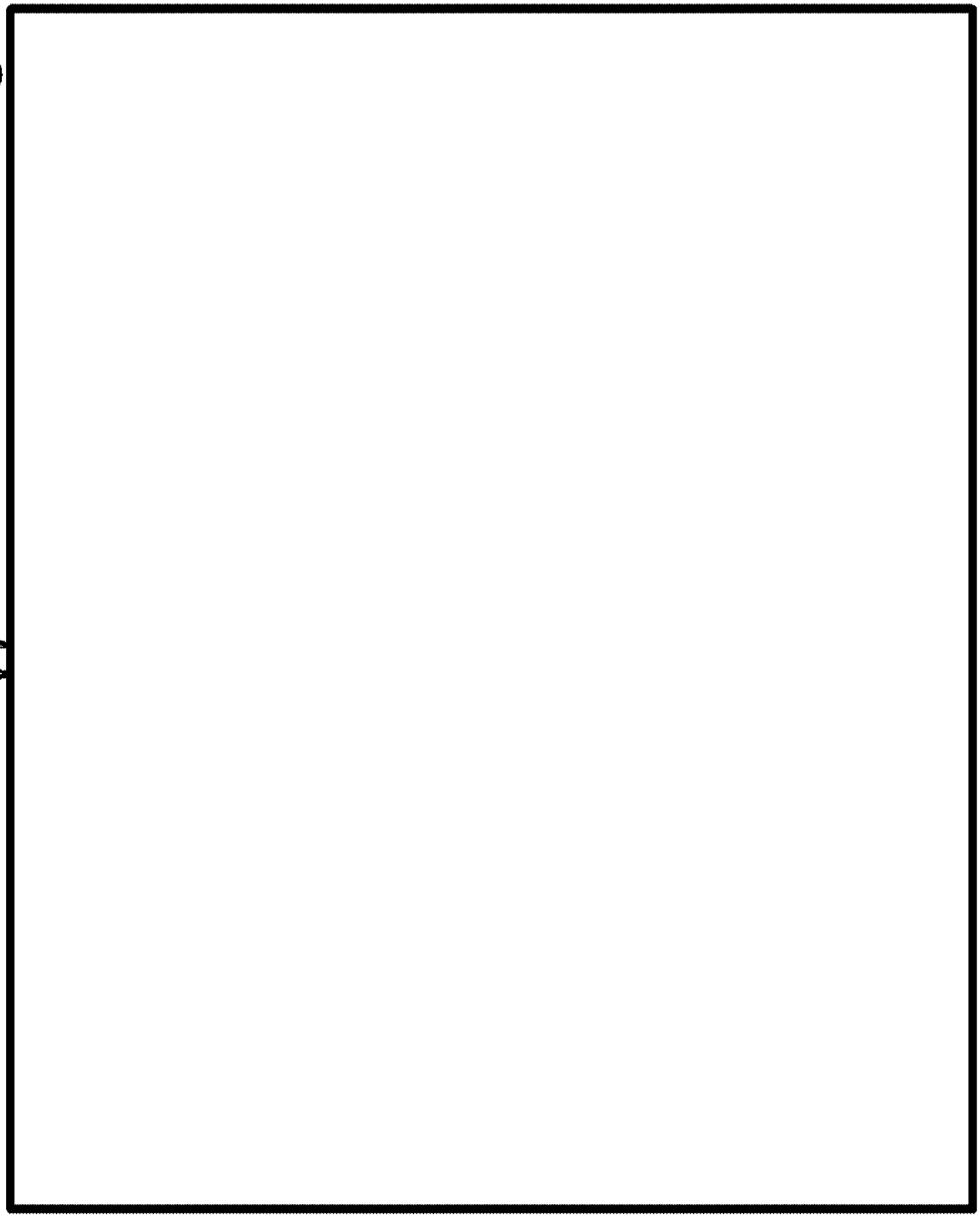

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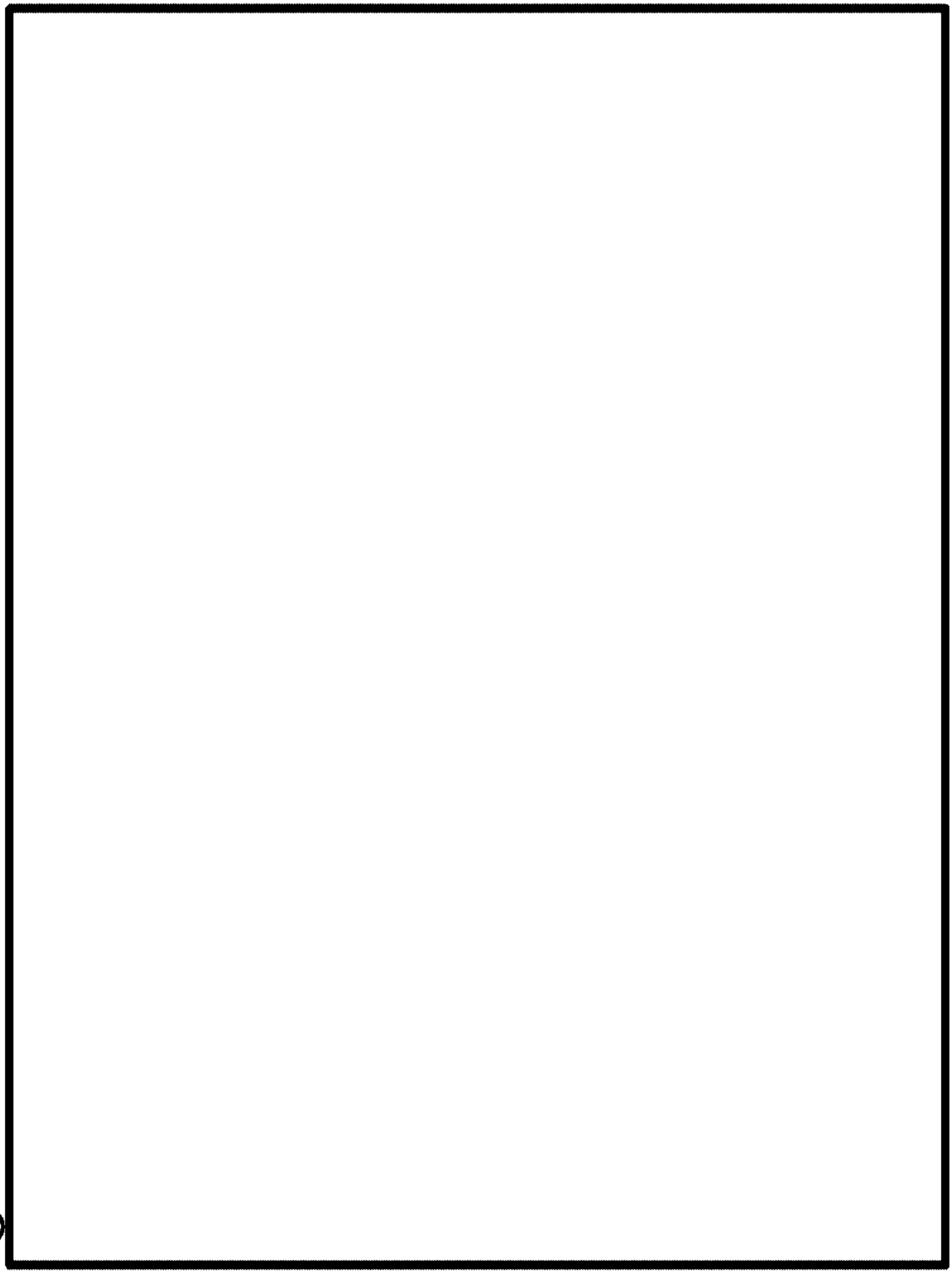

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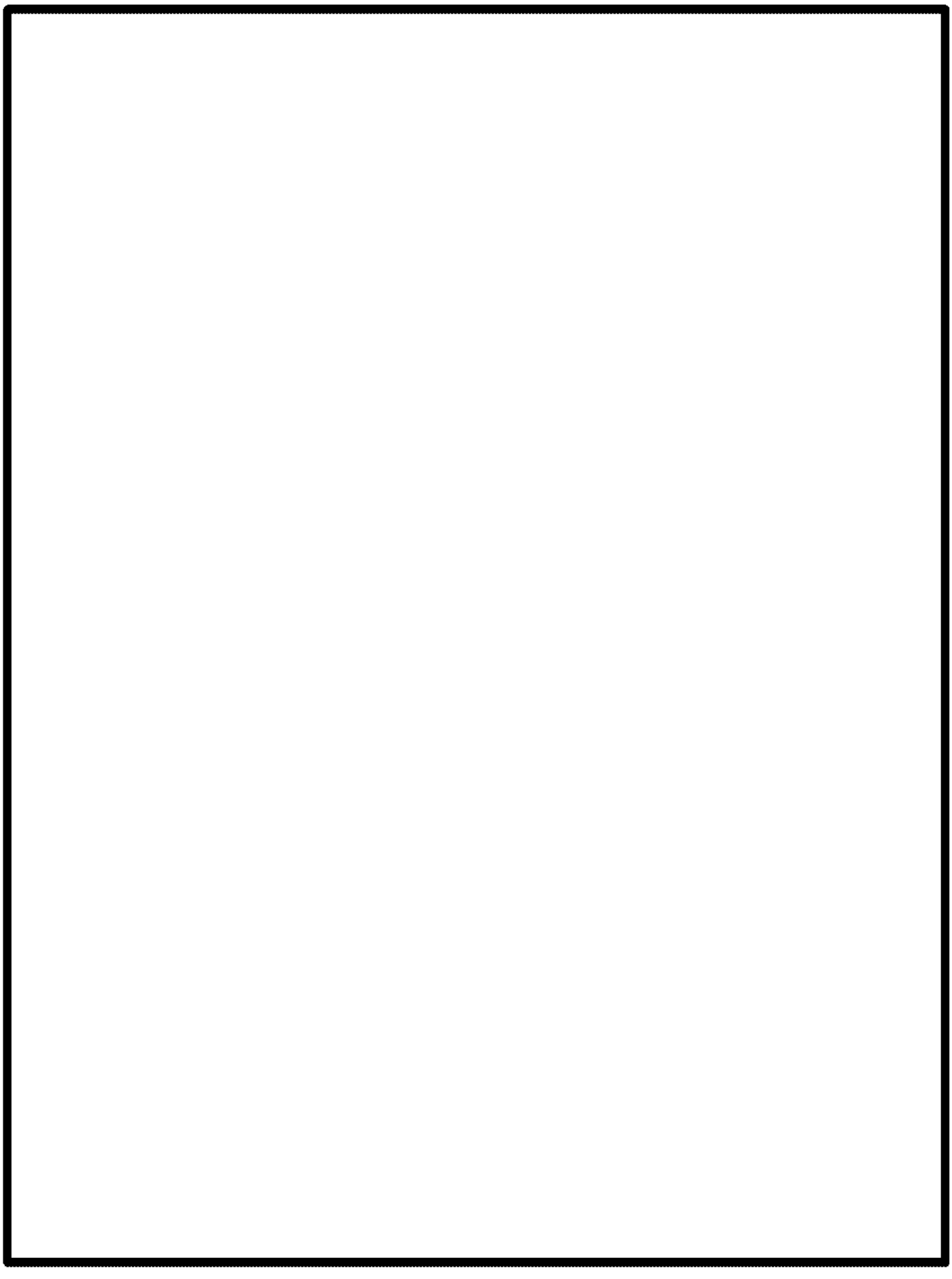

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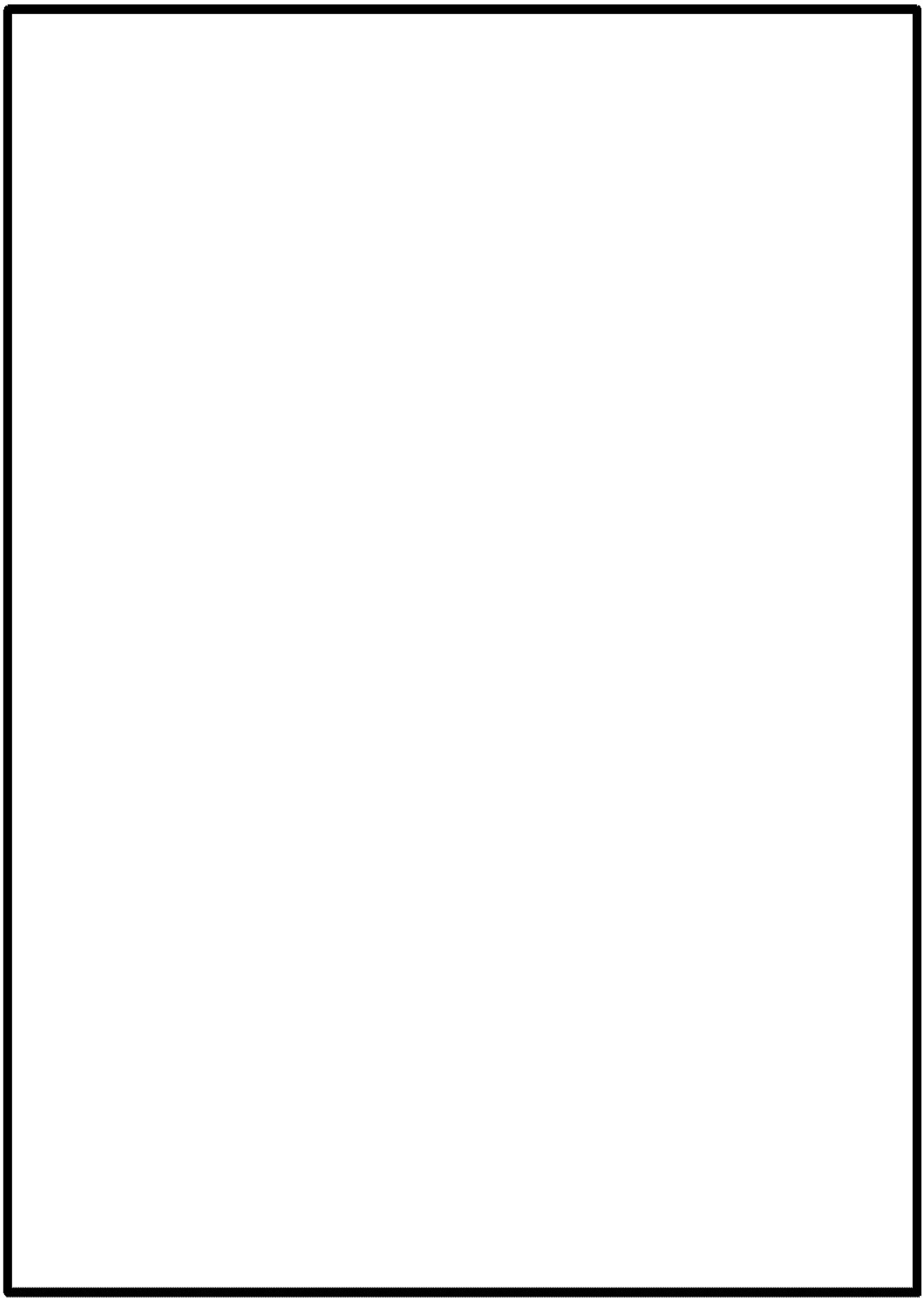

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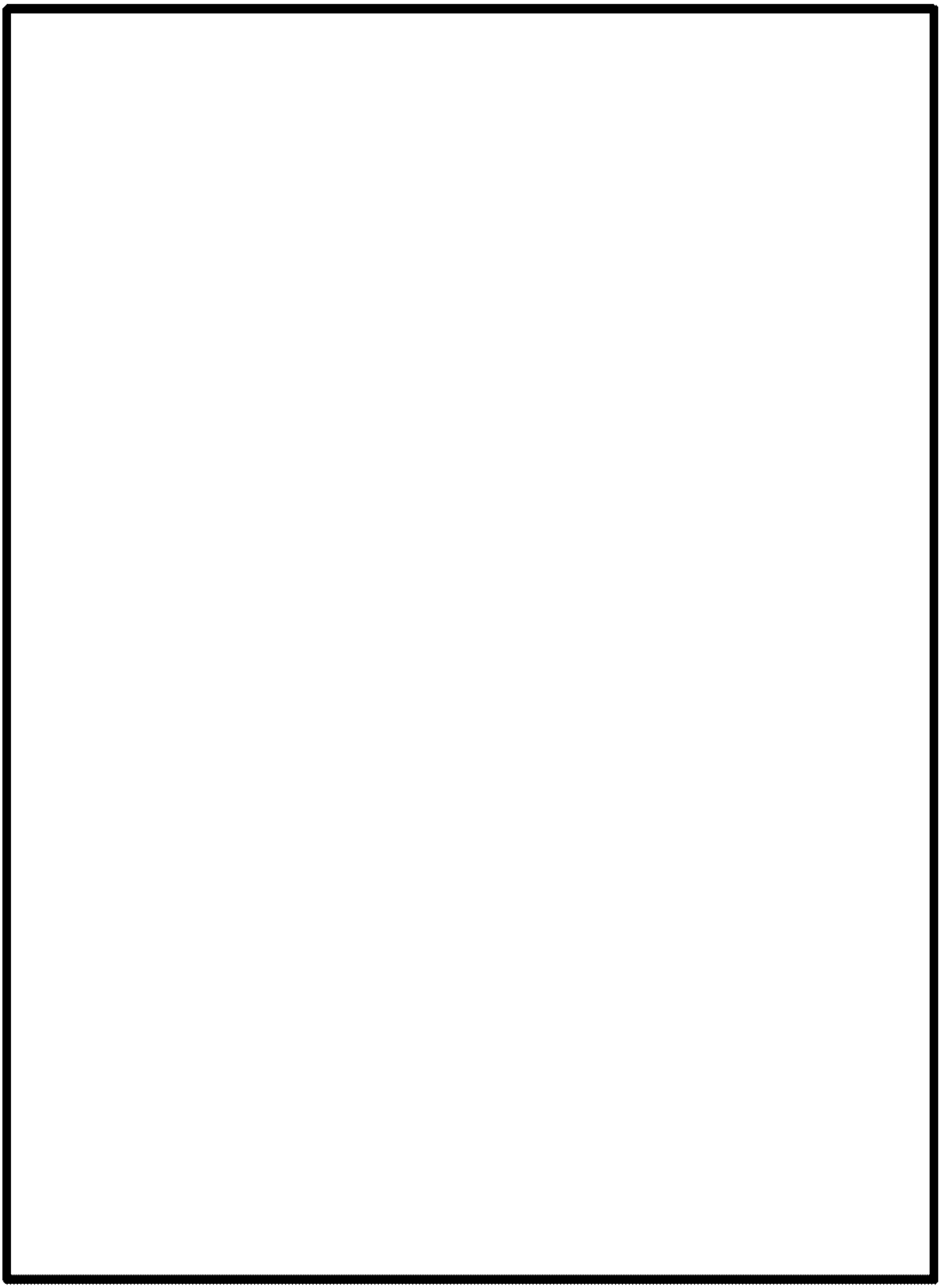

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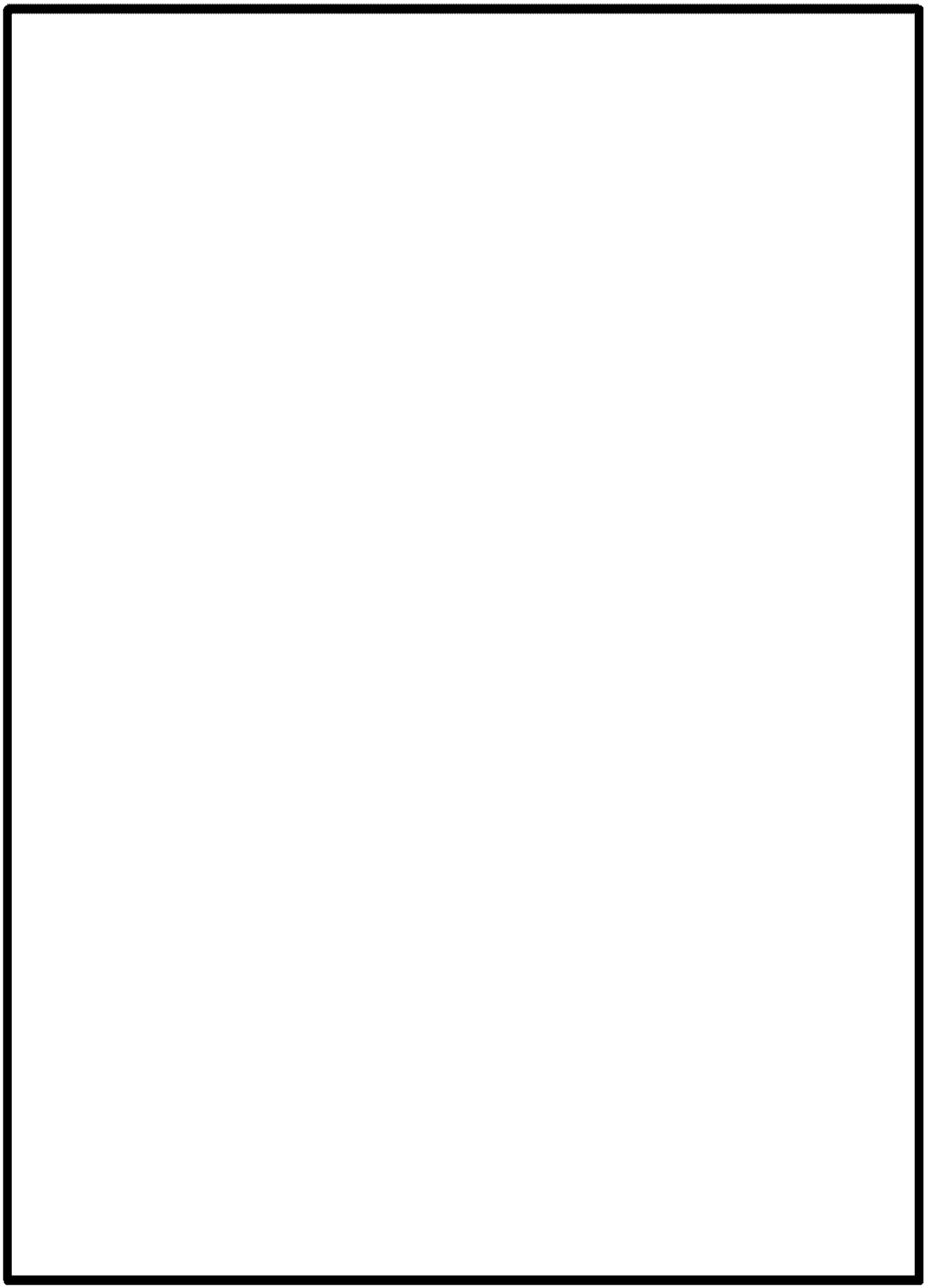

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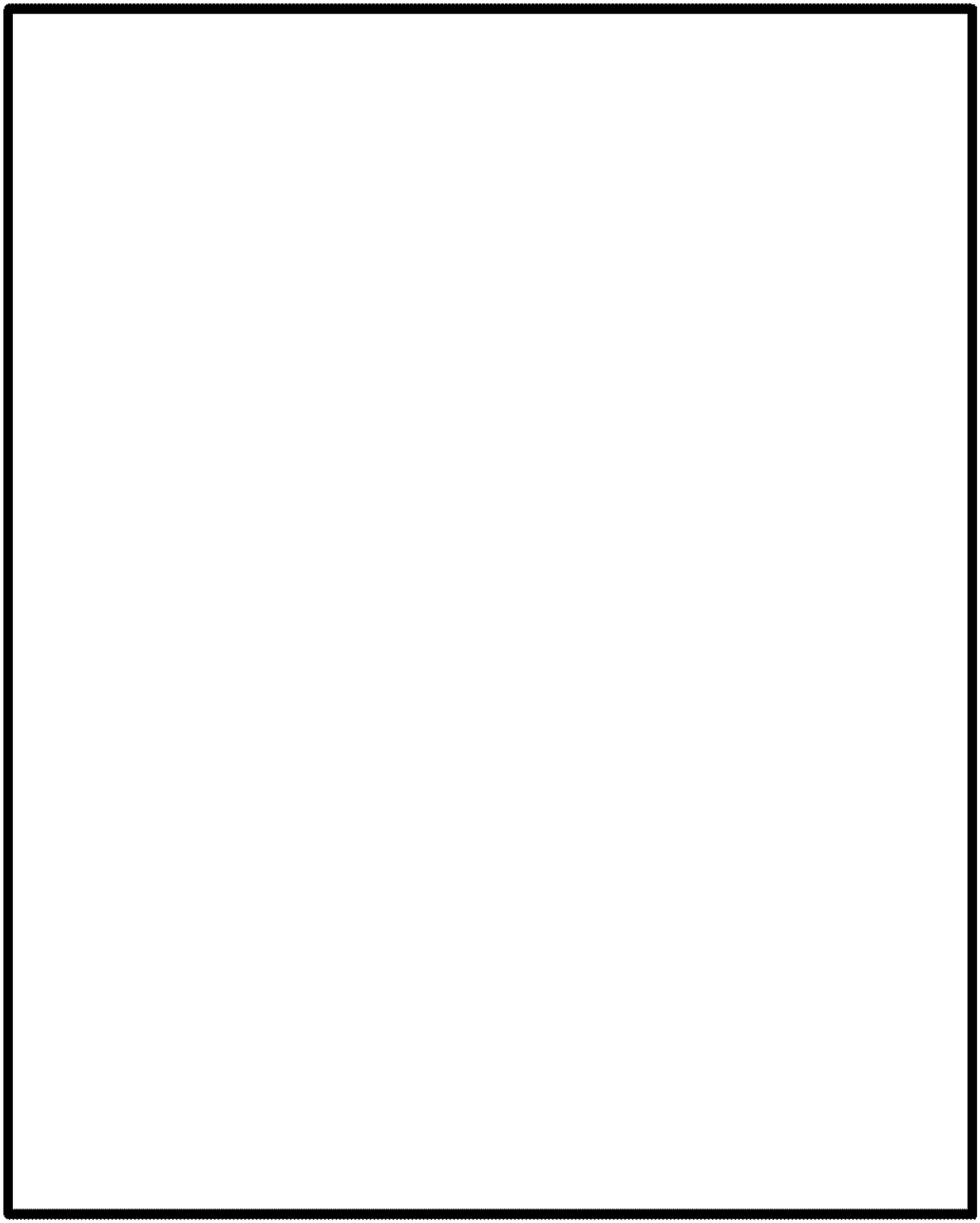

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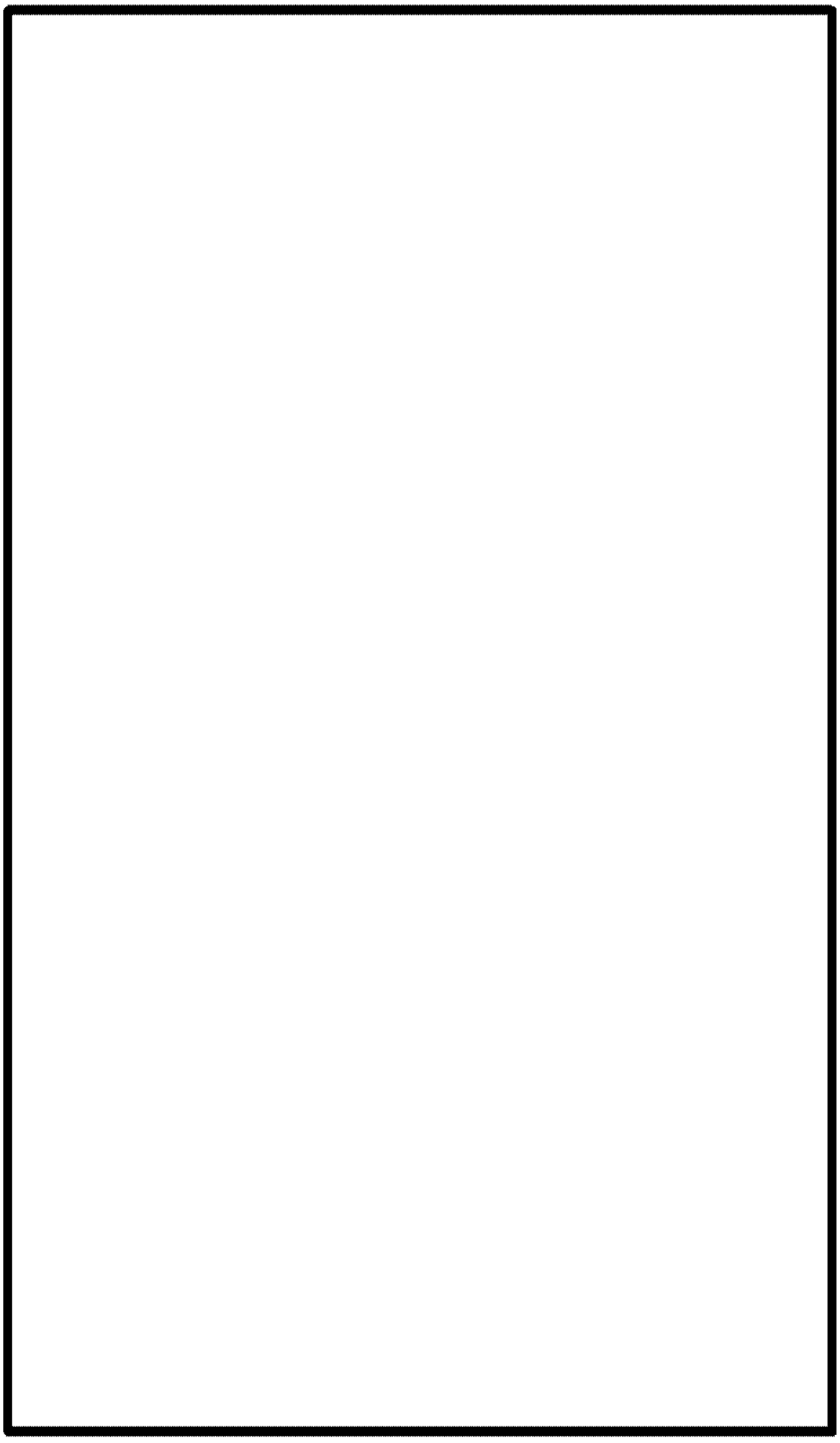

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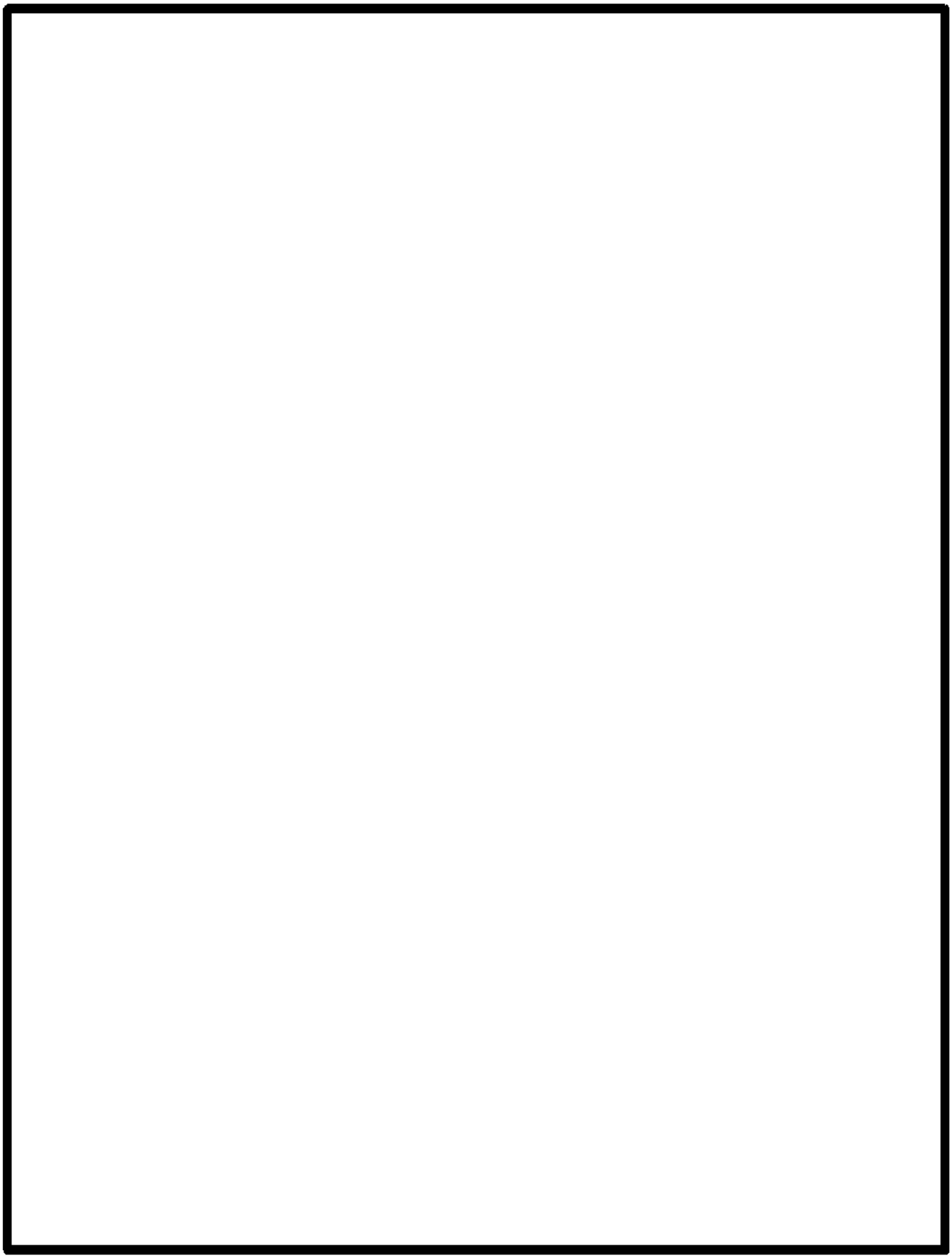

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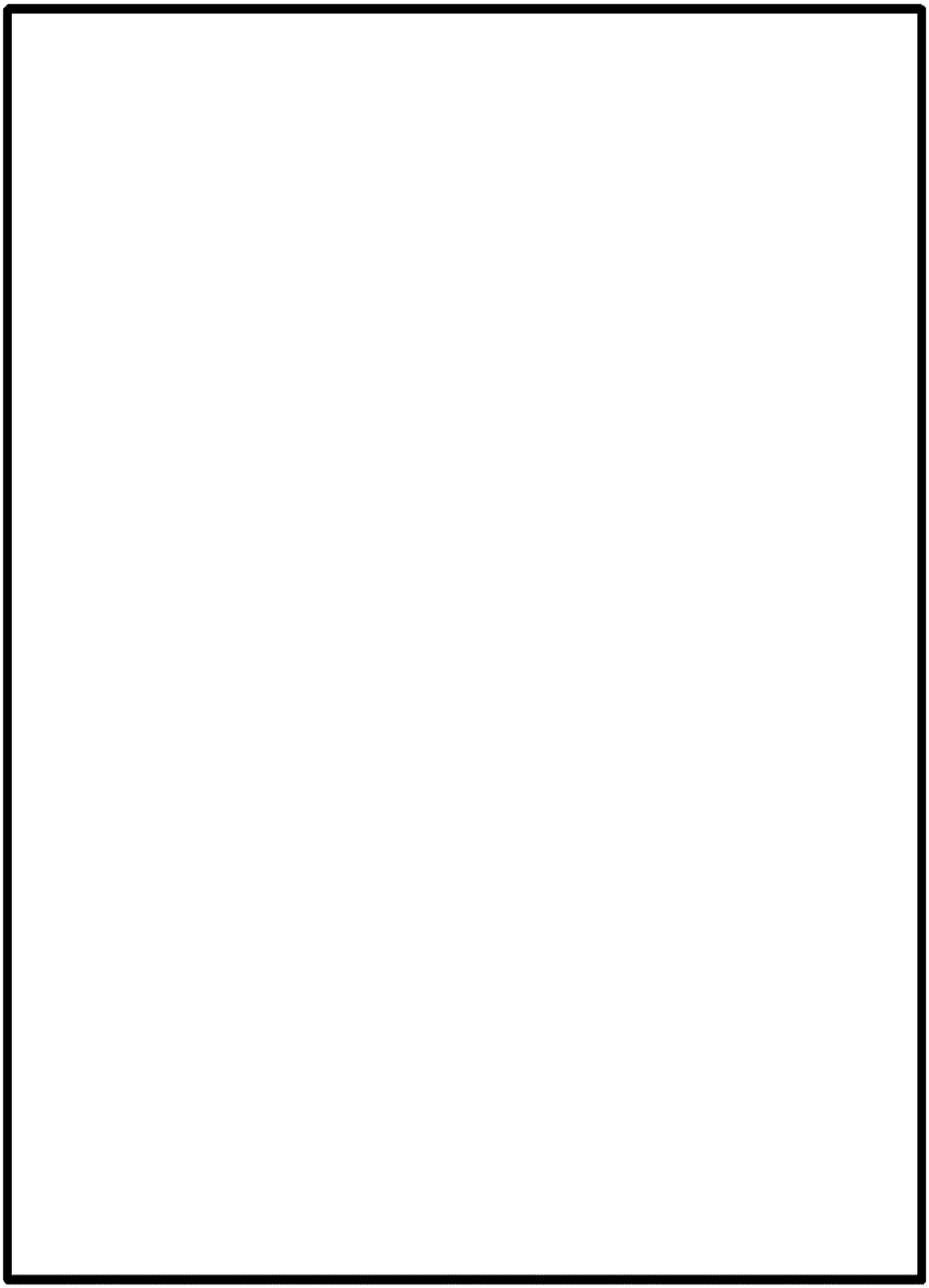

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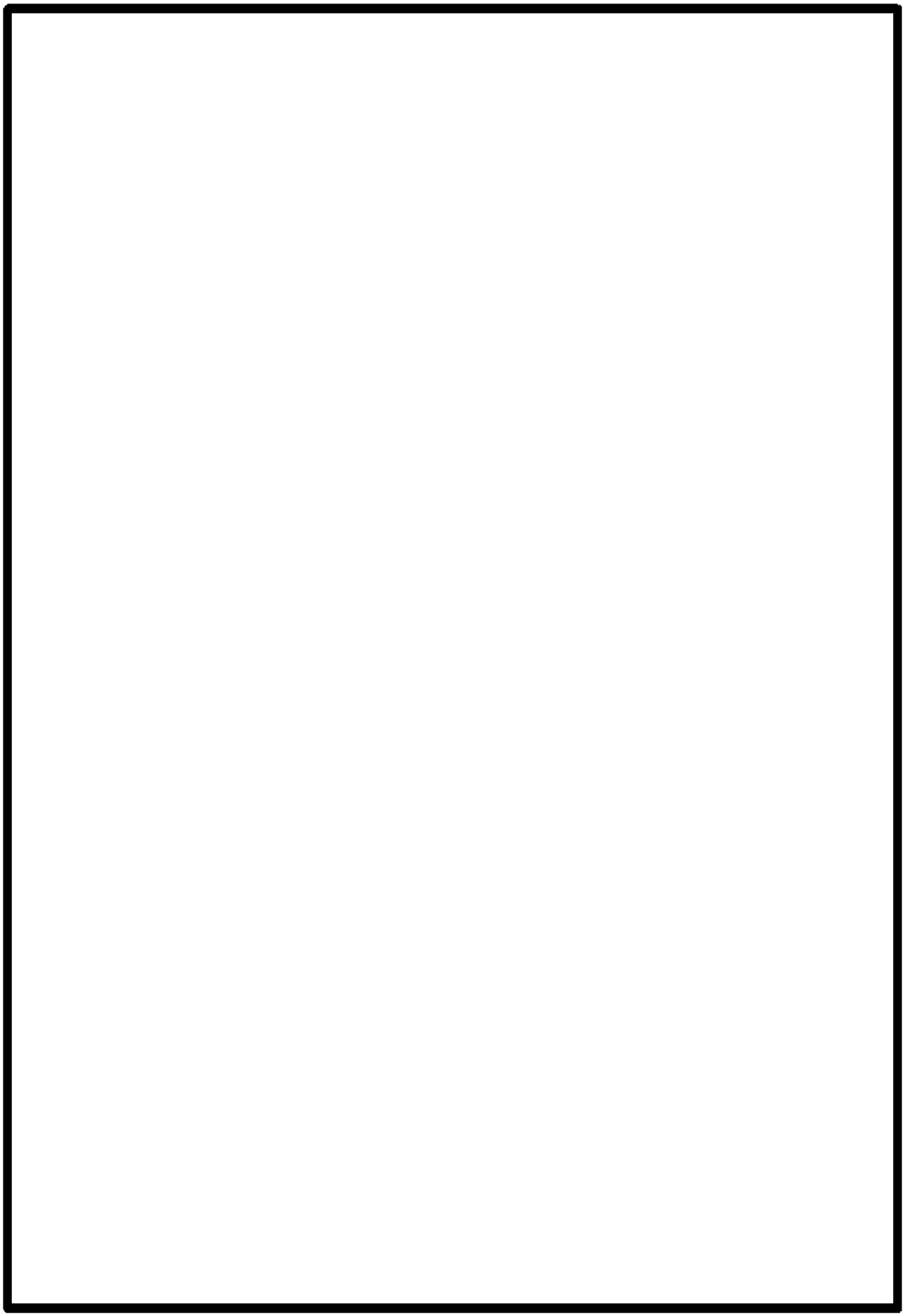

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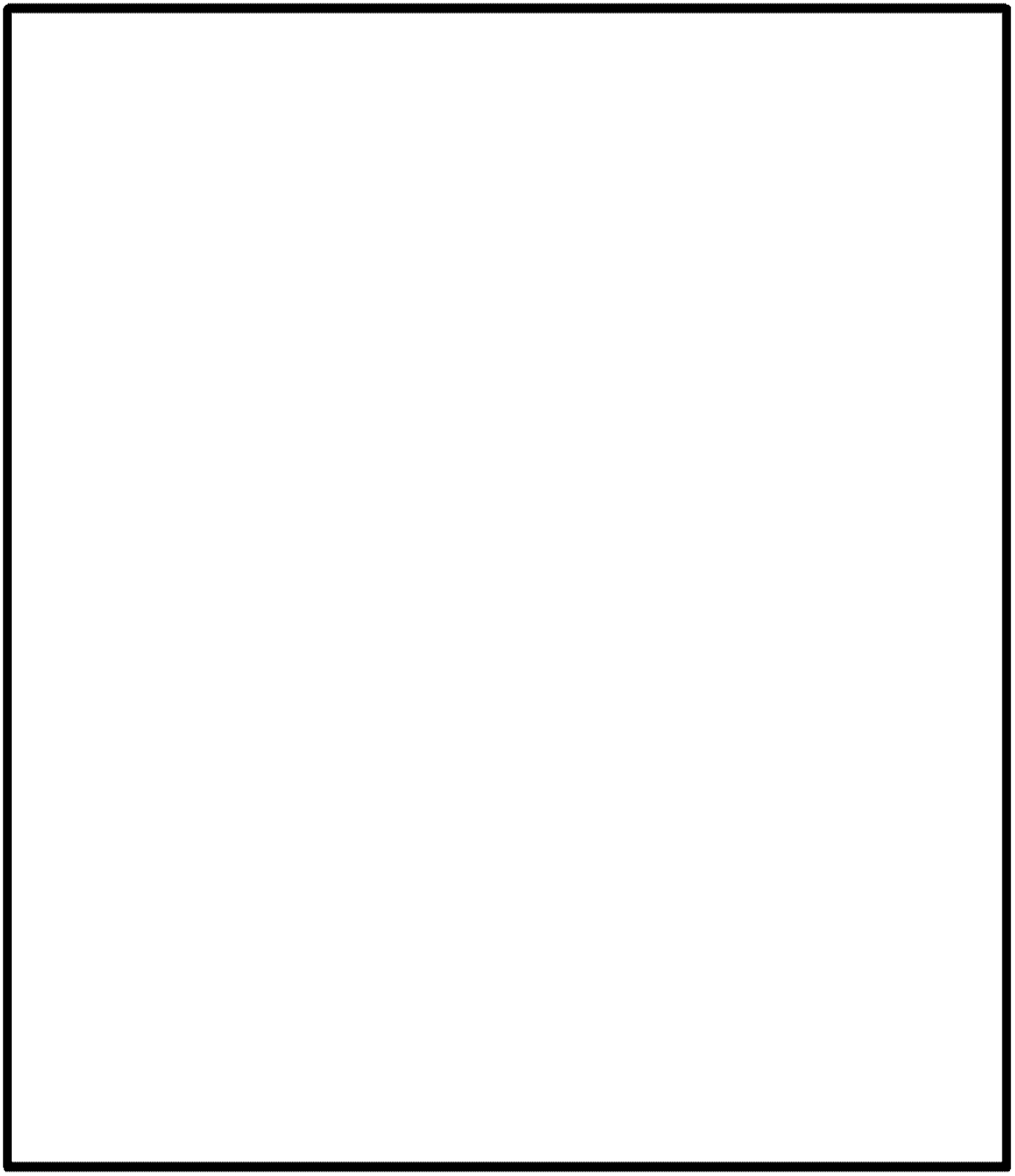

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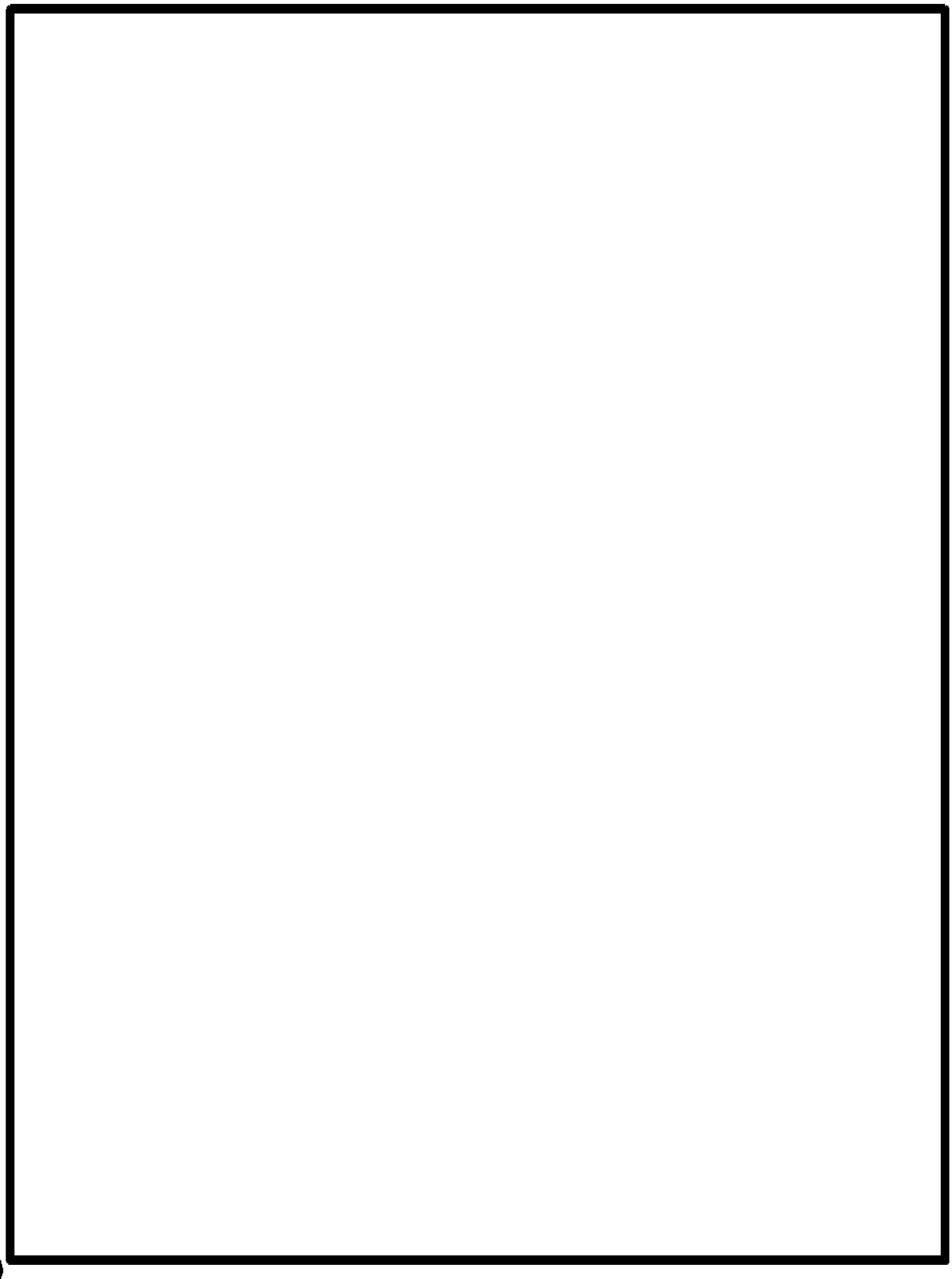

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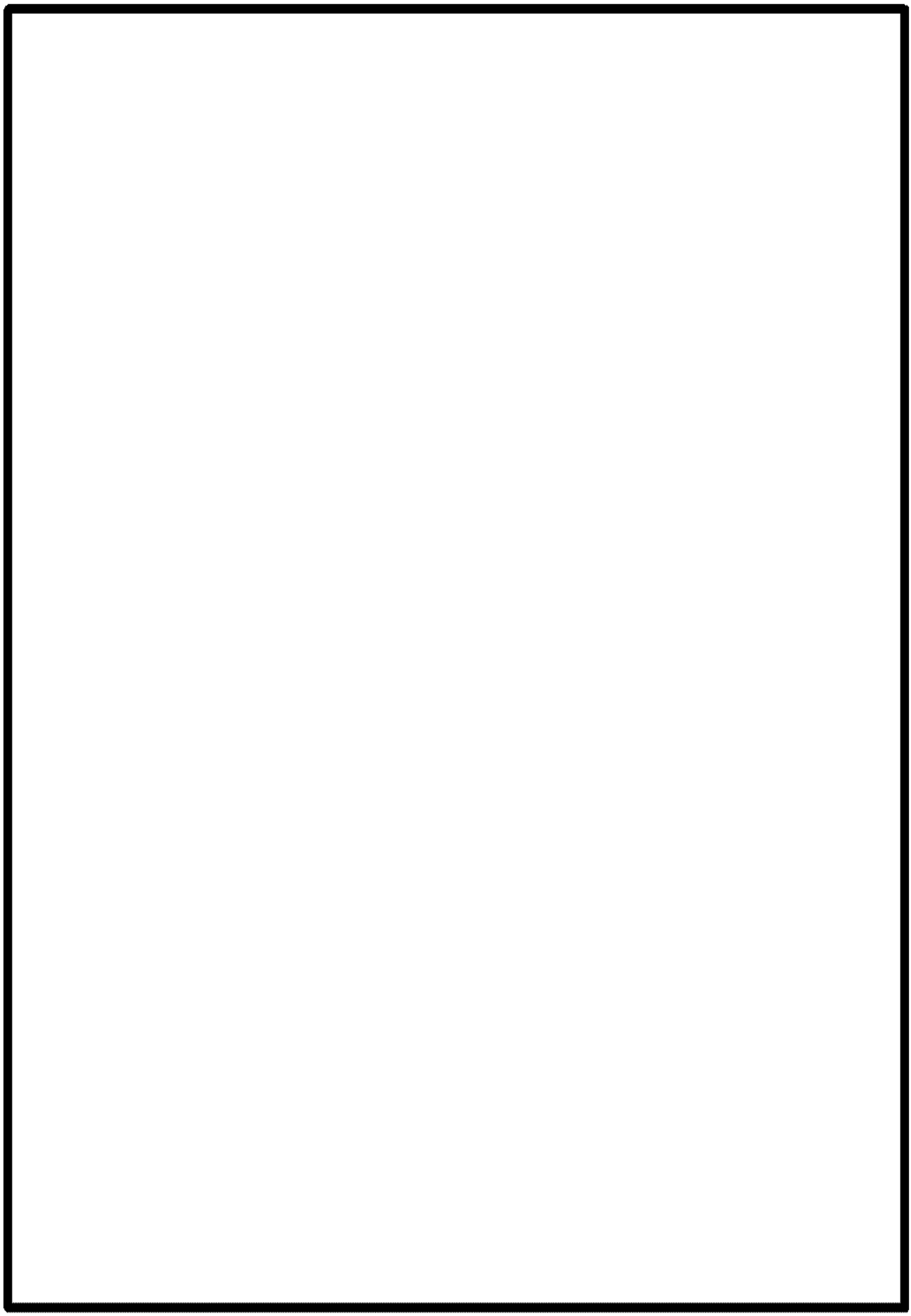

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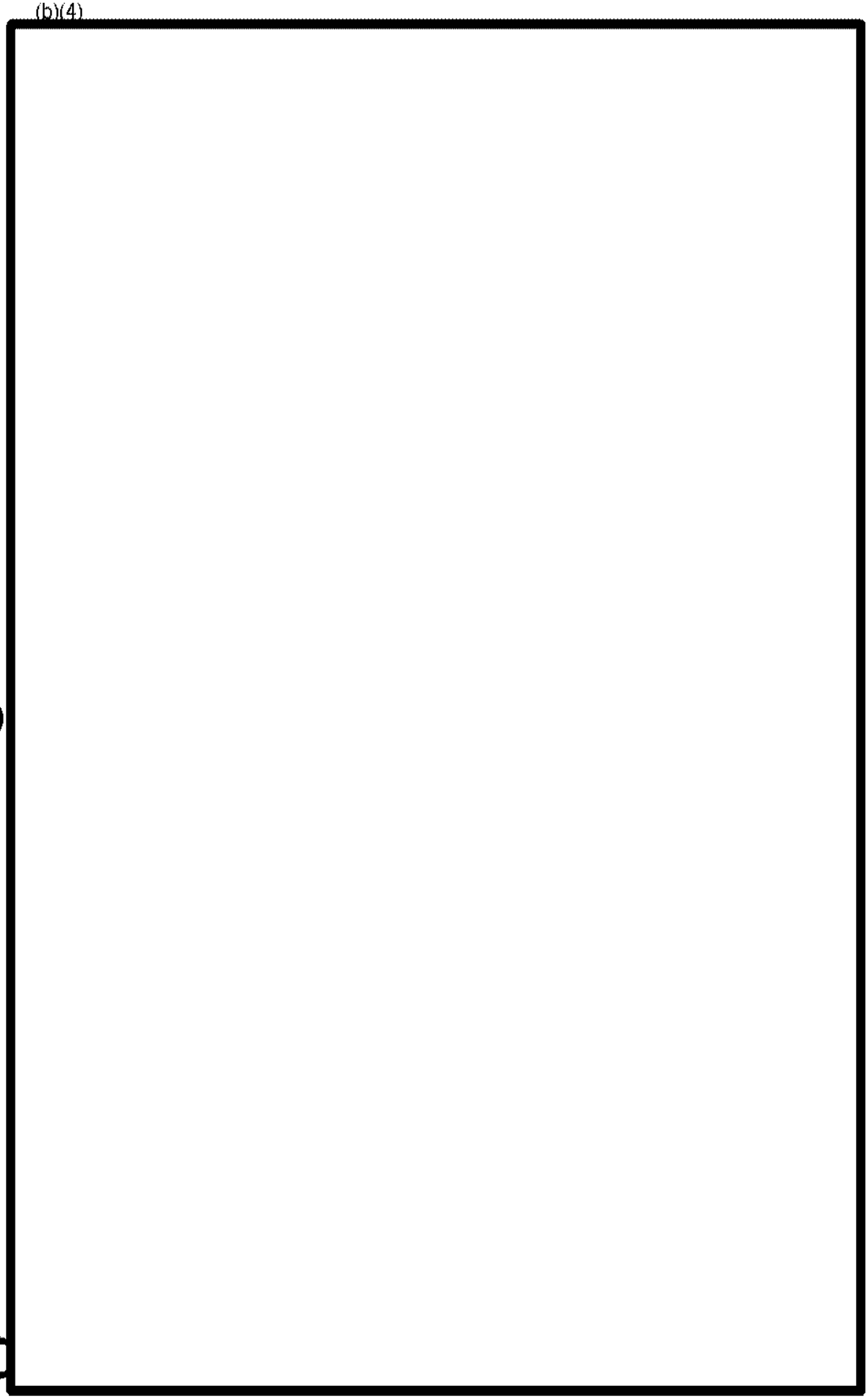

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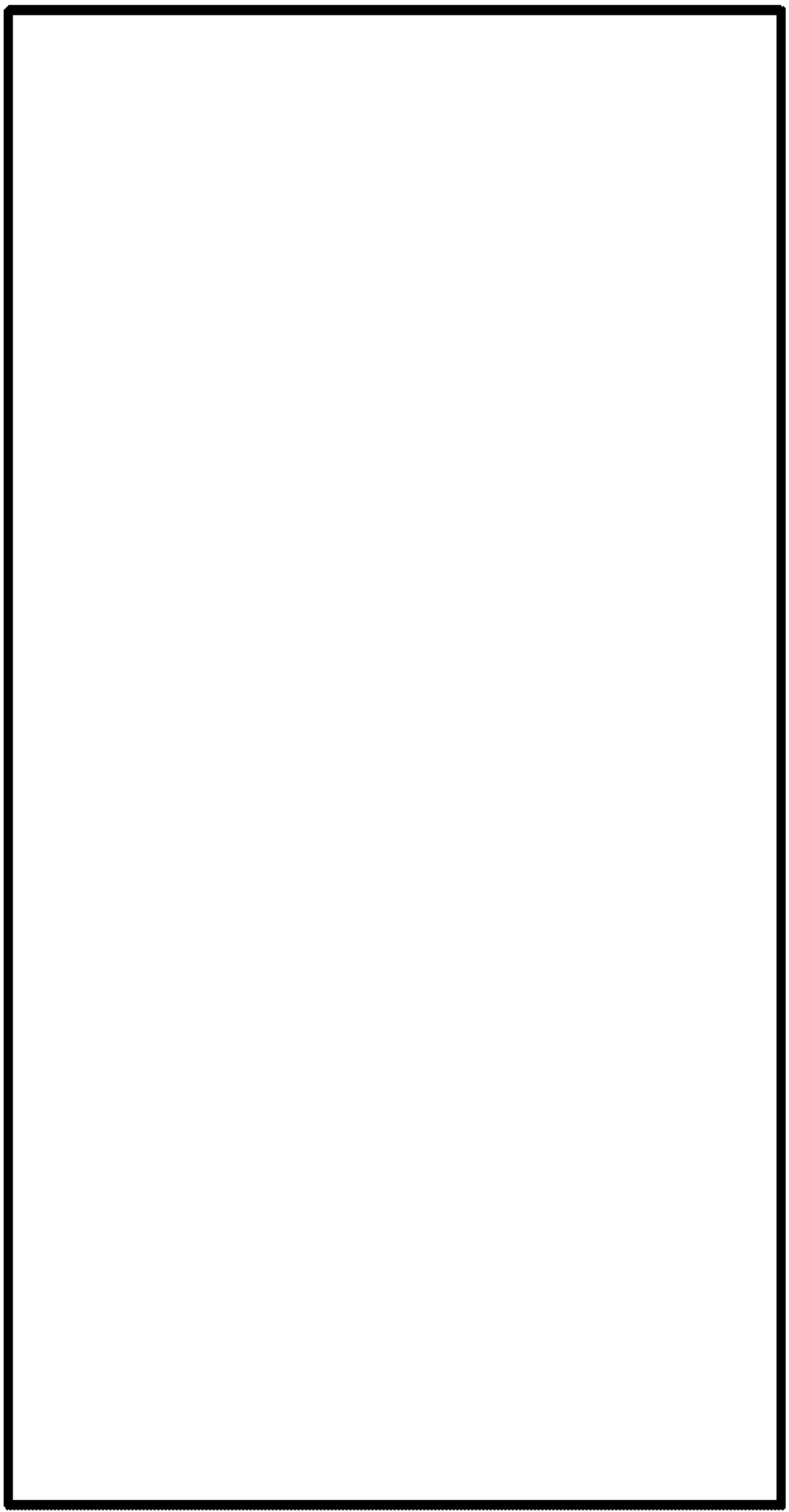

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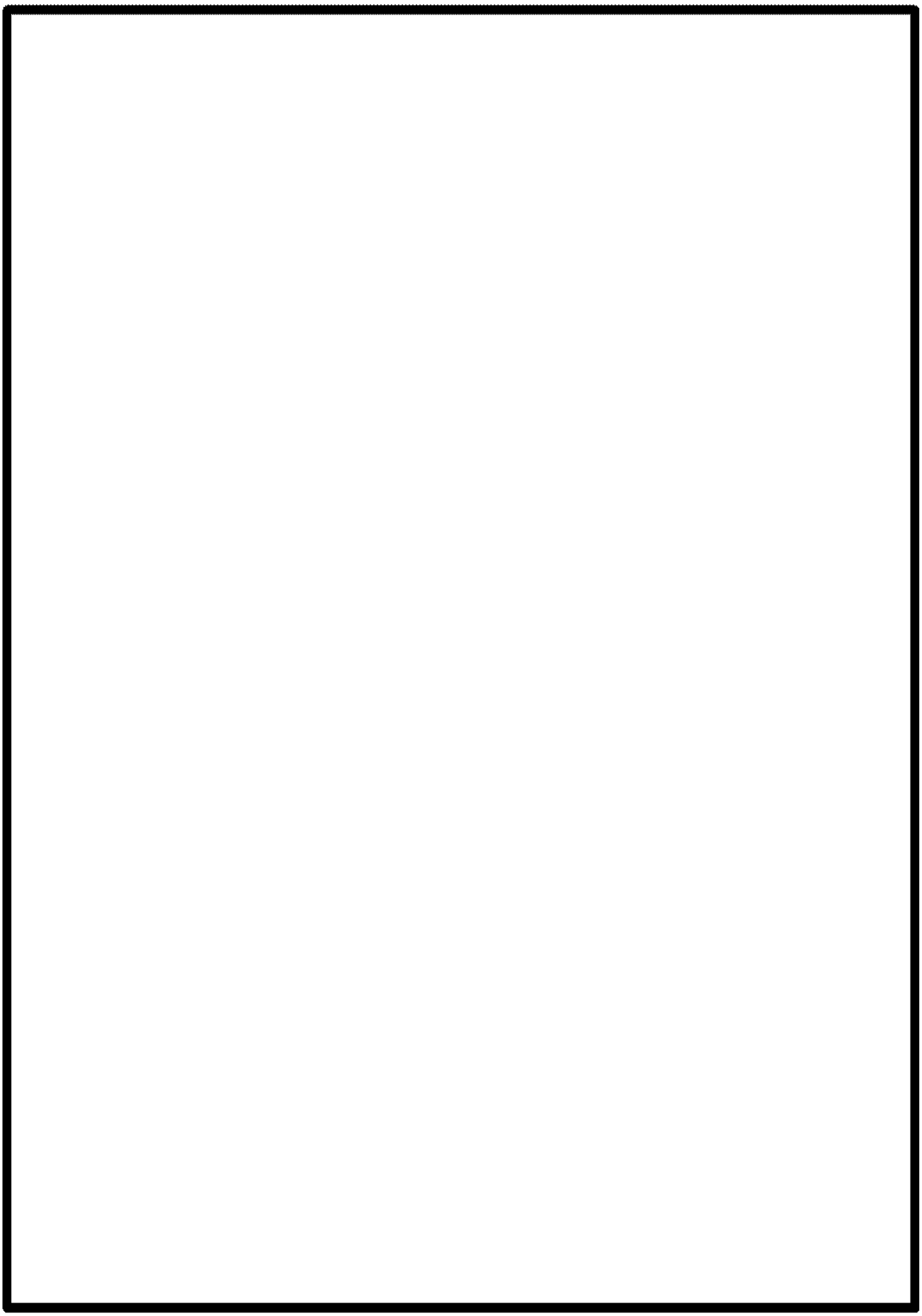

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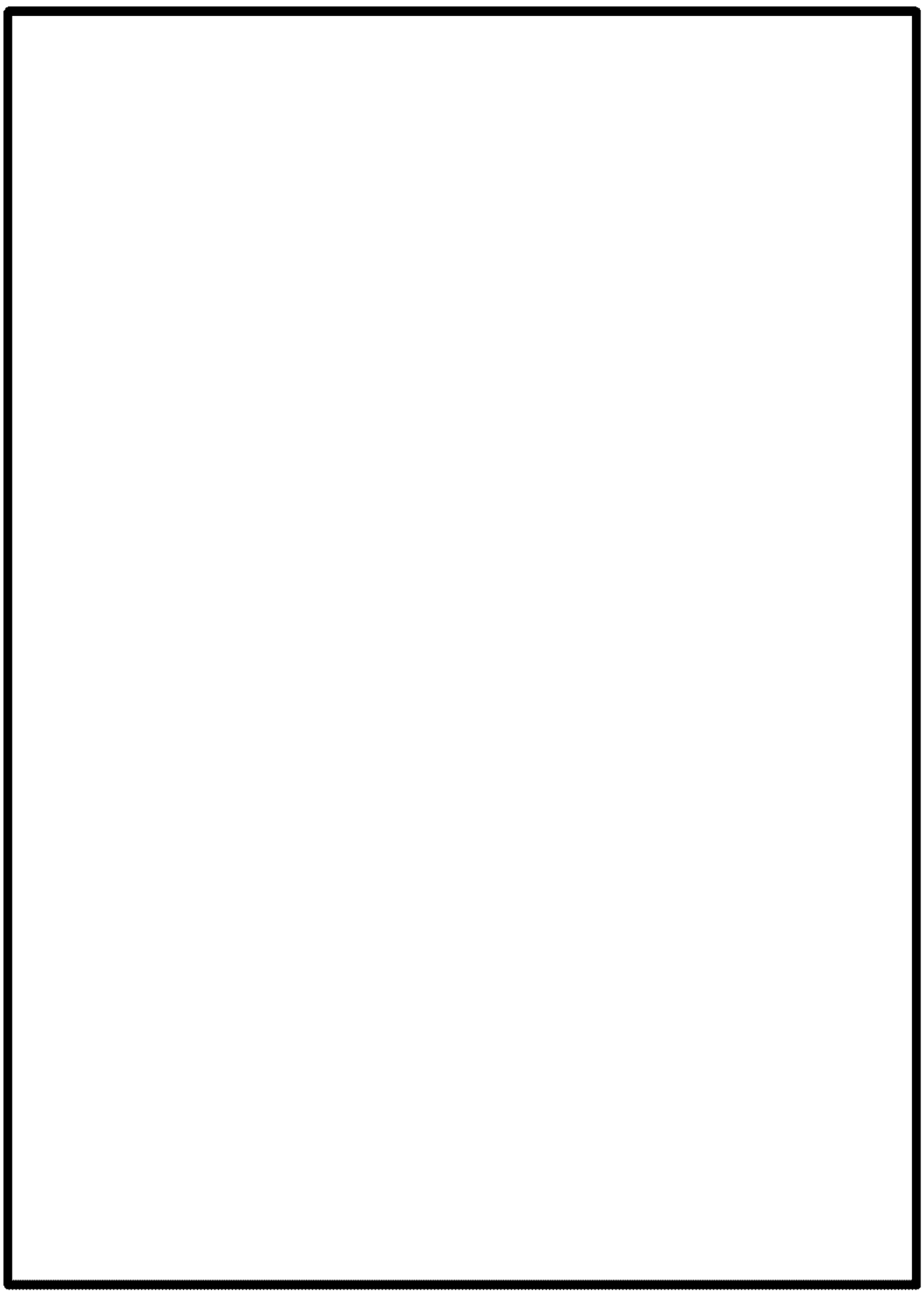

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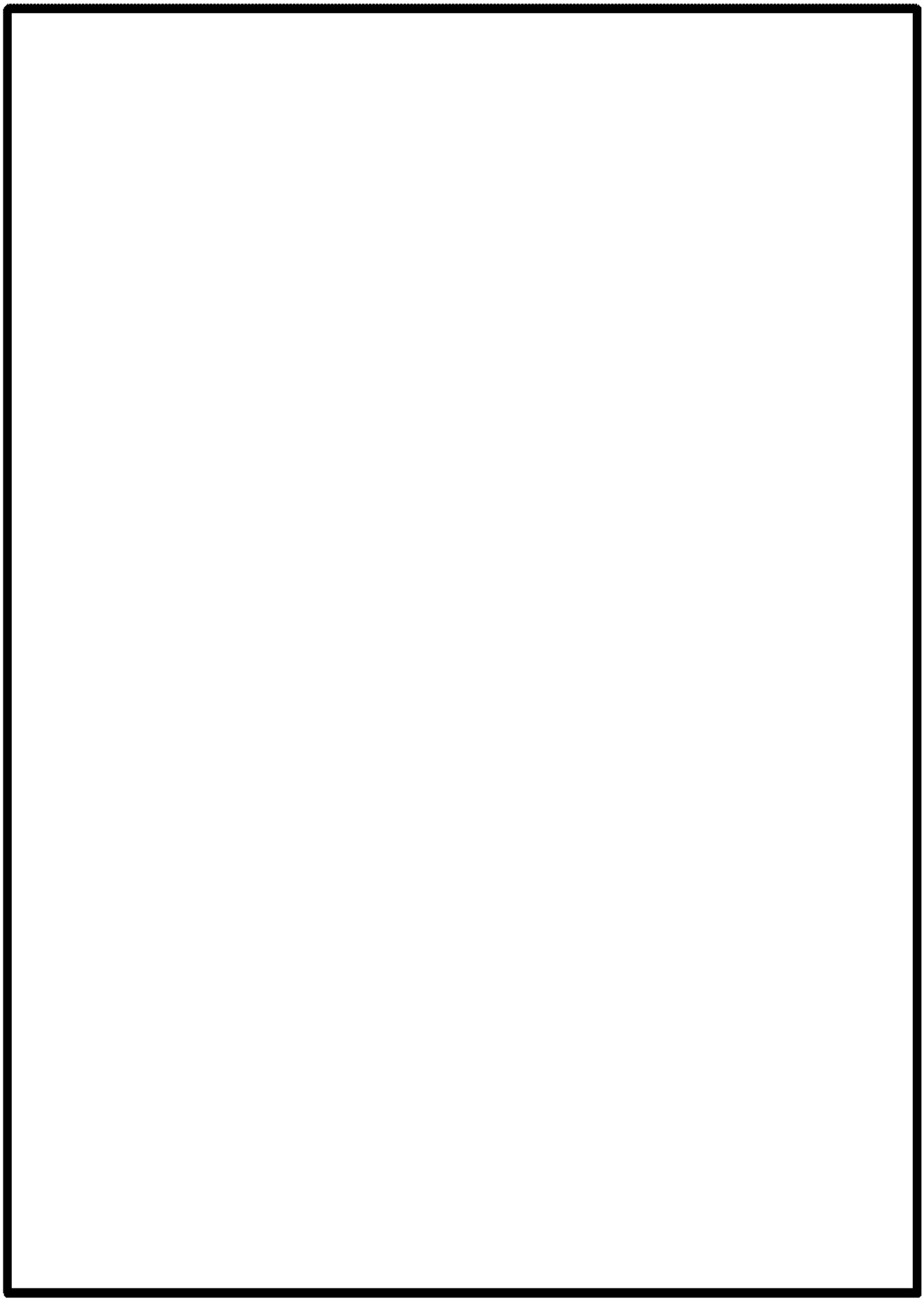

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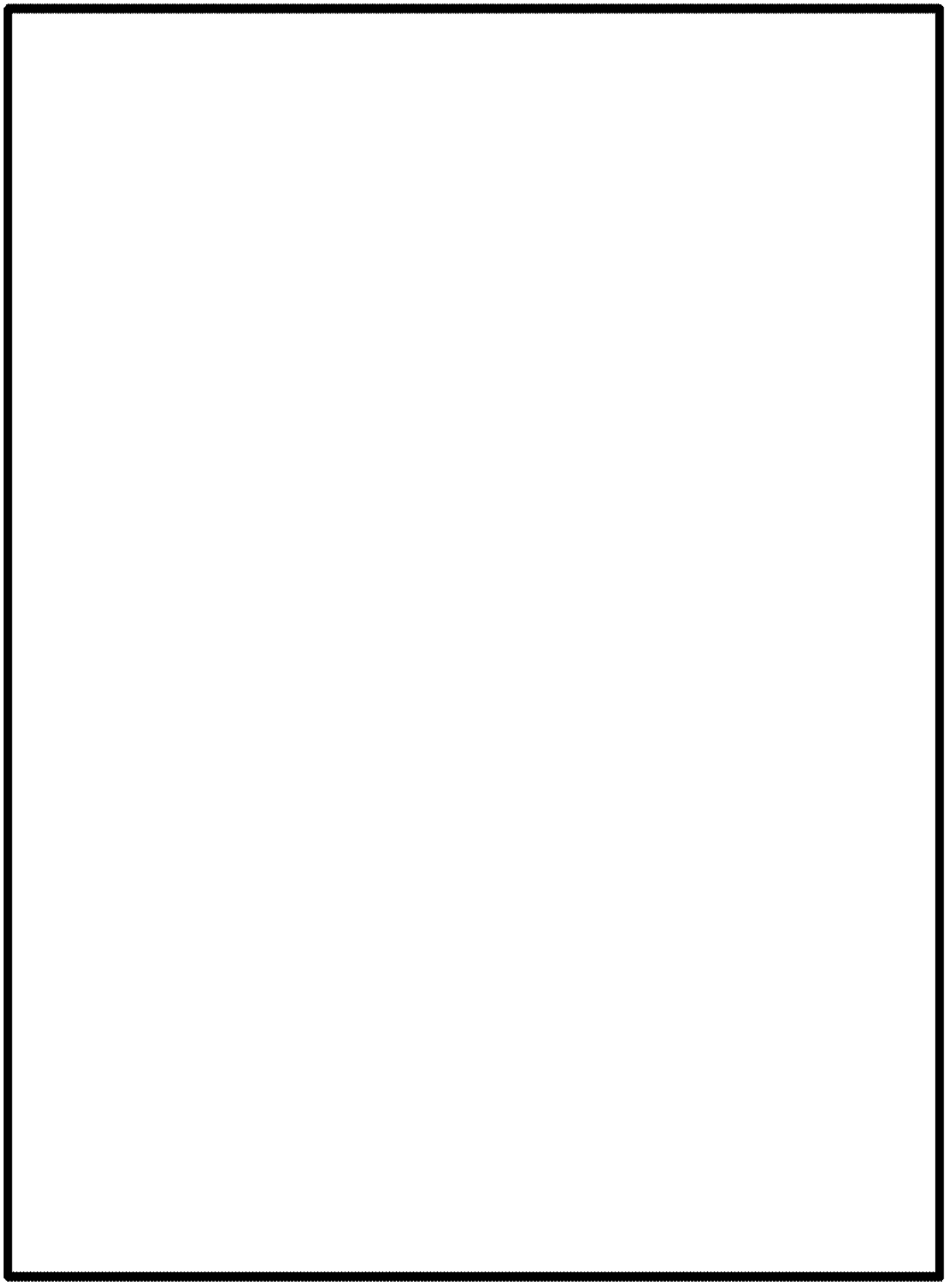

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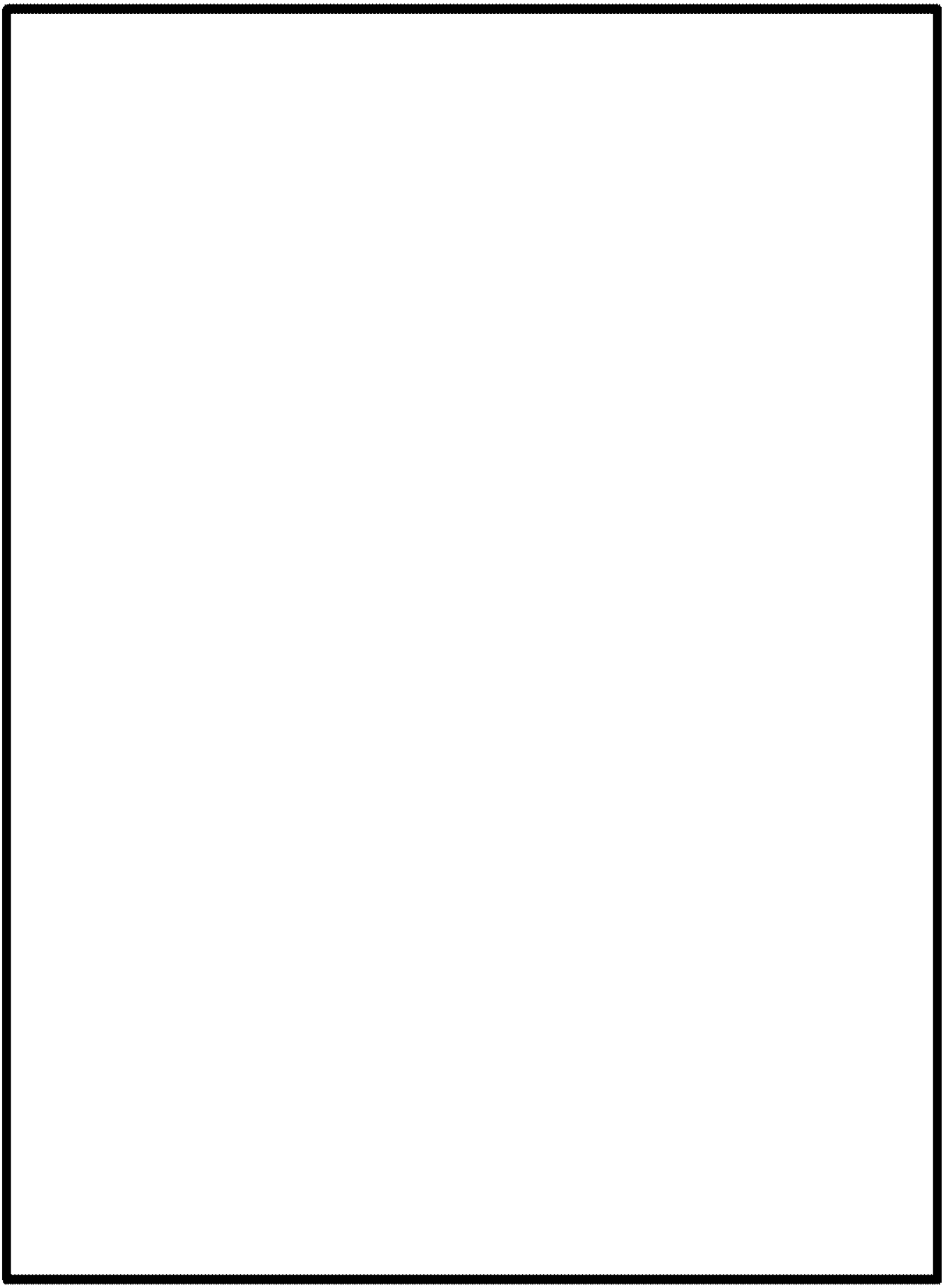

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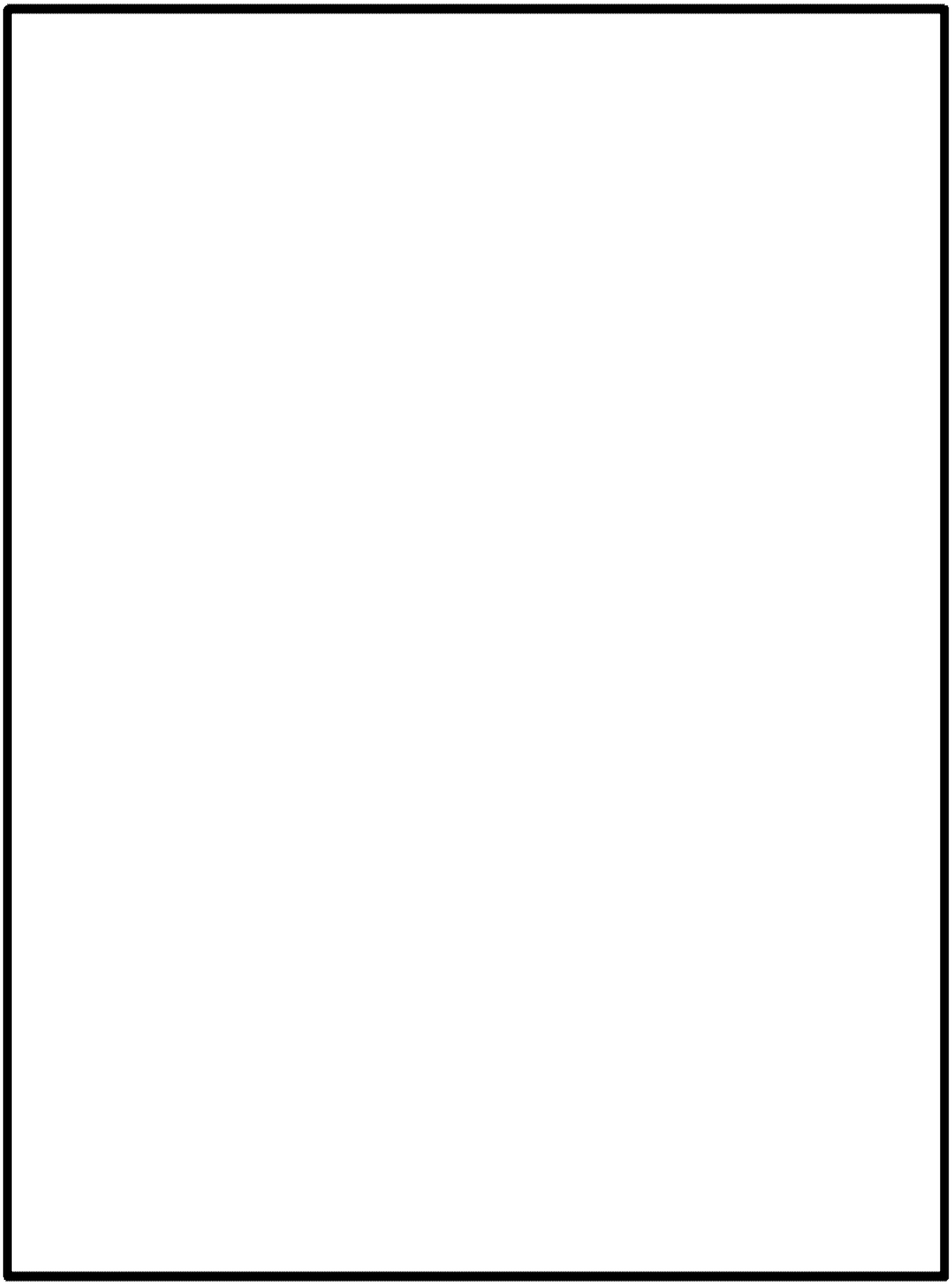

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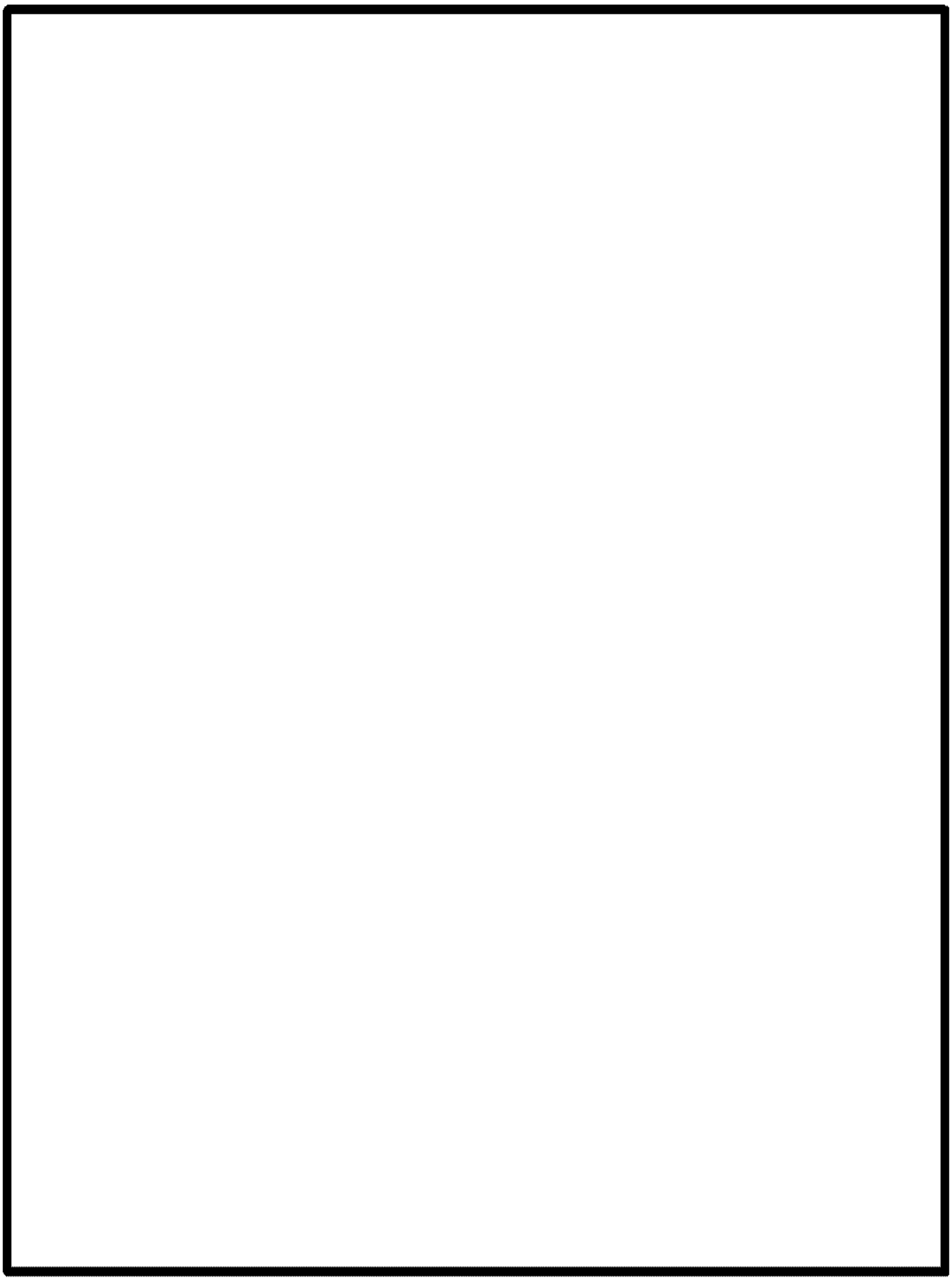

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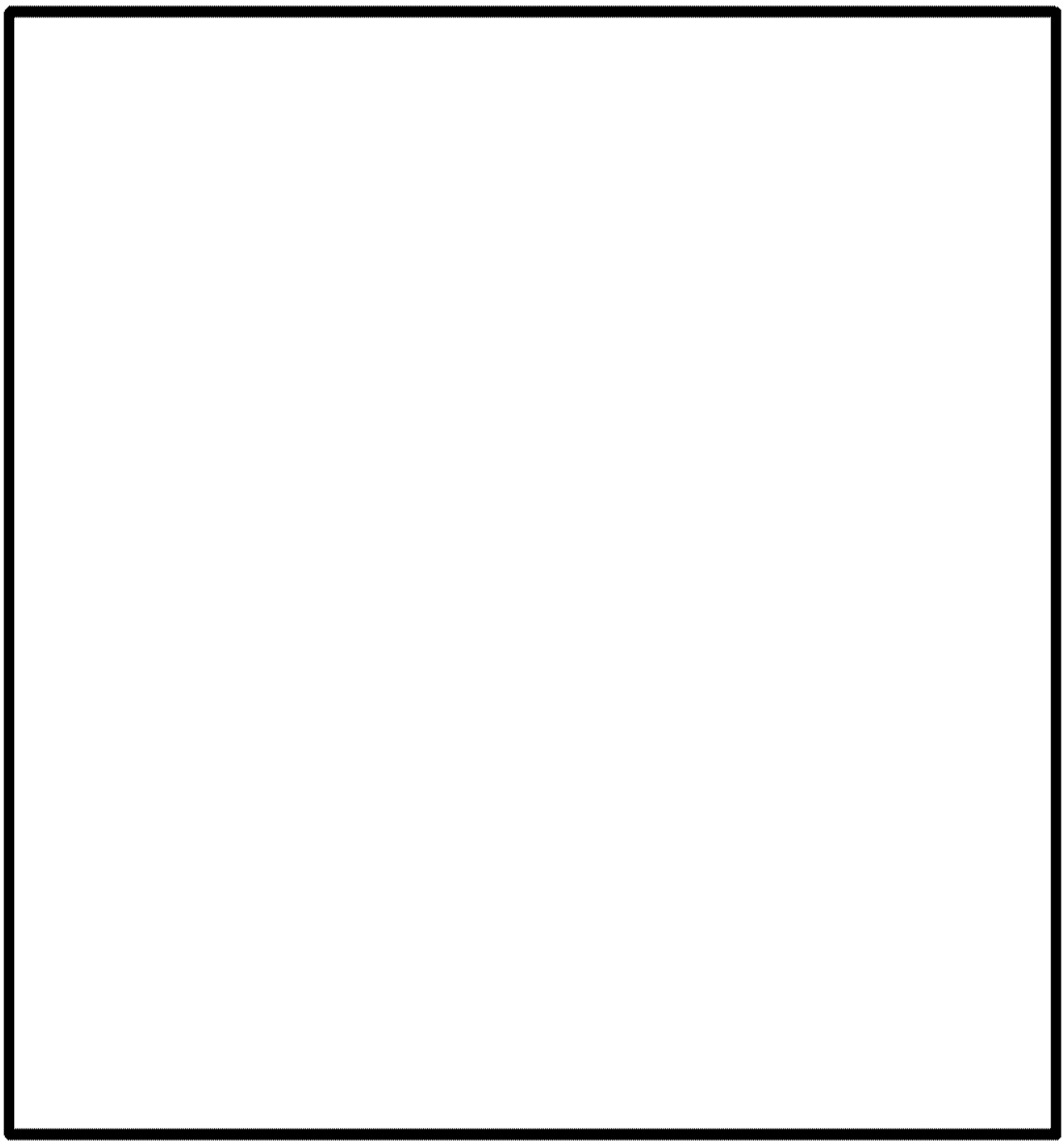

Exhibit A: Economic Report

Exhibit B: Construction Timeline

Exhibit C: Request For Proposal - RFP

Exhibit D: Market Study

Exhibit E: Floor Plans

Exhibit G: Projections

Exhibit H: TEA

Exhibit I: (b)(4)

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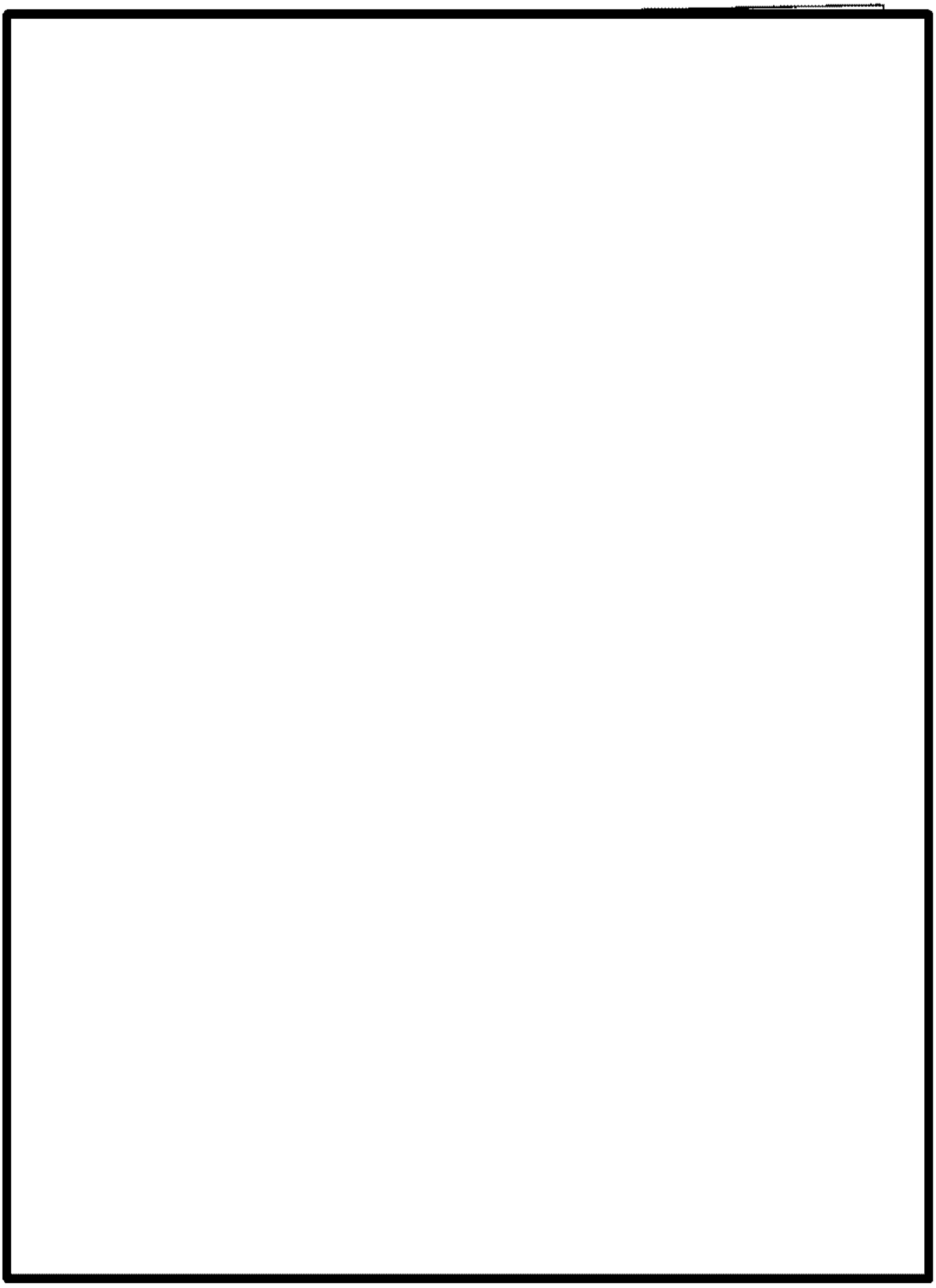

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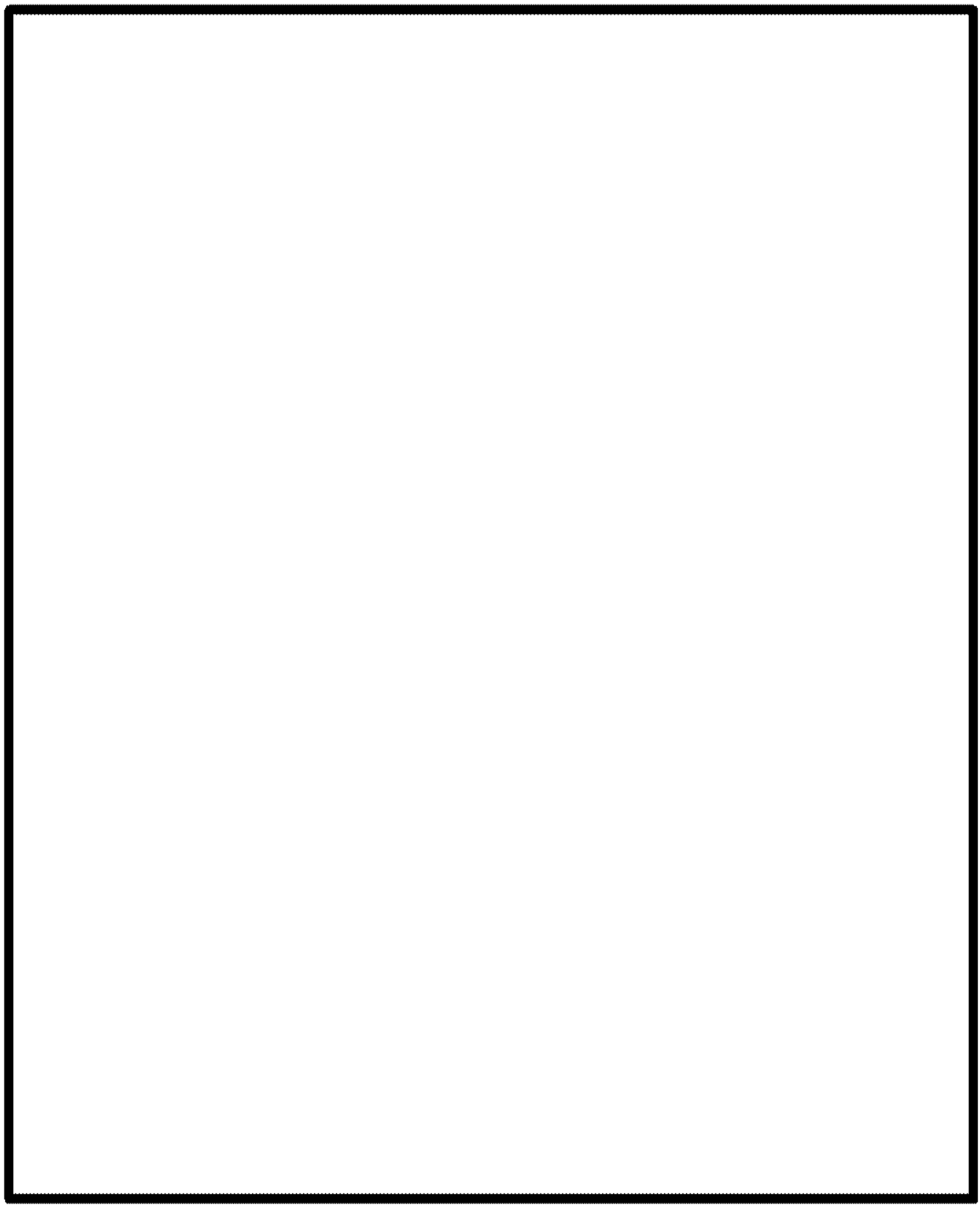

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THE ECONOMIC AND JOBS-CREATION IMPACTS OF THE HYPOTHETICAL [redacted] LIBERTY NEBRASKA EB-5 REGIONAL CENTER

Prepared for:

Liberty Nebraska Regional Center LLC

Prepared by:

Sean Masaki Flynn, Ph.D.

Impact Econometrics LLC

April 17, 2013

Letter of Transmittal

April 17, 2013

Mr. Jay Carter
Liberty Nebraska Regional Center LLC
17470 N. Pacesetter Way
Scottsdale, AZ 85255

Dear Mr. Carter:

(b)(4)

Attached with this letter is the economic and jobs-creation impact assessment analysis that our firm prepared at your request regarding the [redacted] project to be developed in Omaha, Nebraska. The report is intended to aid the proposed Liberty Nebraska Regional Center, LLC with its application to the U.S. Citizenship and Immigration Service's EB-5 Immigrant Investor Program. In the report you will find an explanation of the findings and the methods employed in the economic and jobs-creation impact assessment analysis.

We have prepared our analysis using assumptions and estimates developed from third party data sources, information you provided, and research and knowledge of the industry and region from our many years of applied economic practice. Where we have accepted third-party project data and project information from you and your team, we have assumed said information to be correct without further in-depth validation. In completing our analysis, we have performed a number of tests and cross checks to verify the internal consistency of the results and find those results to be reasonable. However, changing events and circumstances may cause actual results to be materially different than those reported here.

Thank you for the chance to work with you on this important project.

Sincerely,

Sean Masaki Flynn, Ph.D.
Impact Econometrics
250L College Park Drive #L34
Upland, CA 91786

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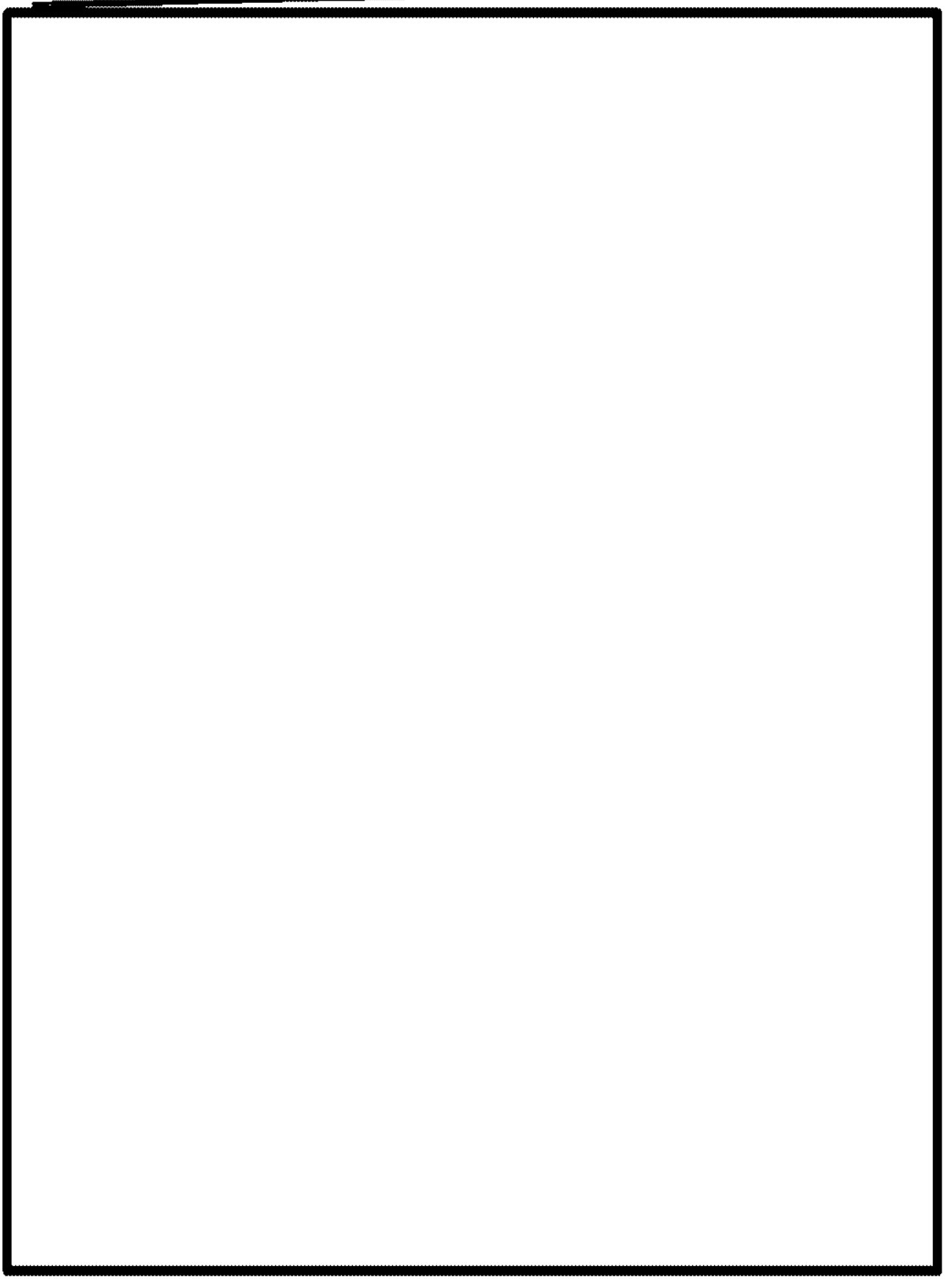

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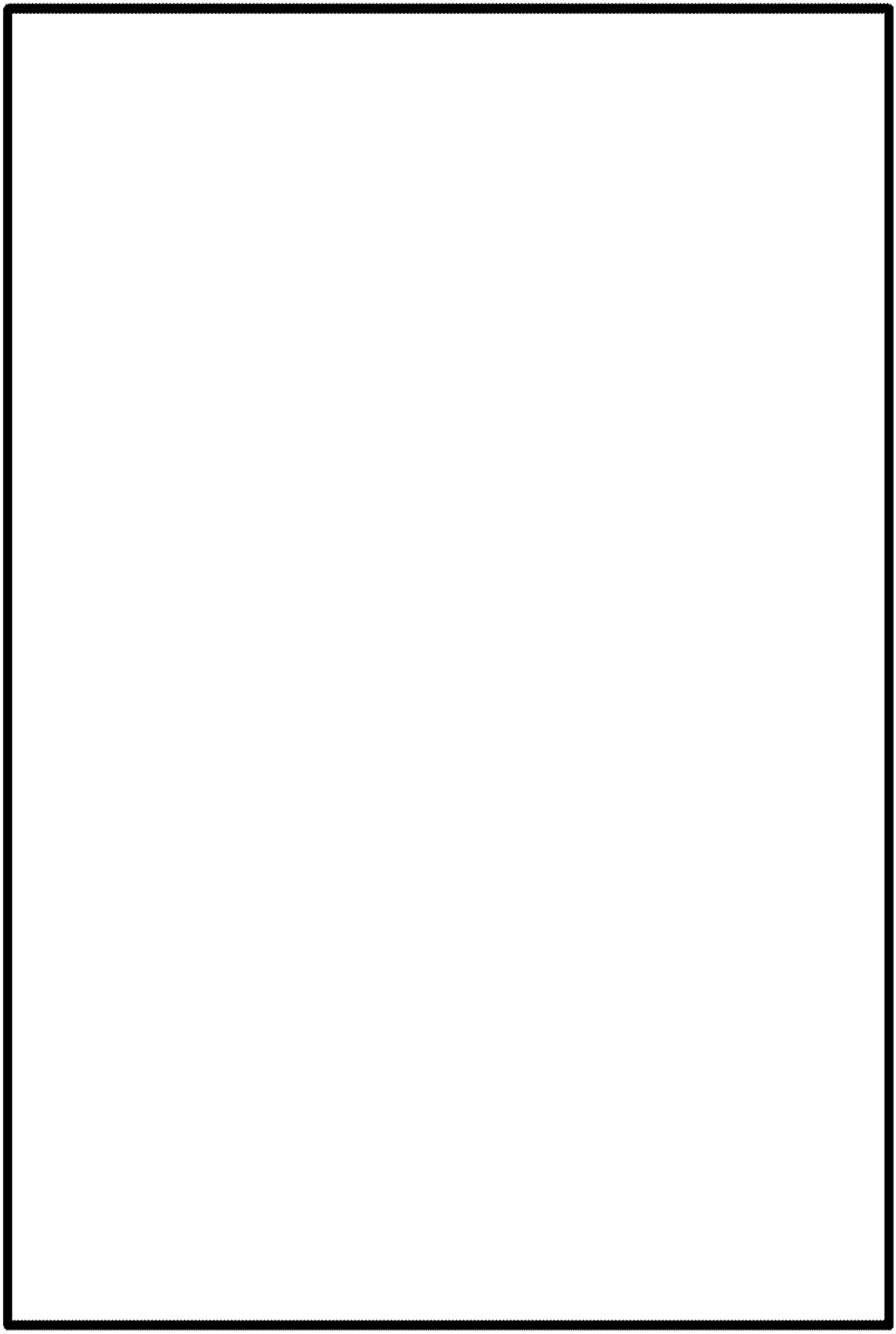

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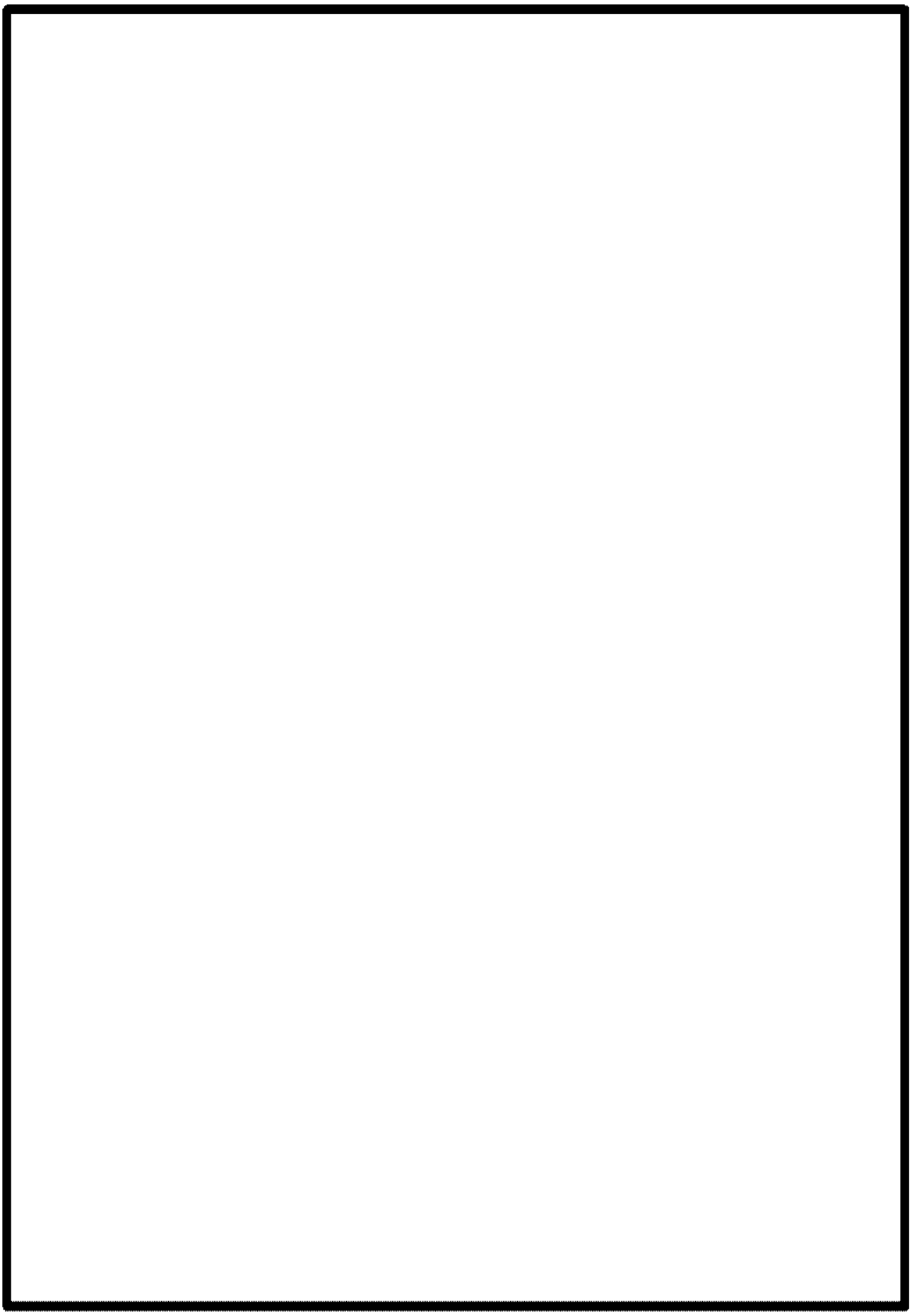

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TABLE 1: RIMS II PROJECTIONS FOR EMPLOYMENT, OUTPUT, AND EARNINGS INSIDE THE LIBERTY NEBRASKA REGIONAL CENTER RESULTING FROM THE CONSTRUCTION AND FIRST-YEAR OPERATION OF THE HYPOTHETICAL (b)(4)

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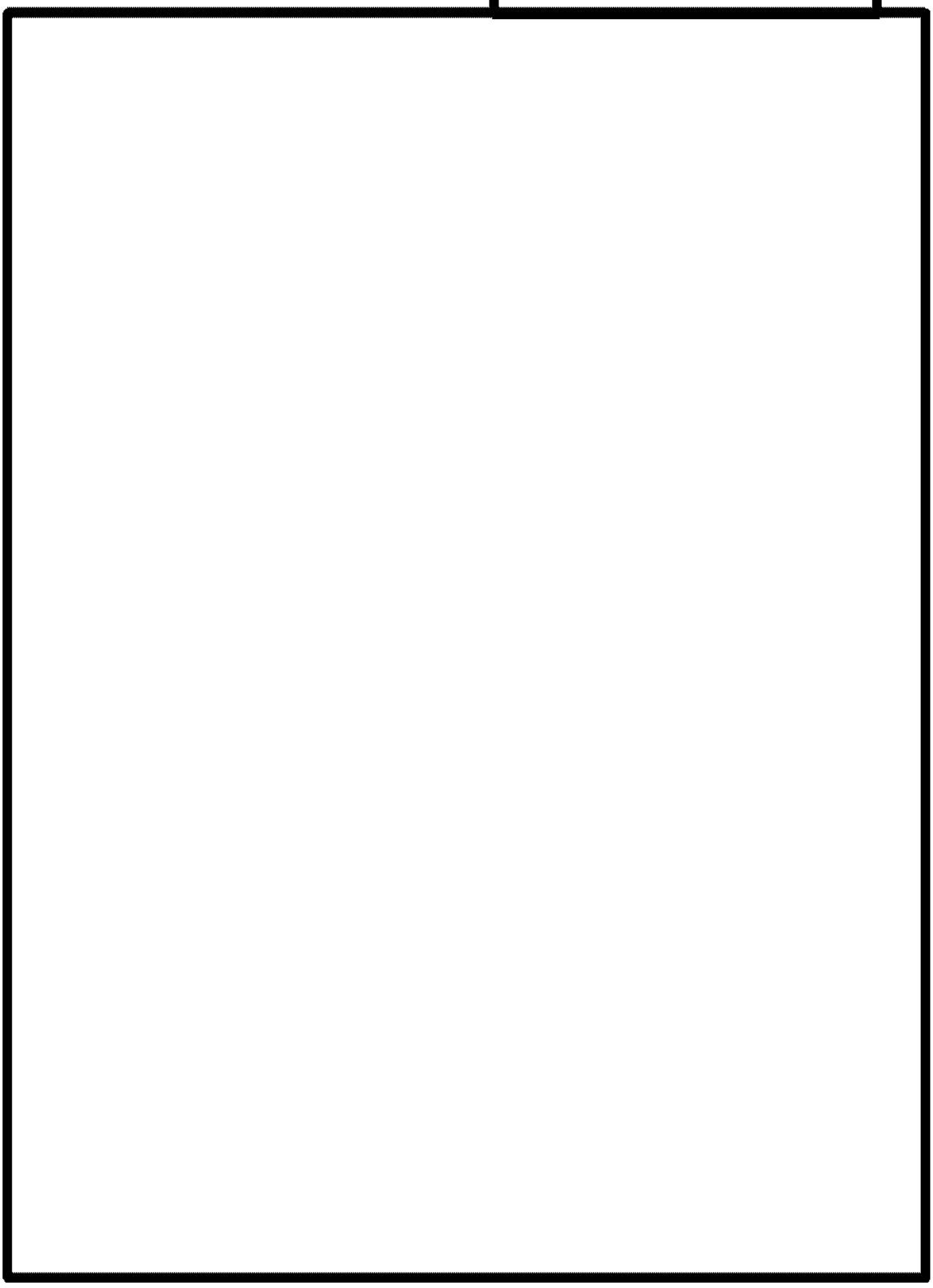

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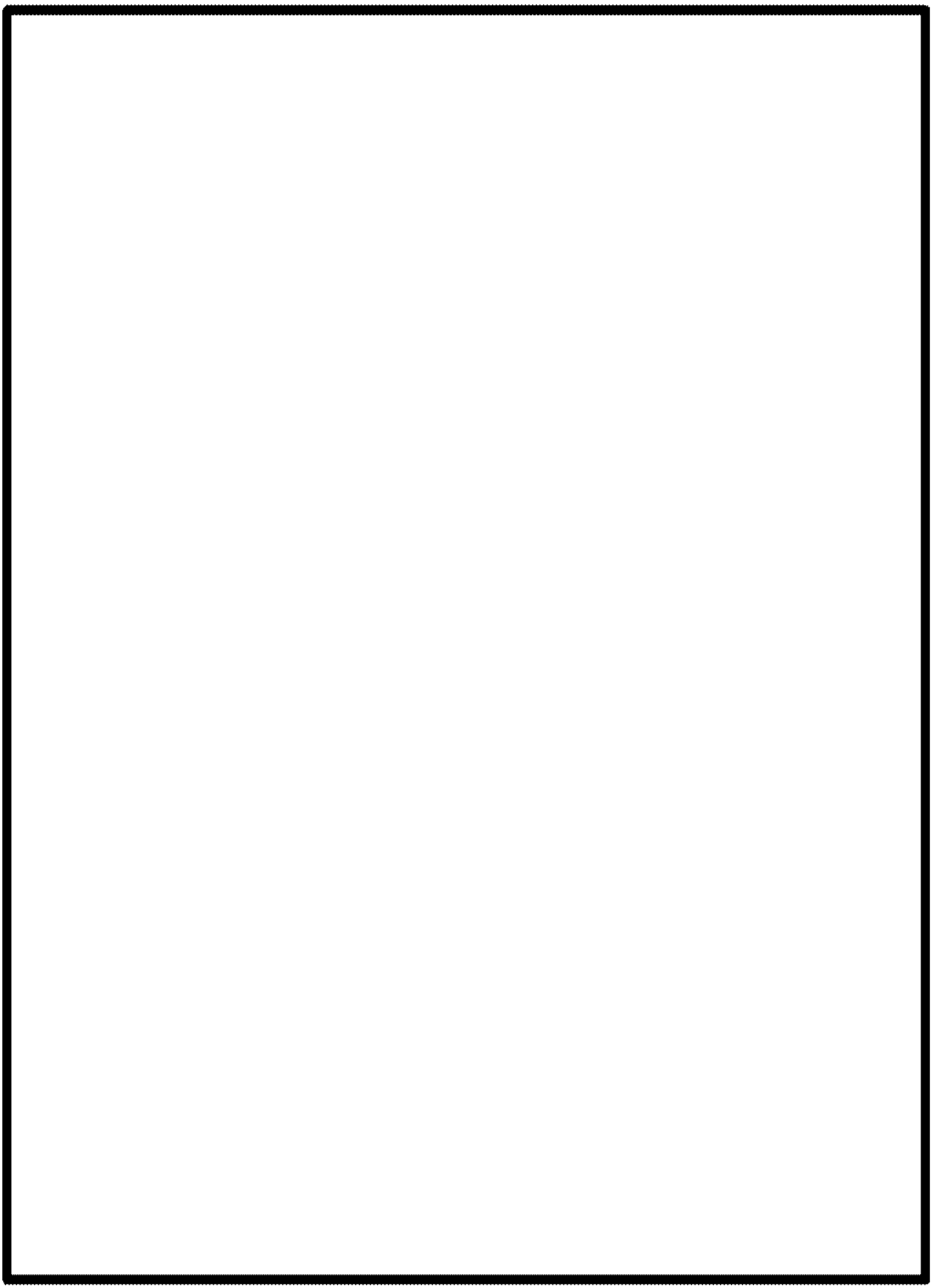

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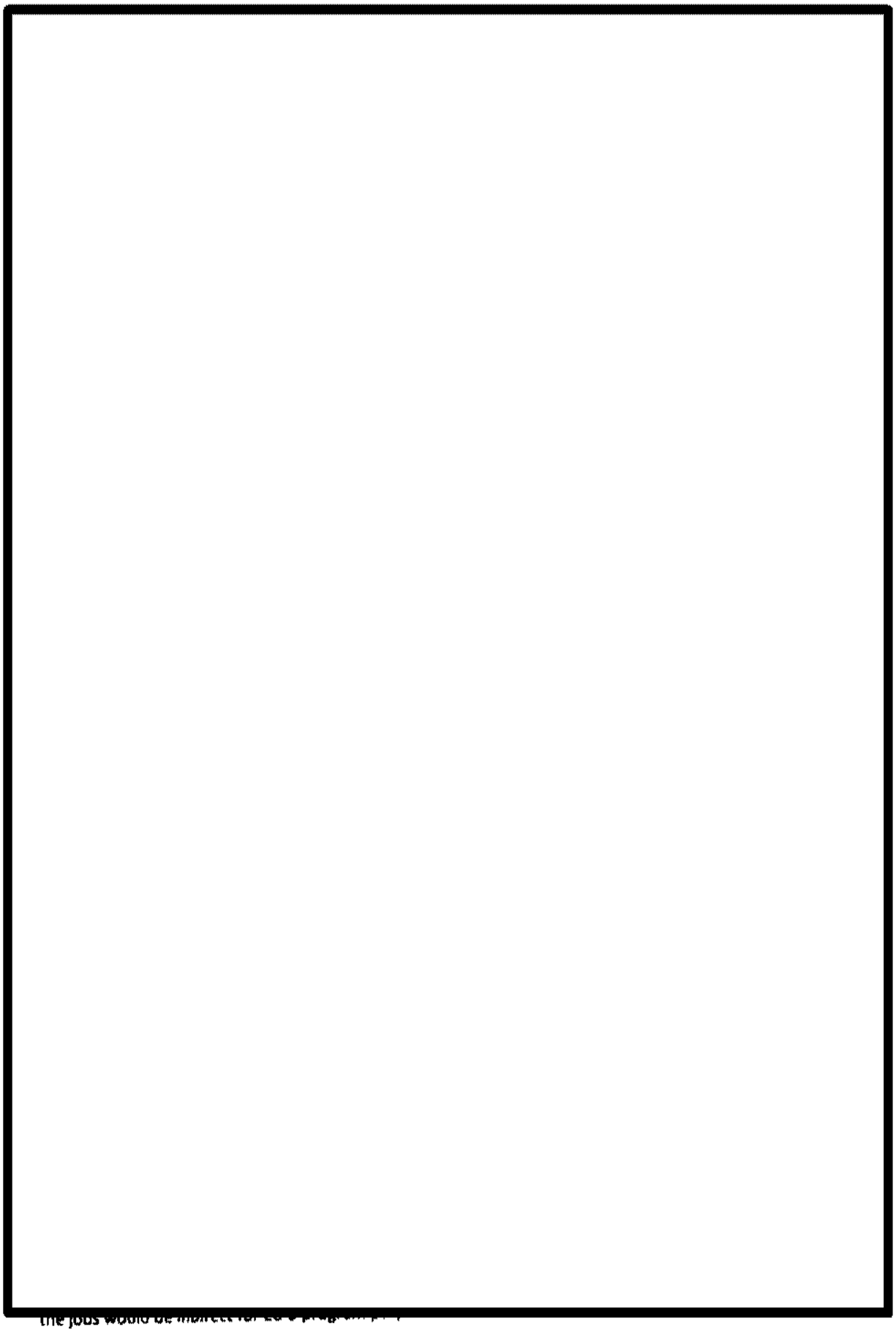

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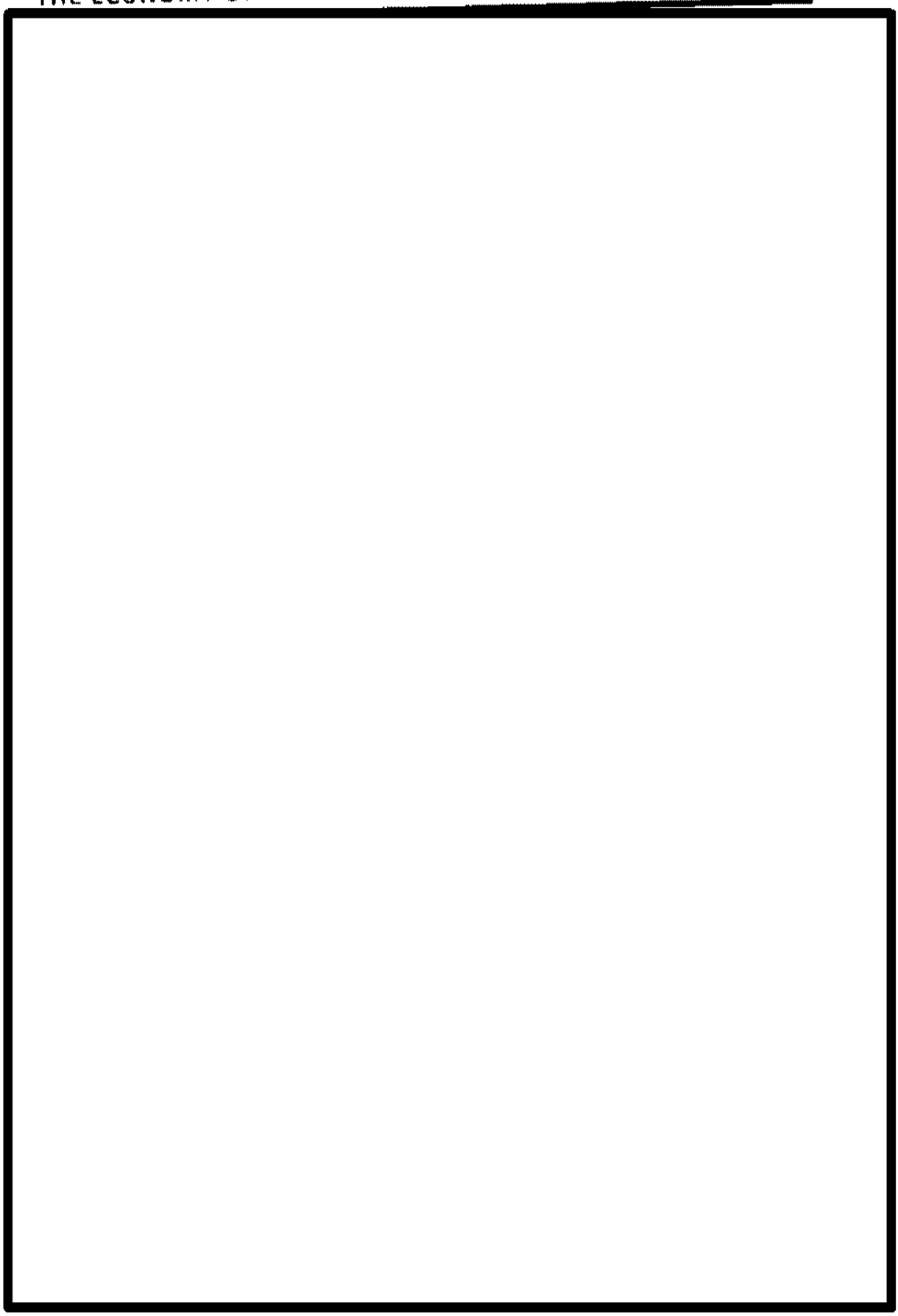
THE ECONOMY OF THE LIBERTY NEBRASKA REGIONAL CENTER



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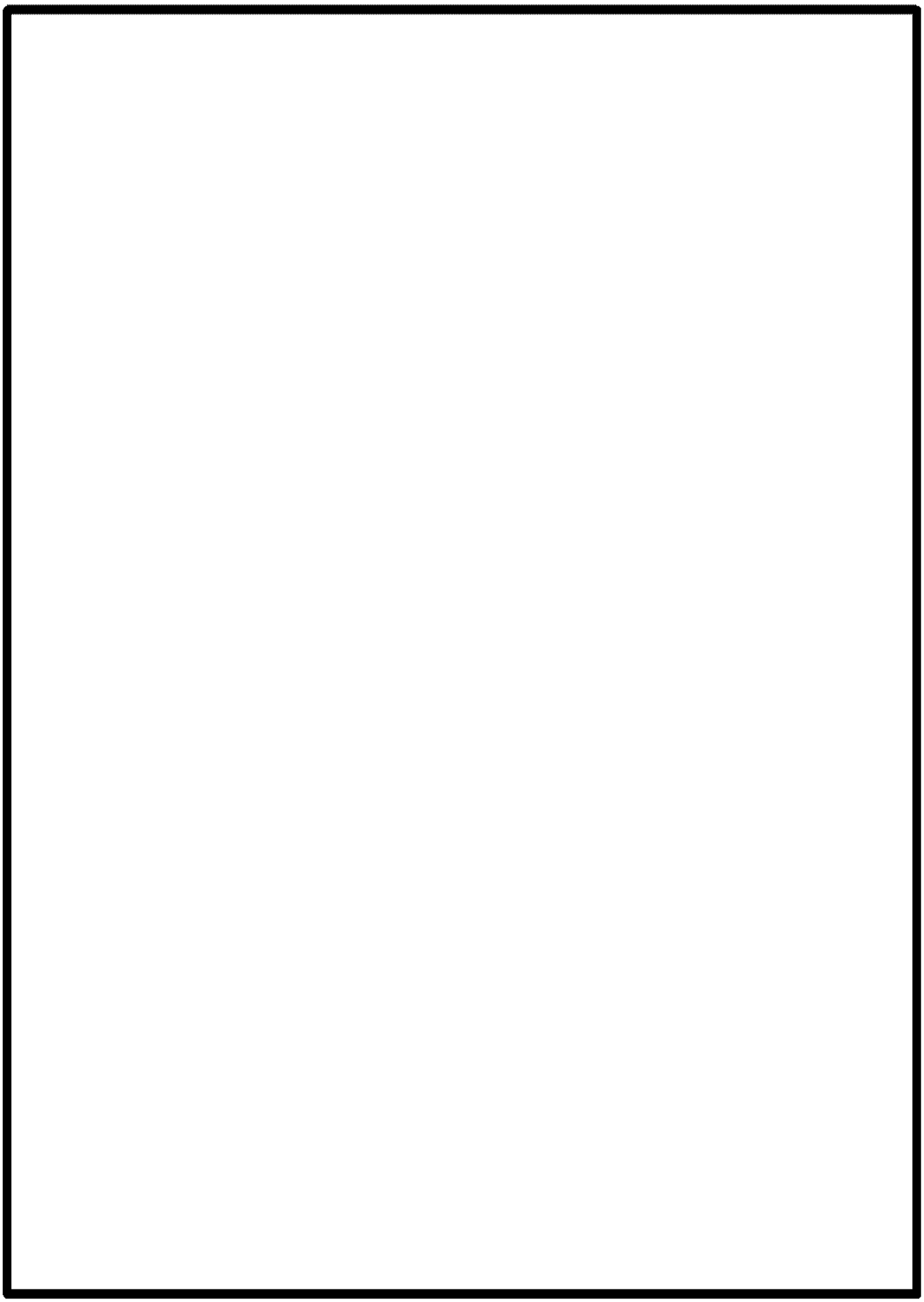

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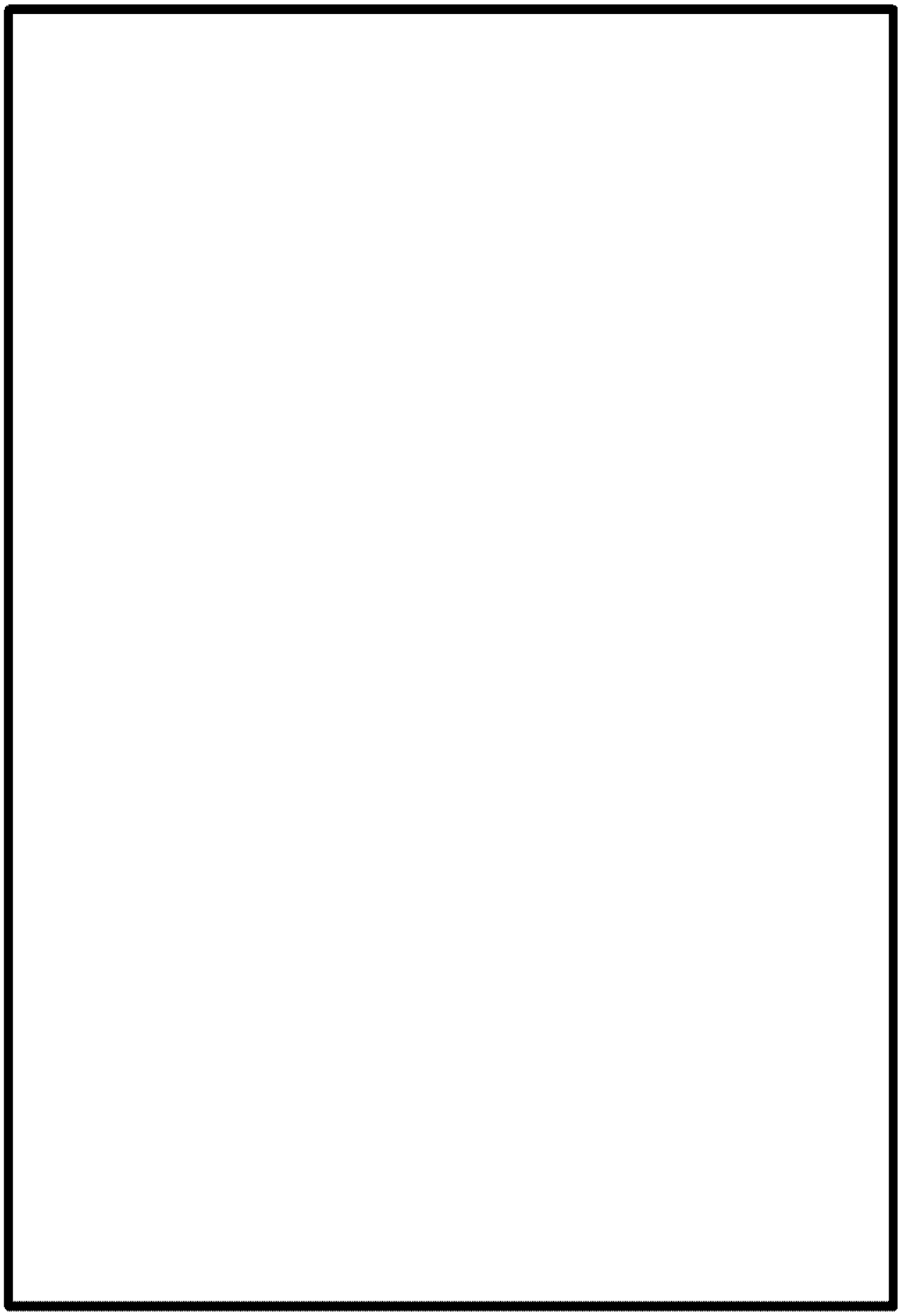

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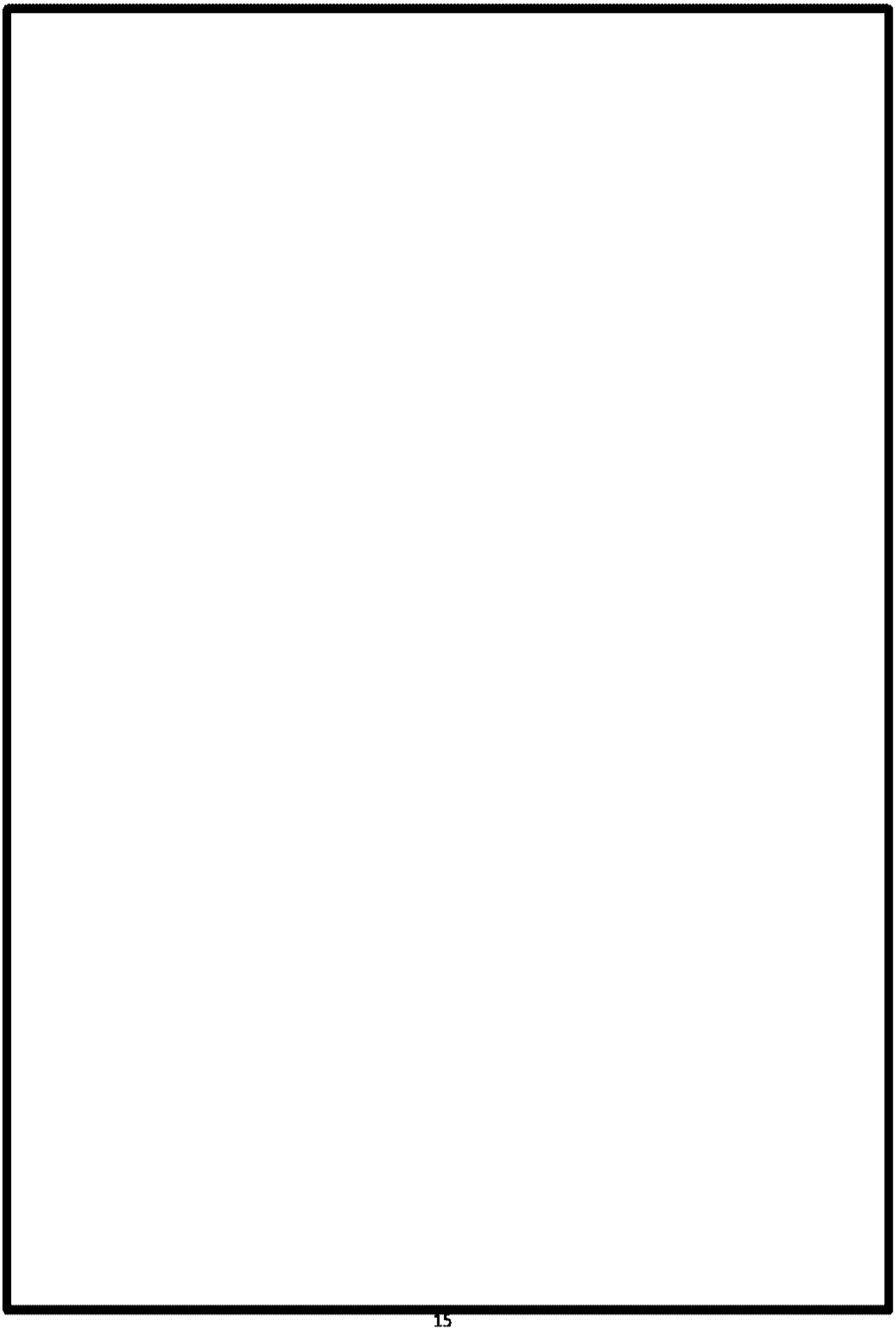

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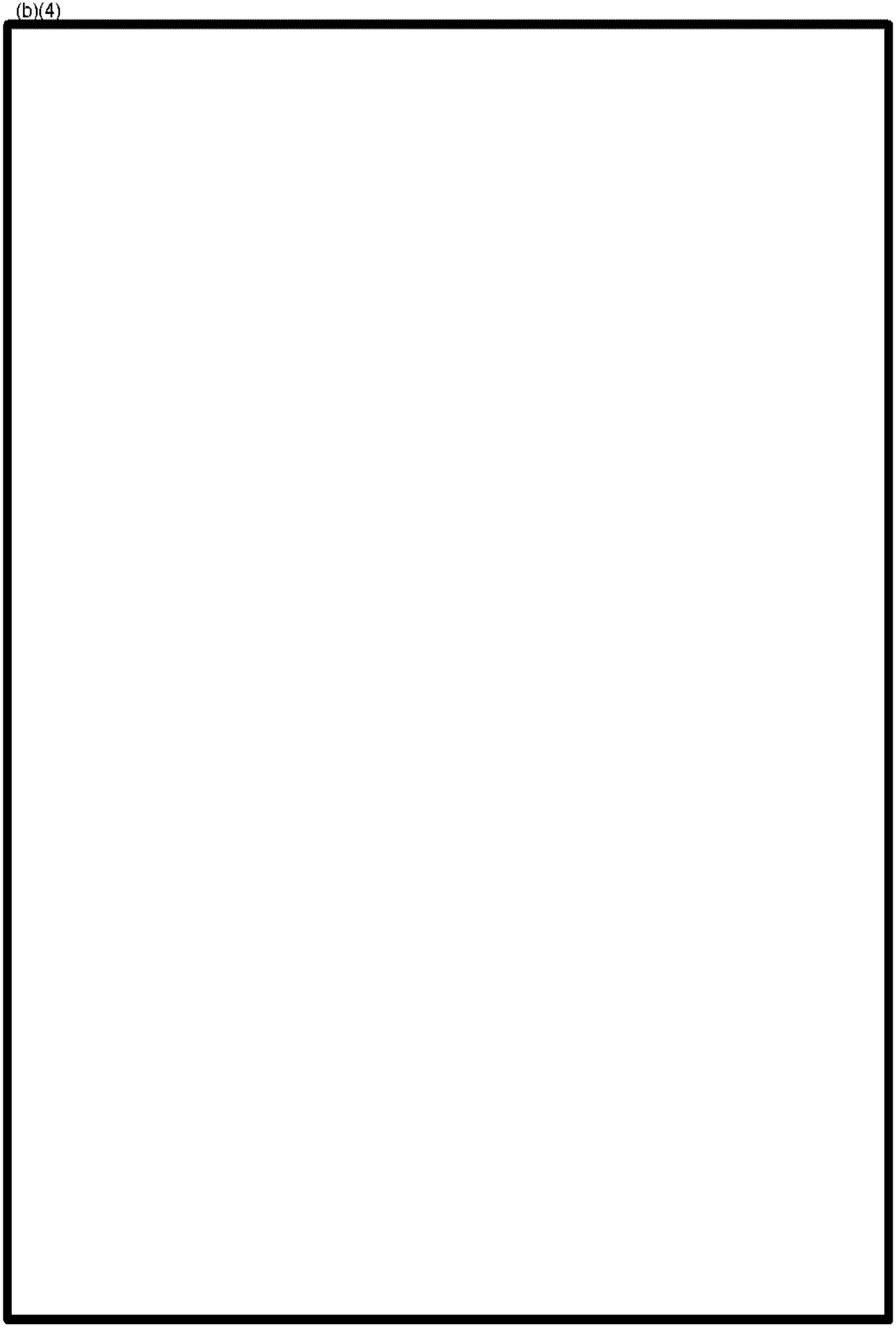

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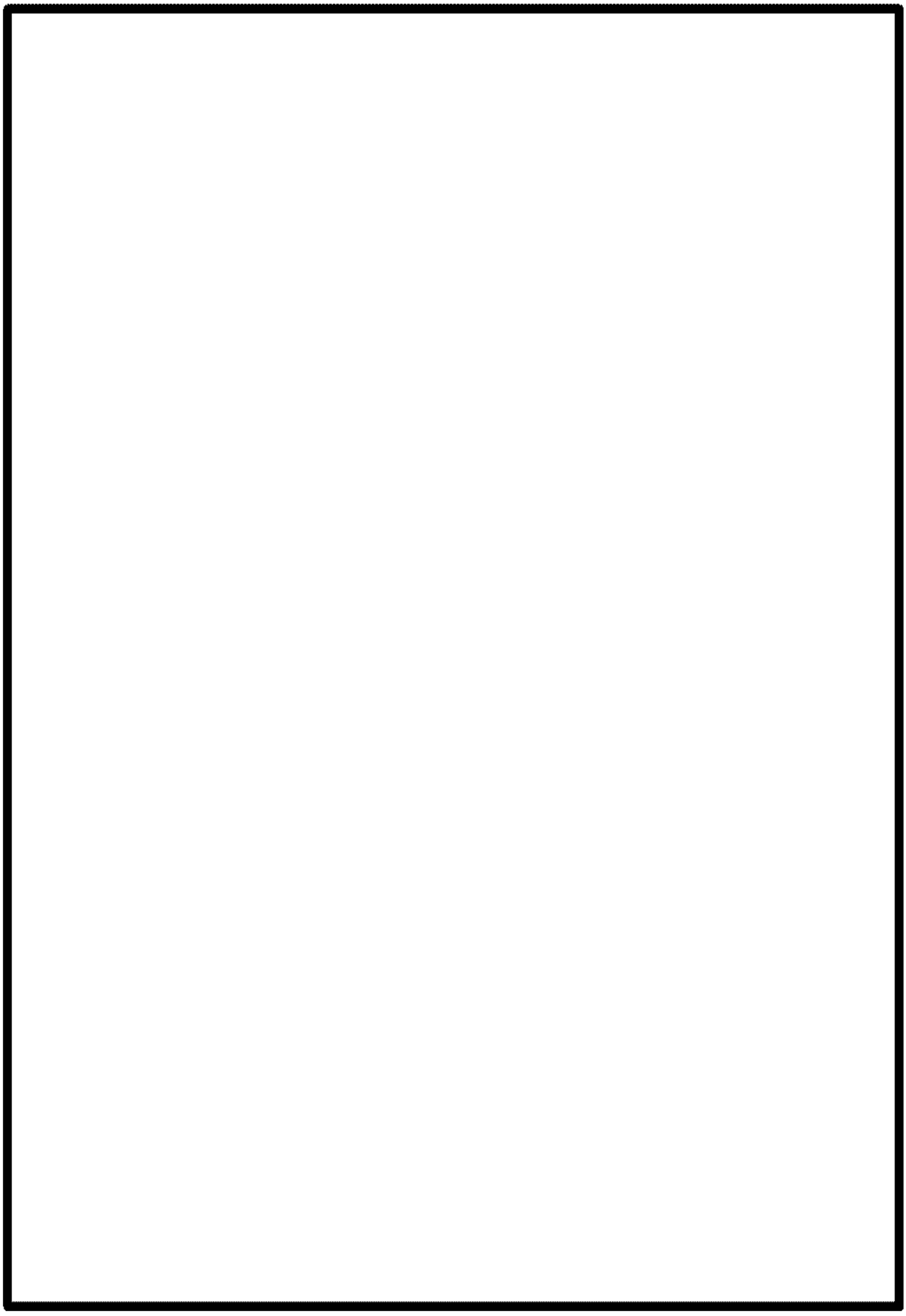

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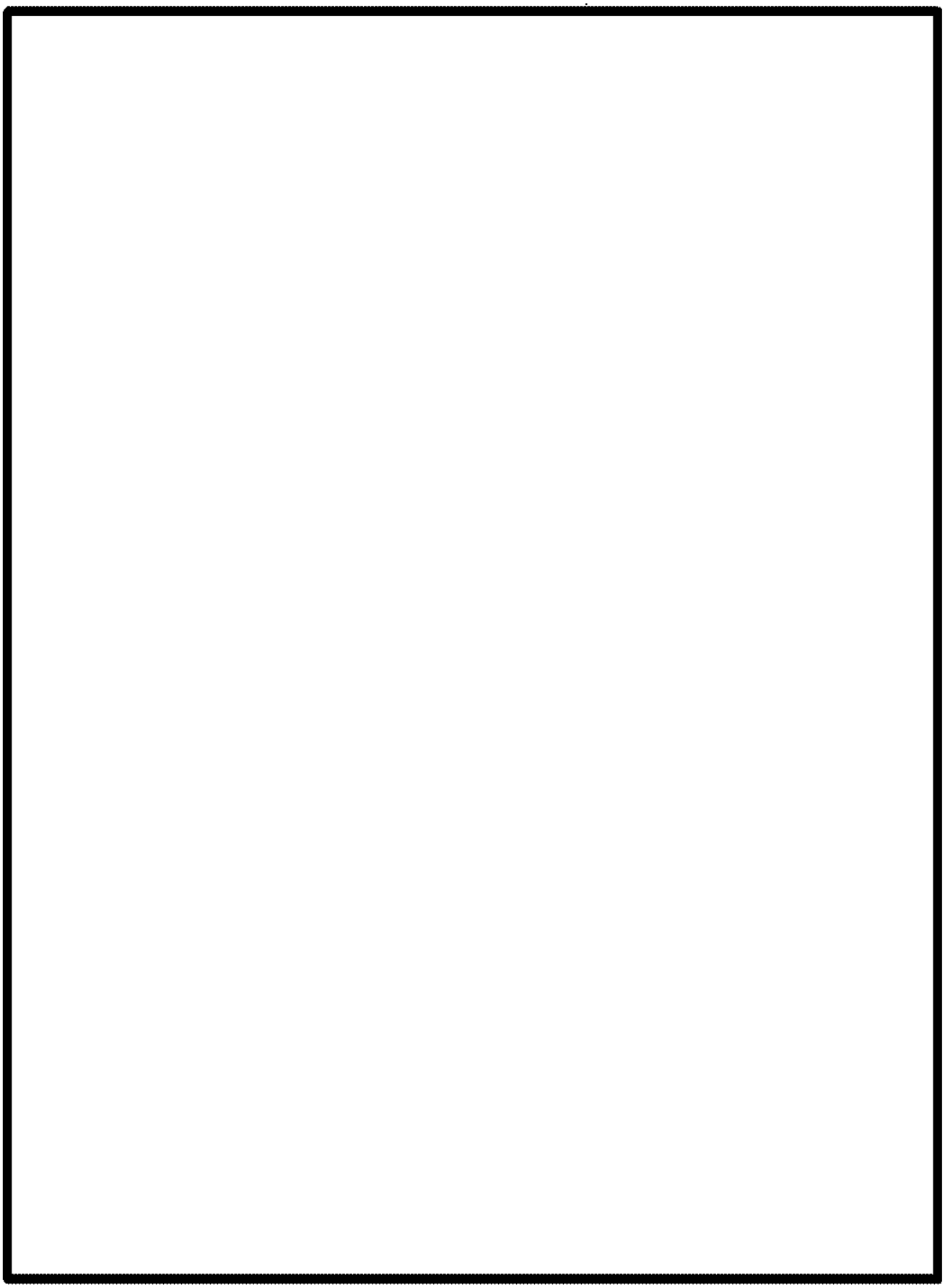

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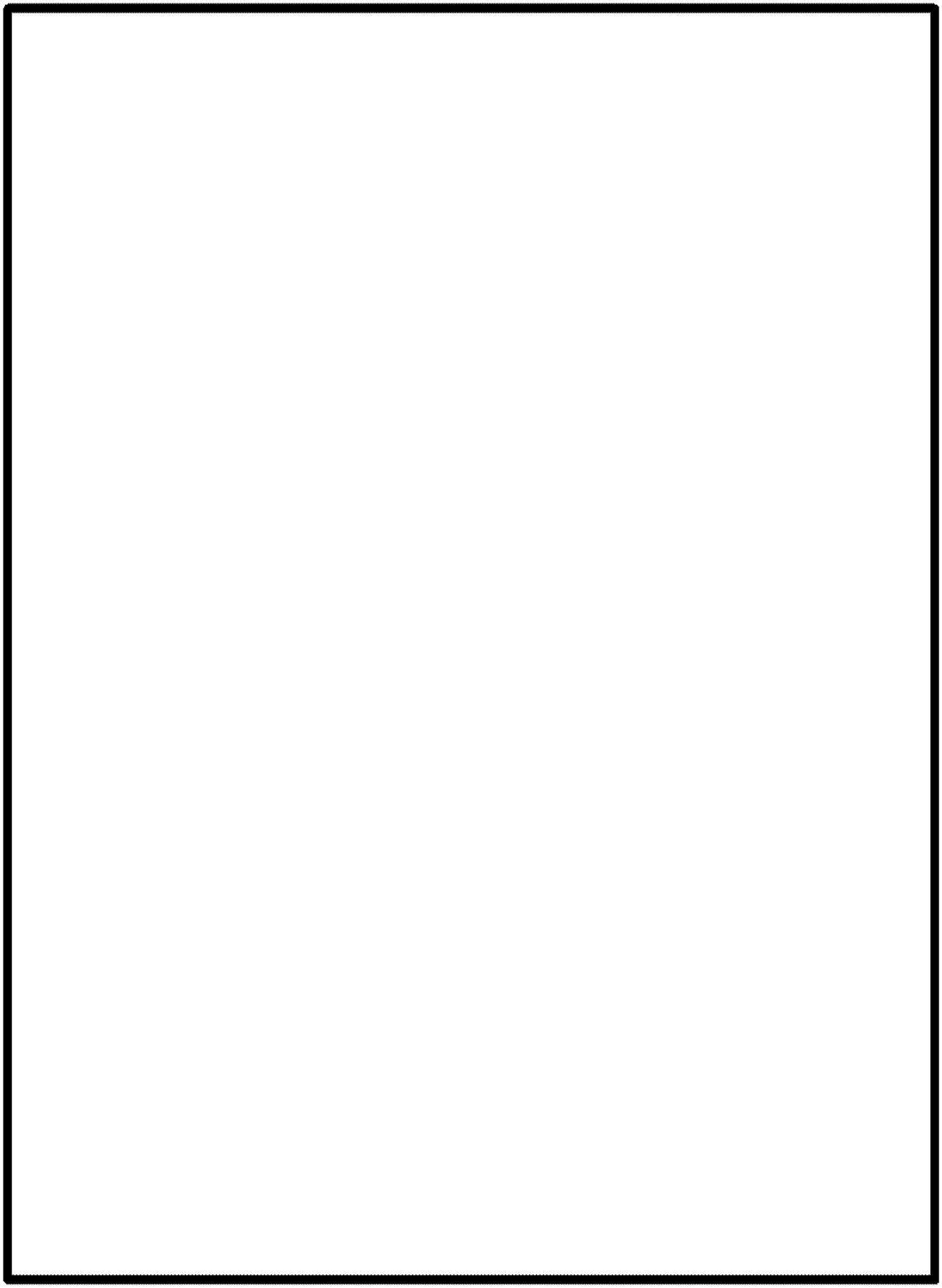

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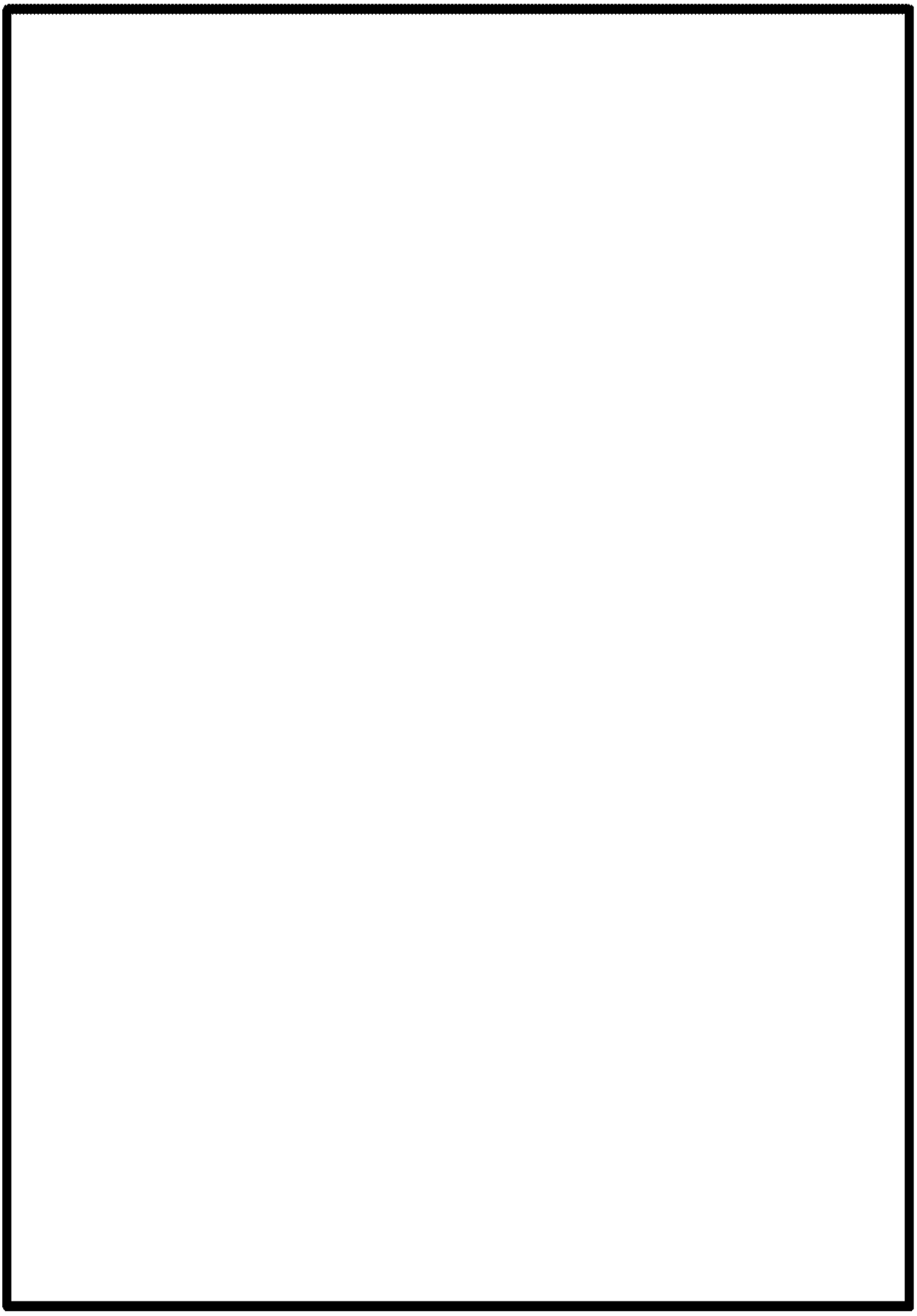

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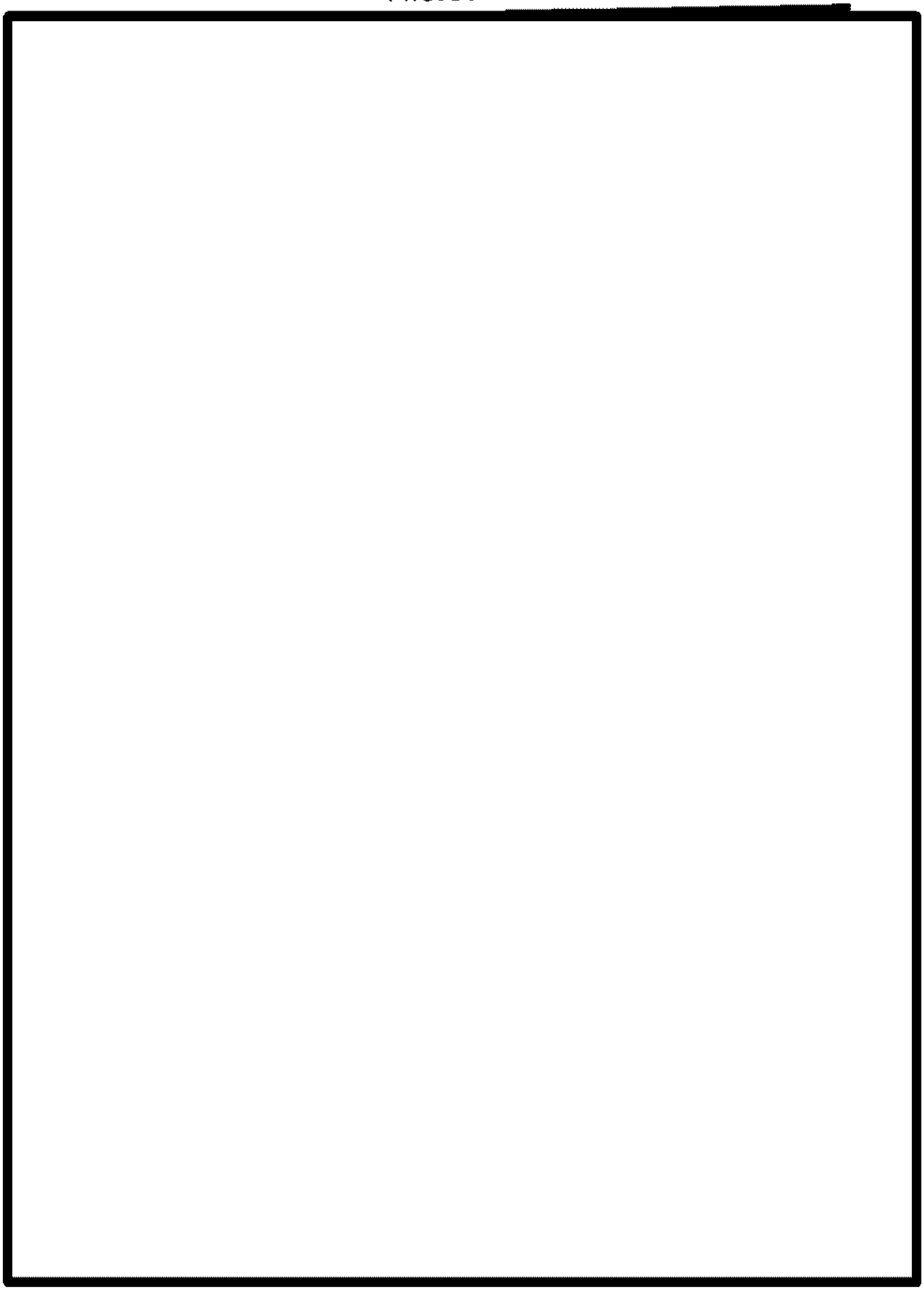
A DESCRIPTION OF THE HYPOTHETICAL [redacted]
PROJECT



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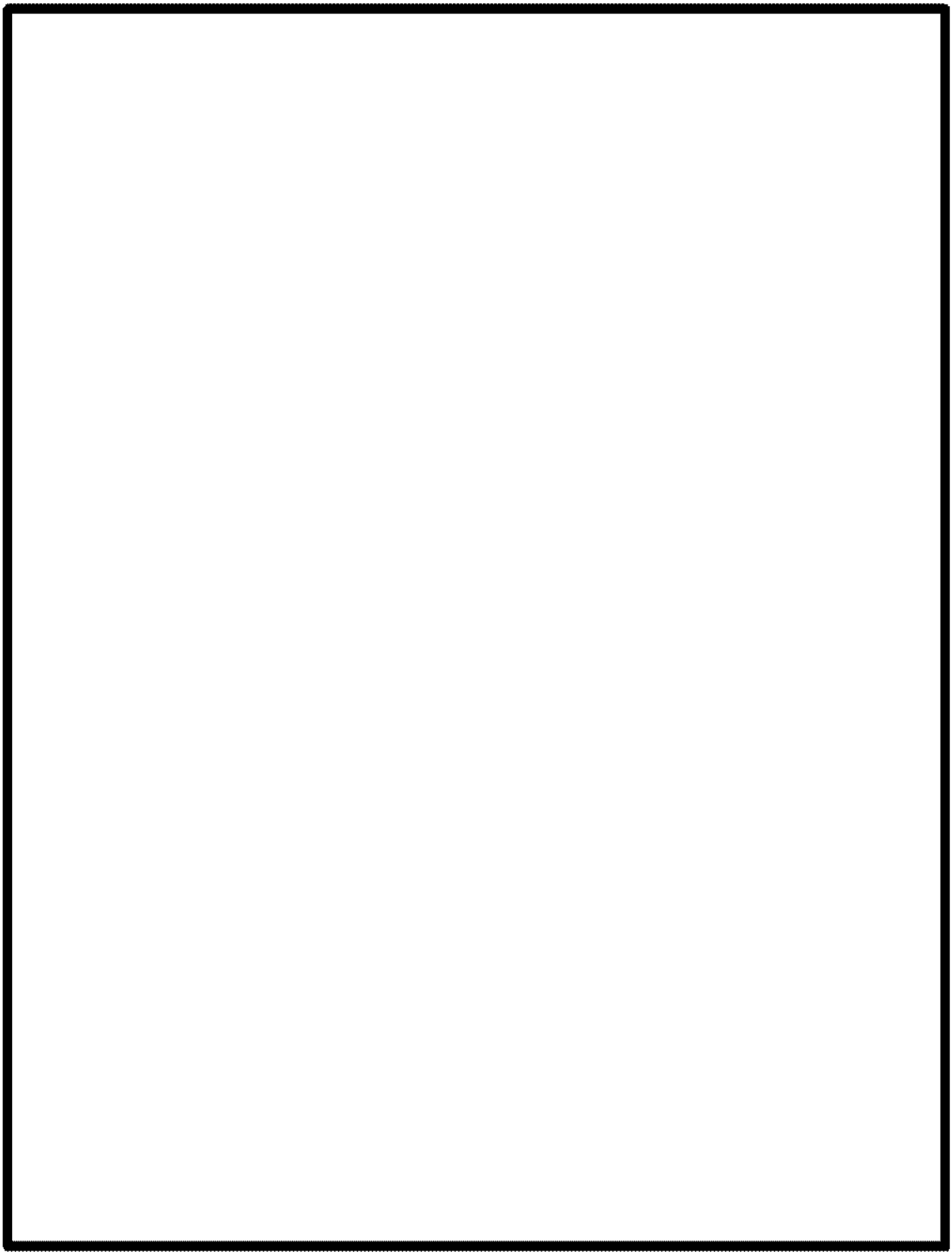

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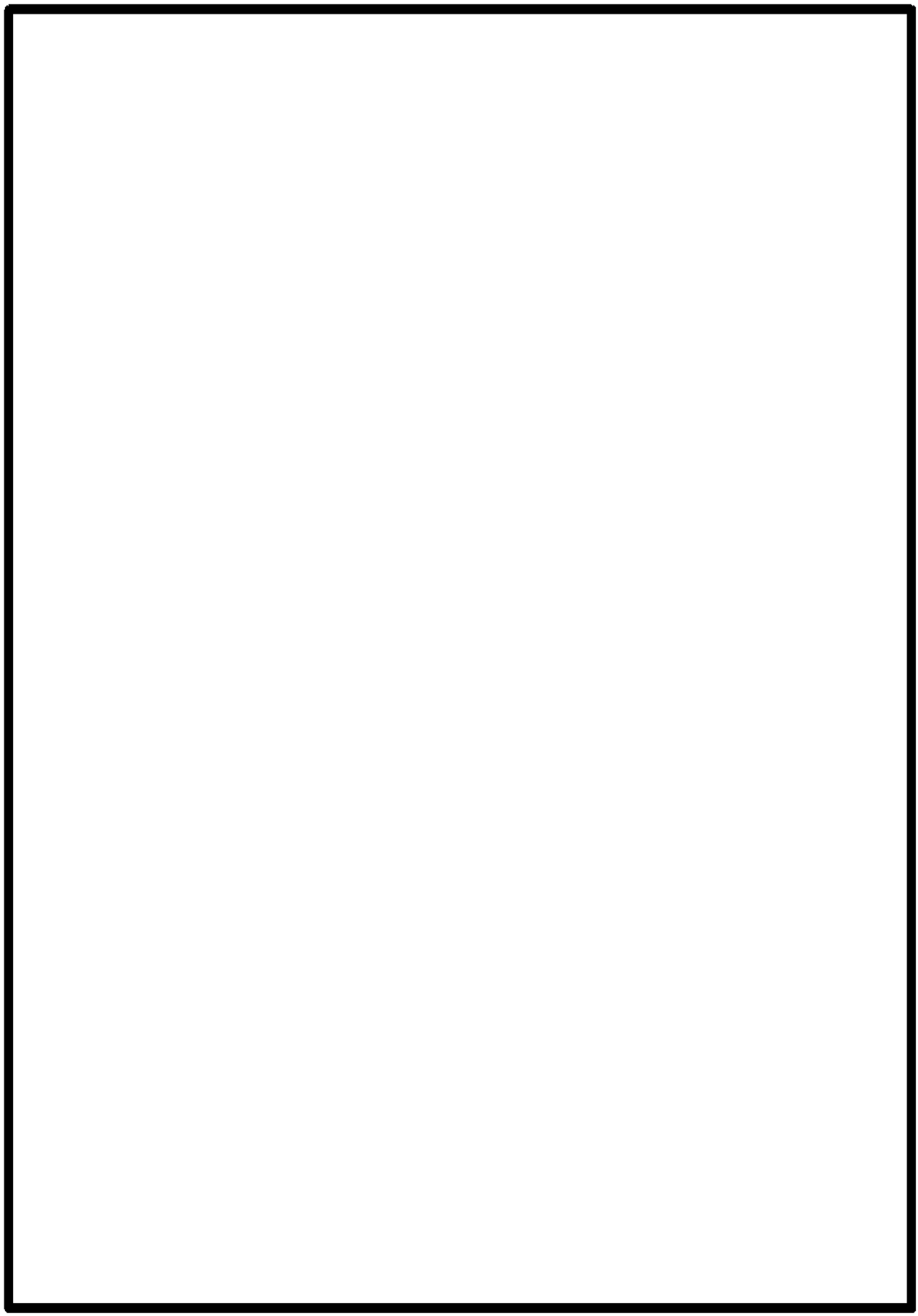

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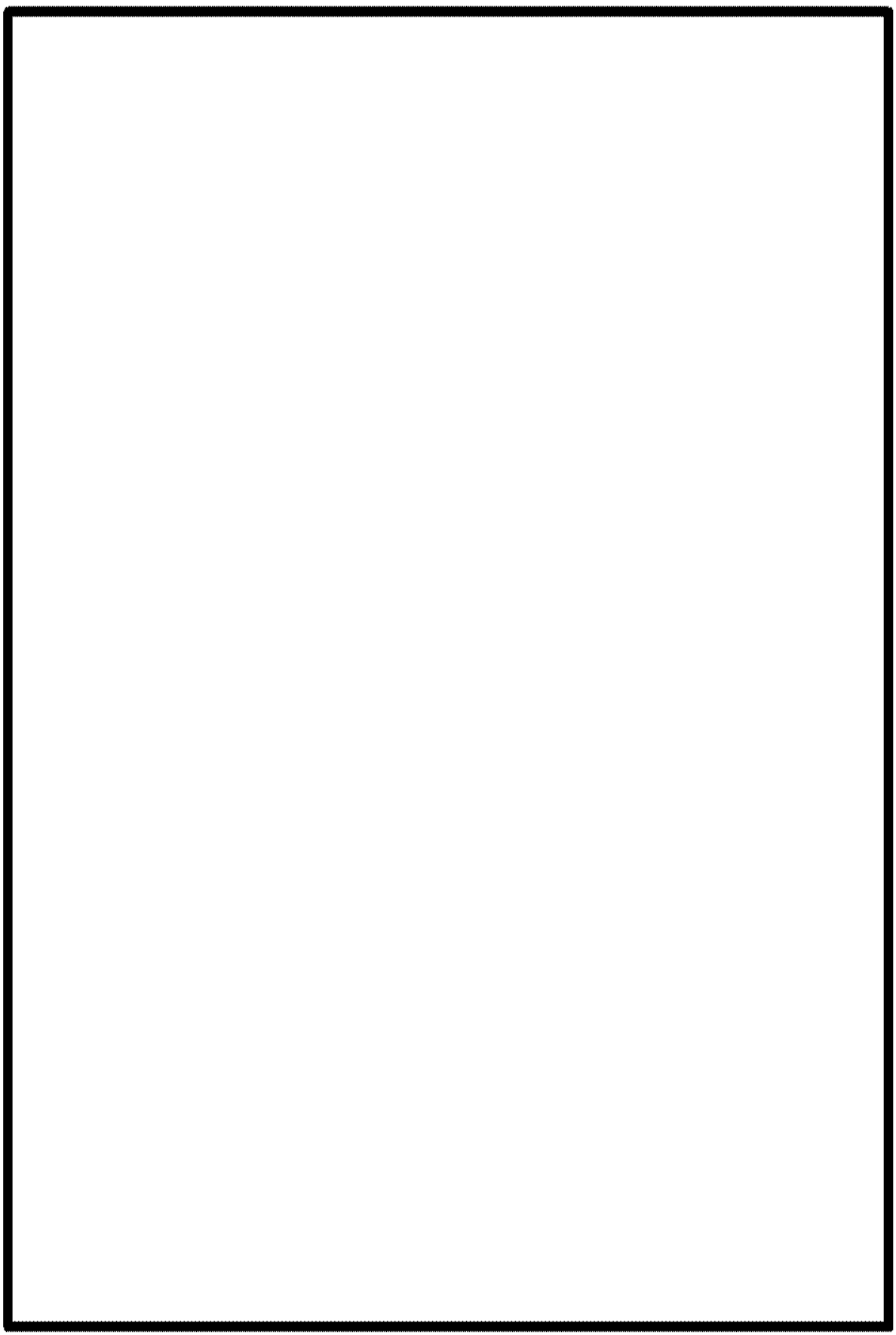

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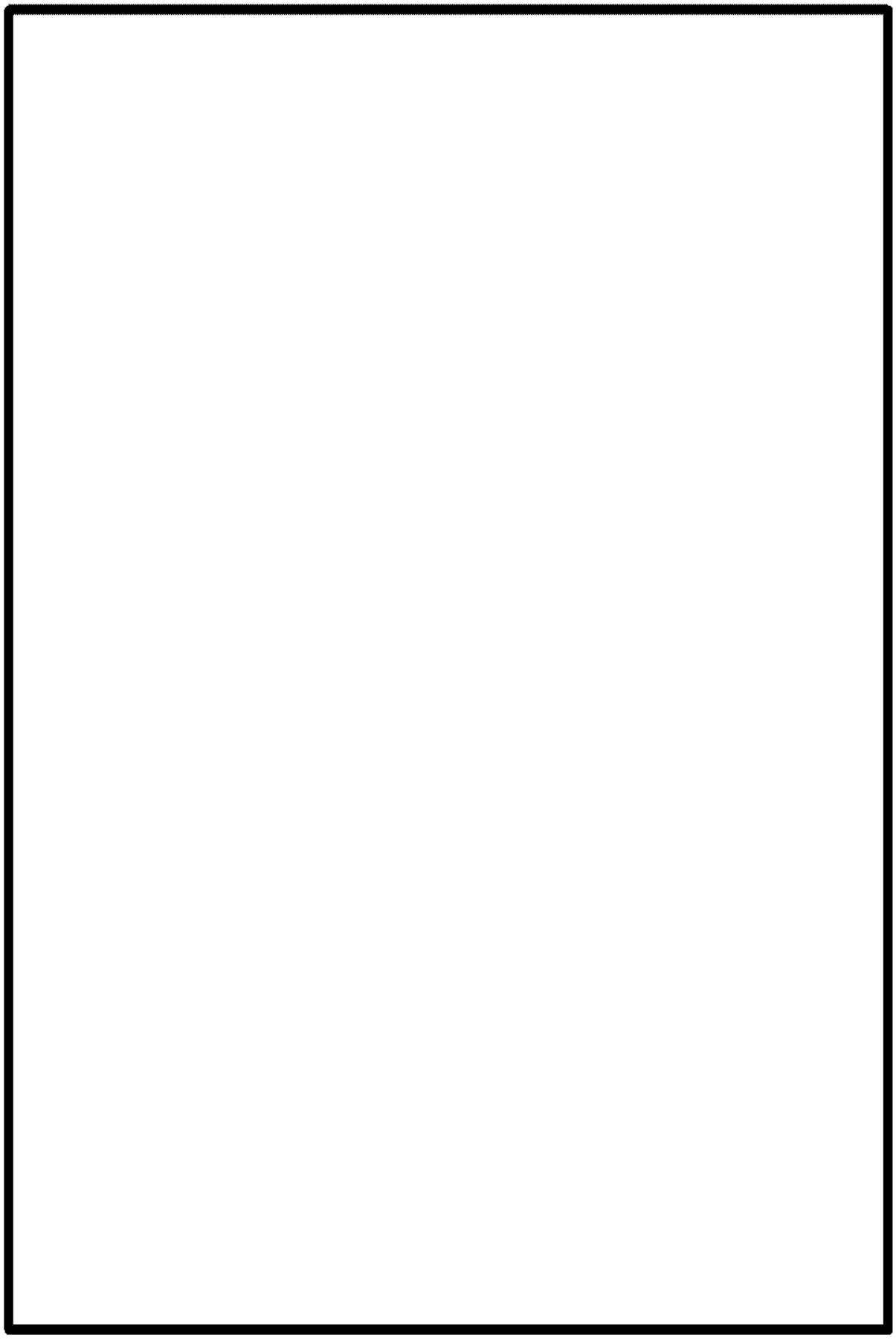

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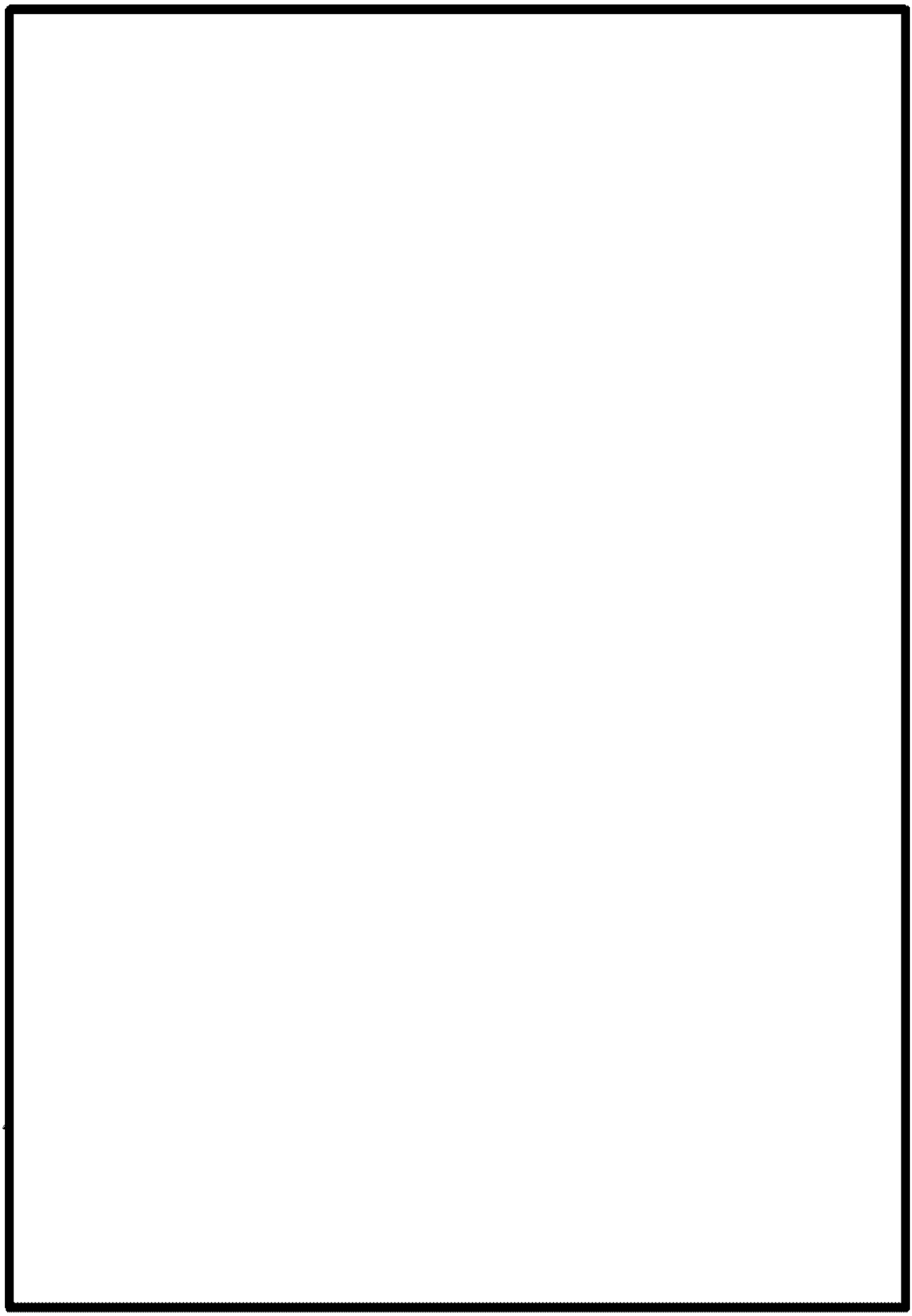

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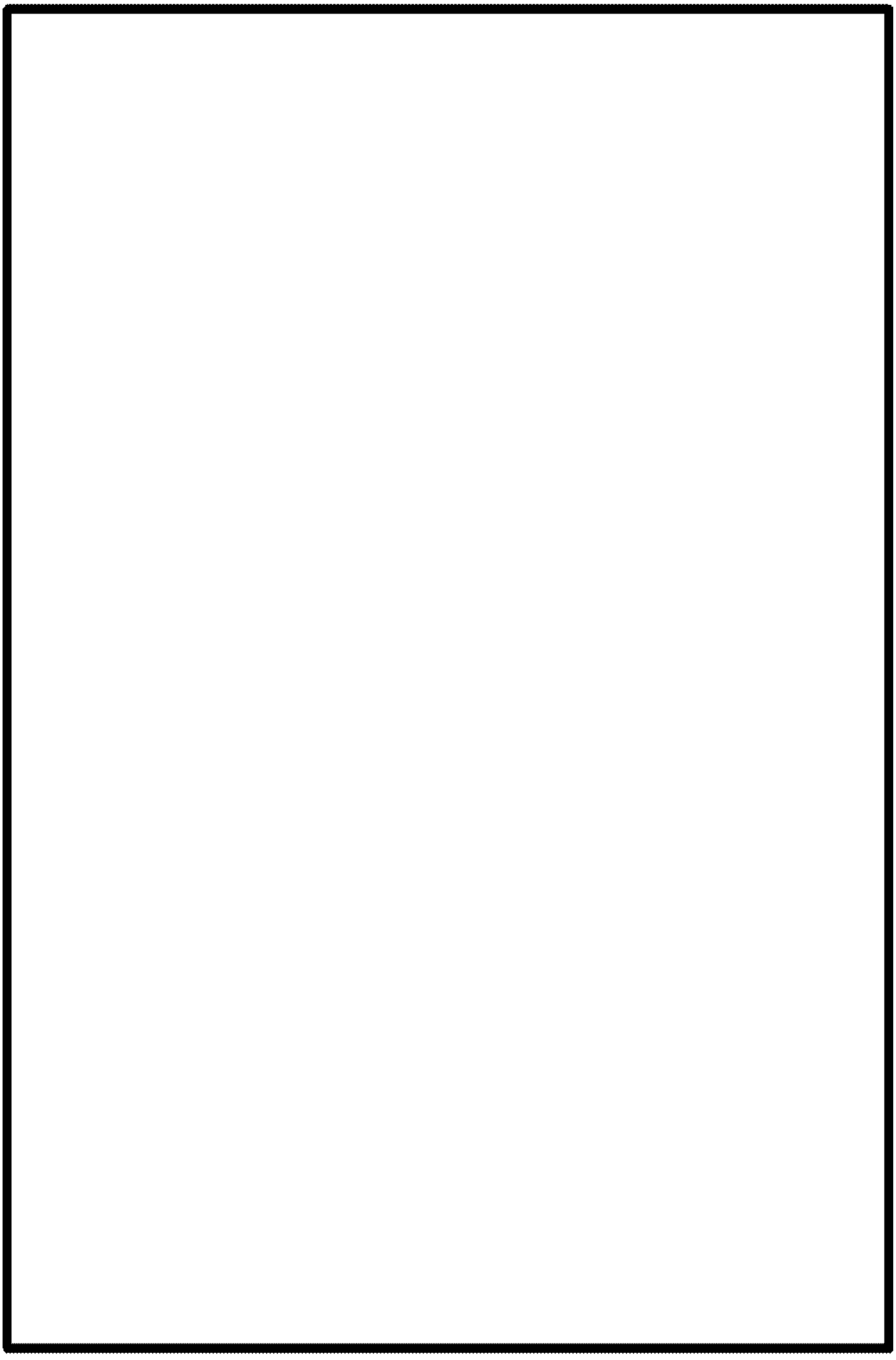

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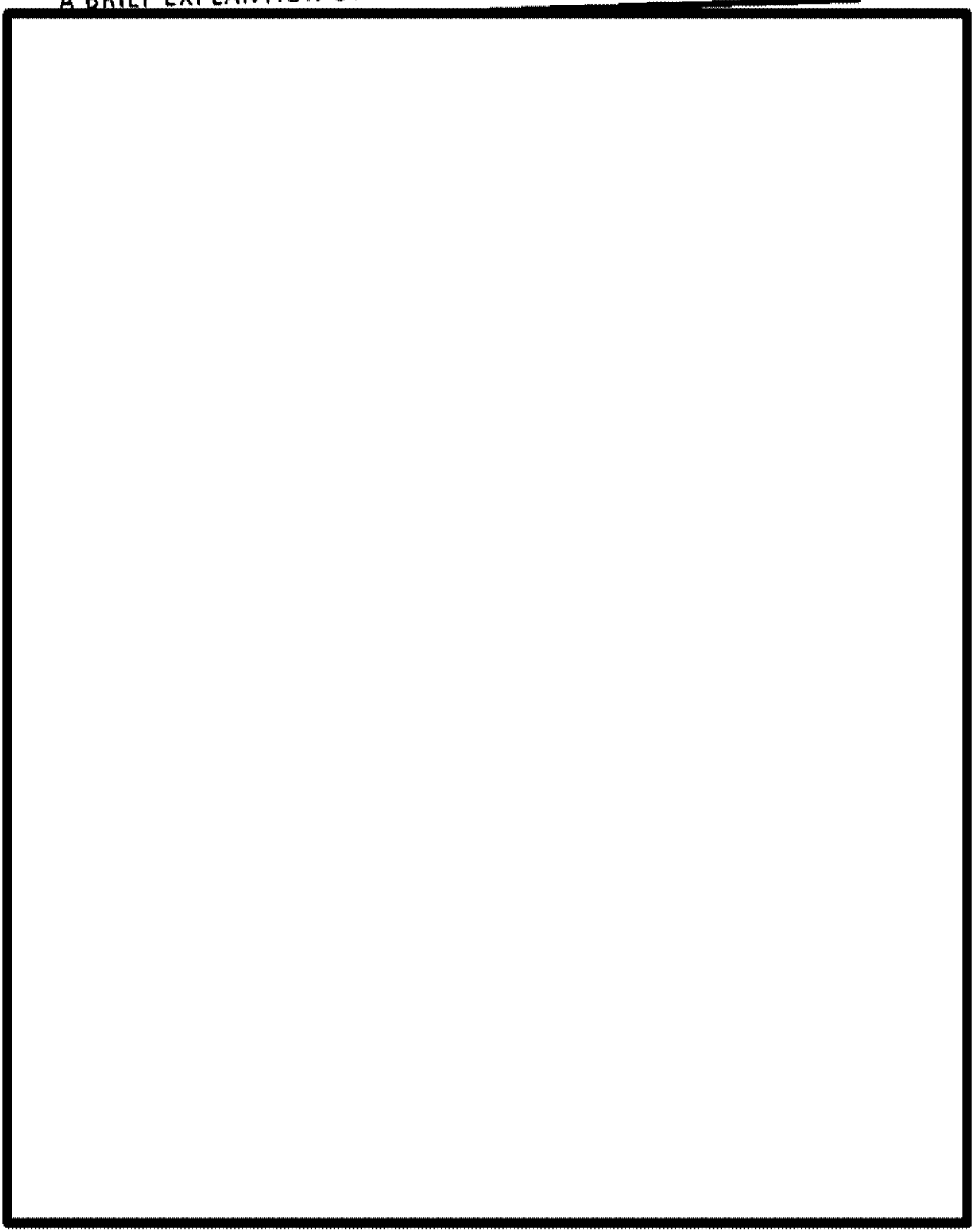
A BRIEF EXPLANTION OF THE RIMS II INPUT-OUTPUT MODEL



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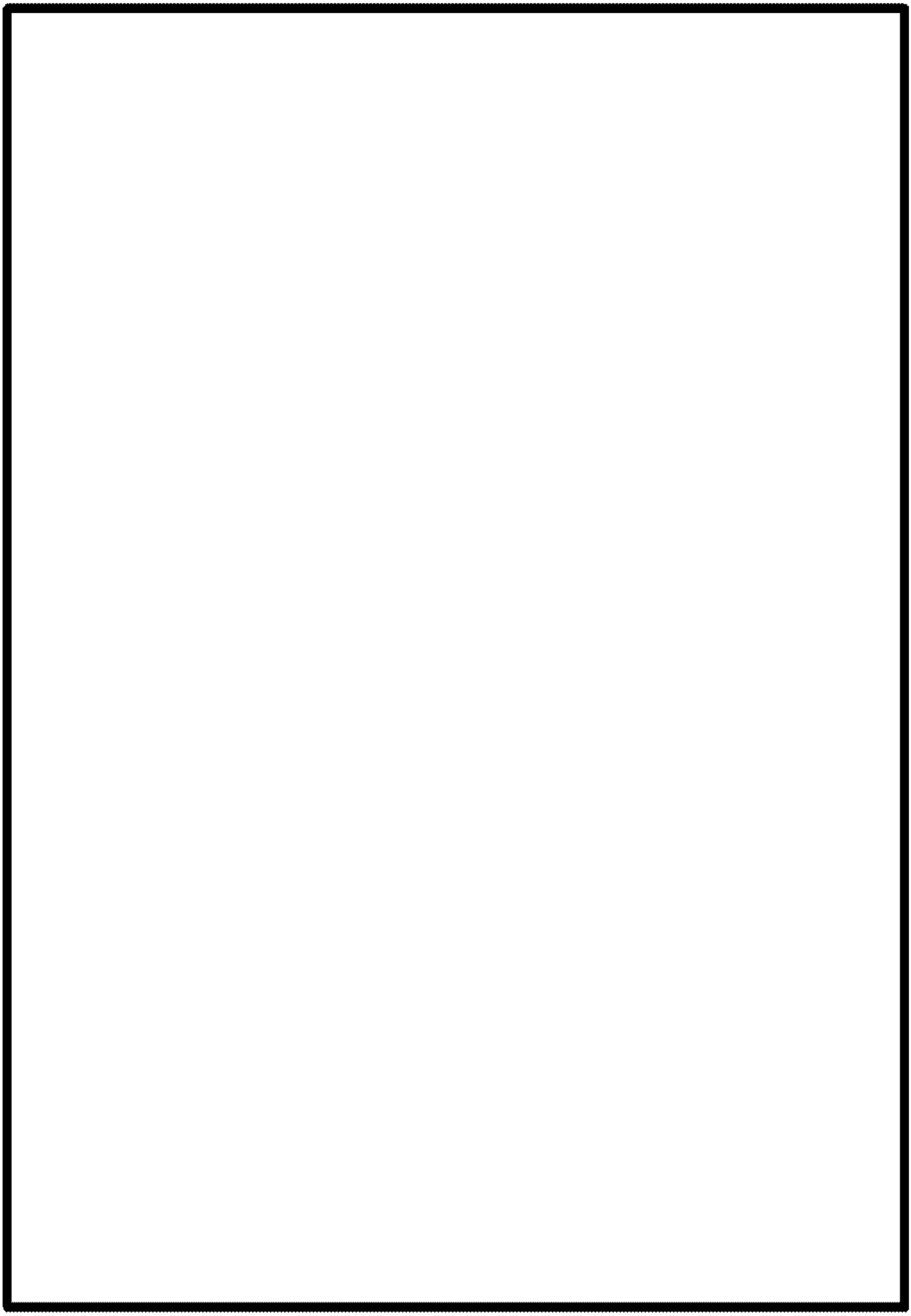

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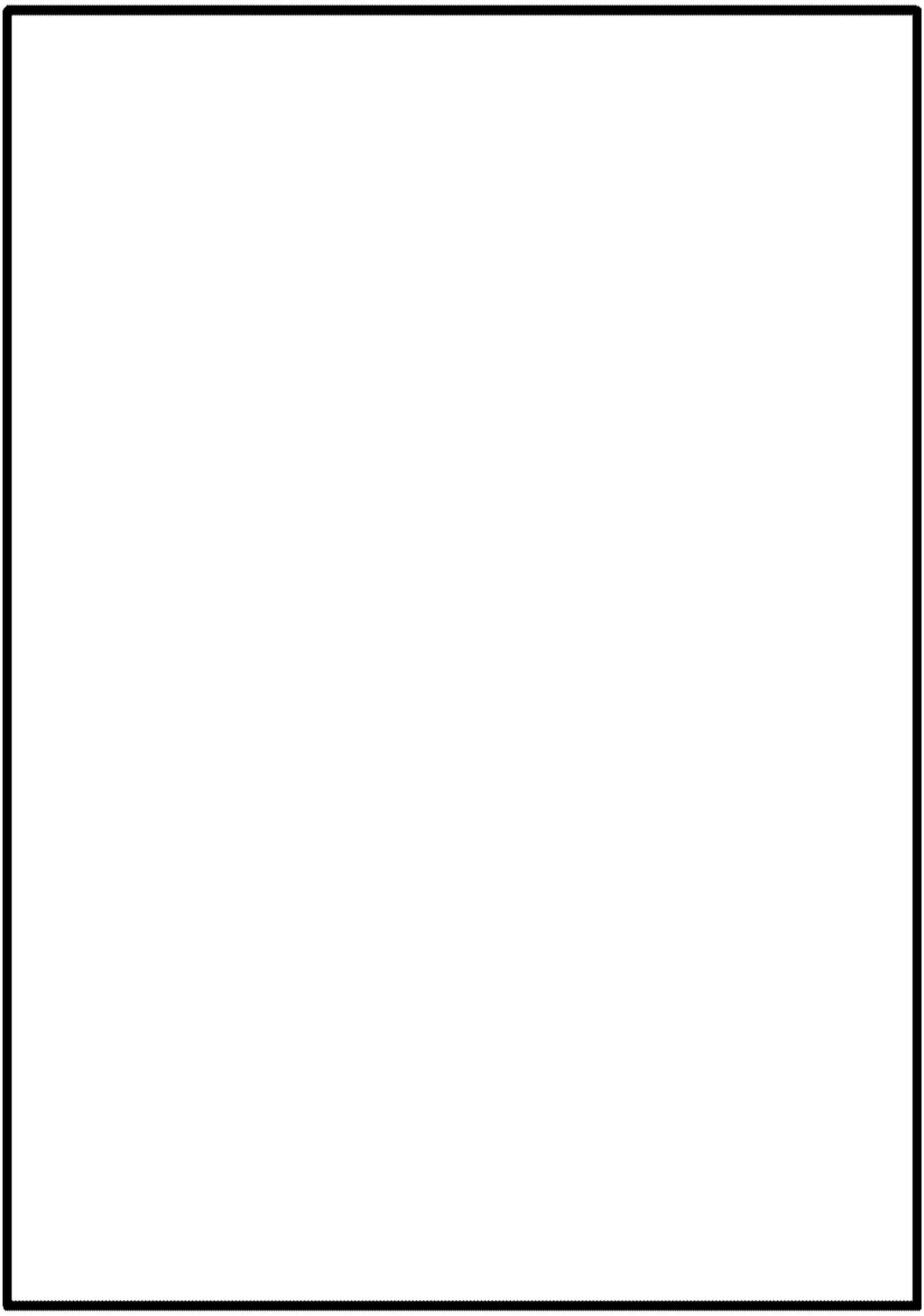

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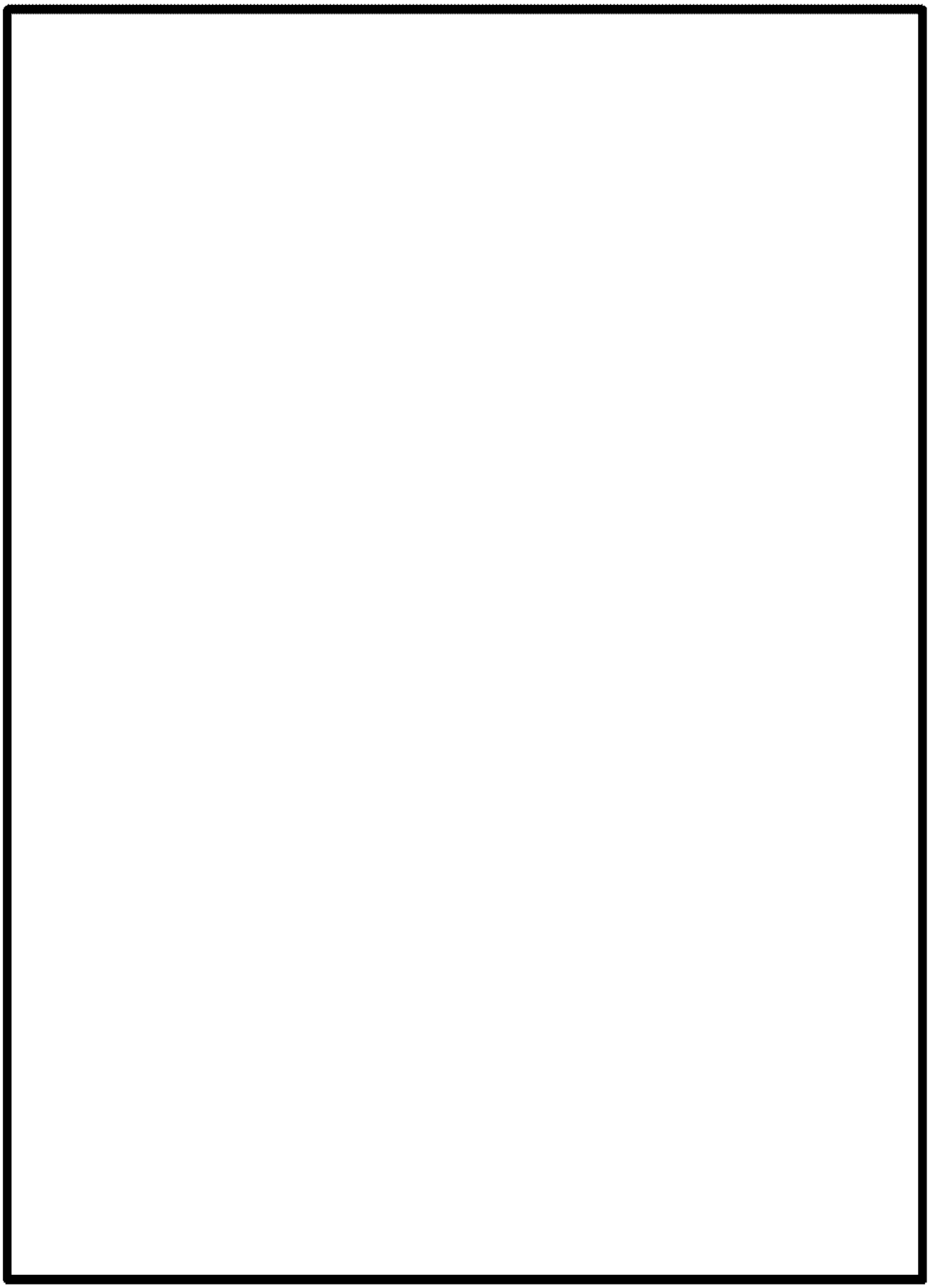

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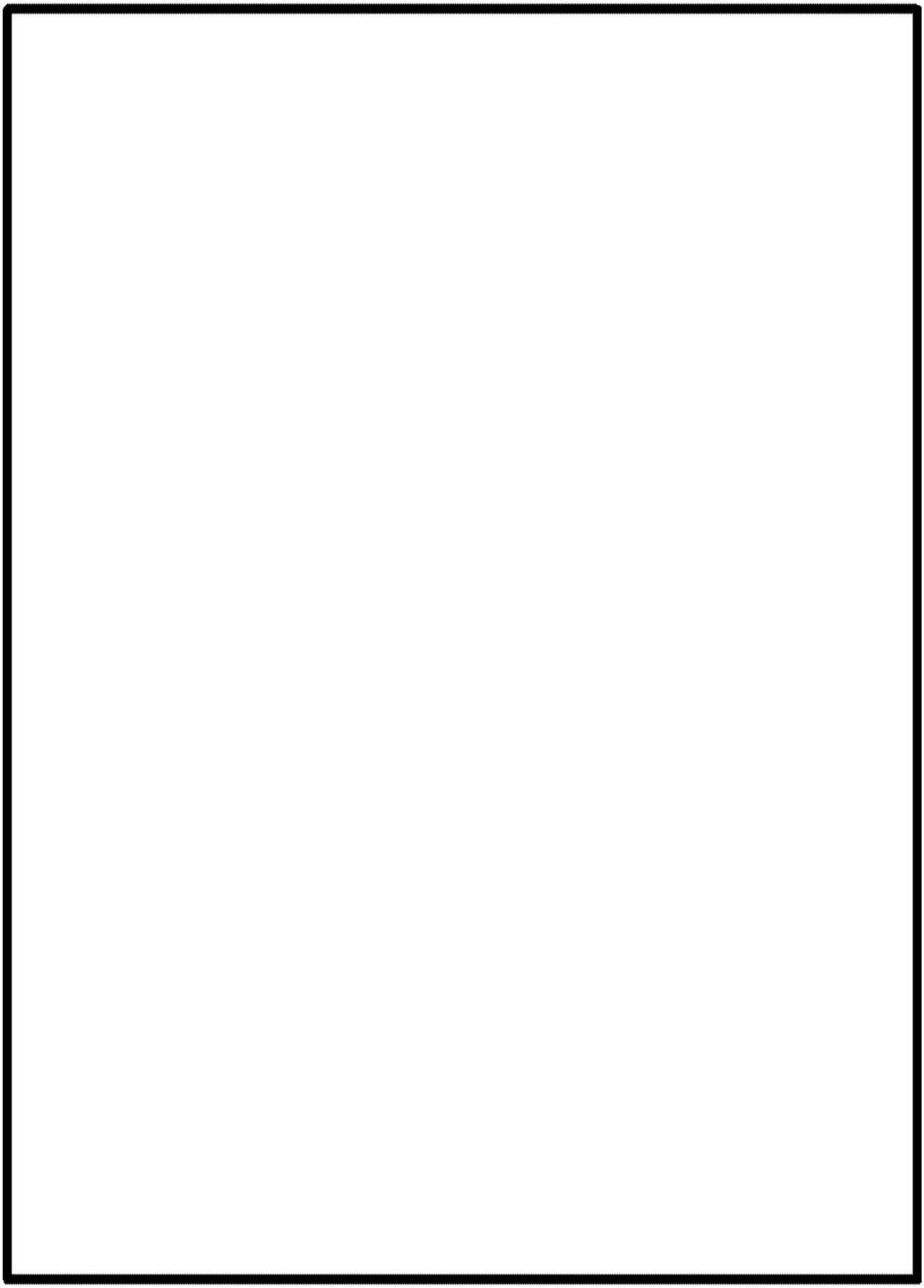

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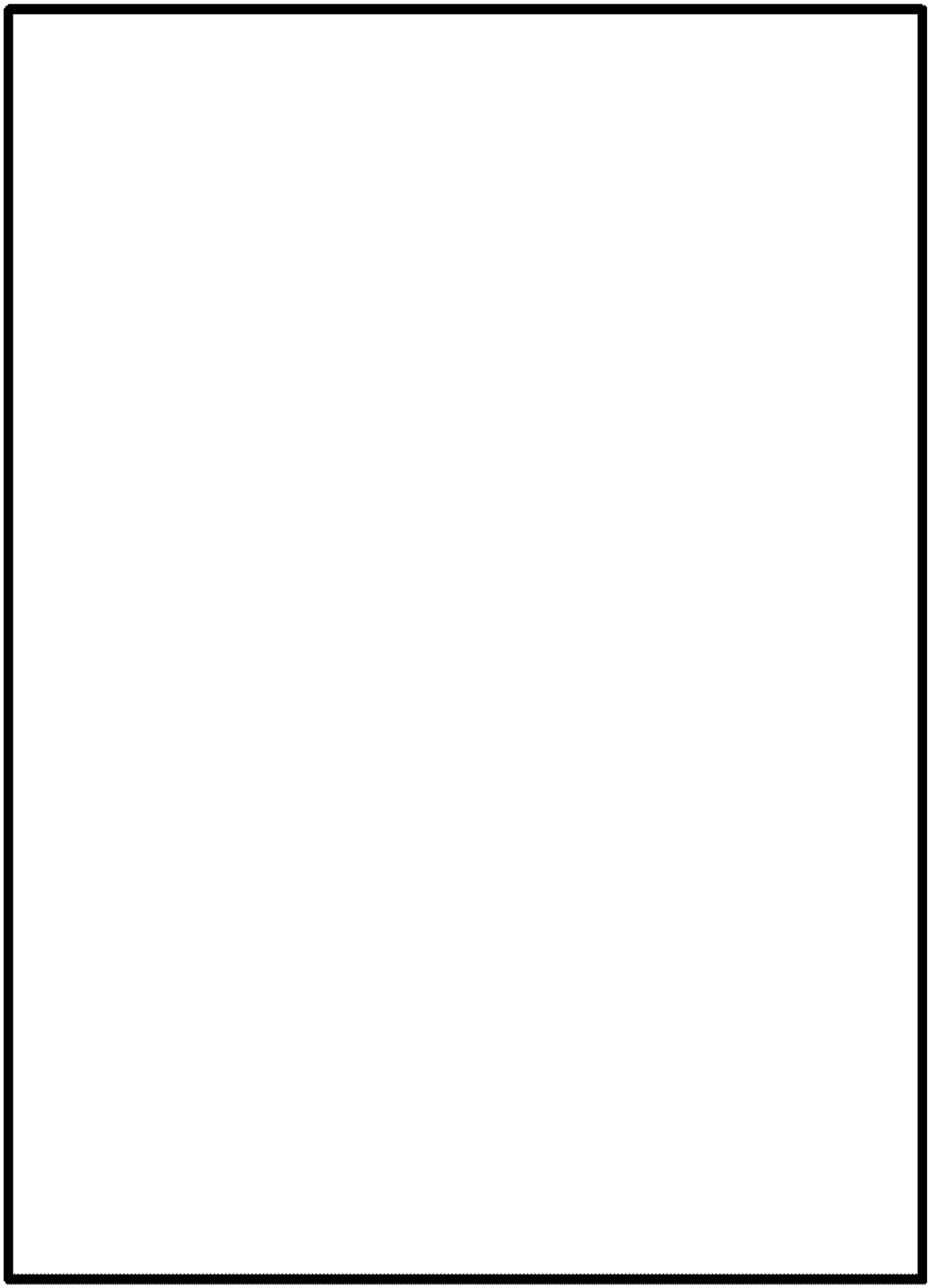

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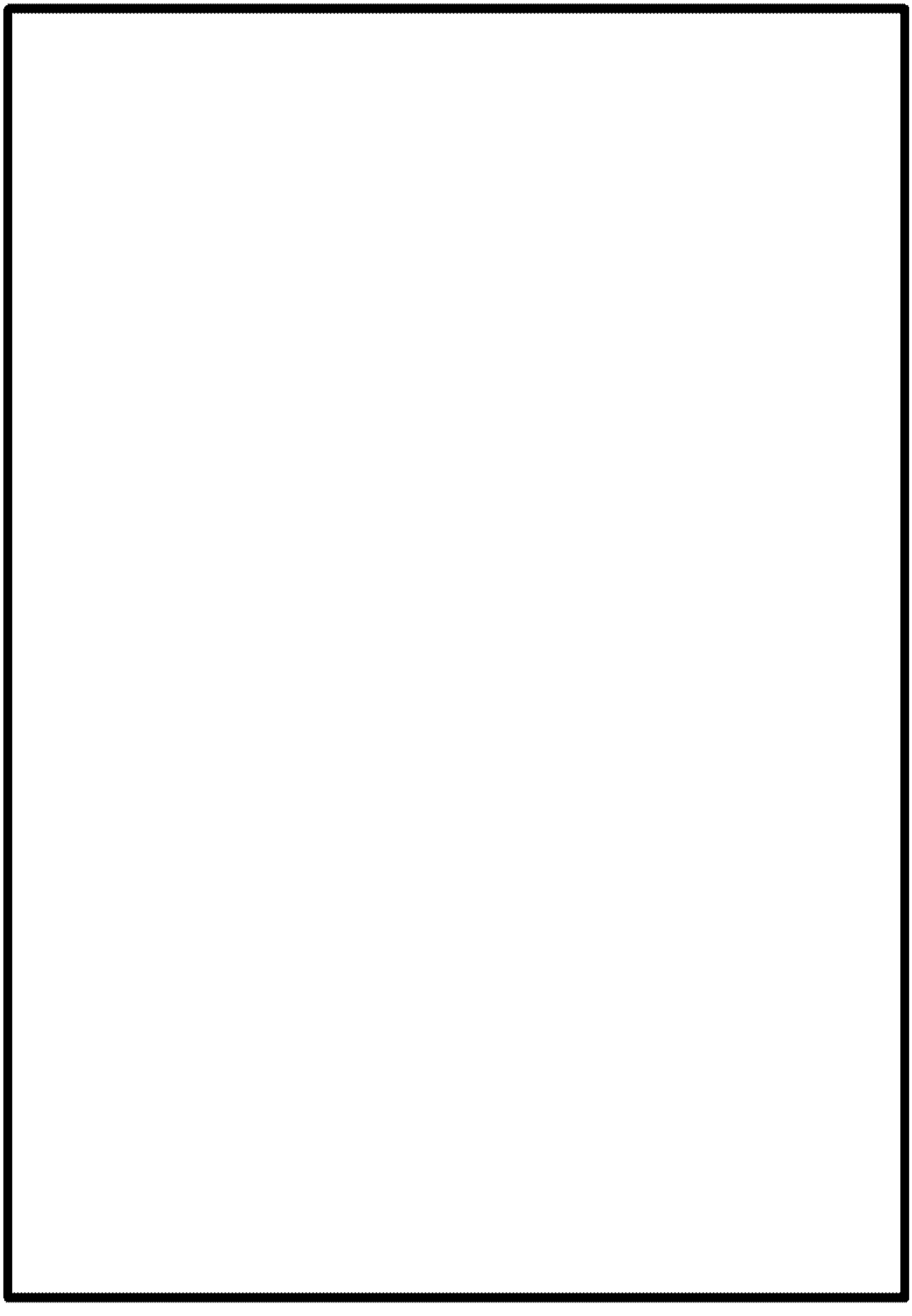

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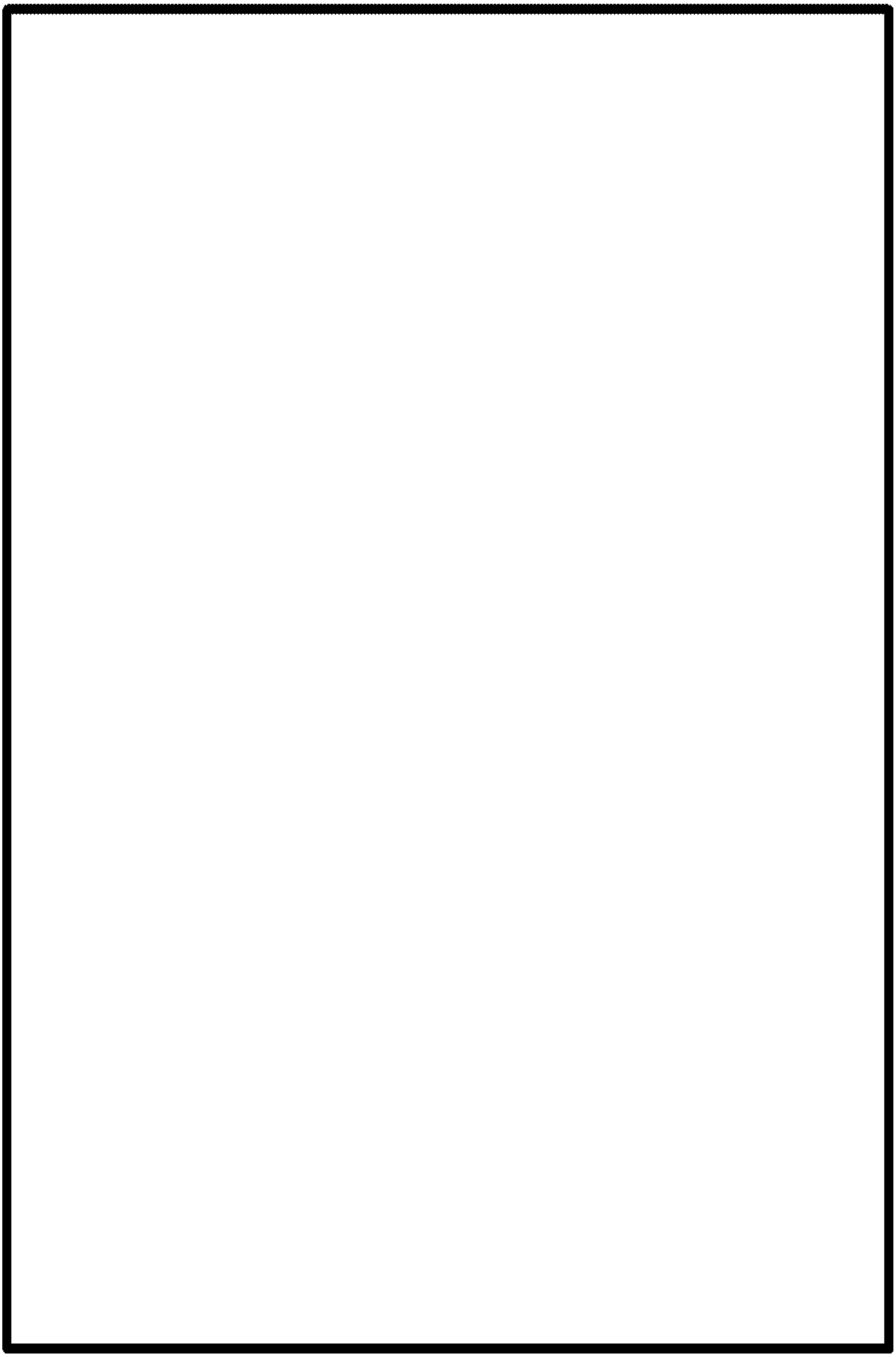

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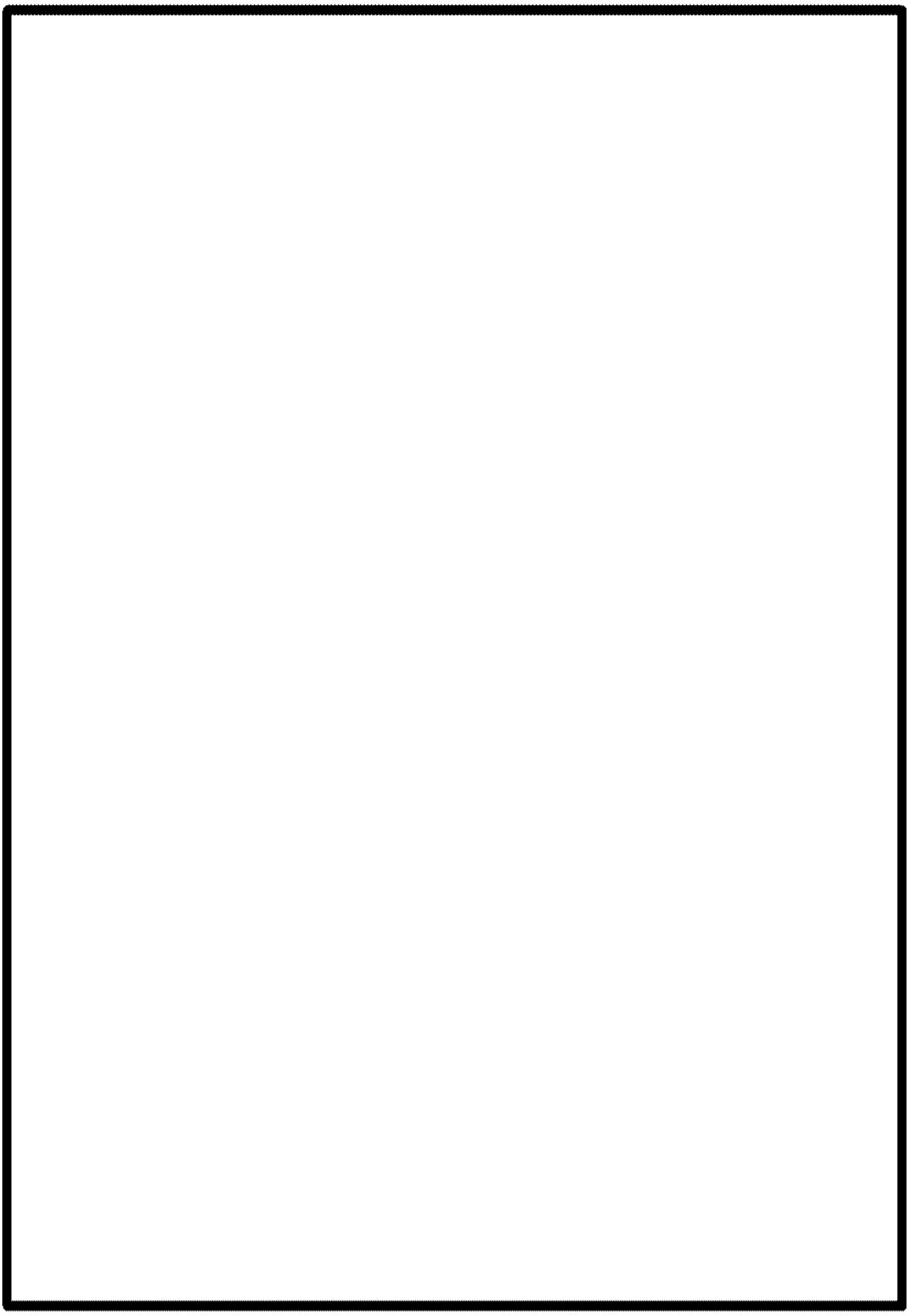

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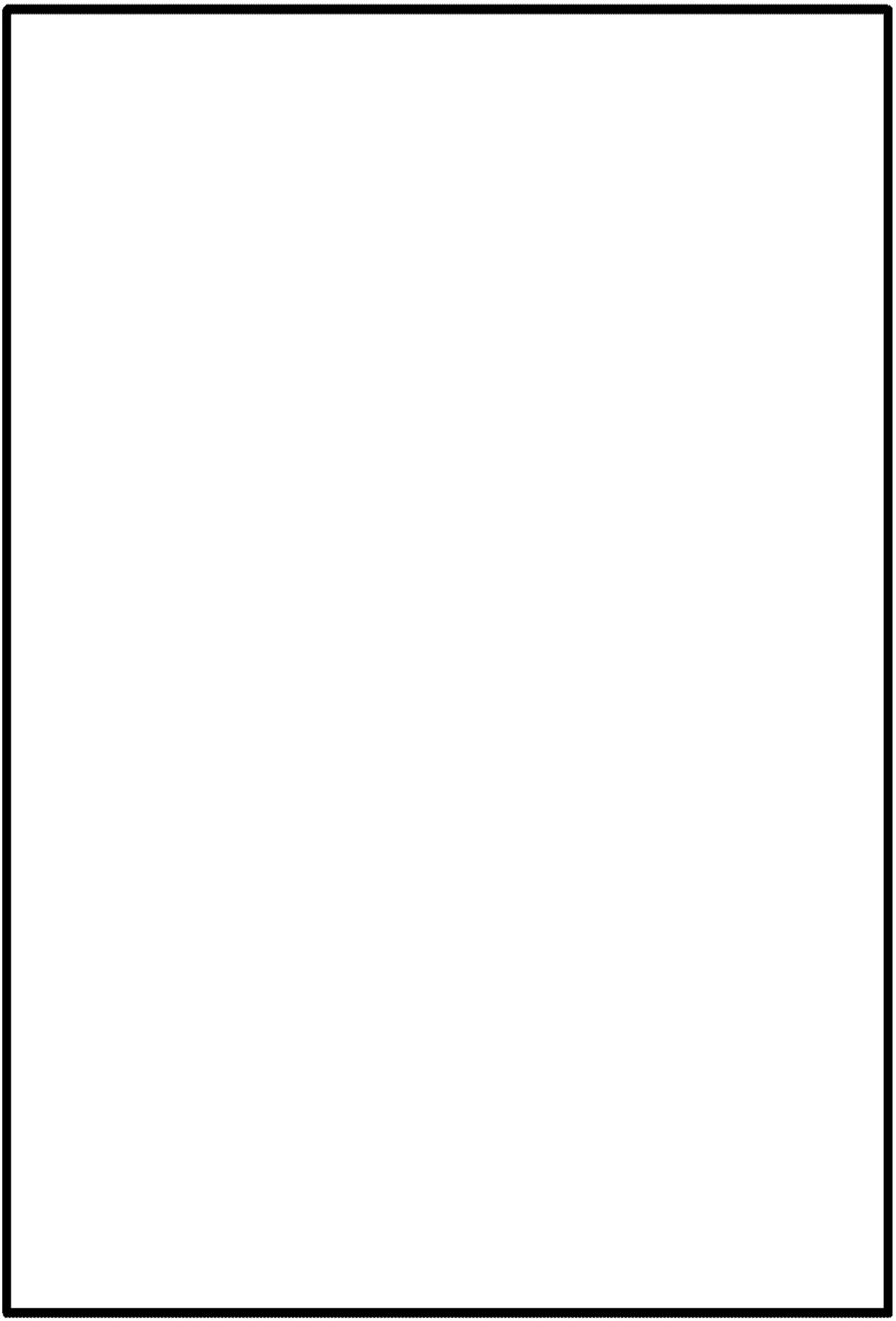

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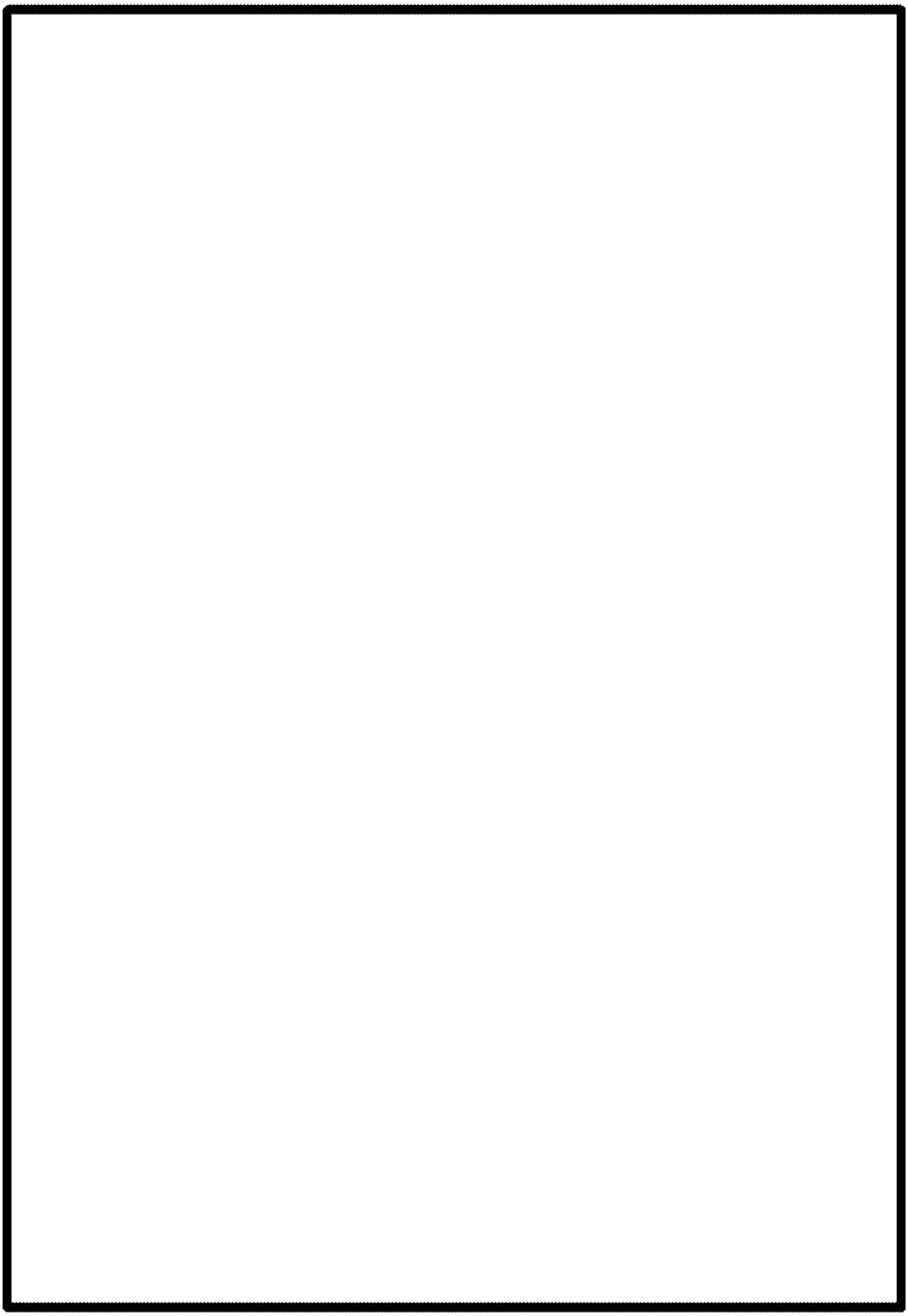

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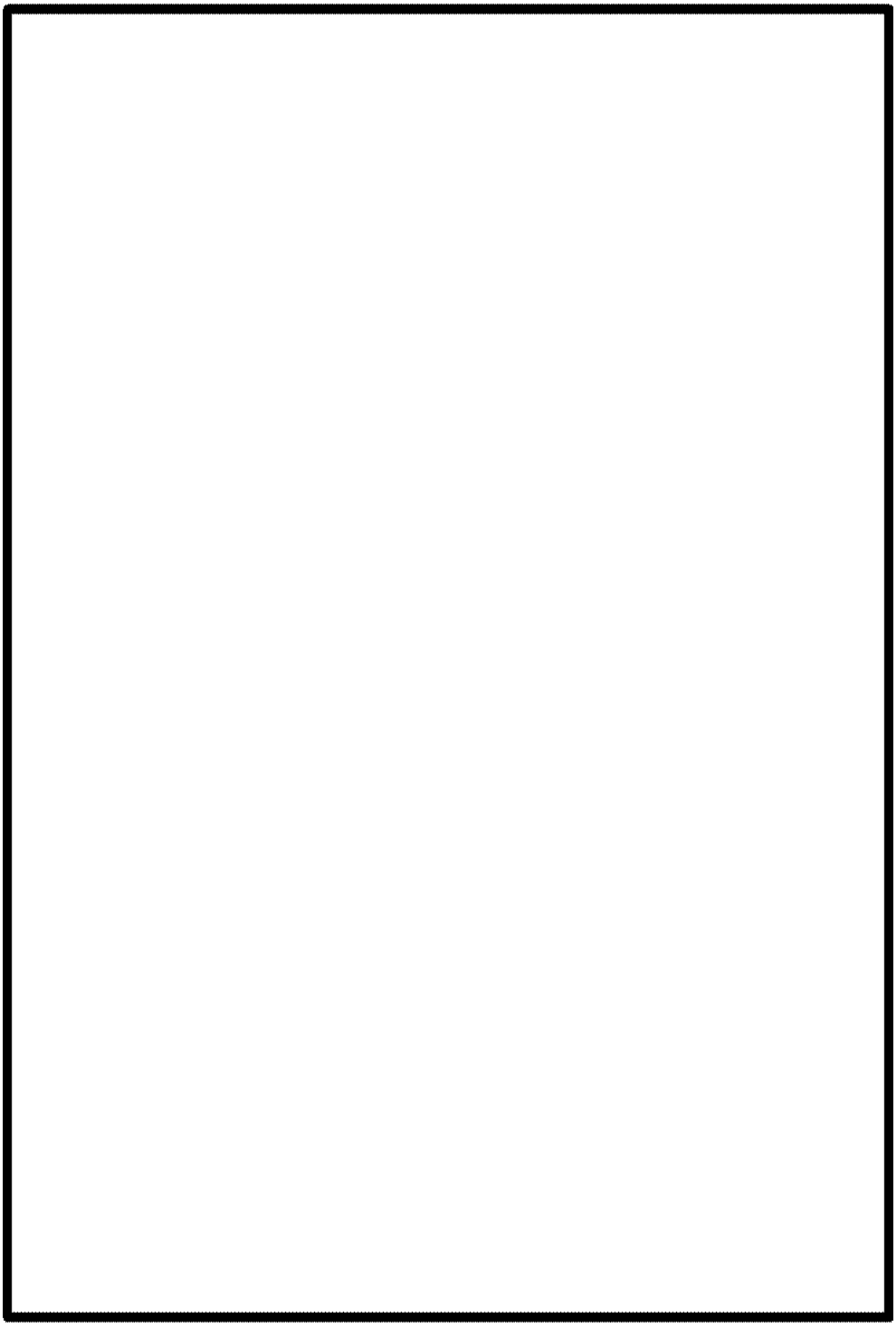

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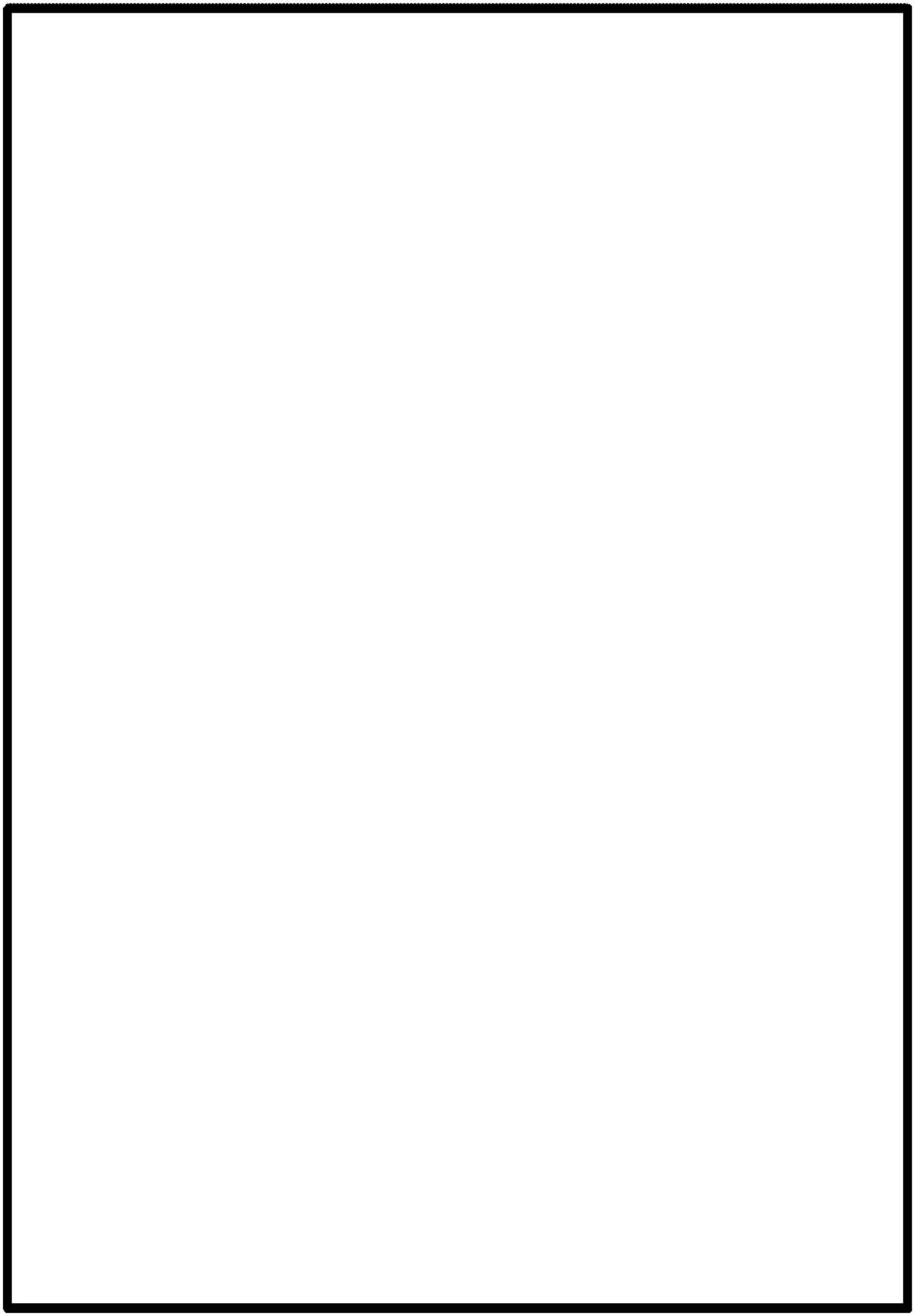

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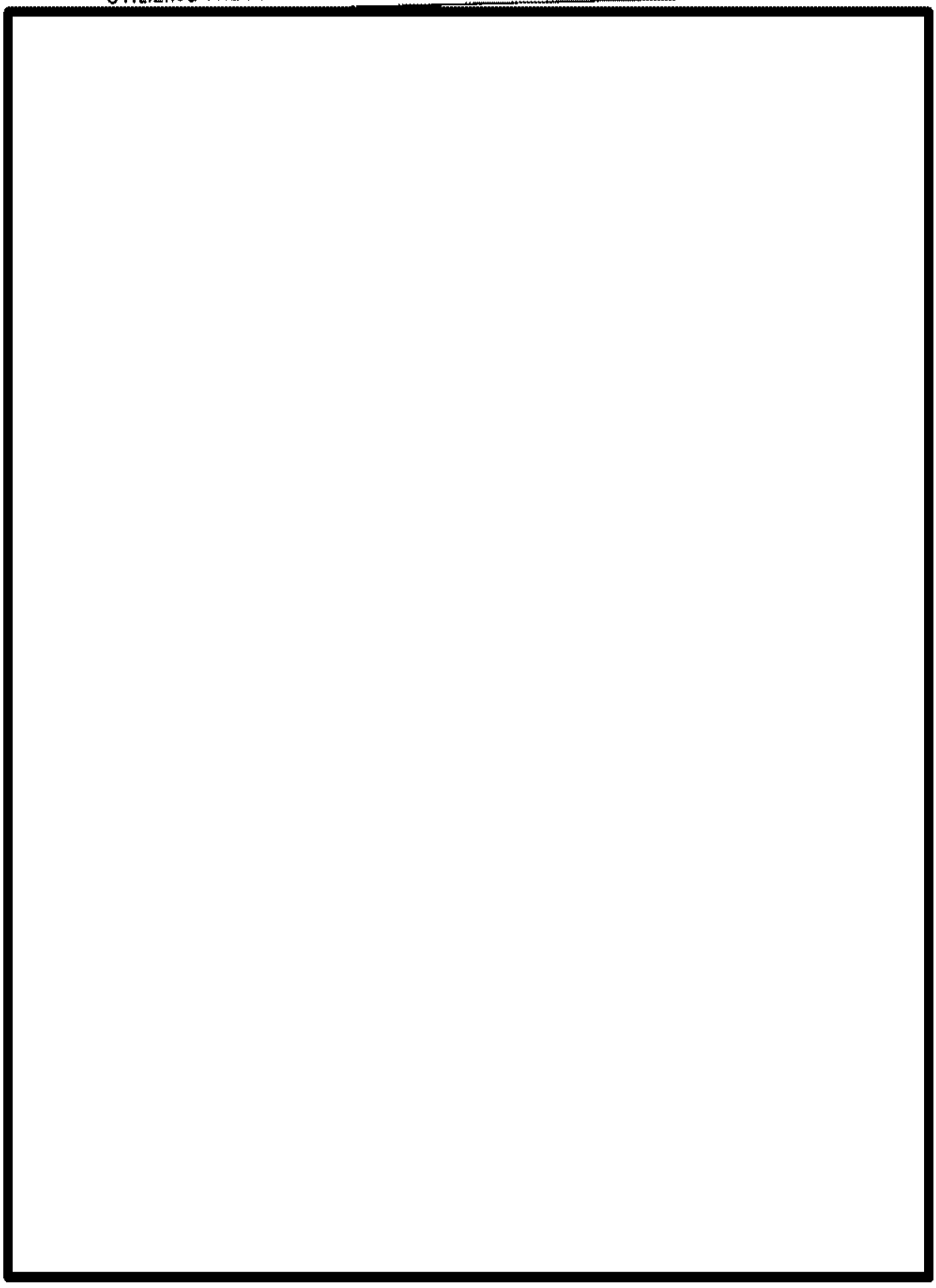
UTILIZING THE REGIONAL CENTER'S AREA AS THE REGION OF ANALYSIS



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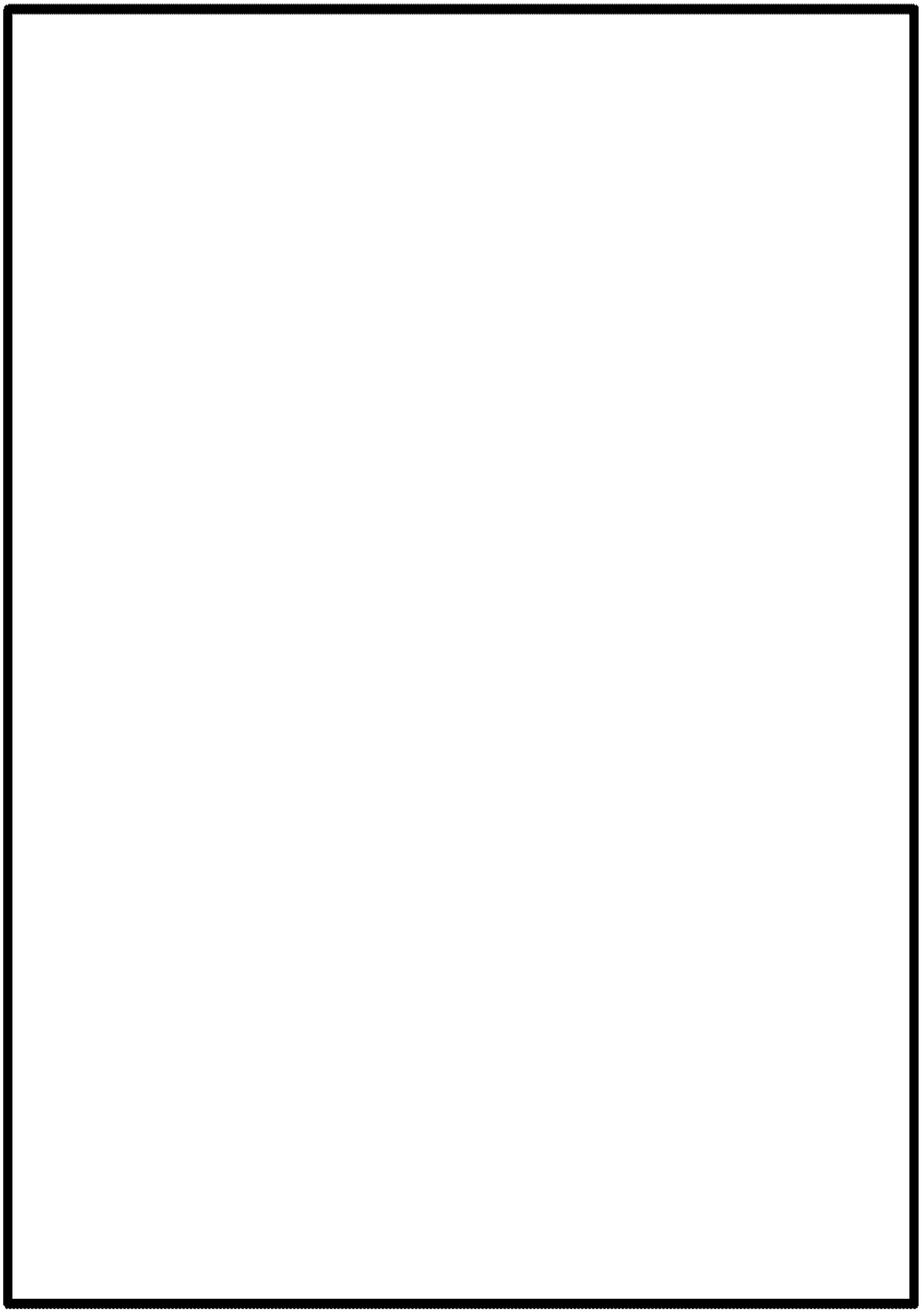

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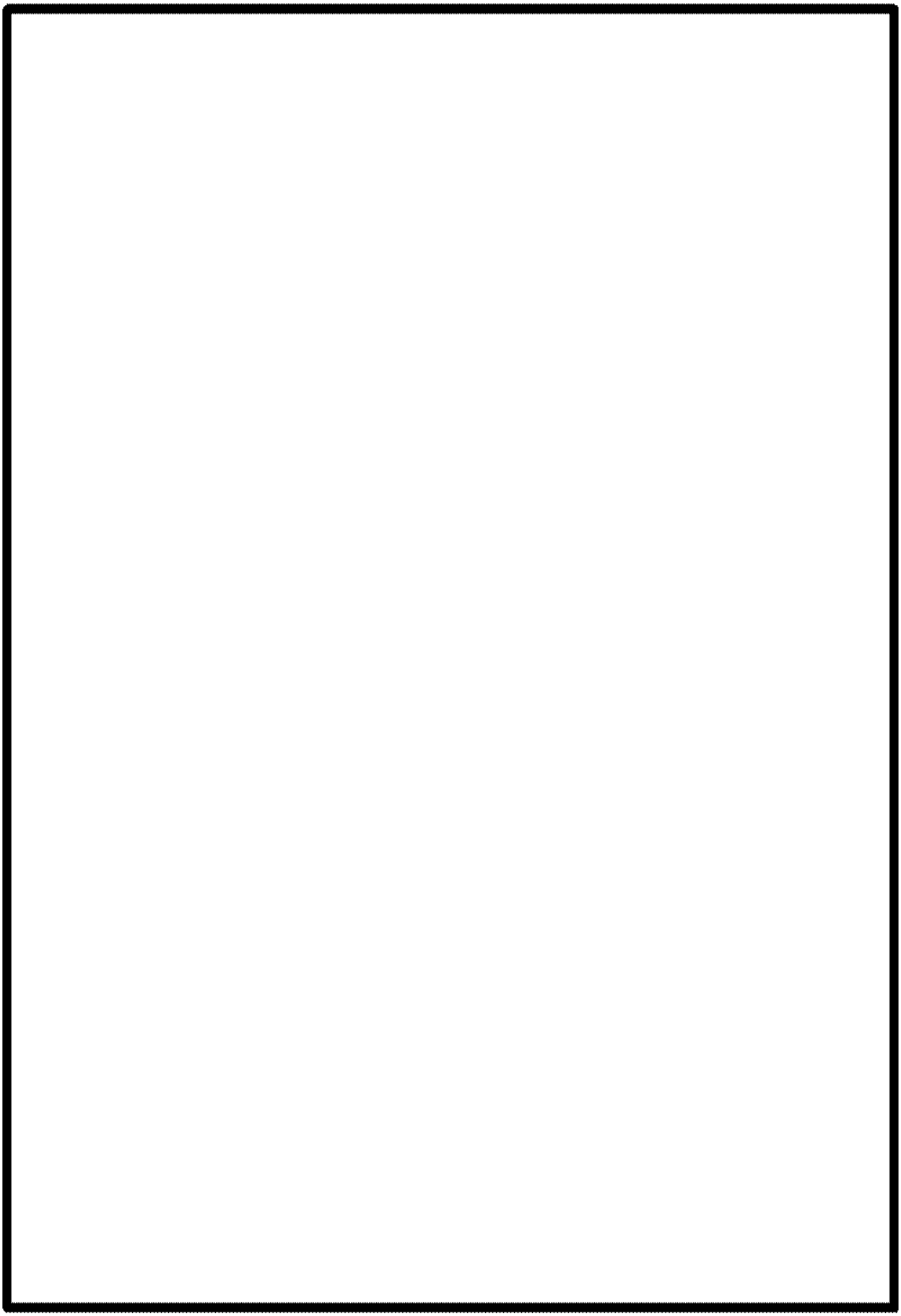

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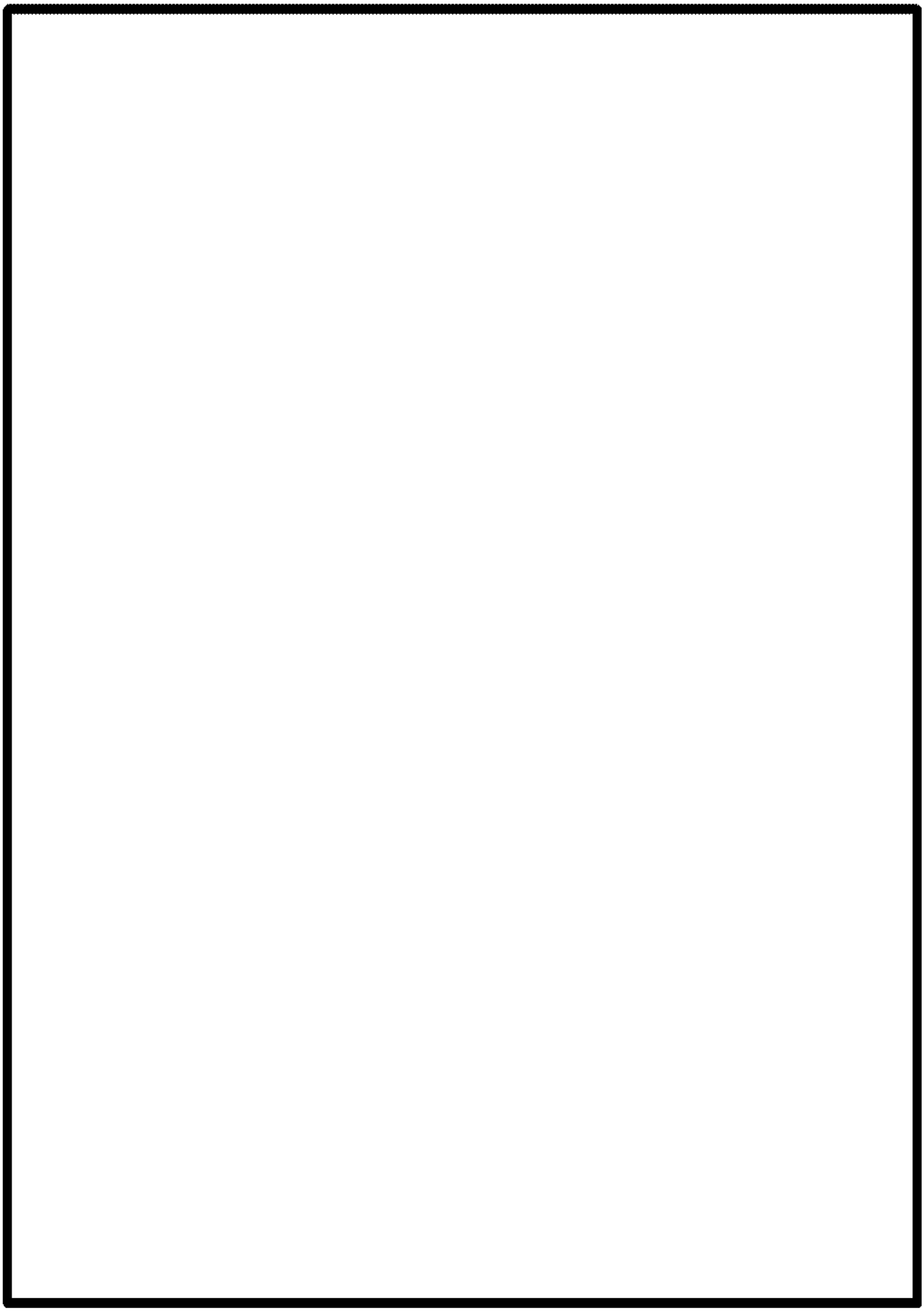

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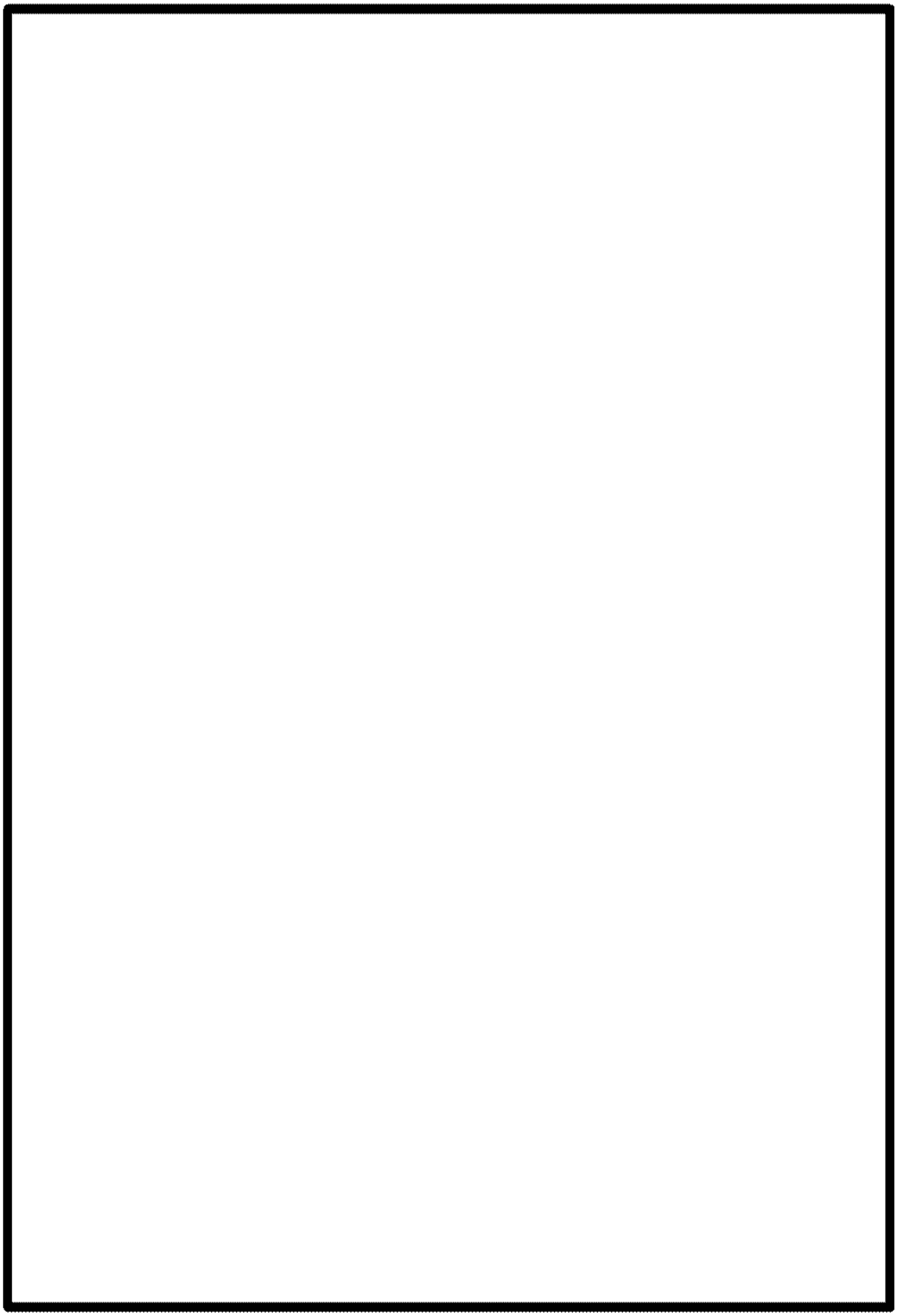

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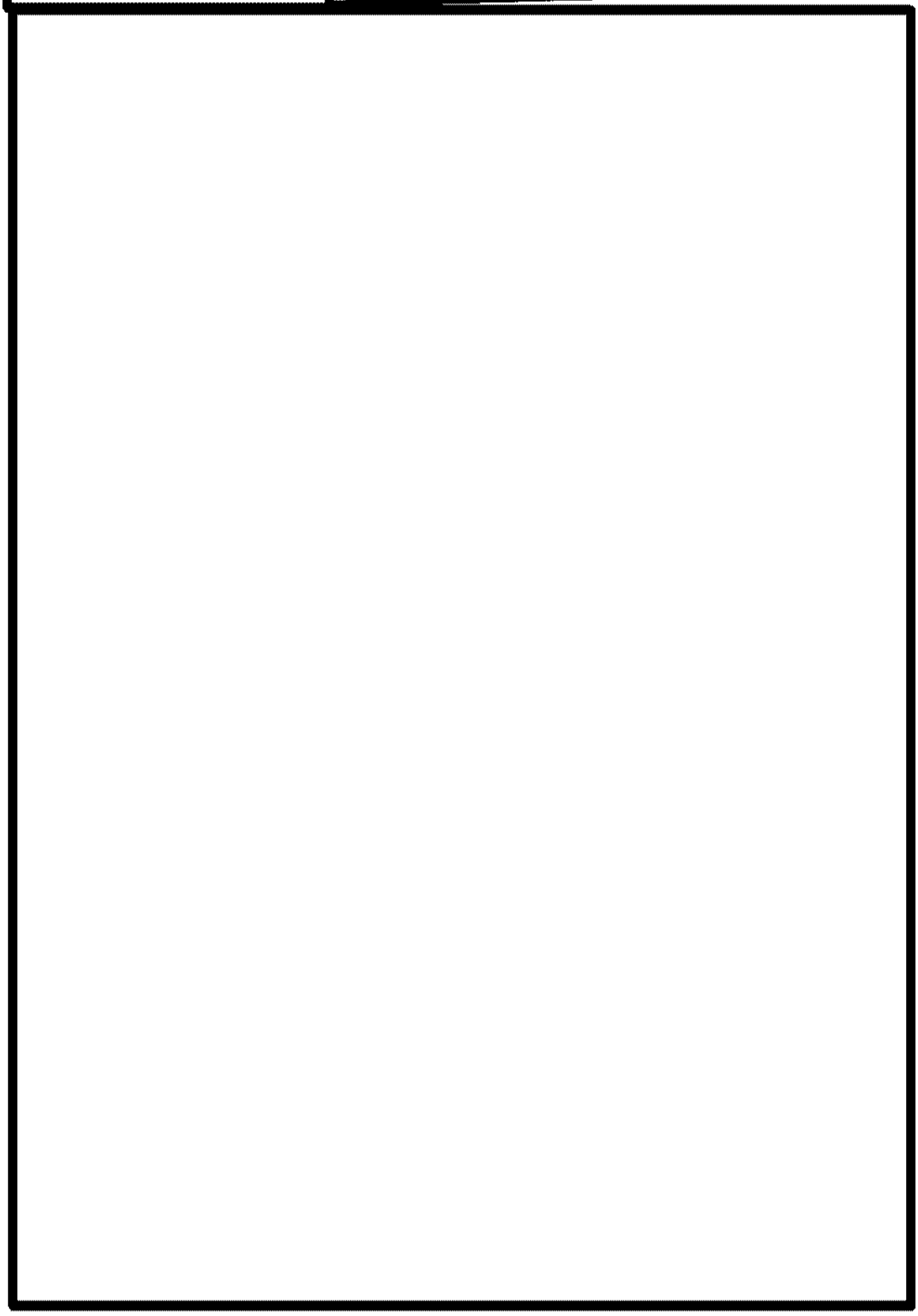
PROJECT'S ECONOMIC IMPACT



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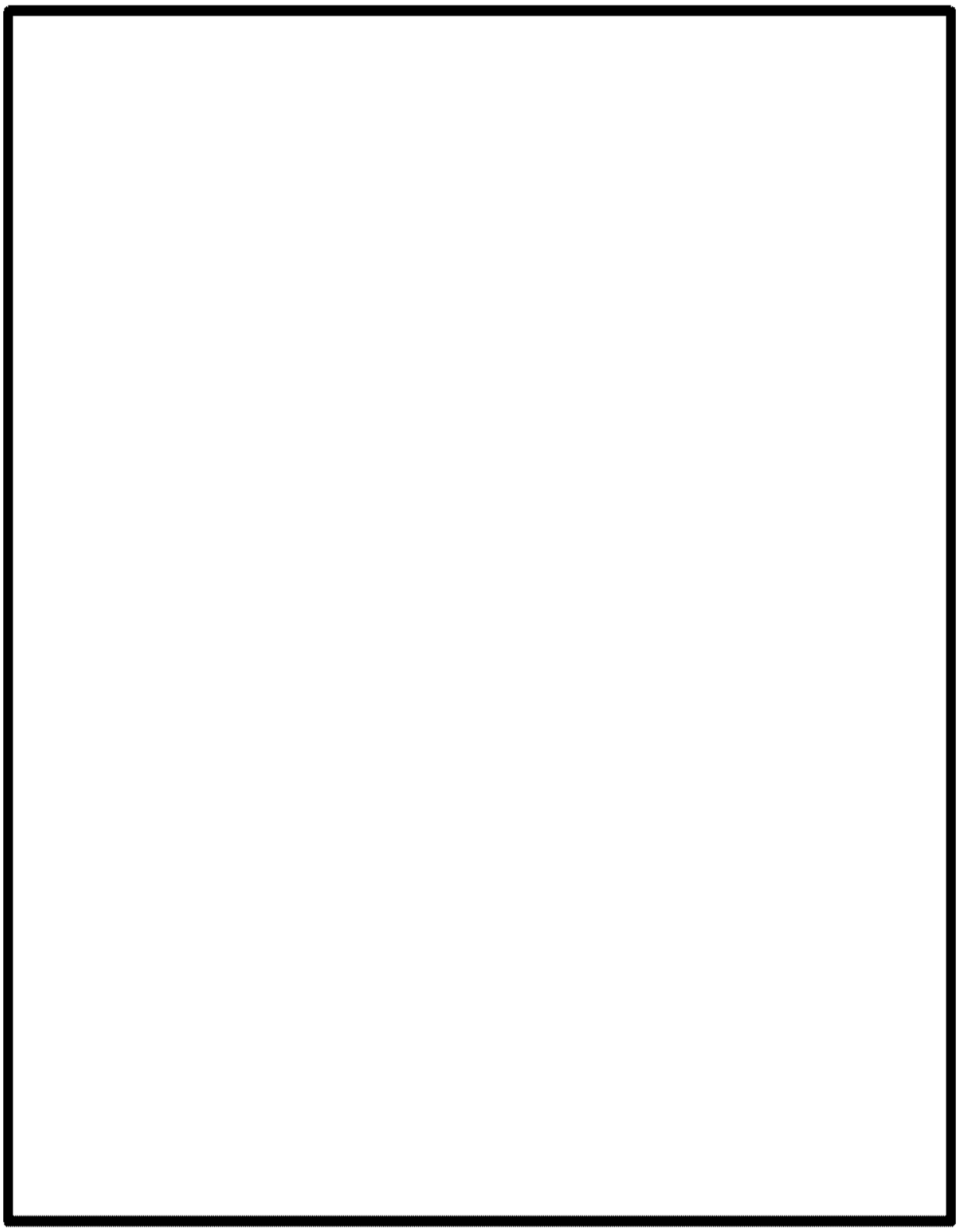

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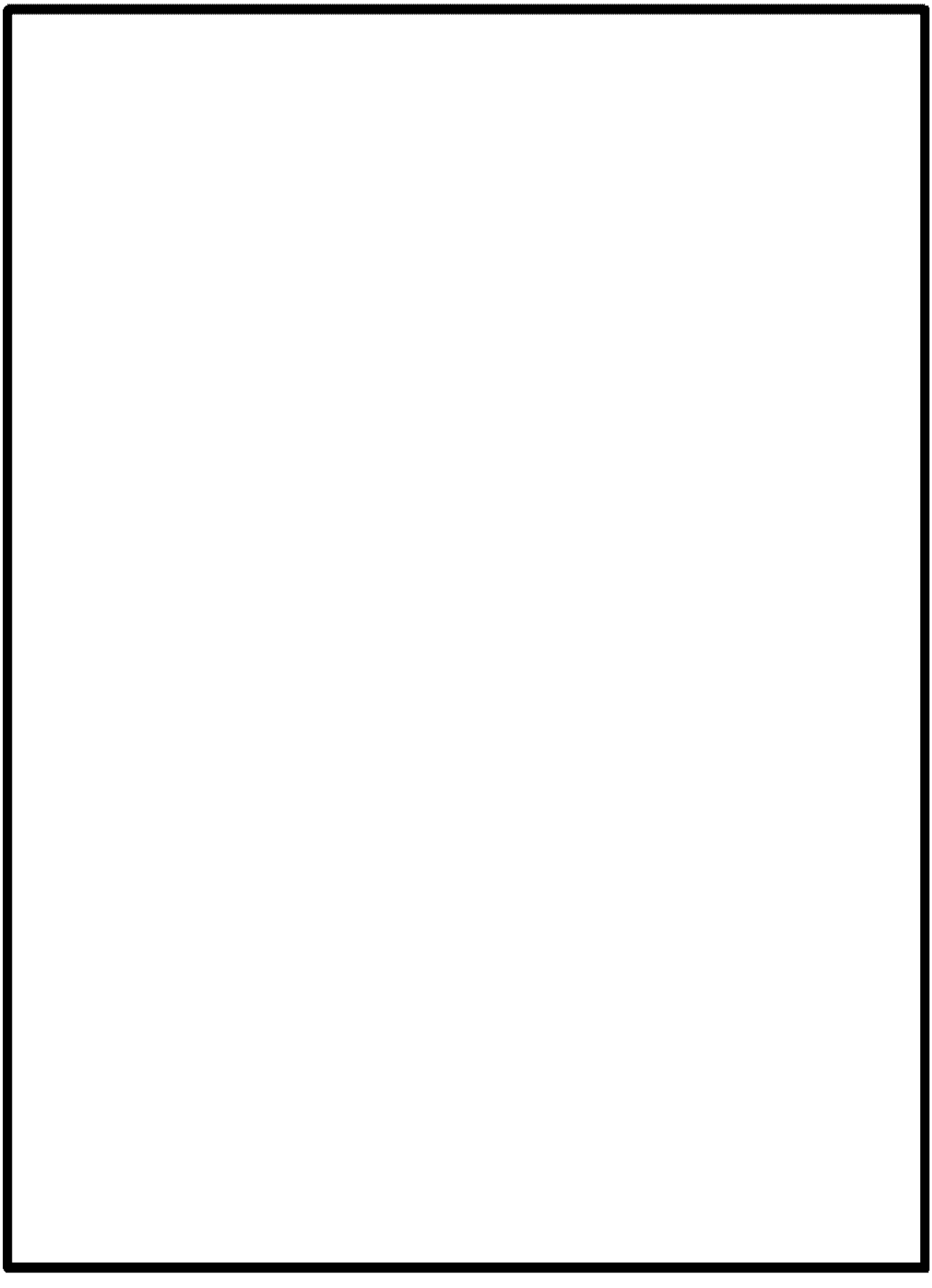
HARD CONSTRUCTION COSTS



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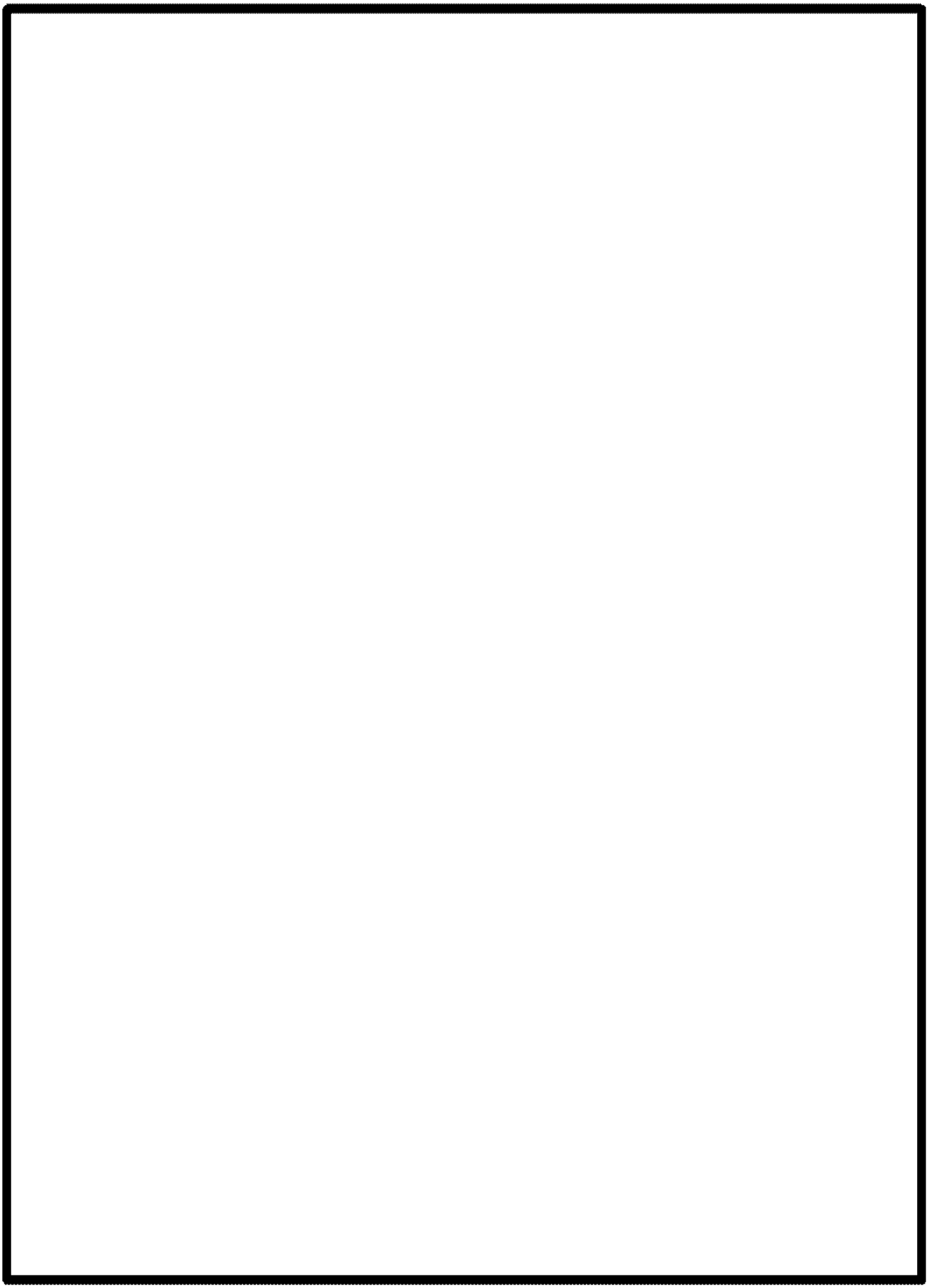

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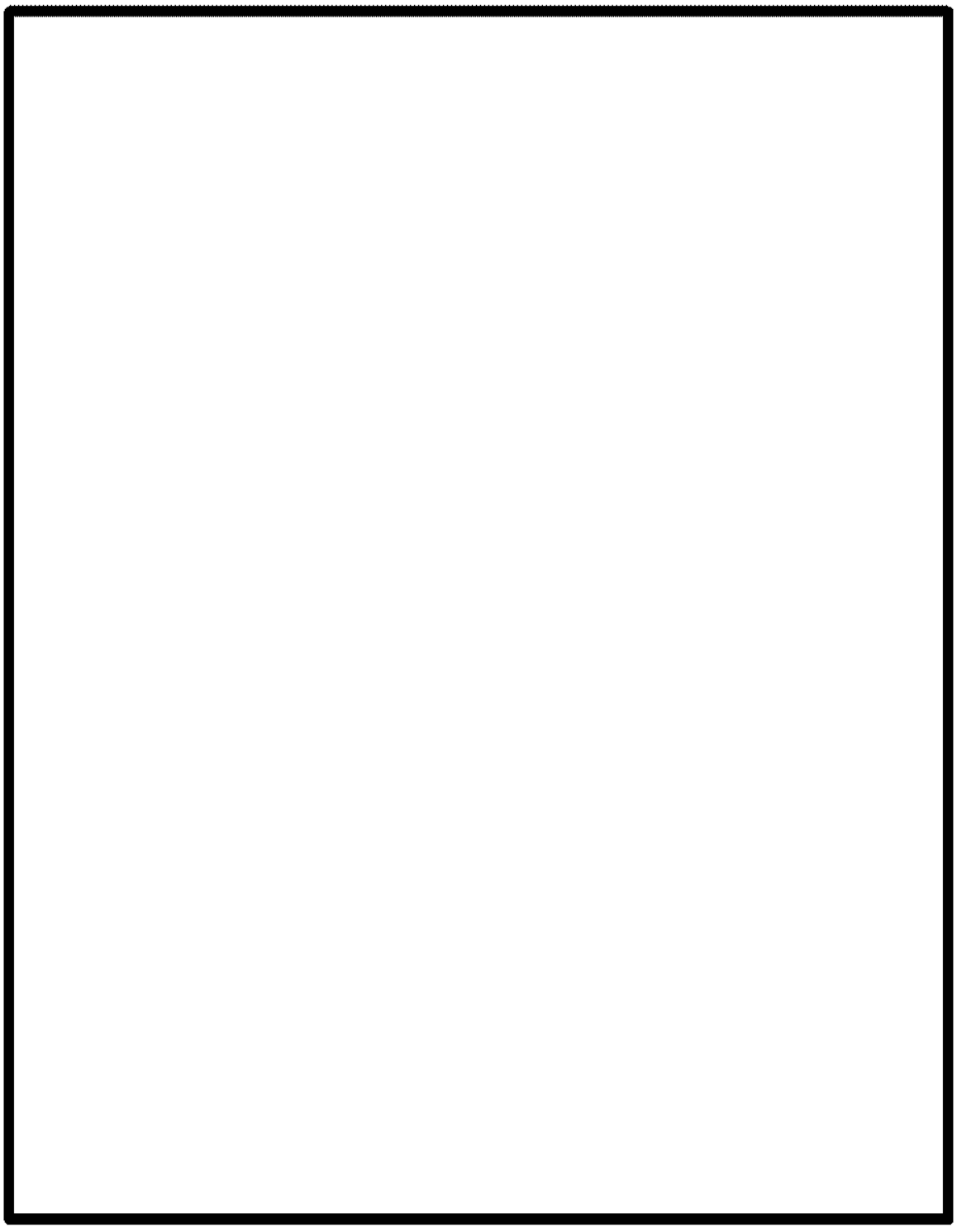

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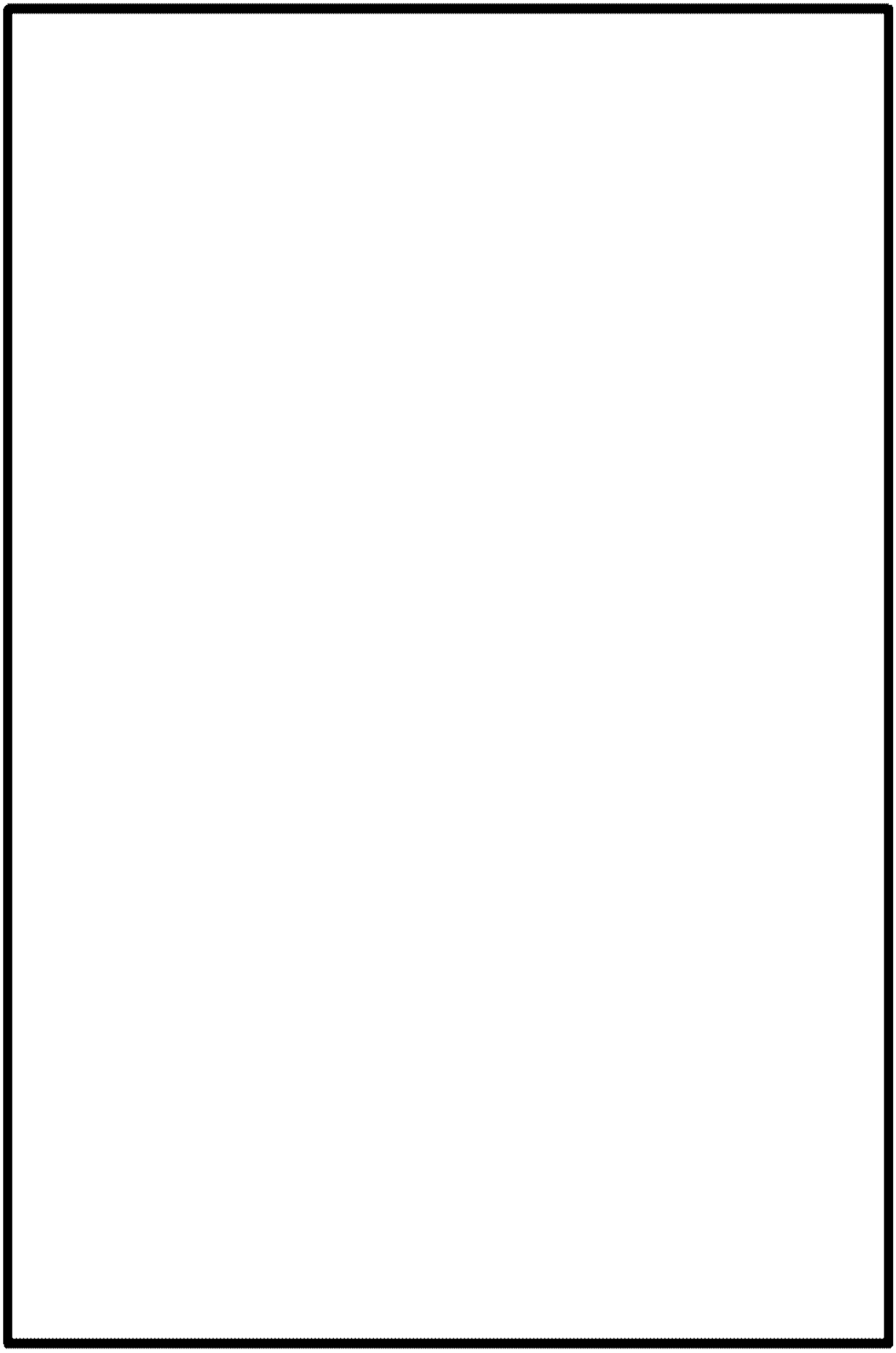

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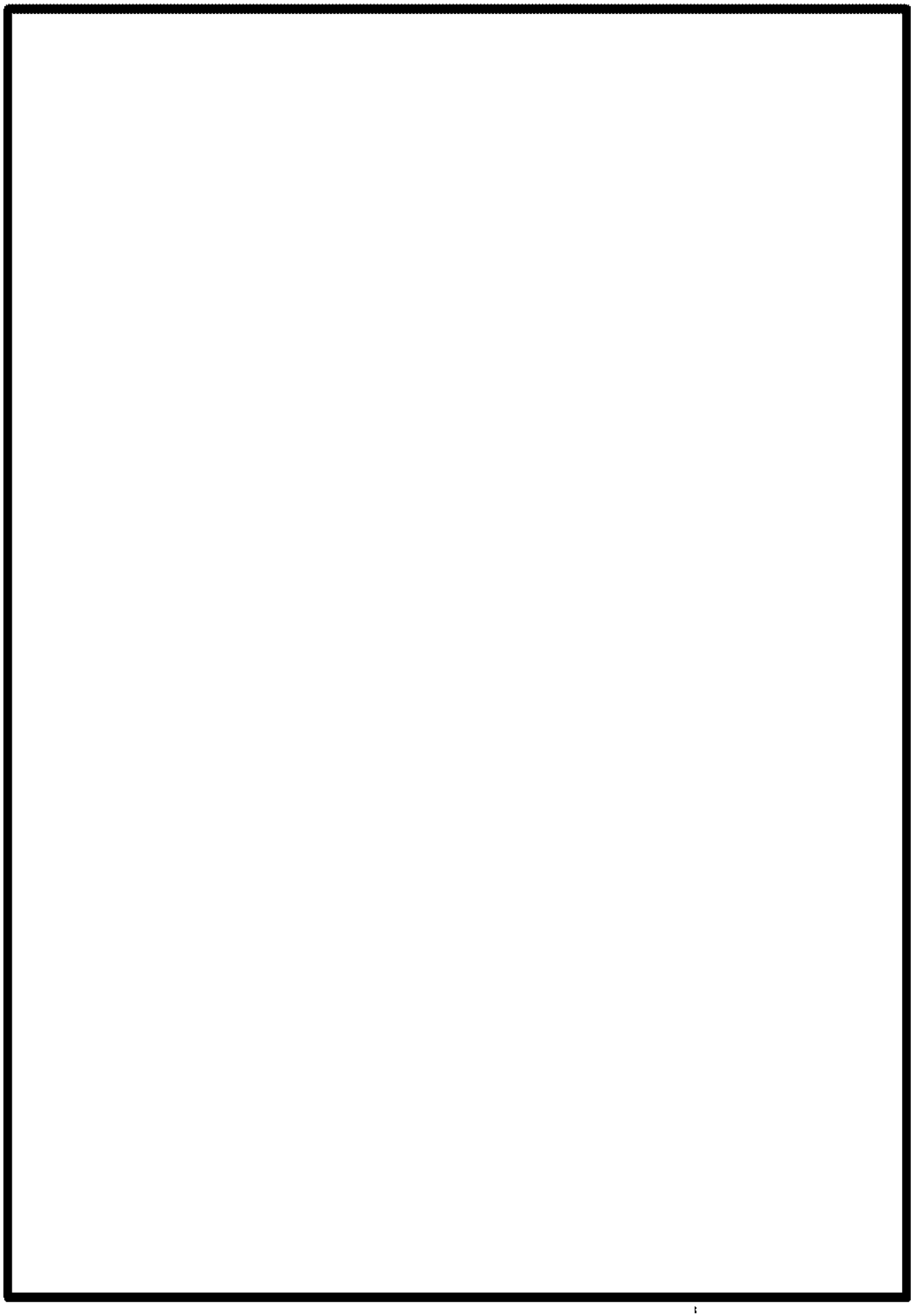

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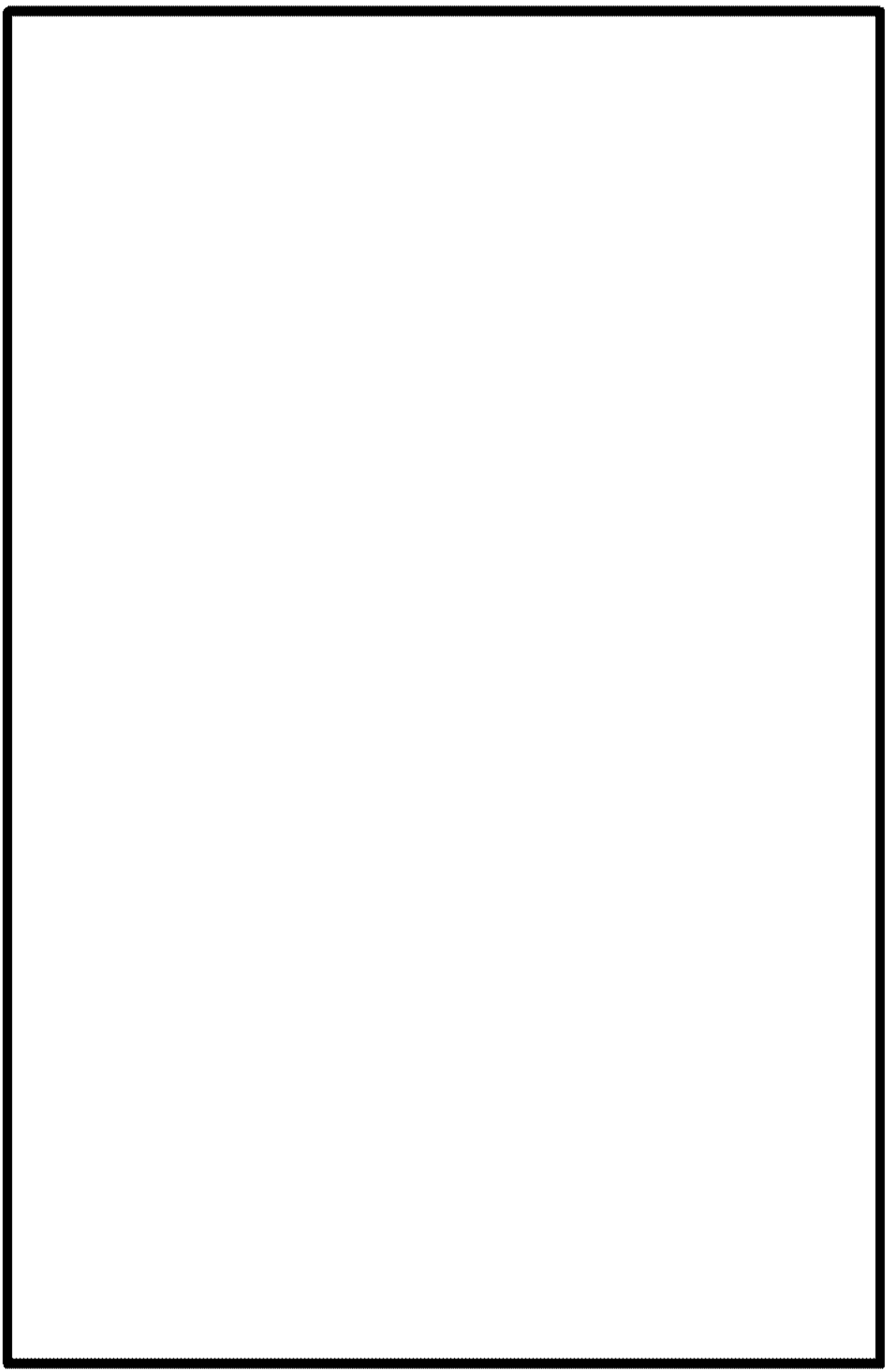

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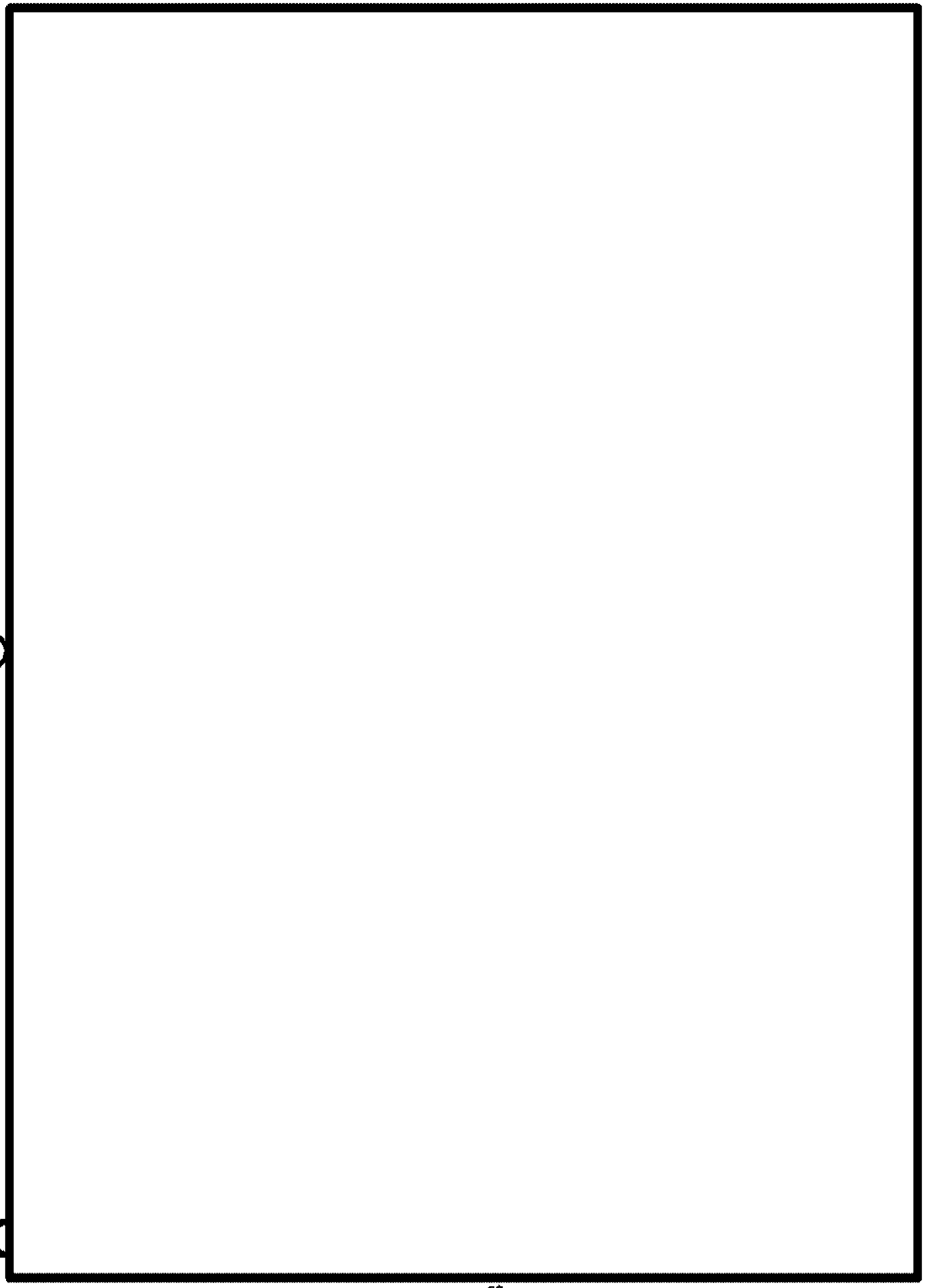

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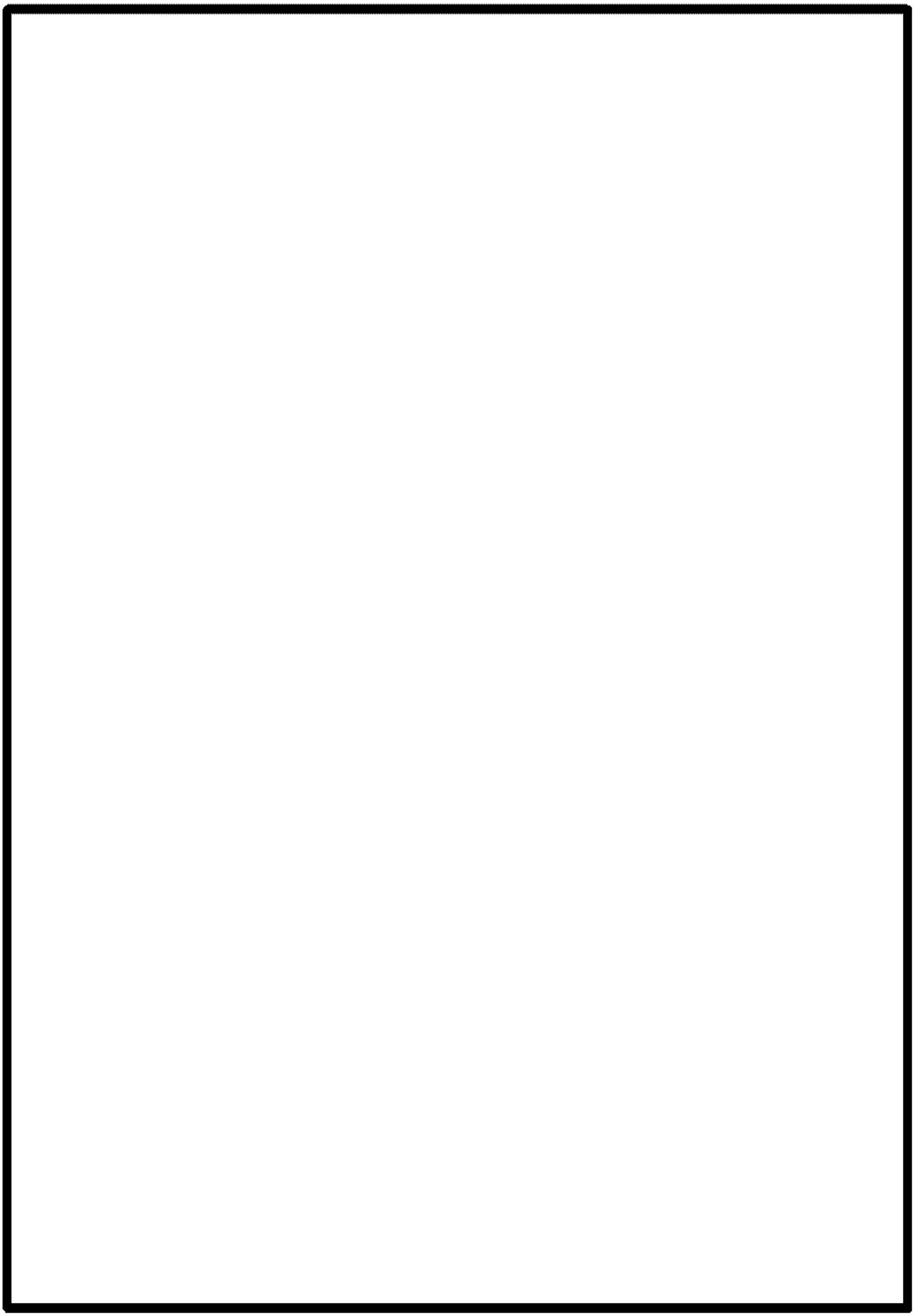

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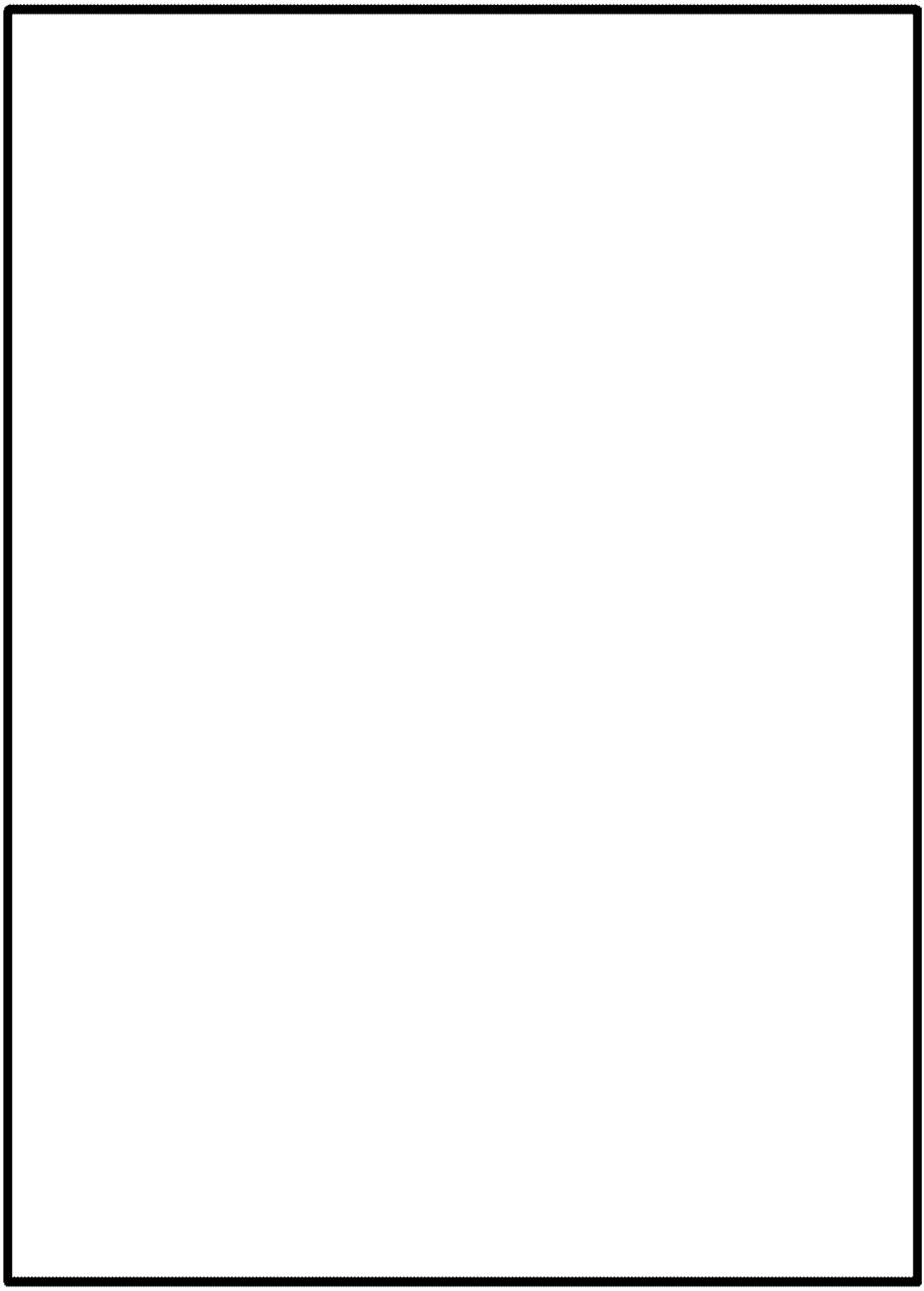

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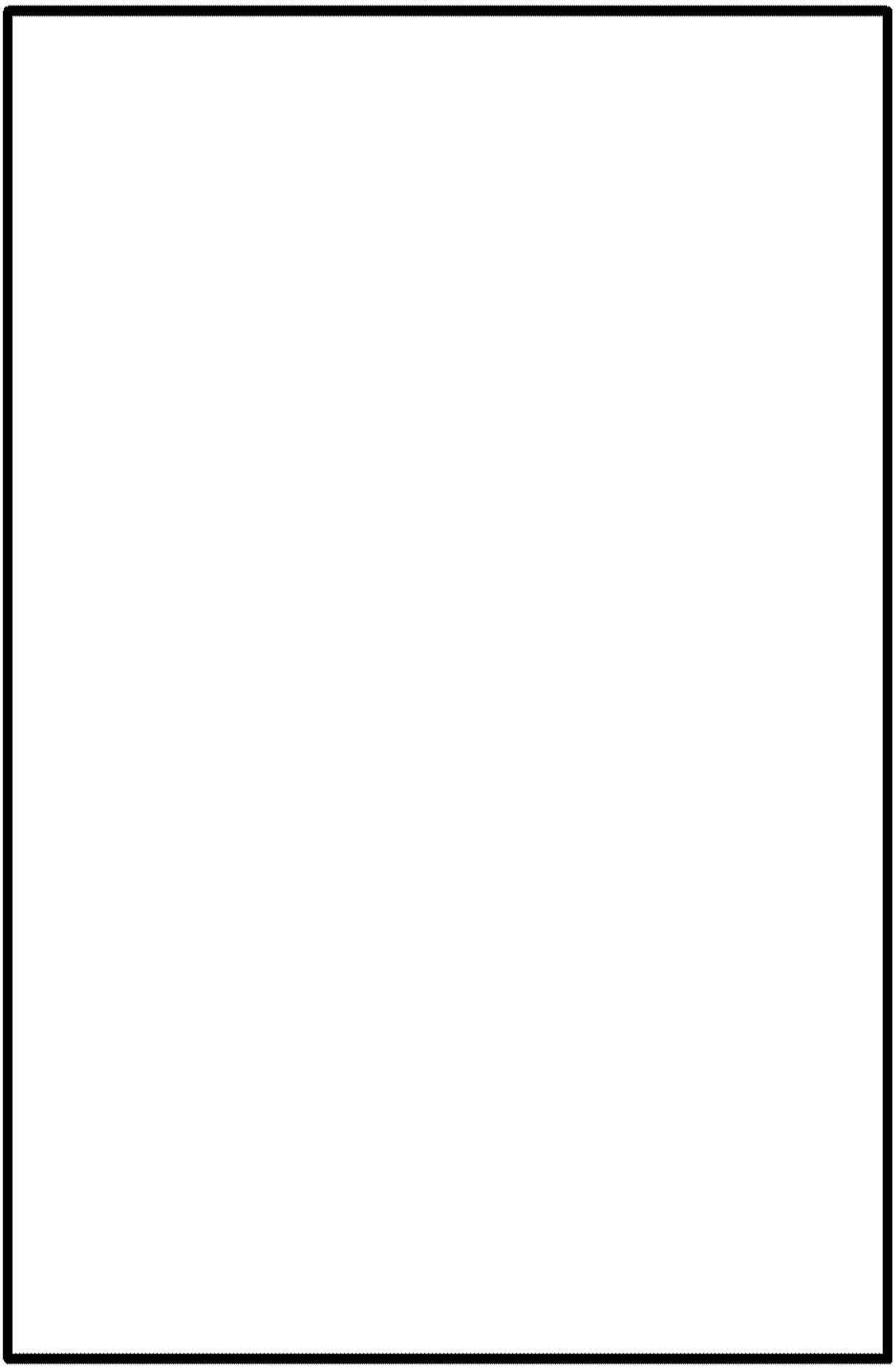

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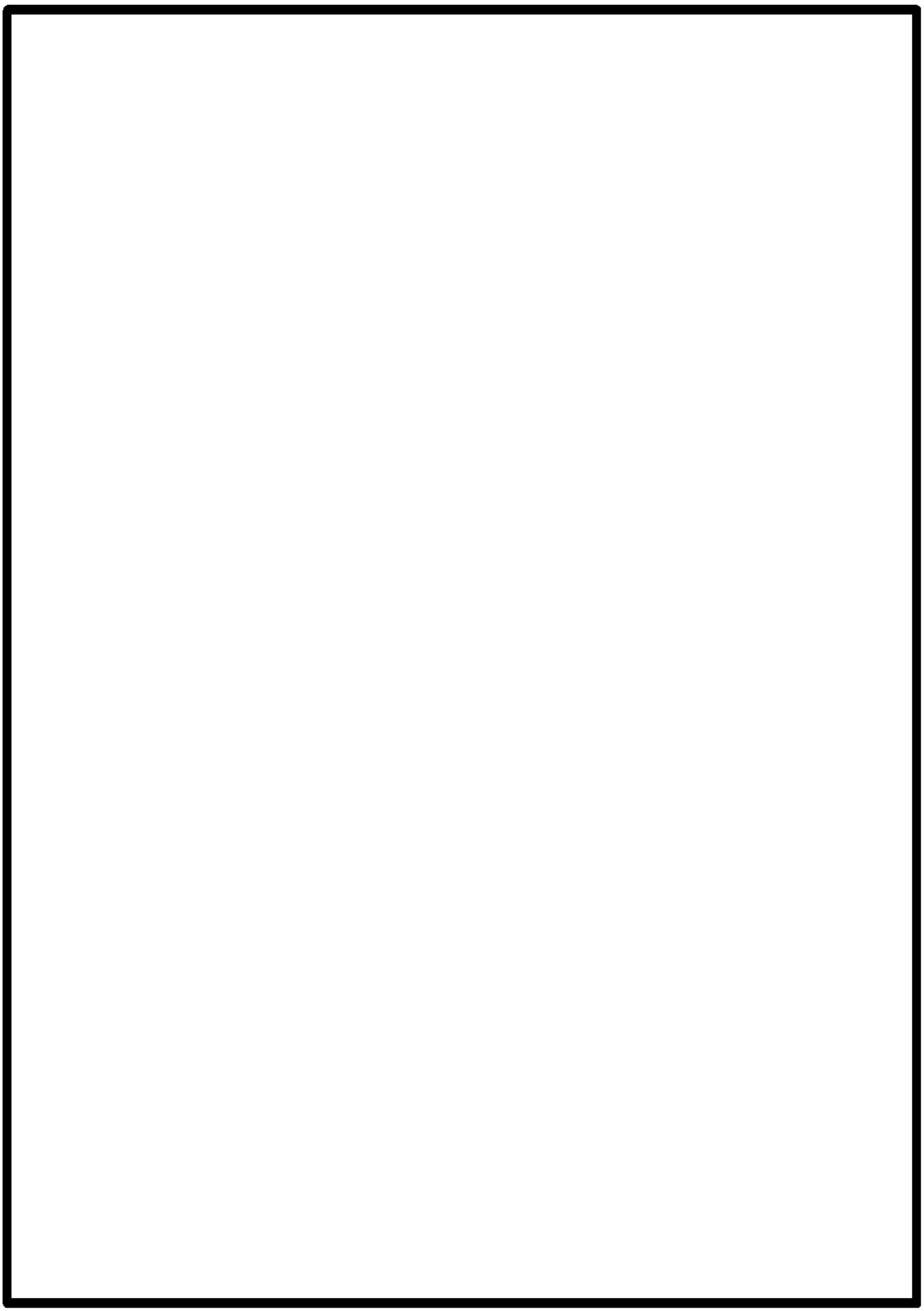

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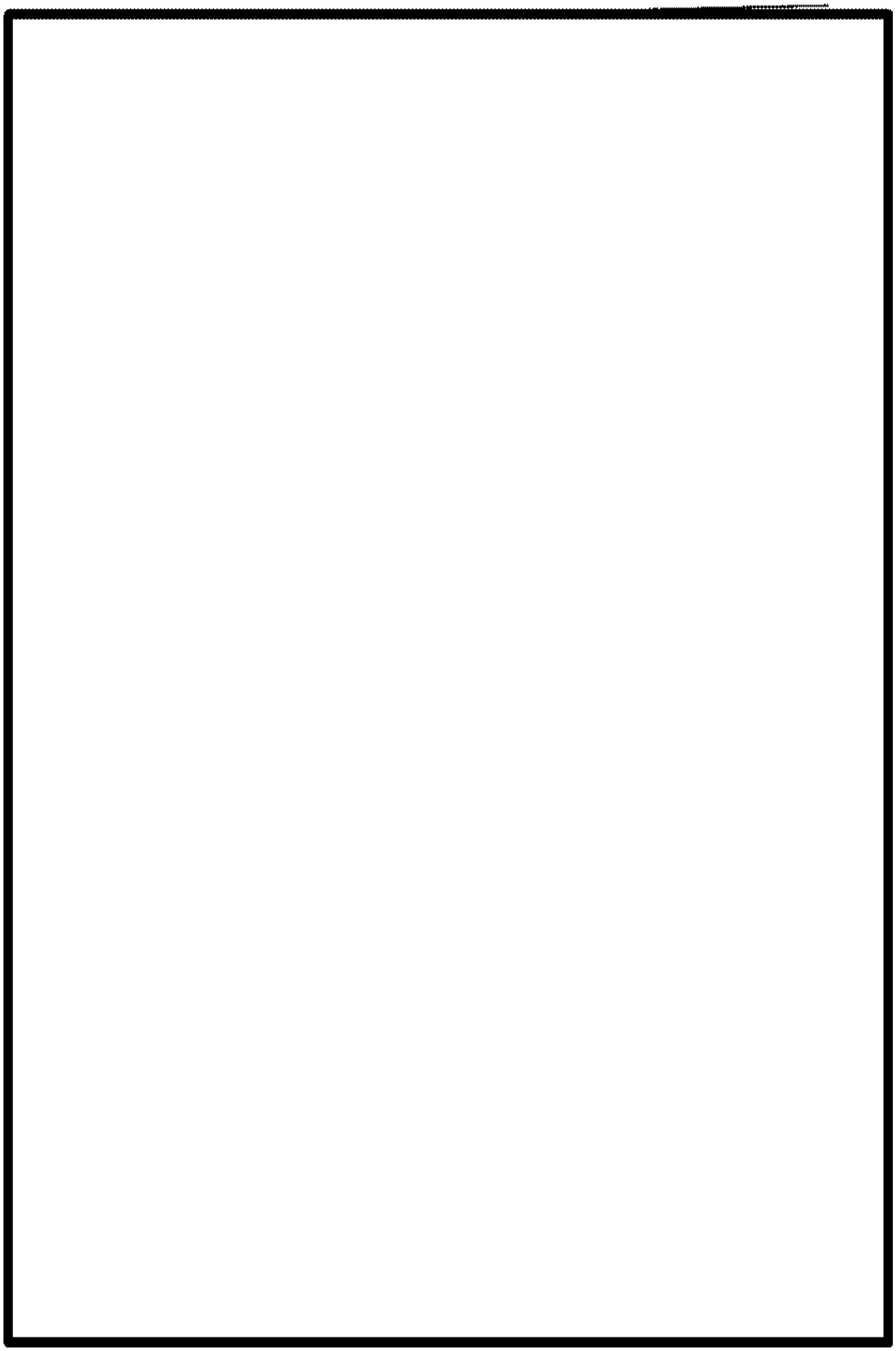

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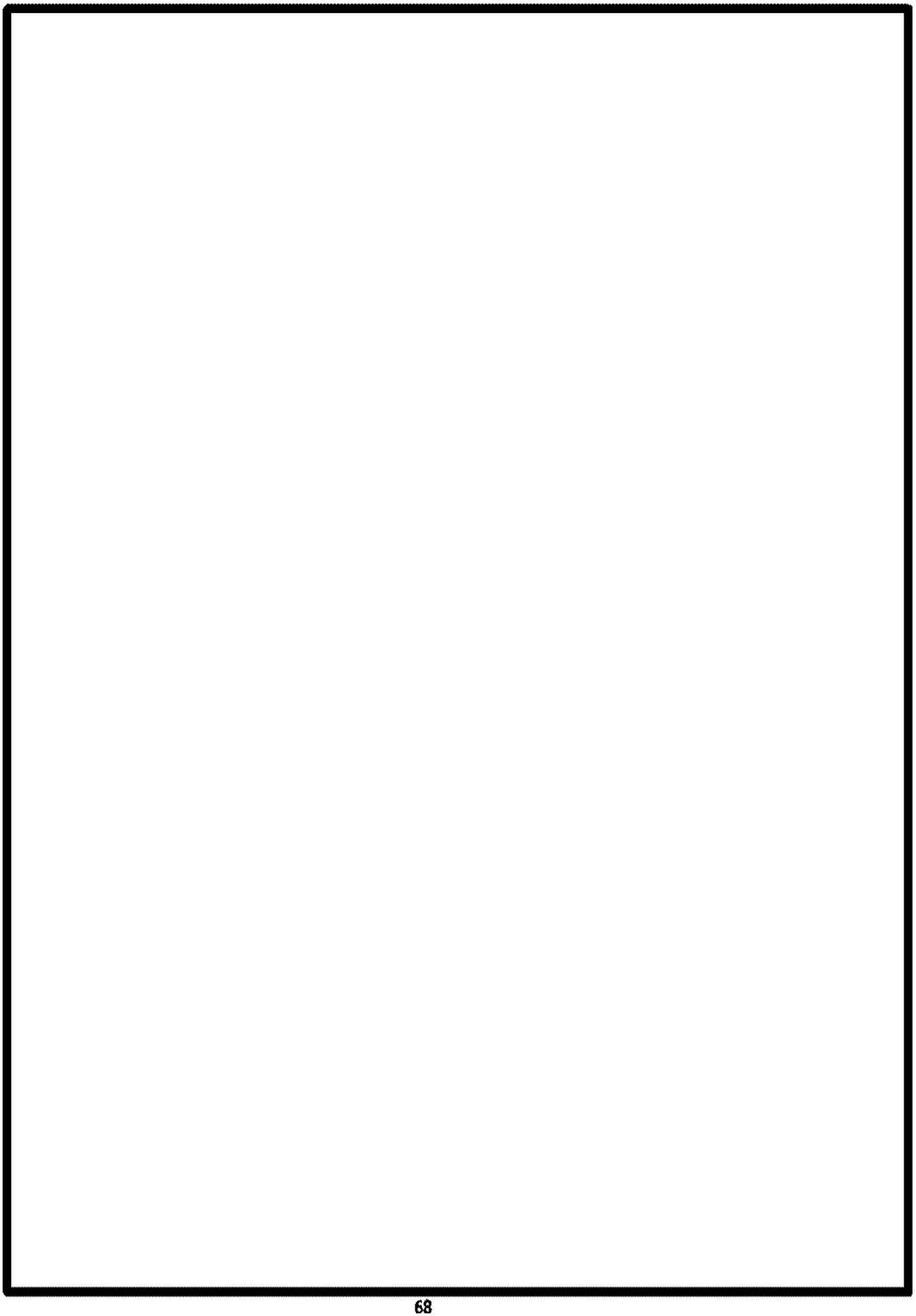

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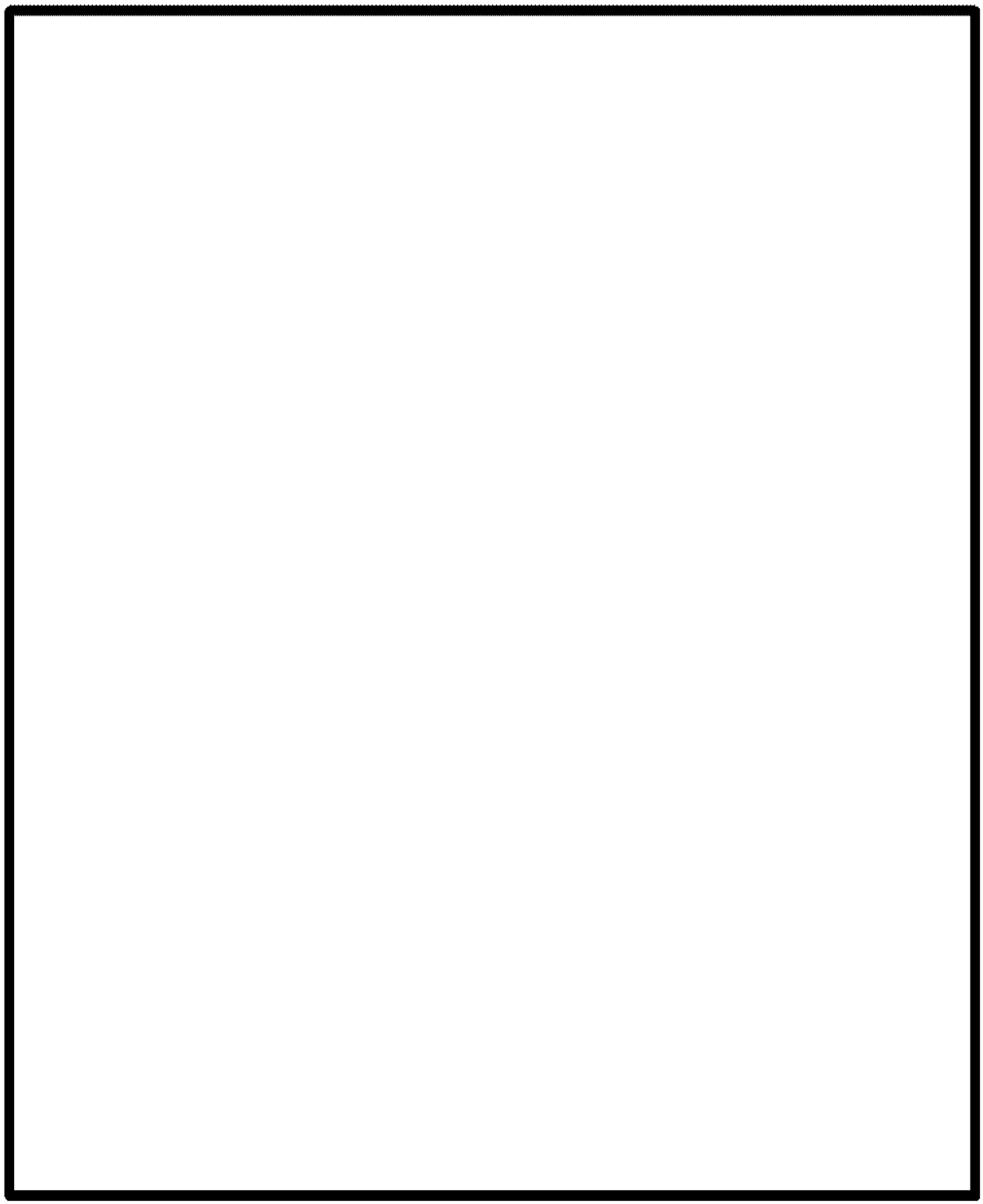

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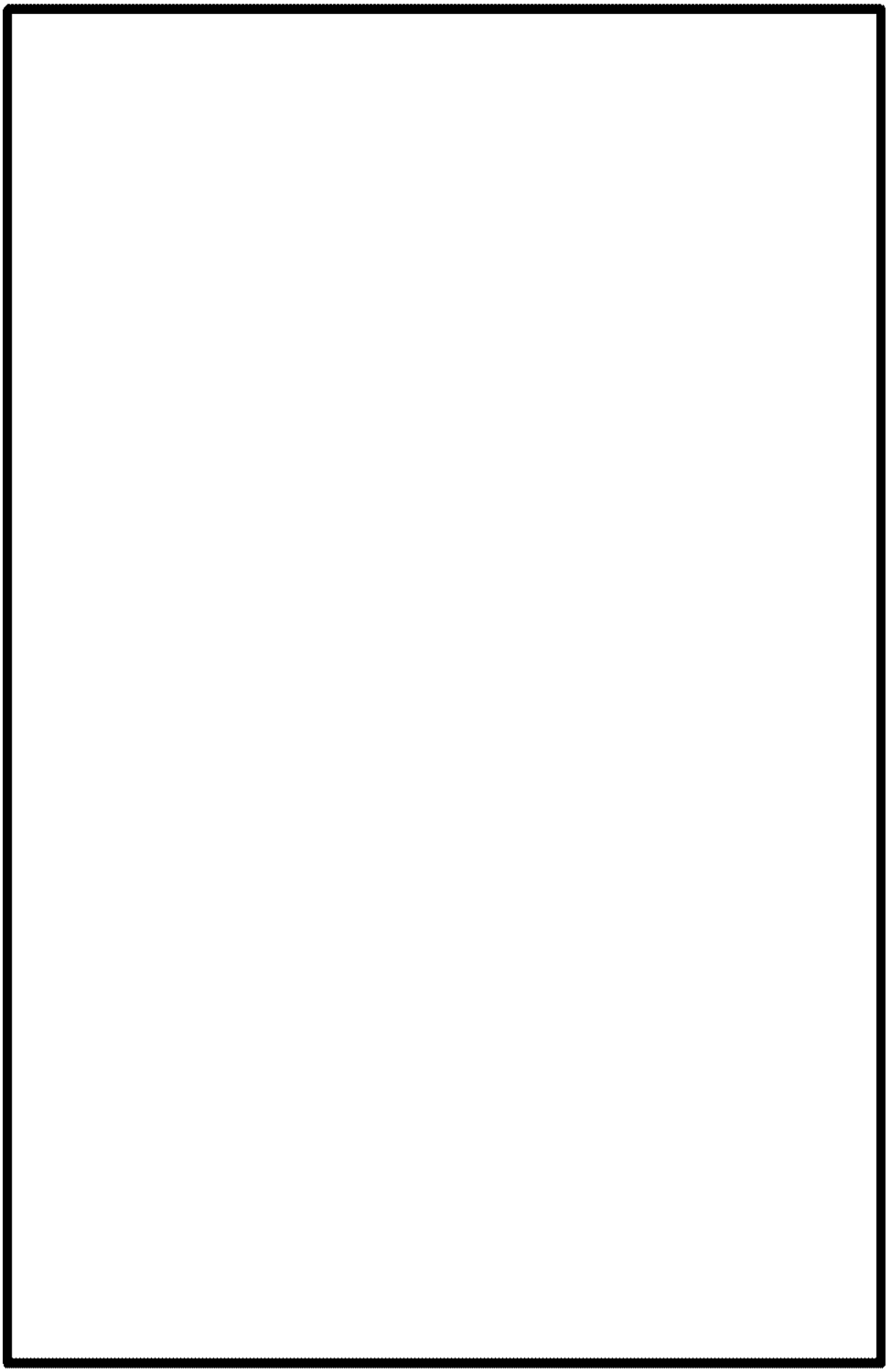

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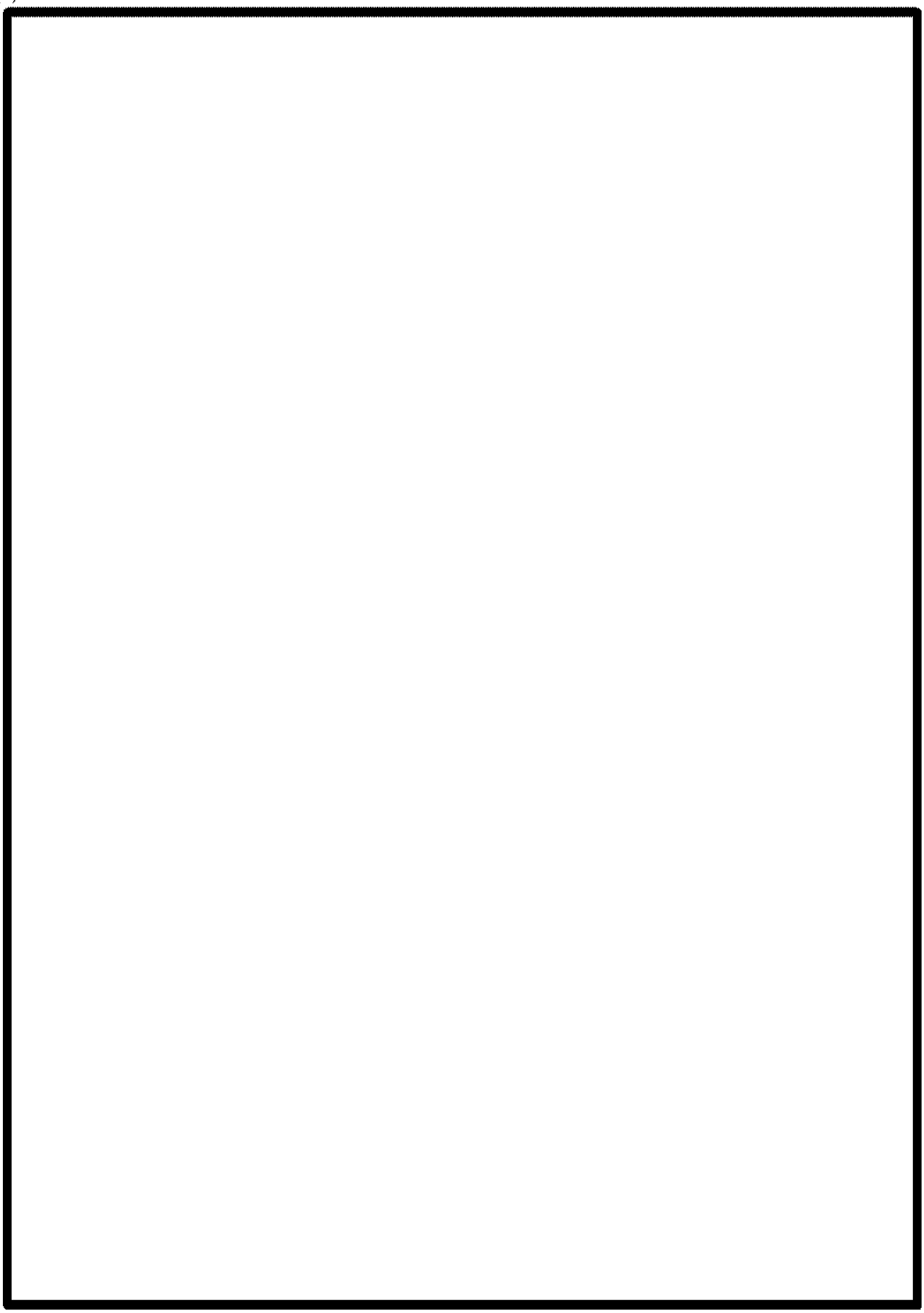

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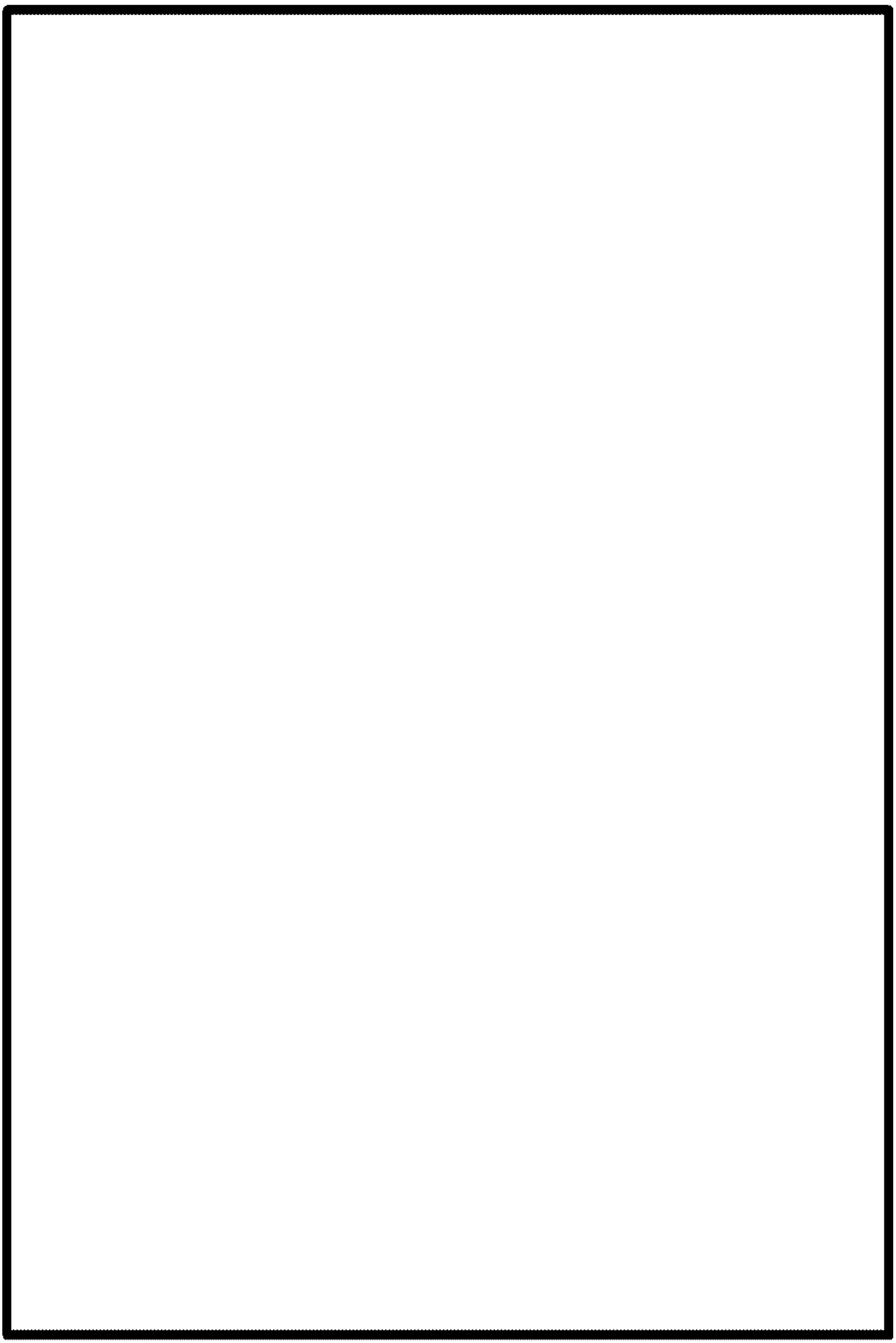

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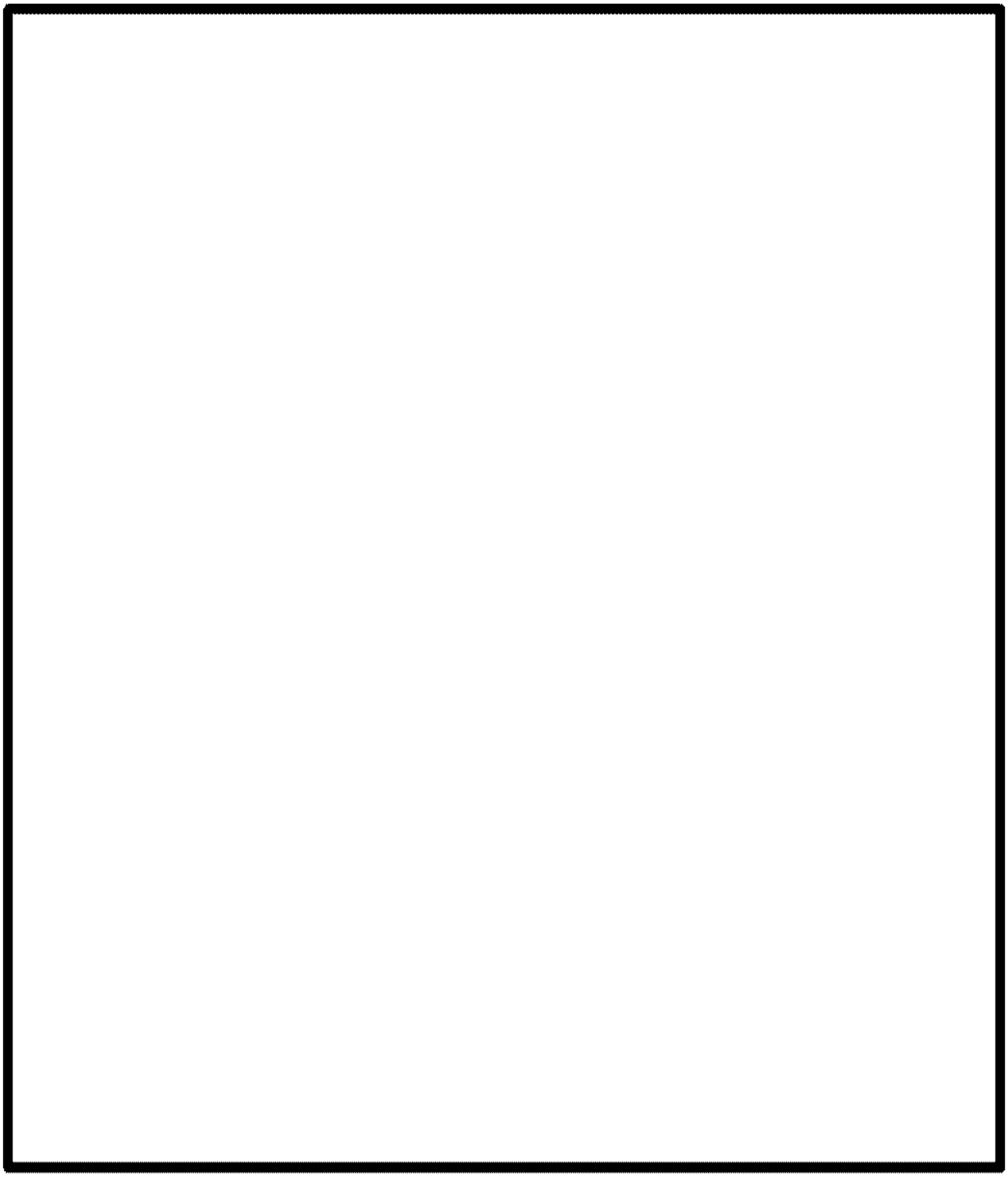

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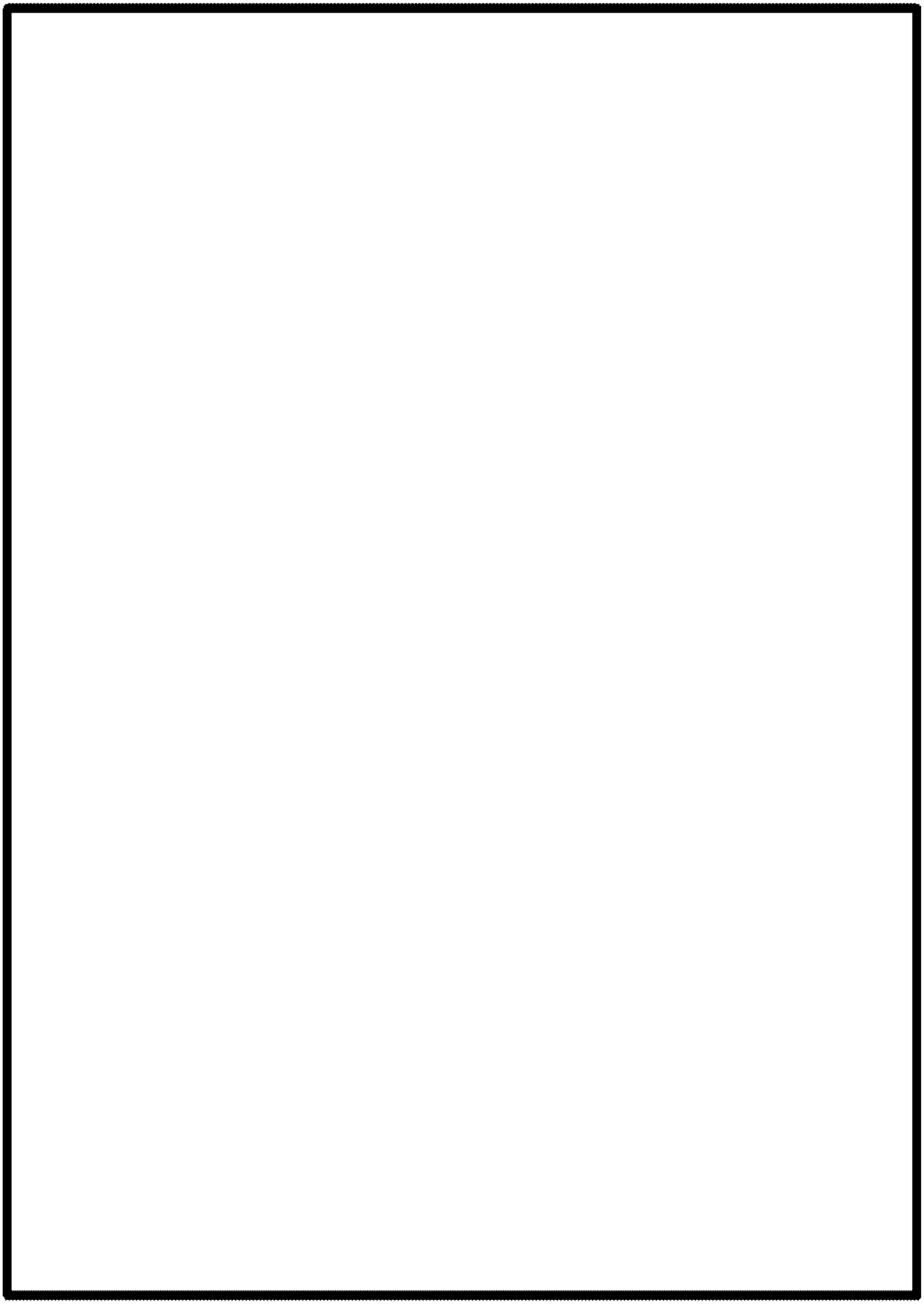

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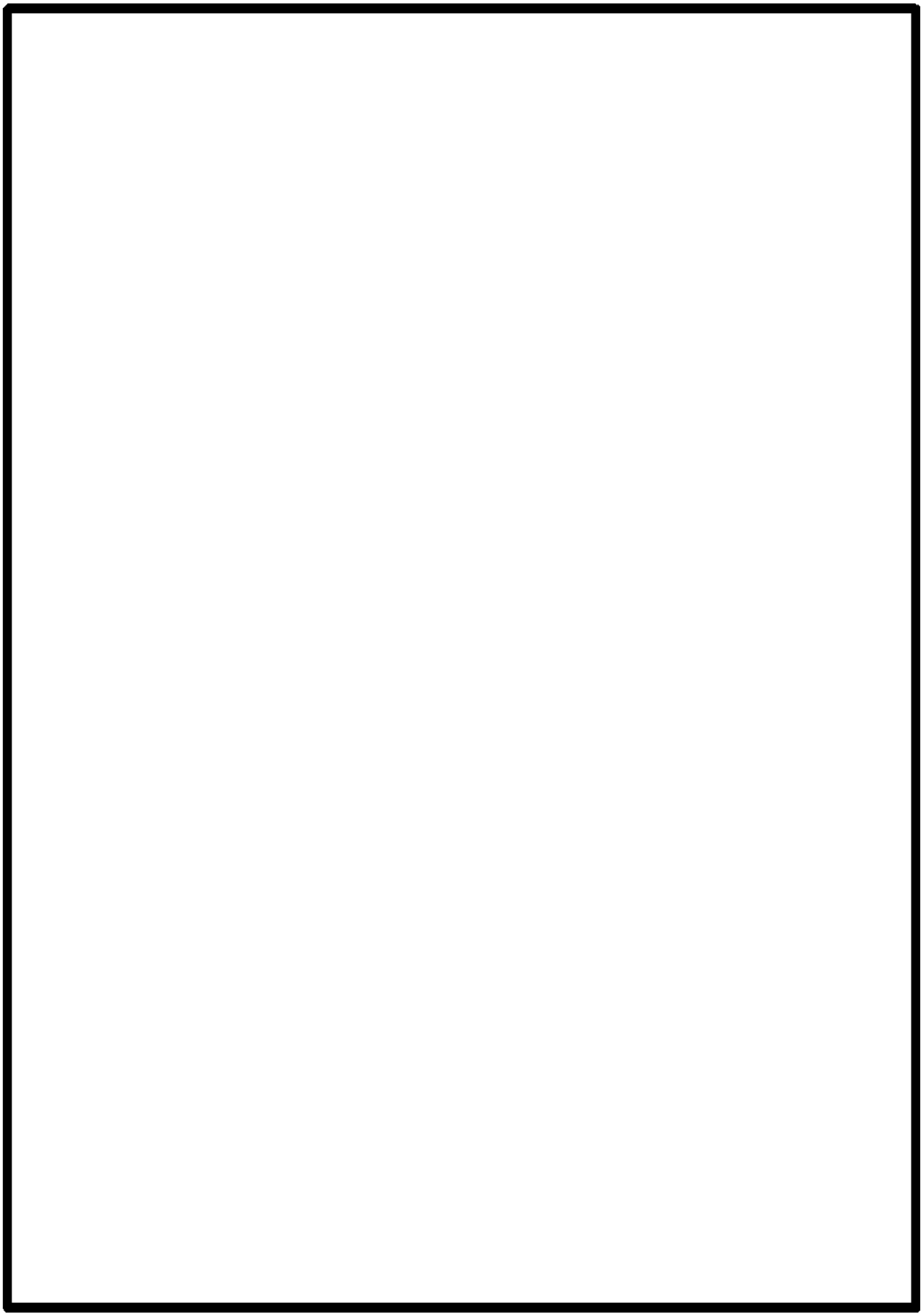

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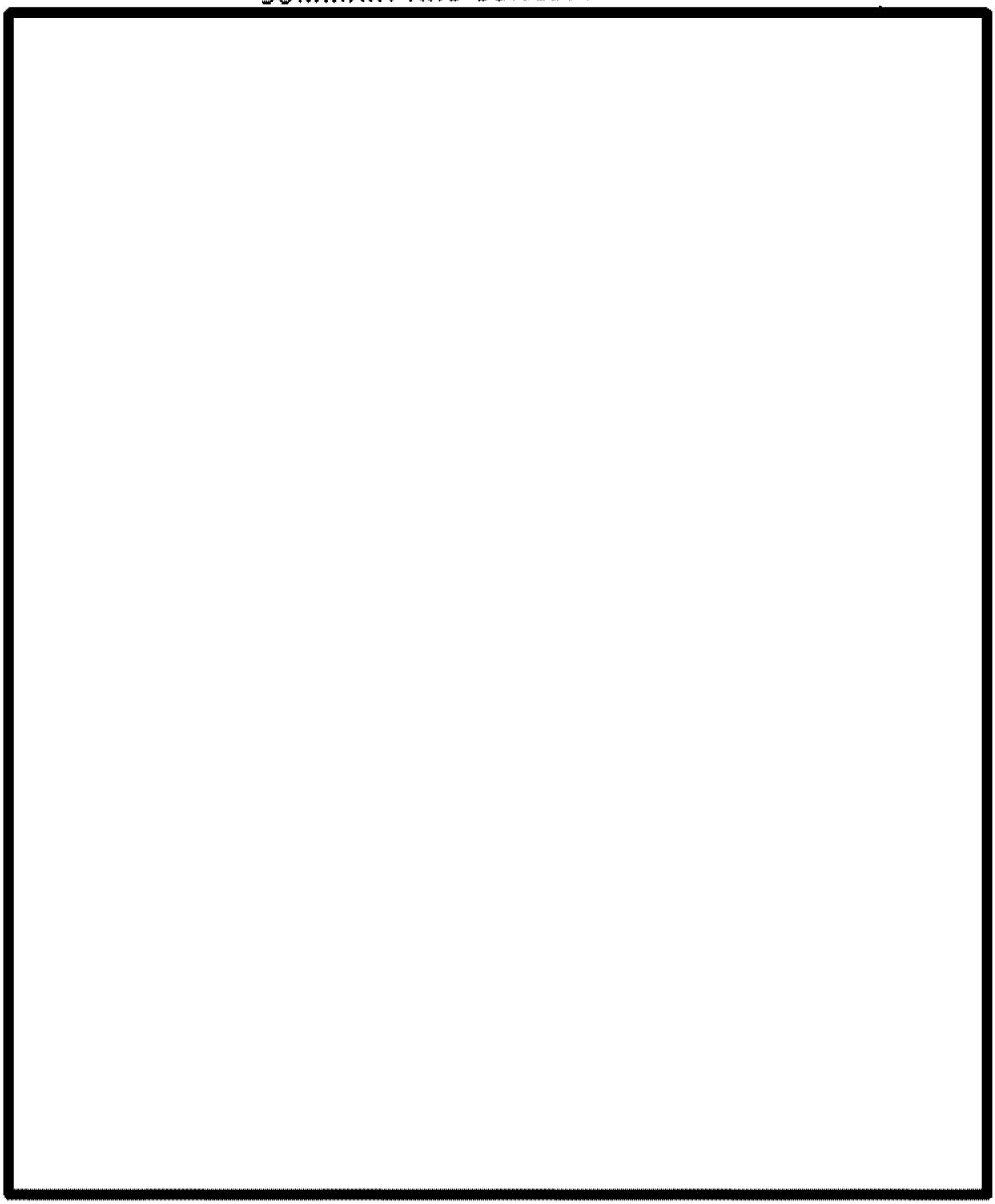
SUMMARY AND CONCLUSION



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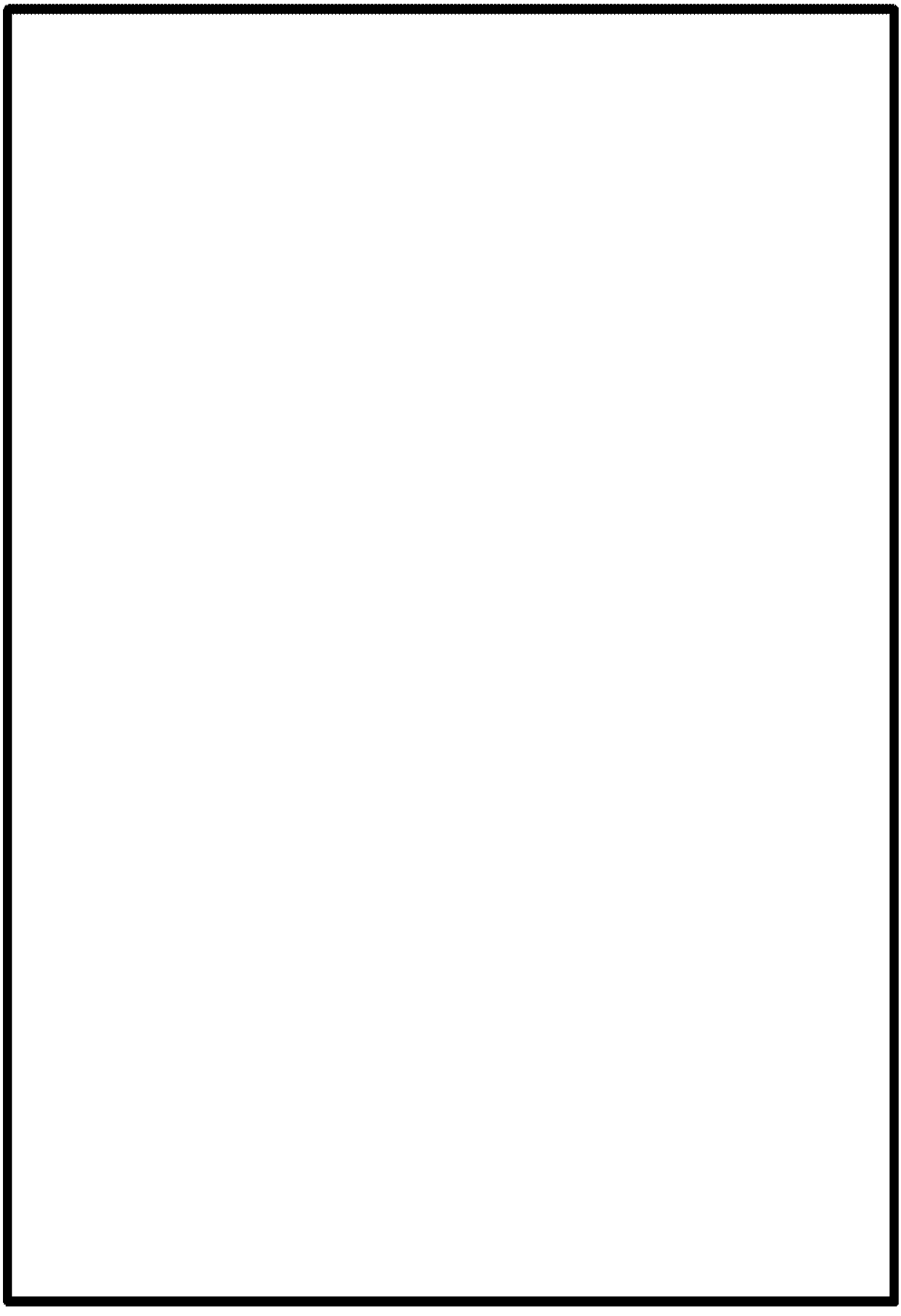

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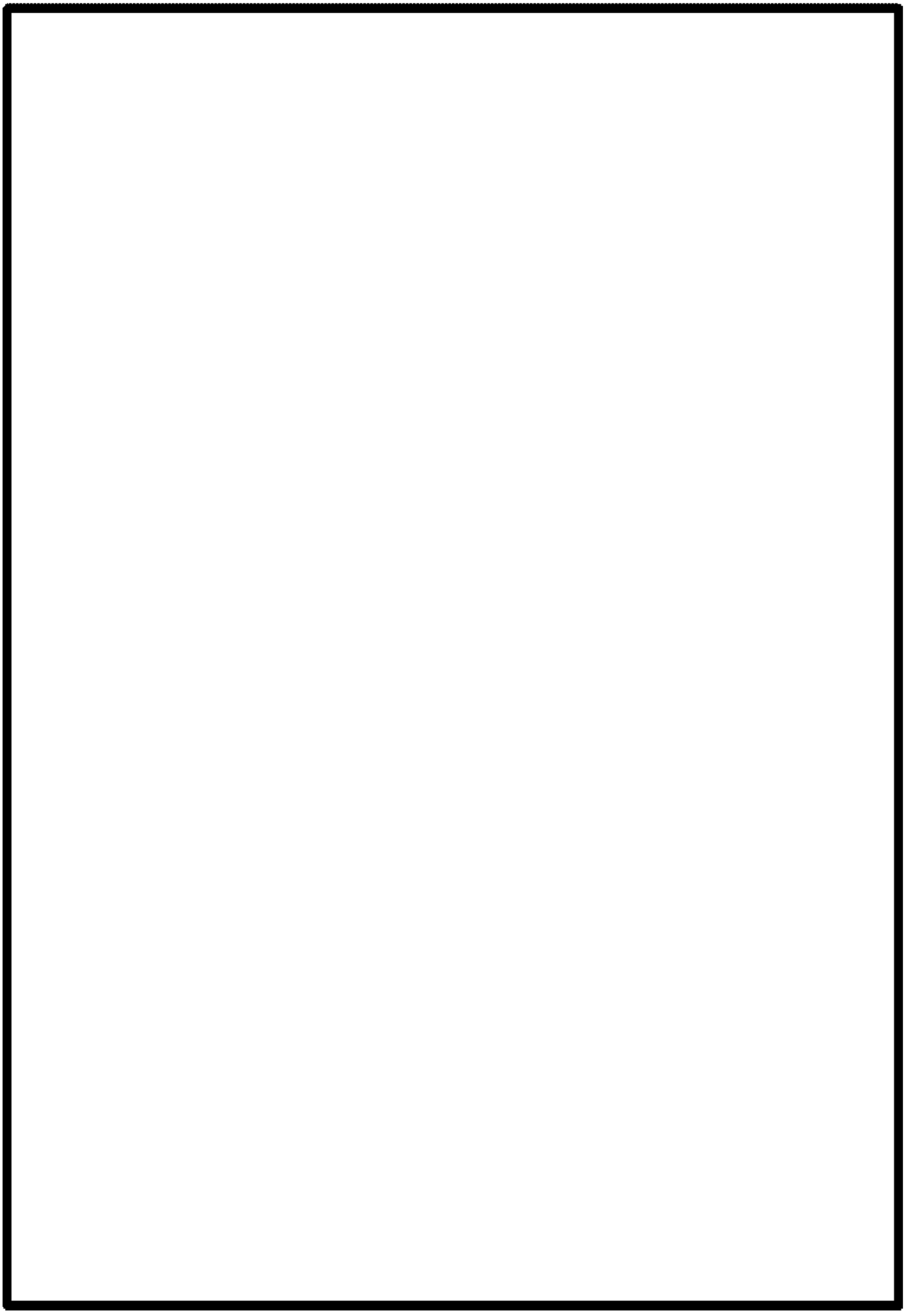

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APPENDIX I: TEA DESIGNATION LETTER

The next three pages reproduce the TEA designation letter for the area of downtown Omaha that includes the location of the [redacted]. The designation letter was issued on April 10, 2013 by the State of Nebraska Department of Economic Development.

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STATE OF NEBRASKA

DEPARTMENT OF ECONOMIC DEVELOPMENT

Dave Heineman
Governor

(b)(4)

301 Centennial Mall South
P.O. Box 94666
Lincoln, Nebraska 68509-4666 USA

Phone (402) 471-3111
Toll Free (800) 426-6505
Fax (402) 471-3778
Statewide Relay (800) 833-0920 (voice)
www.neded.org

April 10, 2013

[redacted]

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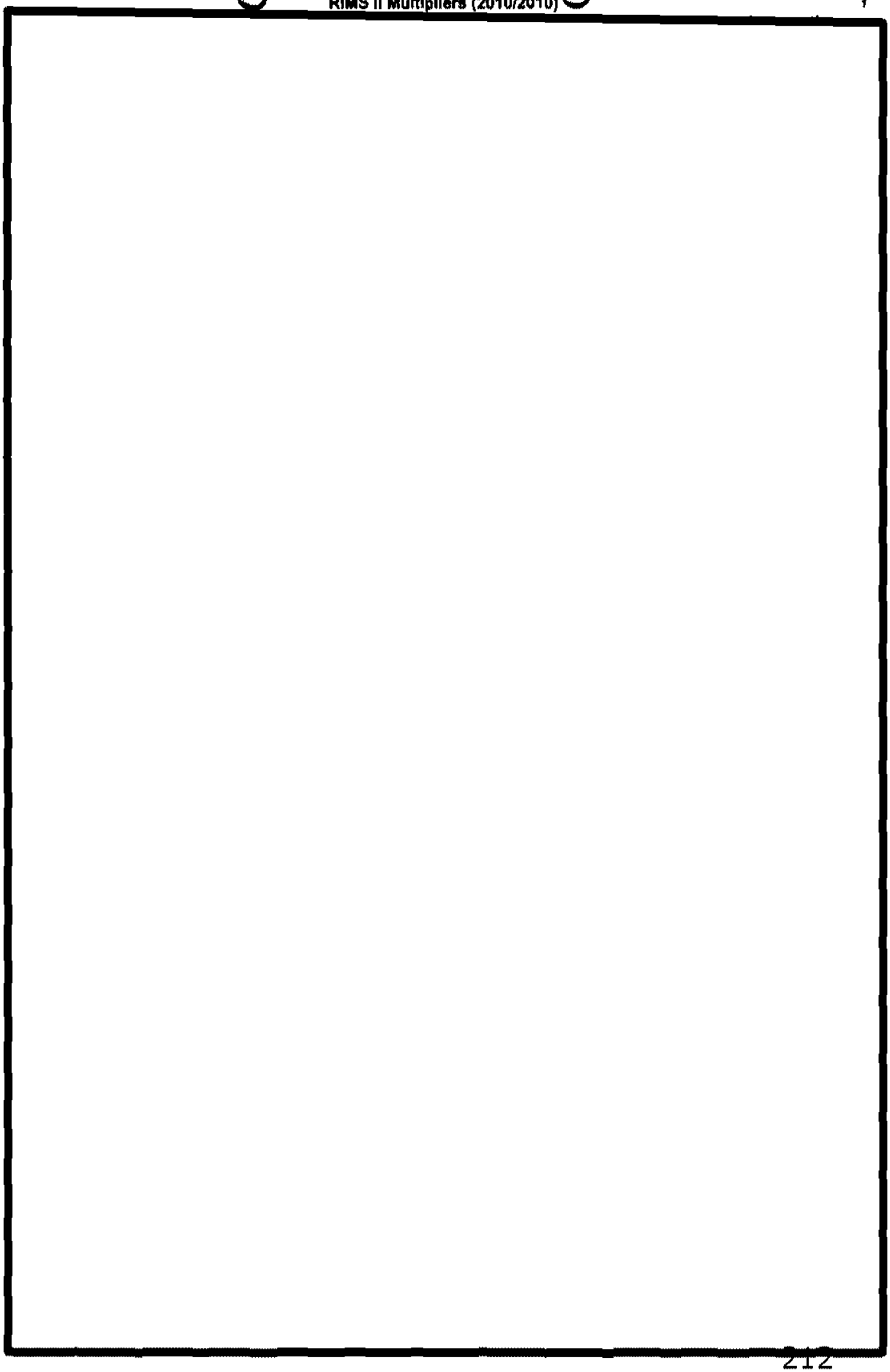
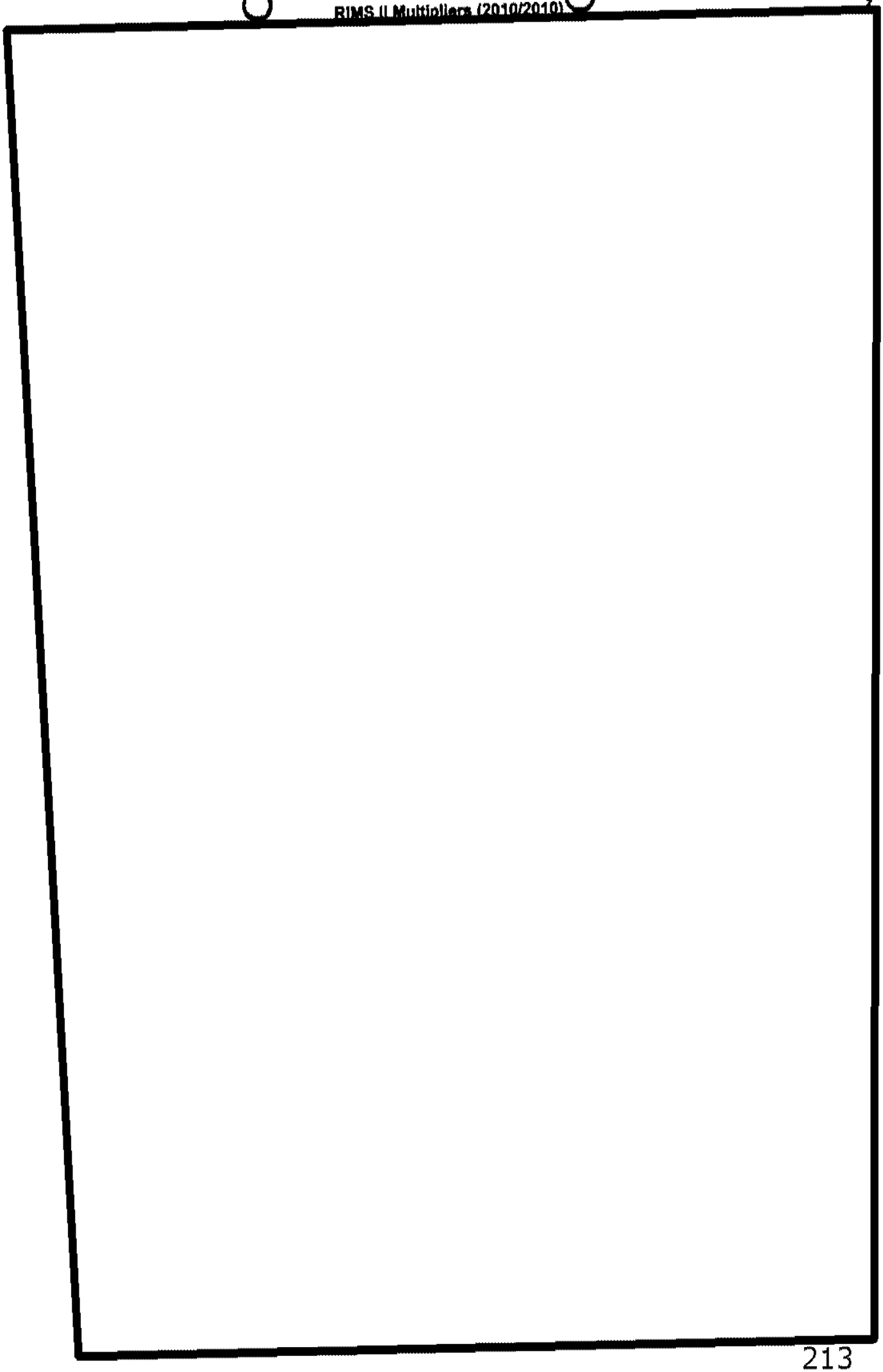
APPENDIX II: RIMS II MULTIPLIERS FOR THE SIX-COUNTY AREA





APPENDIX III: RESUME OF SEAN MASAKI FLYNN, PH.D.

Sean Masaki Flynn is an associate professor of economics at Scripps College in Claremont, California. He is the author of the international best-seller *Economics for Dummies*, which has now been translated into seven foreign languages, as well as the coauthor, along with Campbell McConnell and Stanley Brue, of the world's best-selling college economics textbook, *Economics: Principles, Problems, and Policies*. This book is also the world's best selling college textbook of any subject.

An avid martial artist, Sean is a former aikido national champion and has coached five of his students to U.S. national aikido titles. Sean's research specialties are behavioral economics and behavioral finance, with a focus on irrational investors. A recurring commentator on FOX Business, ABC News, and NPR, Sean holds a B.A. in economics from the University of Southern California and a Ph.D. in economics from UC Berkeley, where he completed his dissertation under the supervision of 2001 Nobel Laureate George Akerlof.

EDUCATION

Ph.D. in Economics, UC Berkeley	2002
BA/MA in Economics, University of Southern California	1995

RESEARCH AREAS

Behavioral Finance, Behavioral Economics, Experimental Labor Markets, Regional Economics

TEACHING AREAS

Finance, Behavioral Economics, Behavioral Finance, Macroeconomics, Microeconomics, Gender Economics

PROFESSIONAL EXPERIENCE

2009-present	*Associate Professor of Economics, Scripps College, Claremont, California.* Classes taught: Behavioral Economics, Behavioral Finance, Intermediate Macroeconomics, Introductory Microeconomics, Gender Economics, Self-Defense.
2002-2009	*Assistant Professor of Economics, Vassar College, Poughkeepsie, New York.* Classes taught: Introductory Microeconomics, Intermediate Macroeconomics, Financial Markets and Investments, Behavioral Economics, Behavioral Finance, and a special-topics class for the Cognitive Science Department titled, "Is Rational Conduct Rational?"
2001- 2002	*Head Graduate Student, Department of Economics, UC Berkeley.* In charge of hiring, training, and managing all 65

	graduate student instructors as well as dealing with all undergraduate enrollment issues.
2000-2001	*Lecturer, Department of Economics, UC Berkeley.* Introductory Economics, American Economic History.
1996-2000	*Graduate Student Instructor, Departments of Economics and Statistics, UC Berkeley.* Introductory to Economics, Macroeconomics, Microeconomics, Economic History of the 20th Century, Introduction to Statistics.

BOOKS

Economics: Principles, Problems, and Policies. 18th edition 2009, 19th edition 2011. With co-authors Campbell McConnell and Stanley Brue. McGraw-Hill. This is the world's best-selling college textbook of any subject.

Economics for Dummies. First edition 2005, second edition 2011. Wiley Publishing. Now translated into seven foreign languages: Spanish, Chinese, Russian, Polish, German, Dutch, and Vietnamese.

Understanding Shodokan Aikido: Basics through 7th Kyu. 2000. Shodokan Press, Berkeley, California.

PEER-REVIEWED RESEARCH ARTICLES

"Noise-trading, Costly Arbitrage, and Asset Prices: Evidence from U.S. Closed-end Funds," 2012, *Journal of Financial Markets* 15(1): 108-125.

"Does Weather Actually Affect Tipping?" with Adam Greenberg, 2012, *Journal of Applied Social Psychology* 42(3): 702-716.

"Does Labor Contract Completeness Drive Unionization? Some Experimental Evidence," with Michael Donnelley, 2012, *Journal of Socio-Economics* 41(4): 445-454.

"Short Selling and Mispricings When Fundamentals are Known: Evidence from NYSE-traded Closed-end Funds," 2010, *The Journal of Financial Research* 33(4): 463–486.

"Sentiment and the Interpretation of News about Fundamentals," December 2006, *The Institute of Chartered Financial Analysts of India Journal of Behavioral Finance* 3(4): 6-28.

"Why Only Some Industries Unionize: Insights from Reciprocity Theory," 2005, *Journal of Institutional Economics* 1(1): 99-120.

SELECTED MEDIA APPEARANCES

Multiple appearances on ABC News, ABC radio, FOX Business, NPR, and various local radio stations. I am typically asked for explanations of recessions, the credit crisis, and how people should manage their investments.

- This is a 2011 podcast of me doing a 10-minute interview on the European debt crisis for KGO Radio's Bill Gross Show: http://www.kgoam810.com/Article.asp?id=2258673&spid=25697
- Here is video of me in 2009 doing a 17-minute interview on the financial crisis for TV Ontario's *The Agenda with Steve Paiken*: http://www.tvo.org/TVO/WebObjects/TVO.woa?video?TAWSP_Int_20090204_779427_0
- Here is audio of an 18-minute interview about the financial crisis that I did in 2009 for NPR's *News and Notes*: http://www.npr.org/templates/story/story.php?storyId=95518180.
- I've been a guest blogger for the *Freakonomics* blog at *The New York Times*: http://freakonomics.blogs.nytimes.com/tag/sean-masaki-flynn/
- Here's a little piece on perverse incentives that I wrote for Forbes.com. Be sure to go through the "In Pictures" slide show that accompanies the article, too. http://www.forbes.com/2009/02/19/incentives-compensation-bonuses-leadership_perverted_incentives.html?partner=whiteglove_google

AIKIDO

3rd degree black belt in the Japanese martial art of aikido. Direct student of world champion Robert Dziubla. Additional extensive training in Japan under grand masters Tetsuo Nariyama, Fumiaki Shishida, and Kenshi Uno. Five of my students—Robyn Millan, Jack McKenna, Janine Parziale, Jeff Stickle, and Tiffany Doan—have won U.S. national championships in either forms or sparring.

- Member of the Board of Directors, Tomiki Aikido of the Americas.
- Forms Champion (with partner Jeff Stickle), 2008 U.S. National Tournament.
- Forms Champion (with partner Jack McKenna), 2002 U.S. National Tournament.
- Full contact sparring champion (aikido division), 2005 Arnold Battle of Columbus.
- Full contact sparring runner up, 2006 U.S. National Tournament.

SELECTED RECENT CONSULTING PROJECTS

- Calculated the economic impact of a Hyatt hotel in San Diego, California
- Calculated the economic impact of a recycling plant in Tampa, Florida
- Calculated the economic impact of a retirement community in Peoria, Arizona.
- Calculated the economic impact of a Hilton hotel in Edmond, Oklahoma.
- Calculated the economic impact of remodeling the Herring Building in Amarillo, Texas and converting it into a hotel and condo complex.
- Calculated the economic impact of constructing and operating a women's prison in El Centro, California.
- Calculated the economic impact of constructing and operating a Kimpton hotel in downtown Sacramento, California.
- Calculated the economic impact of constructing and operating a private for-profit college in a suburb of Minneapolis, Minnesota.
- Calculated the economic impact of constructing and operating a hotel in Taft, California.

- Calculated the economic impact of constructing and operating a retirement community in Bakersfield, California.
- Calculated the economic impact of building and operating a solid-waste-to-electricity conversion plant in Desert Hot Springs, California.
- Calculated the economic impact of constructing and operating a Hyatt hotel in Oceanside, California.
- Calculated the economic impact of expanding a recreational training facility outside Las Vegas, Nevada.

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Project Budget Summary

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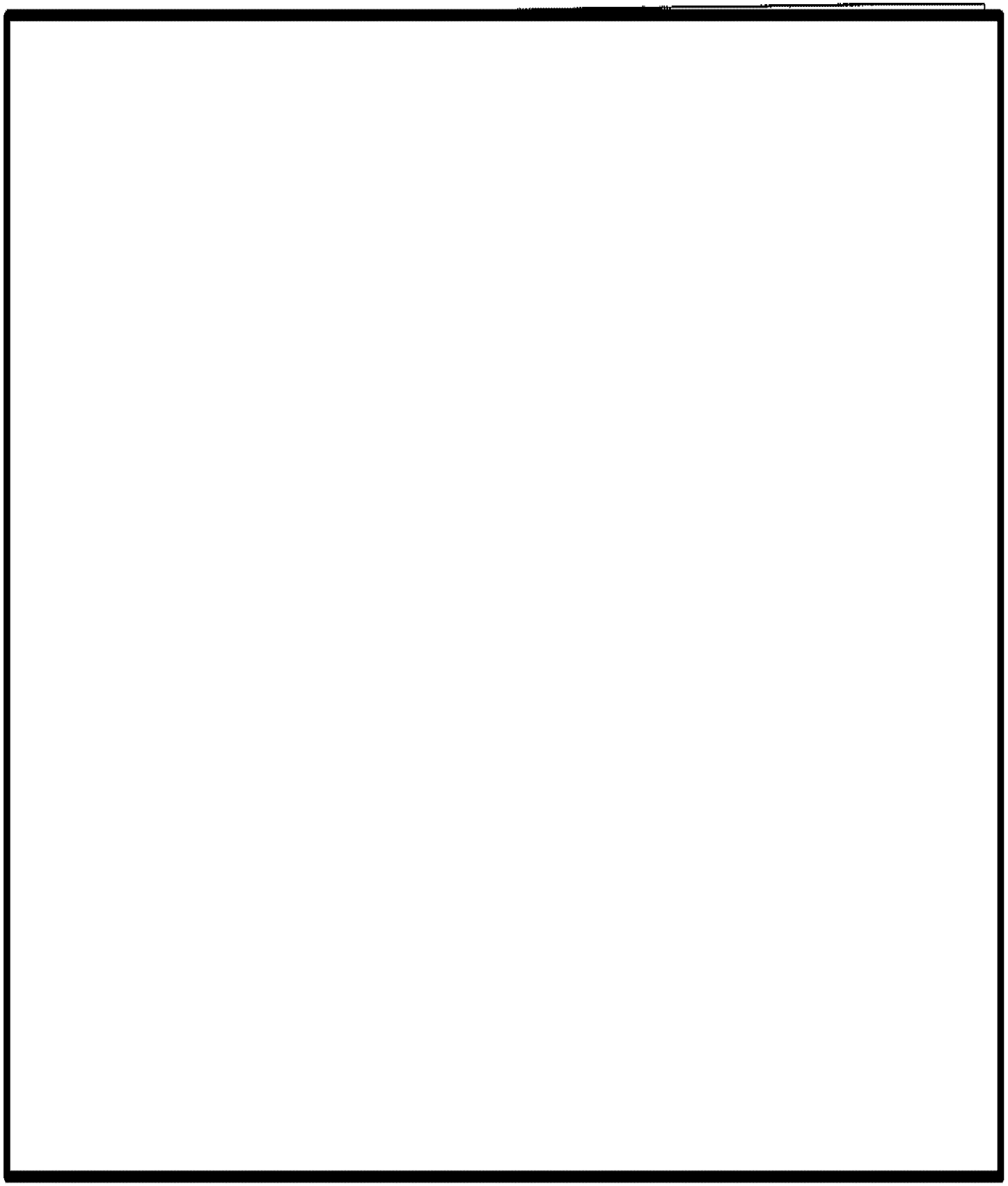

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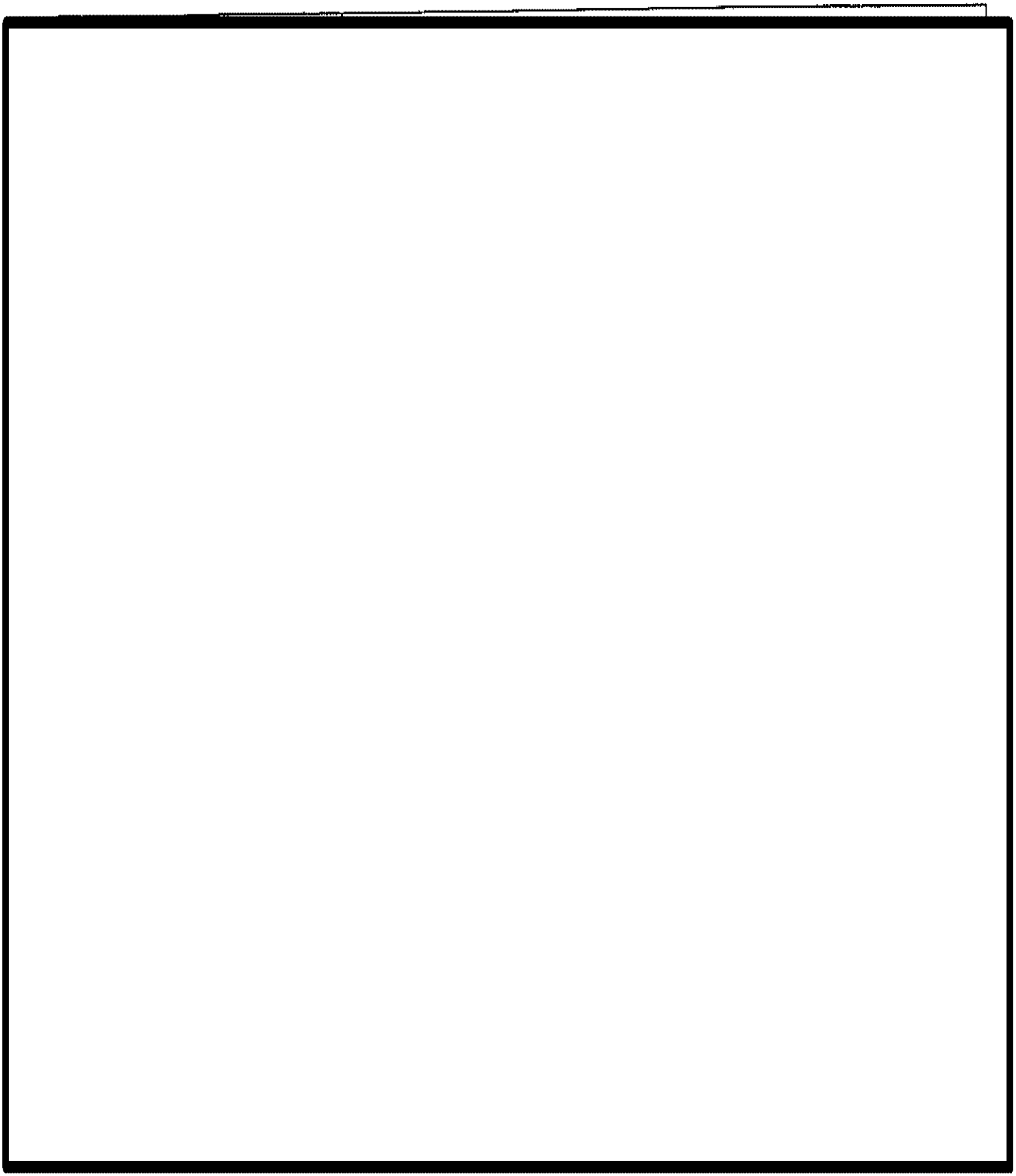

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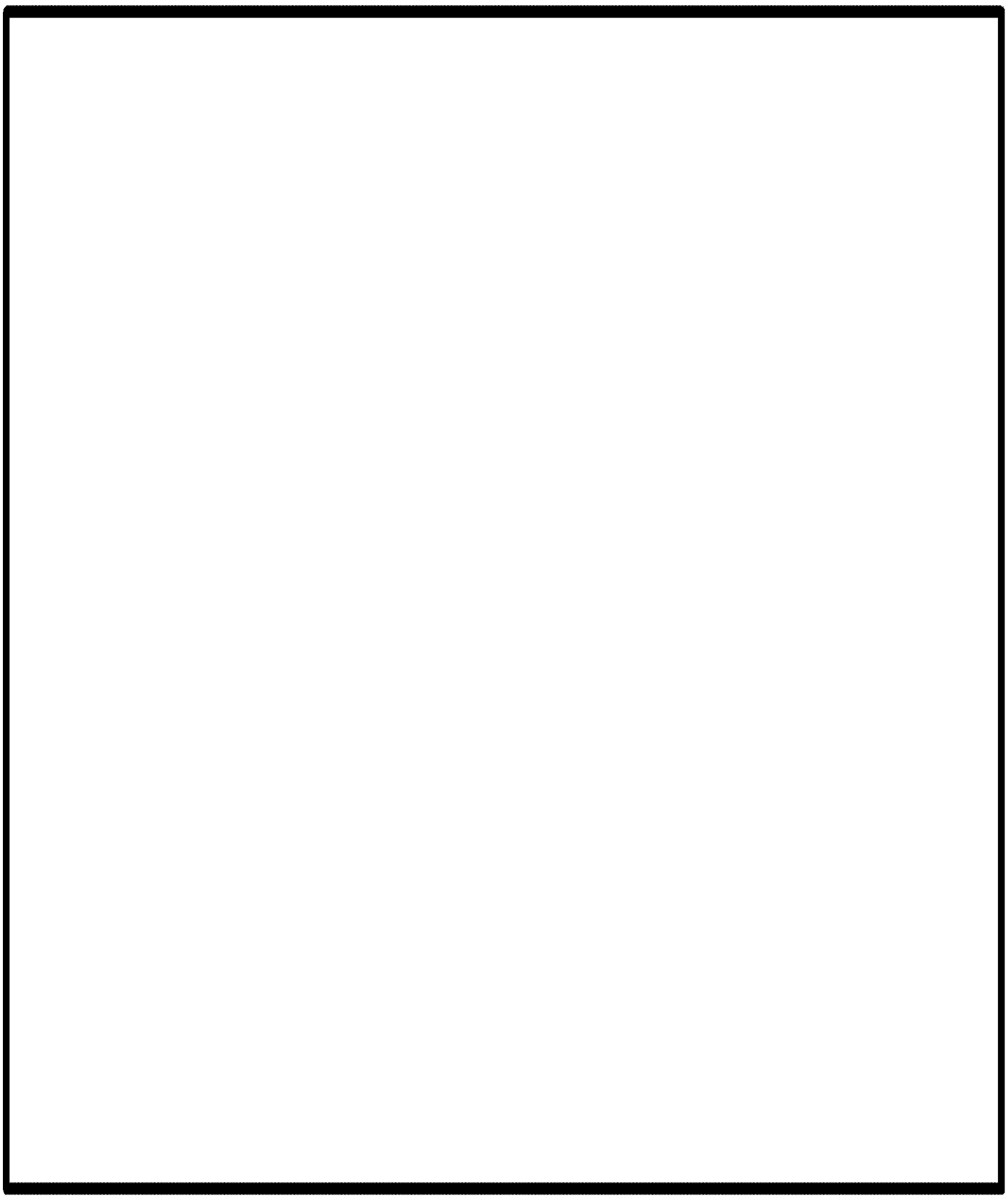

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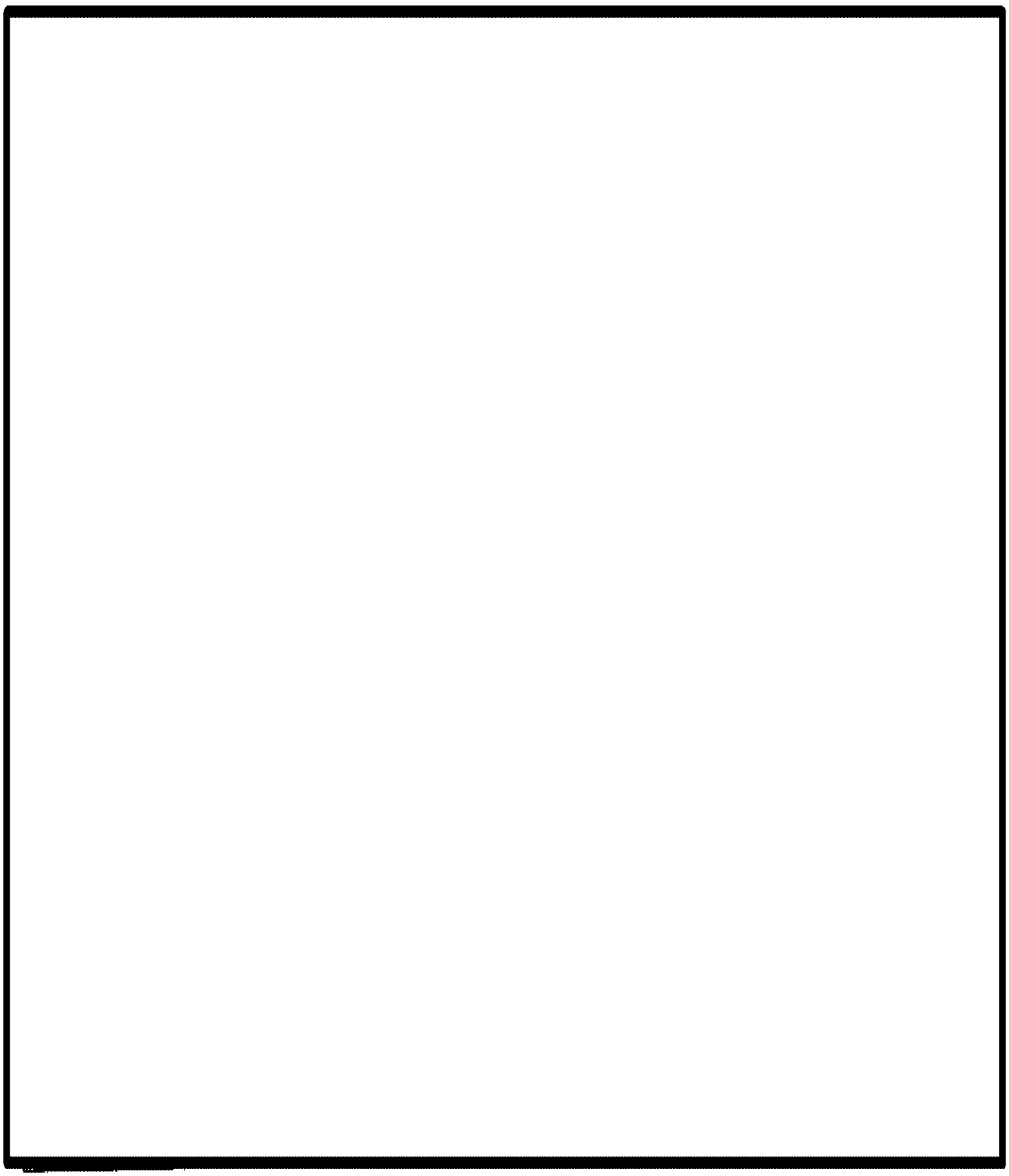

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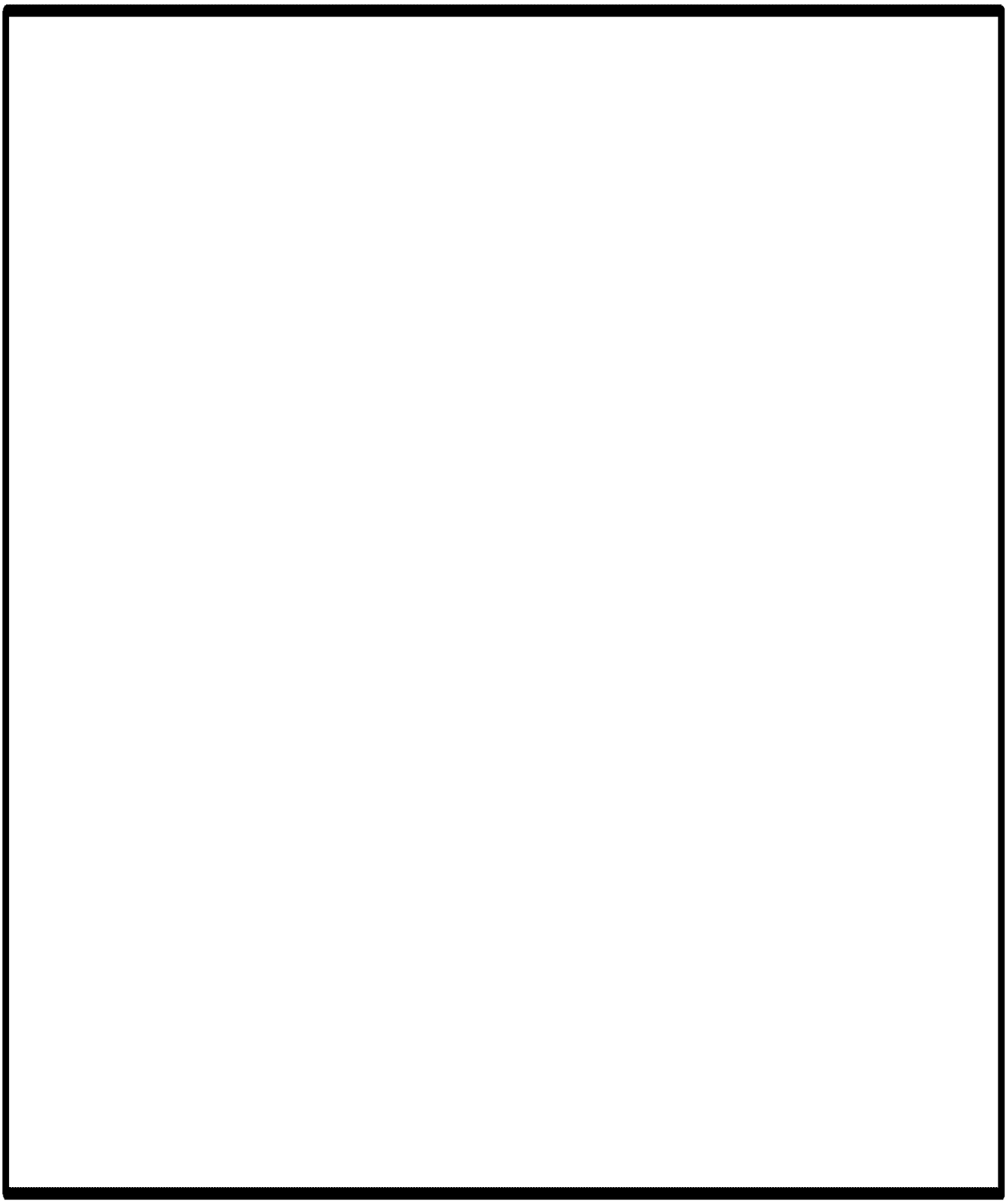


The Metropolitan Entertainment & Convention Authority

MECA
· O M A H A ·

Request for Proposals

for the development

of a Full-Service Hotel and Mixed-Use Project

adjacent to the City of Omaha's arena and convention center known as CenturyLink Center Omaha

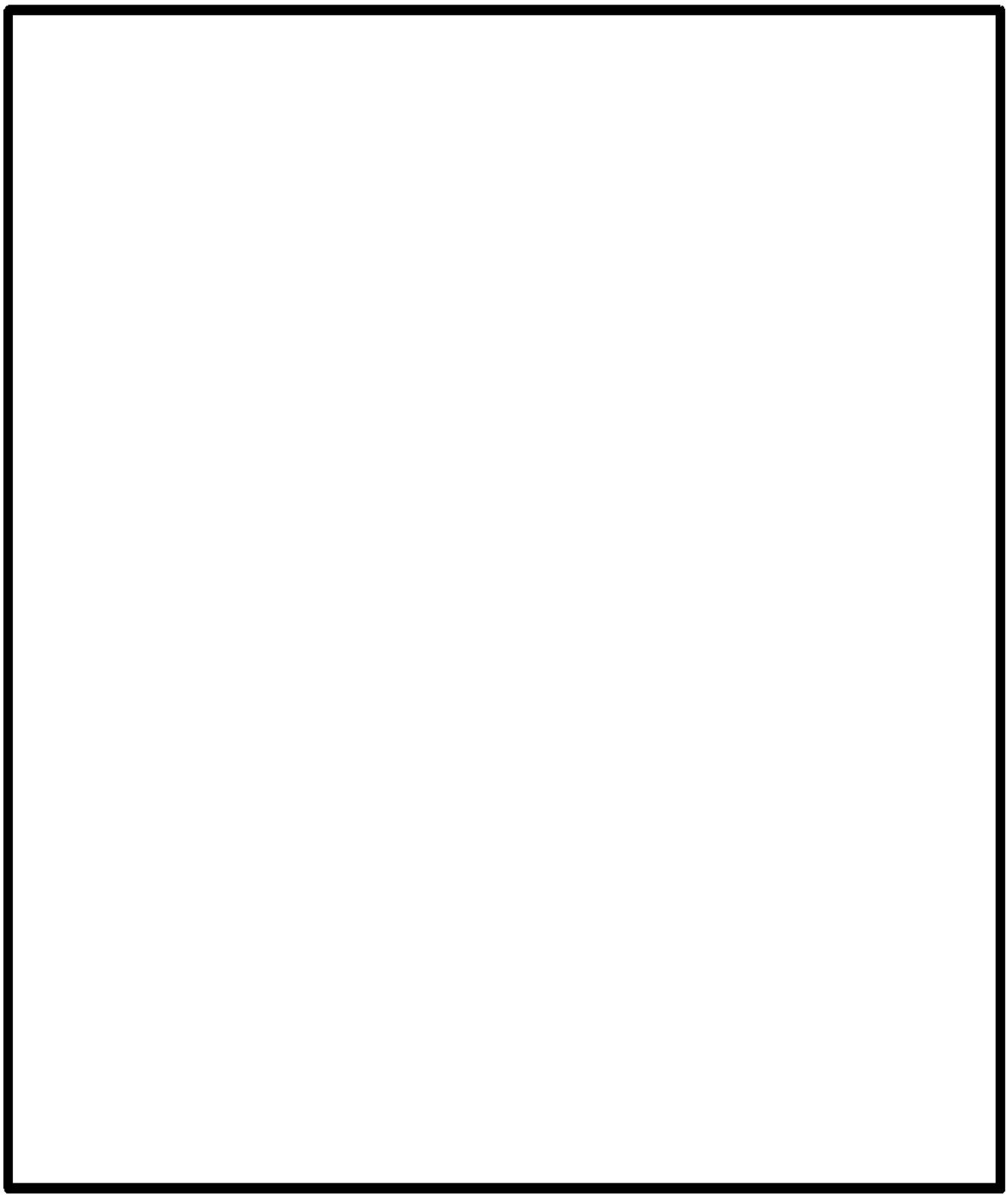
August 24, 2011

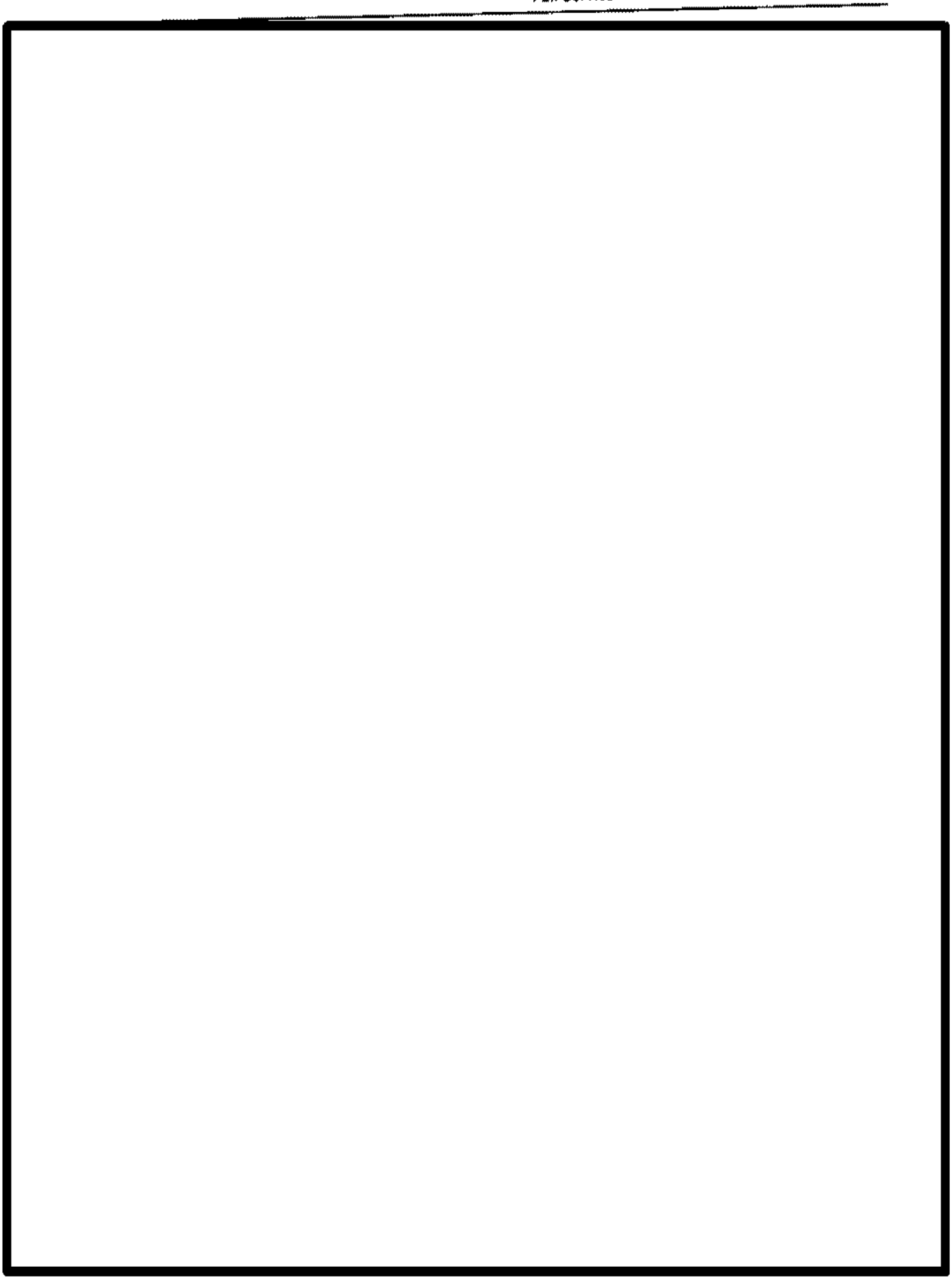
Issued By:

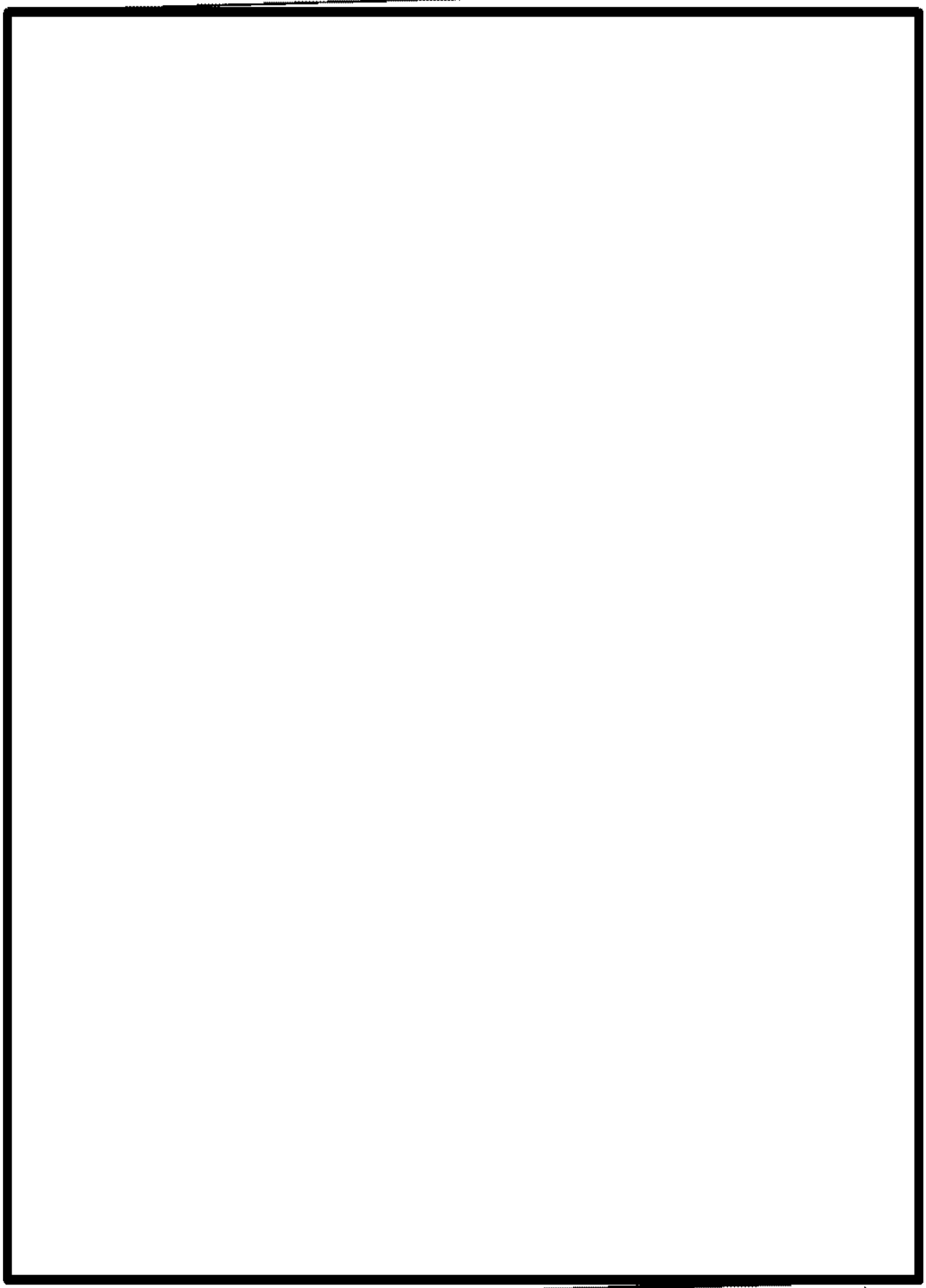
The Metropolitan Entertainment & Convention Authority

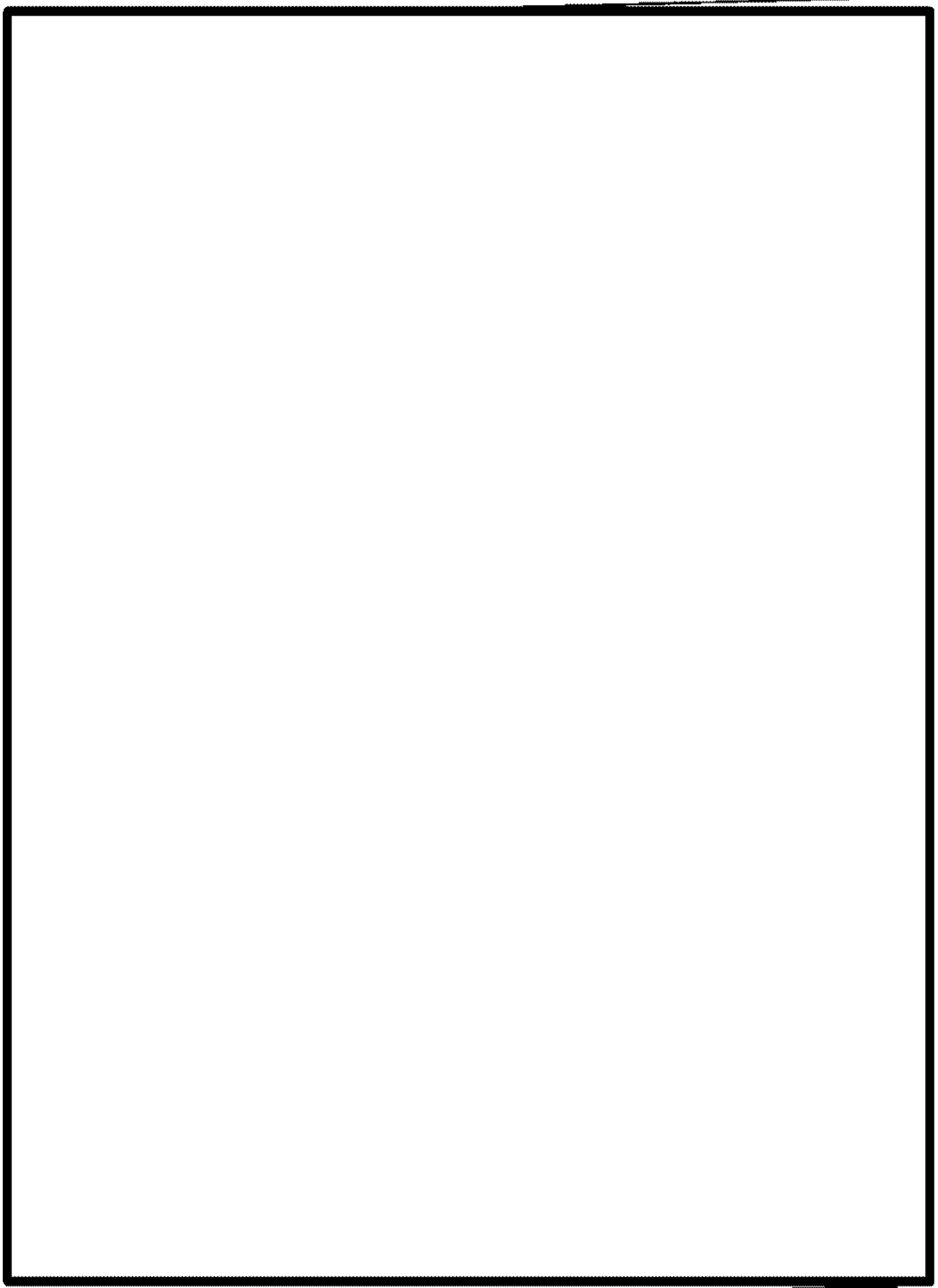
455 North 10th Street

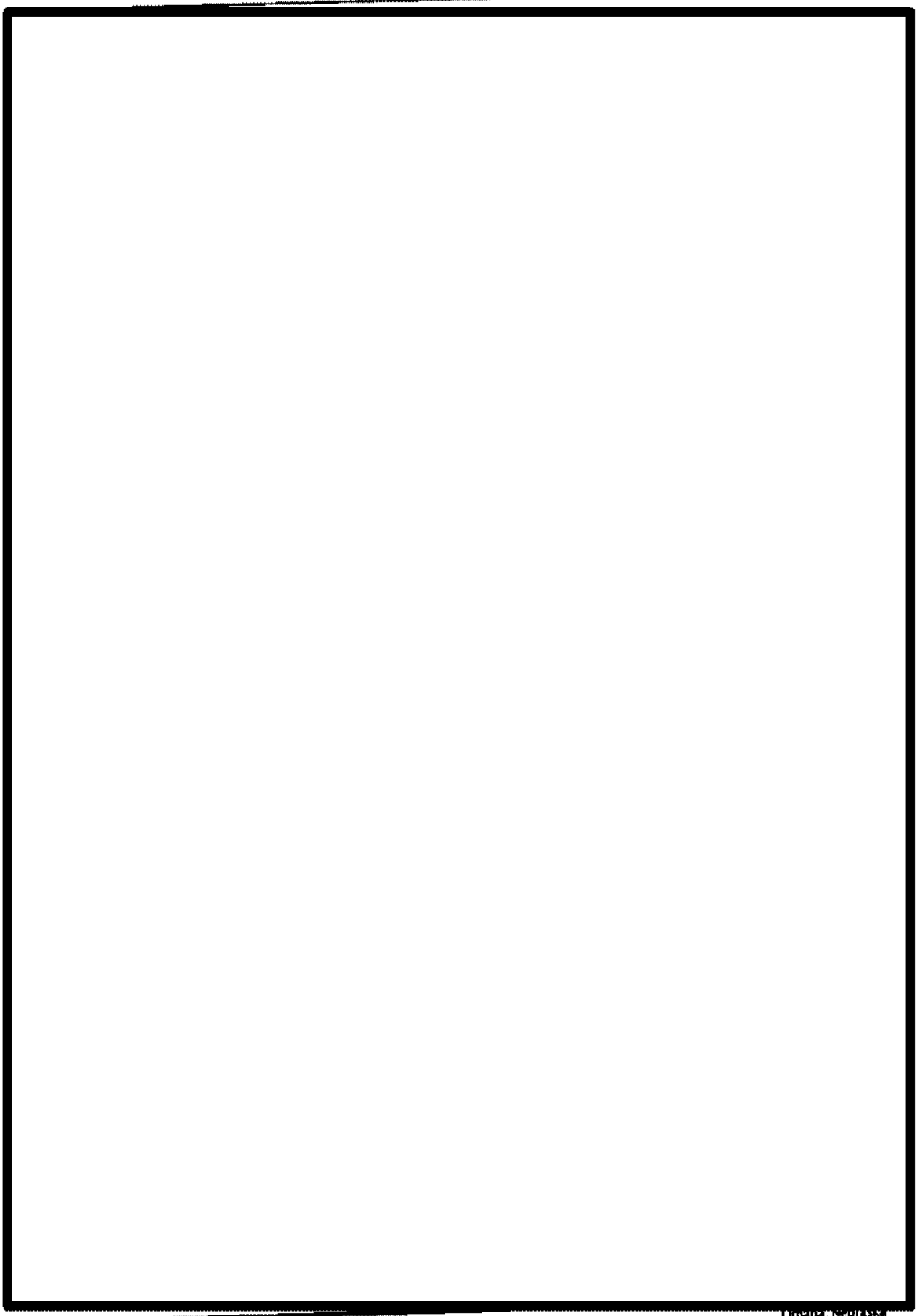
Omaha, NE 68102

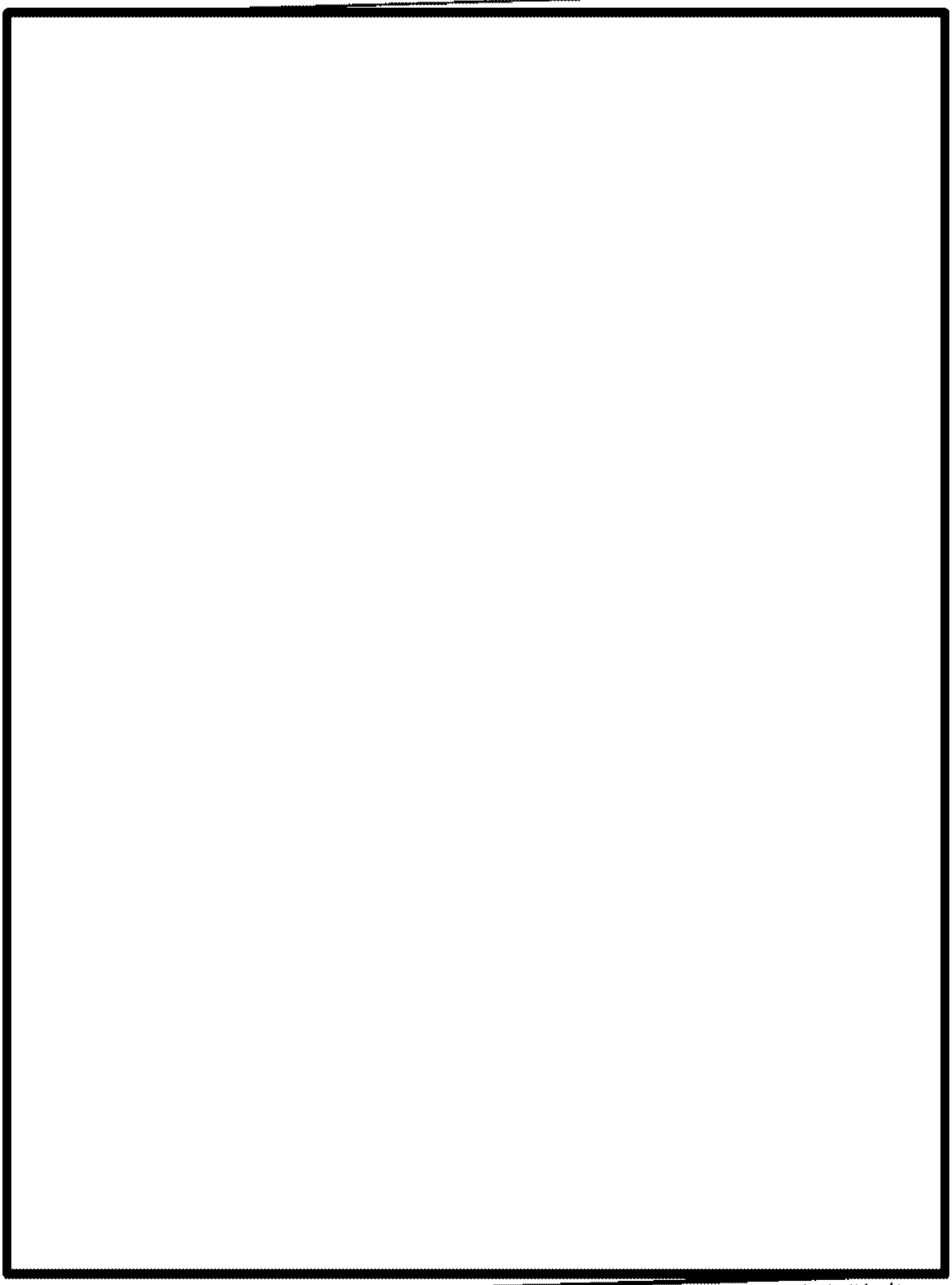


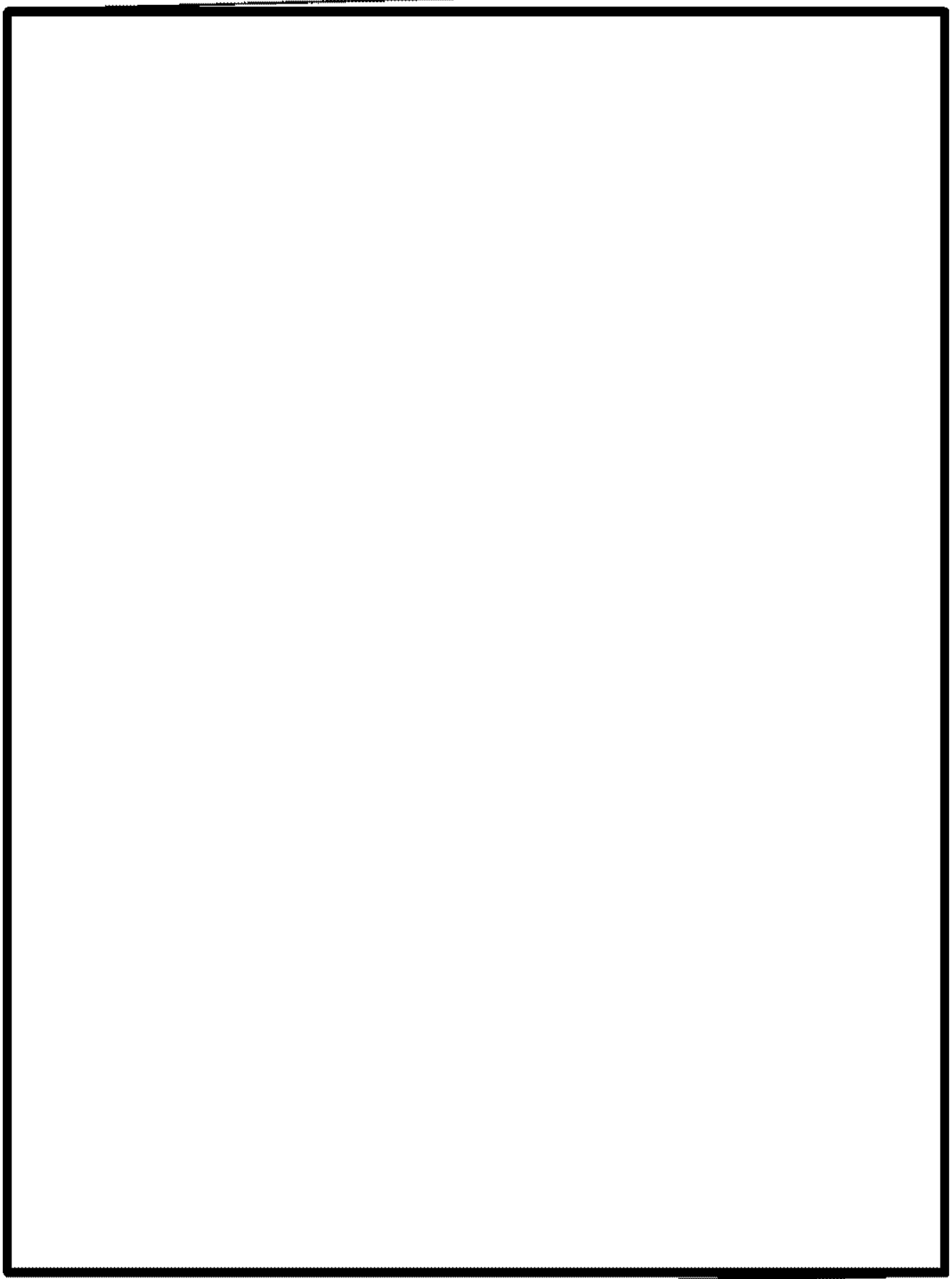


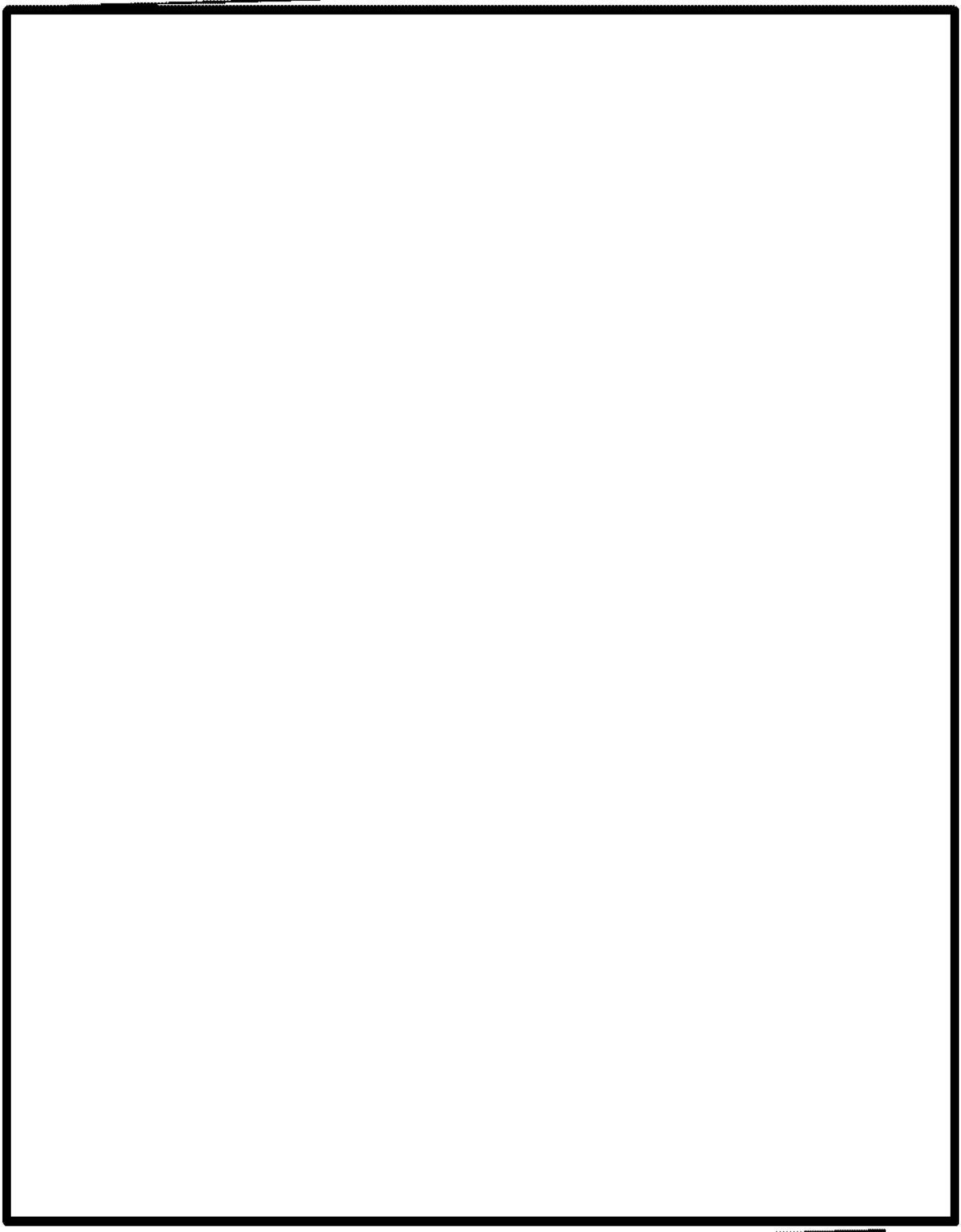


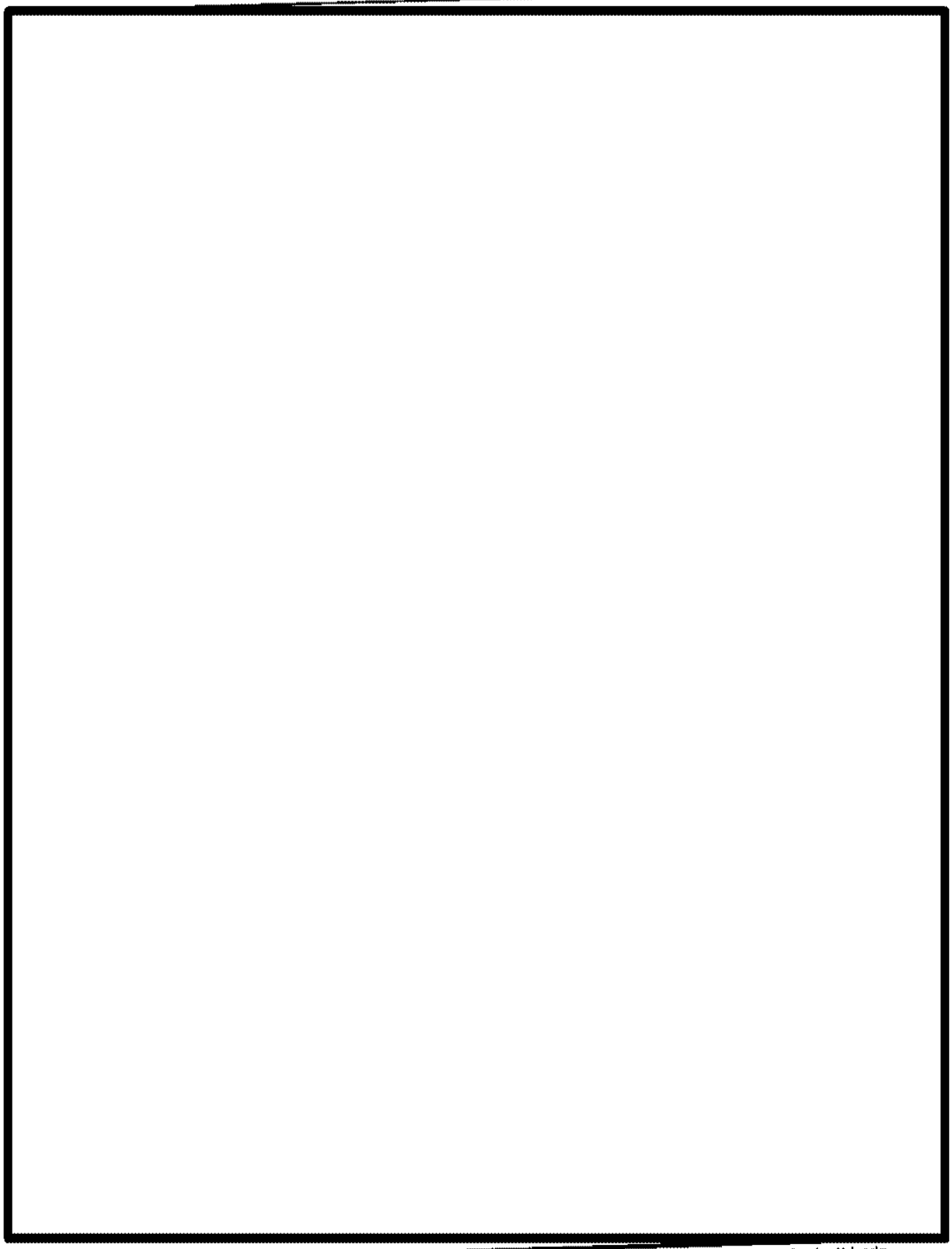


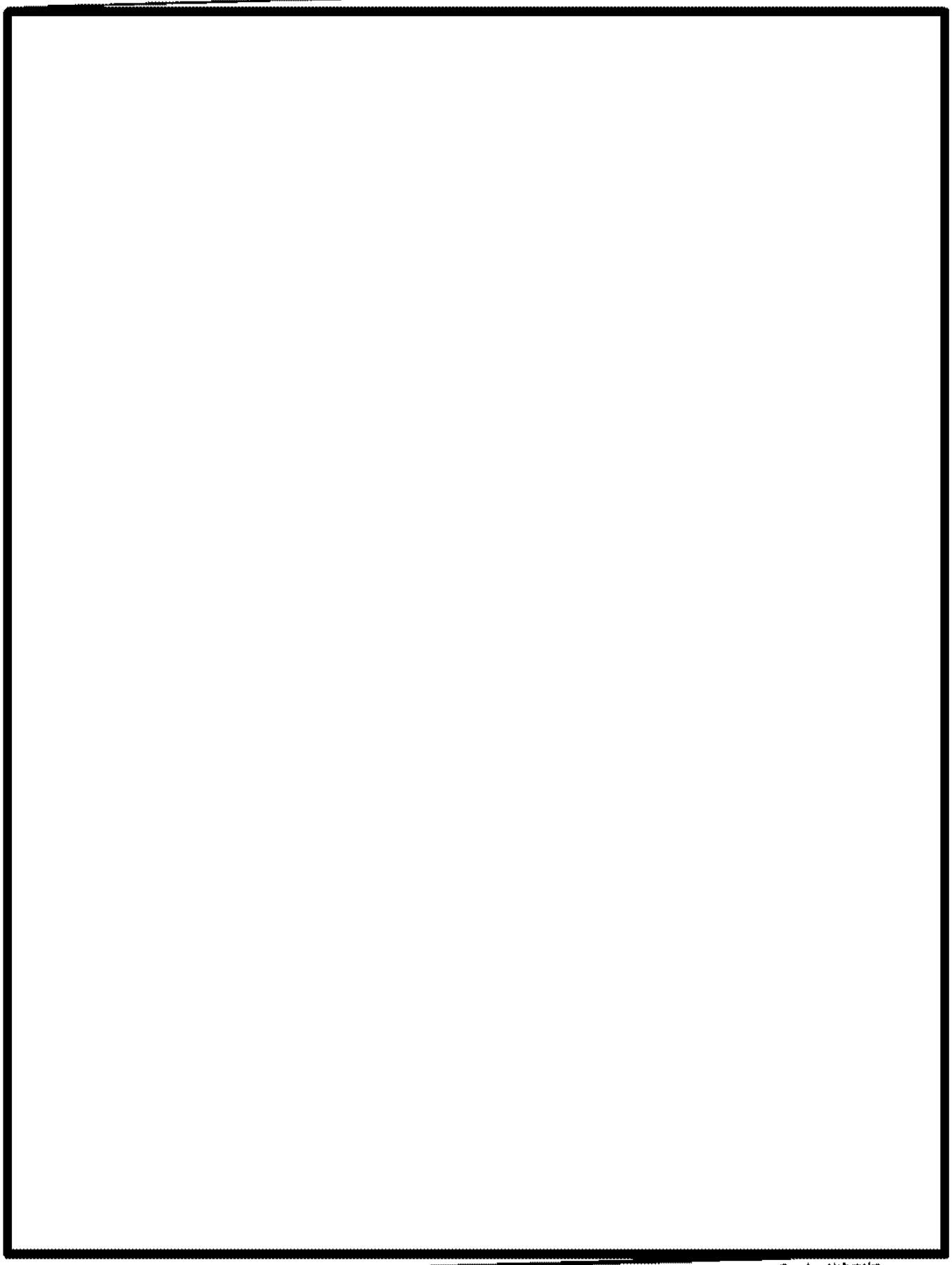


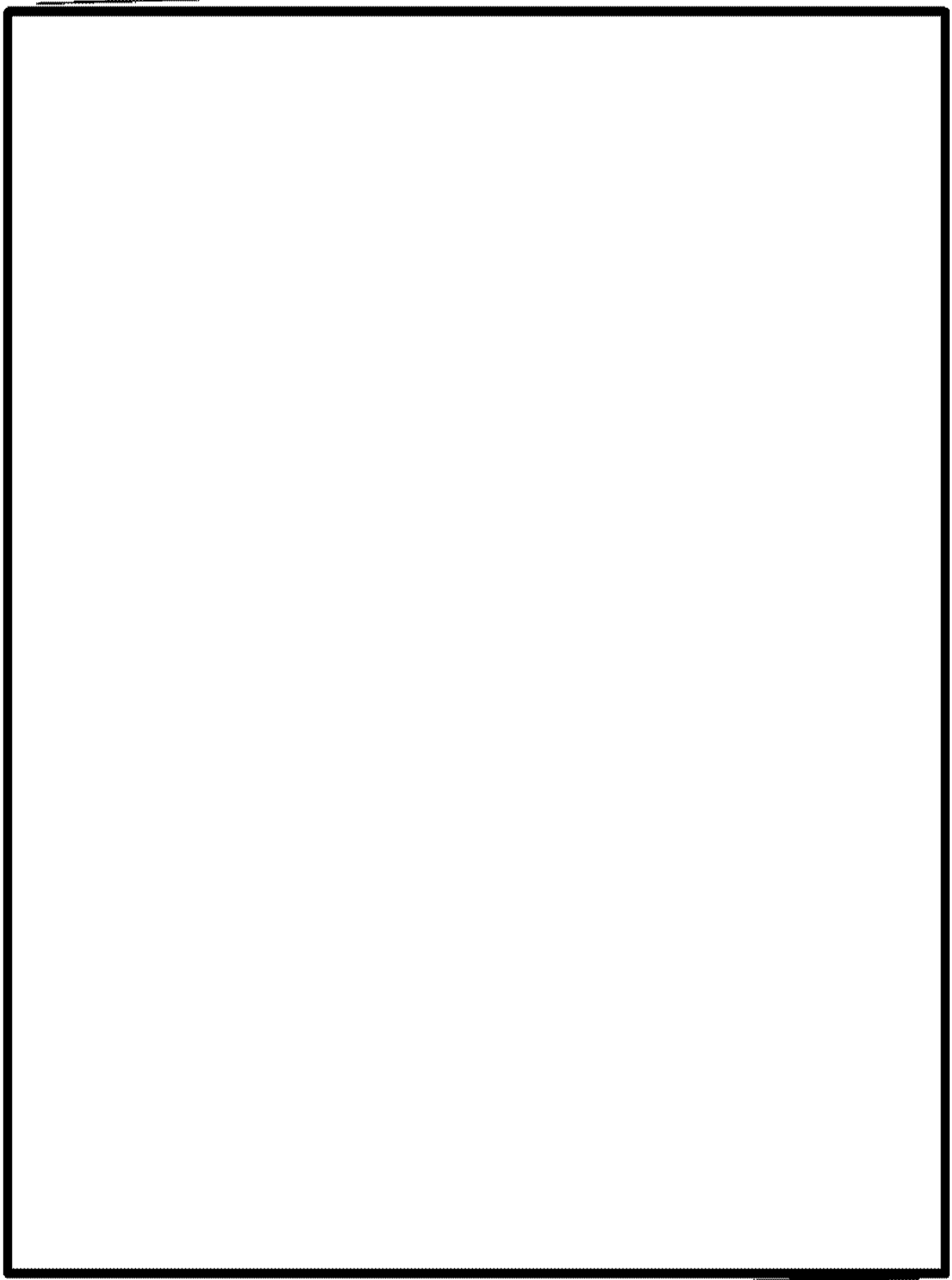


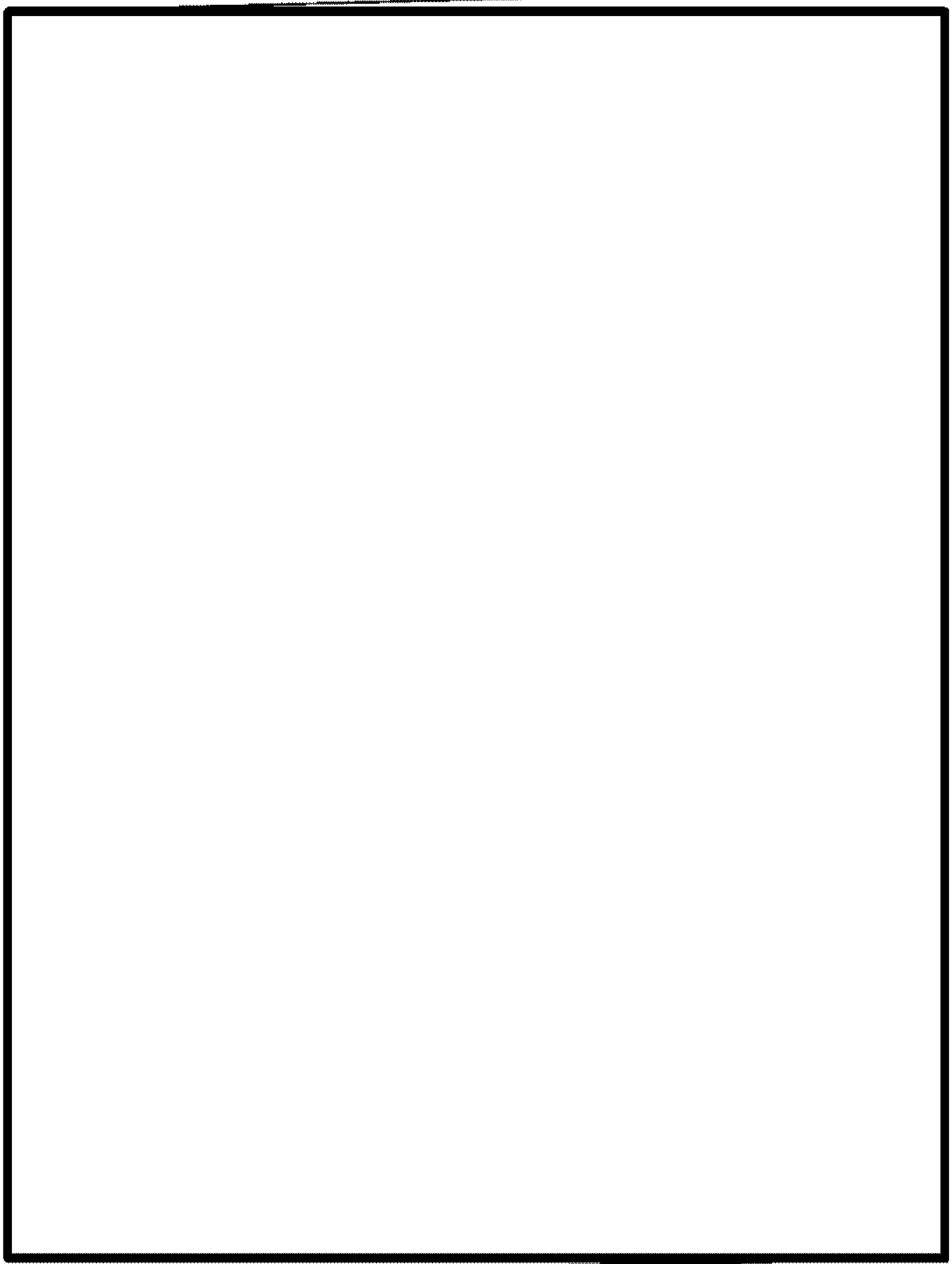


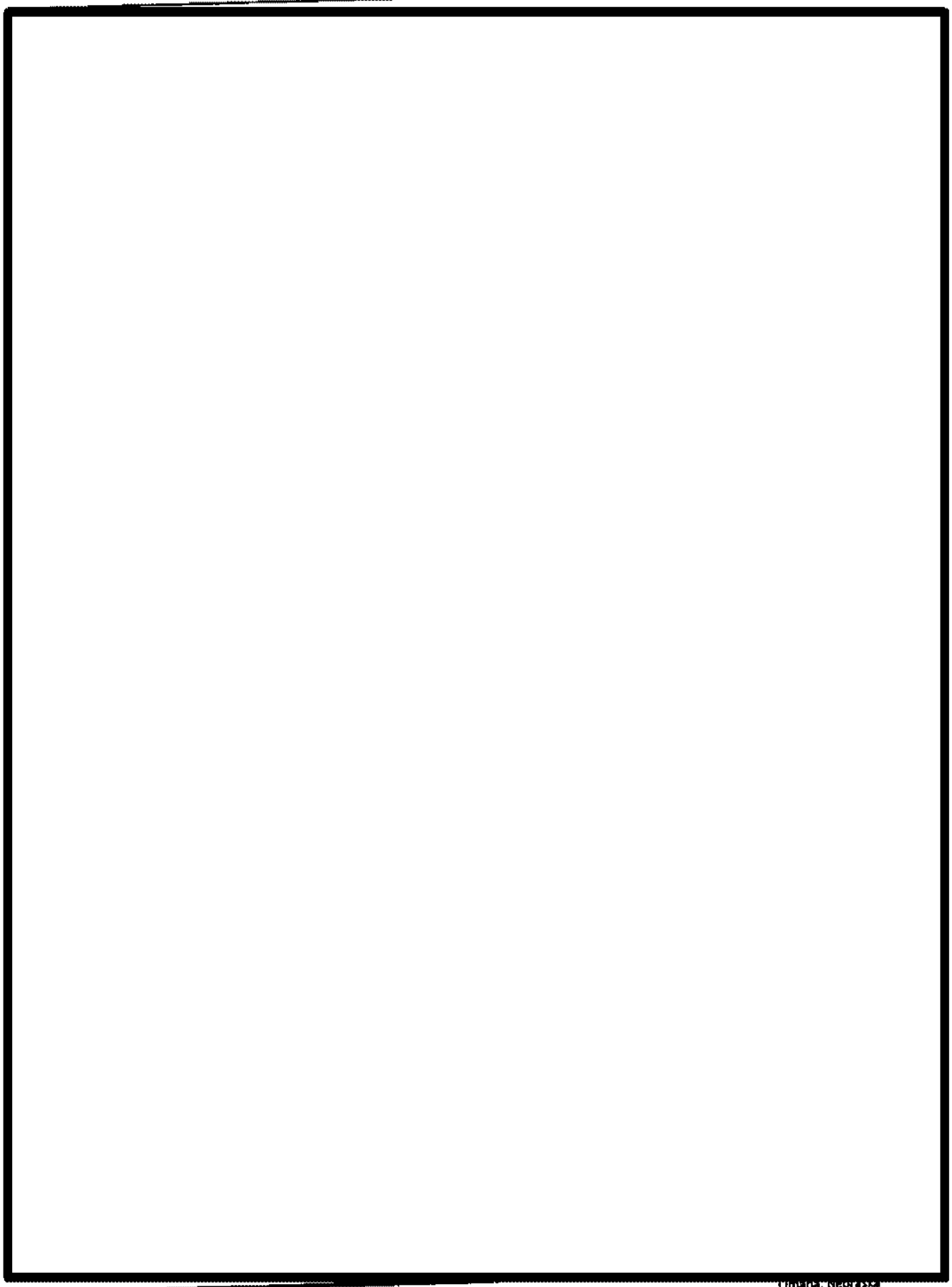


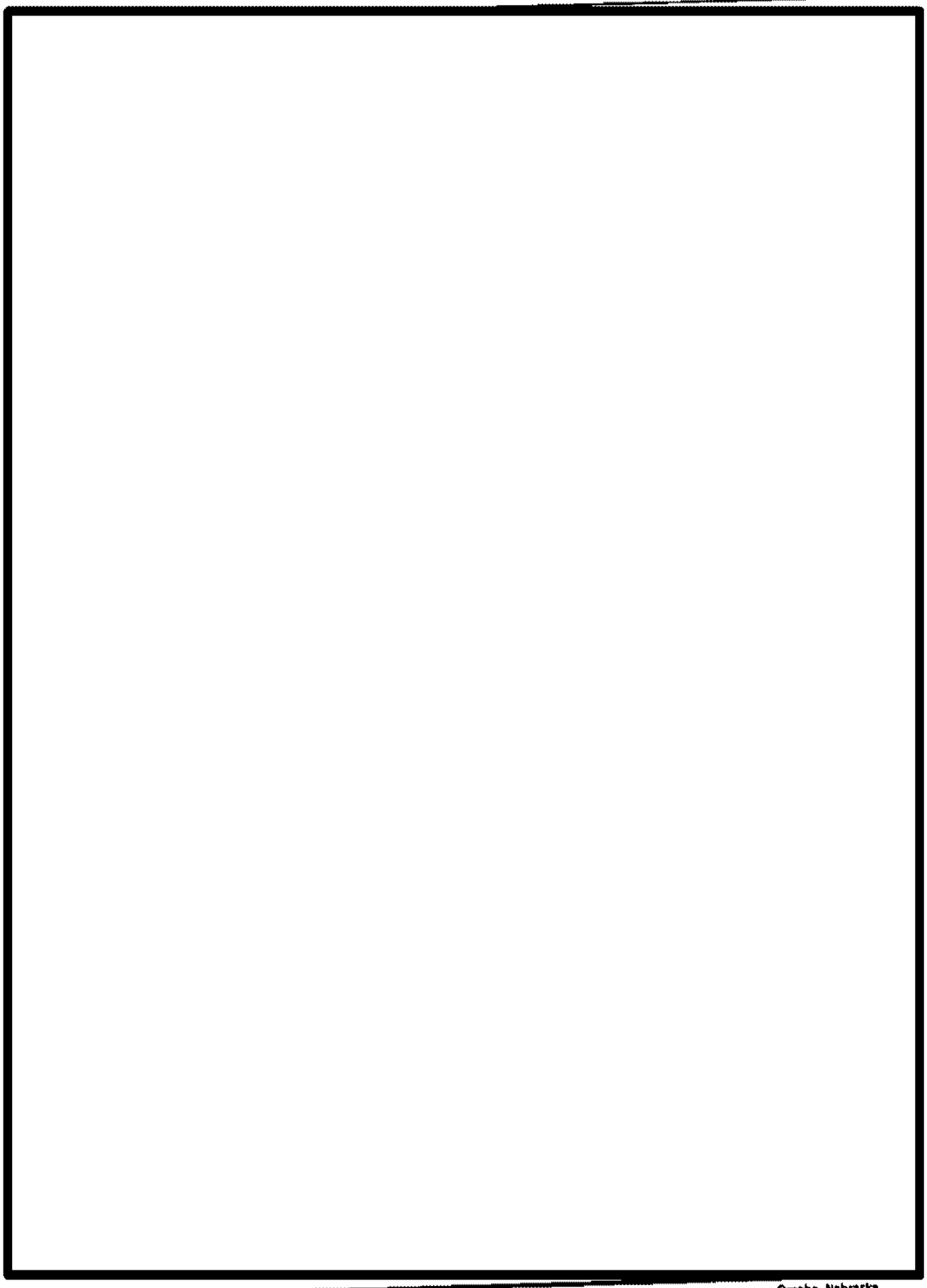


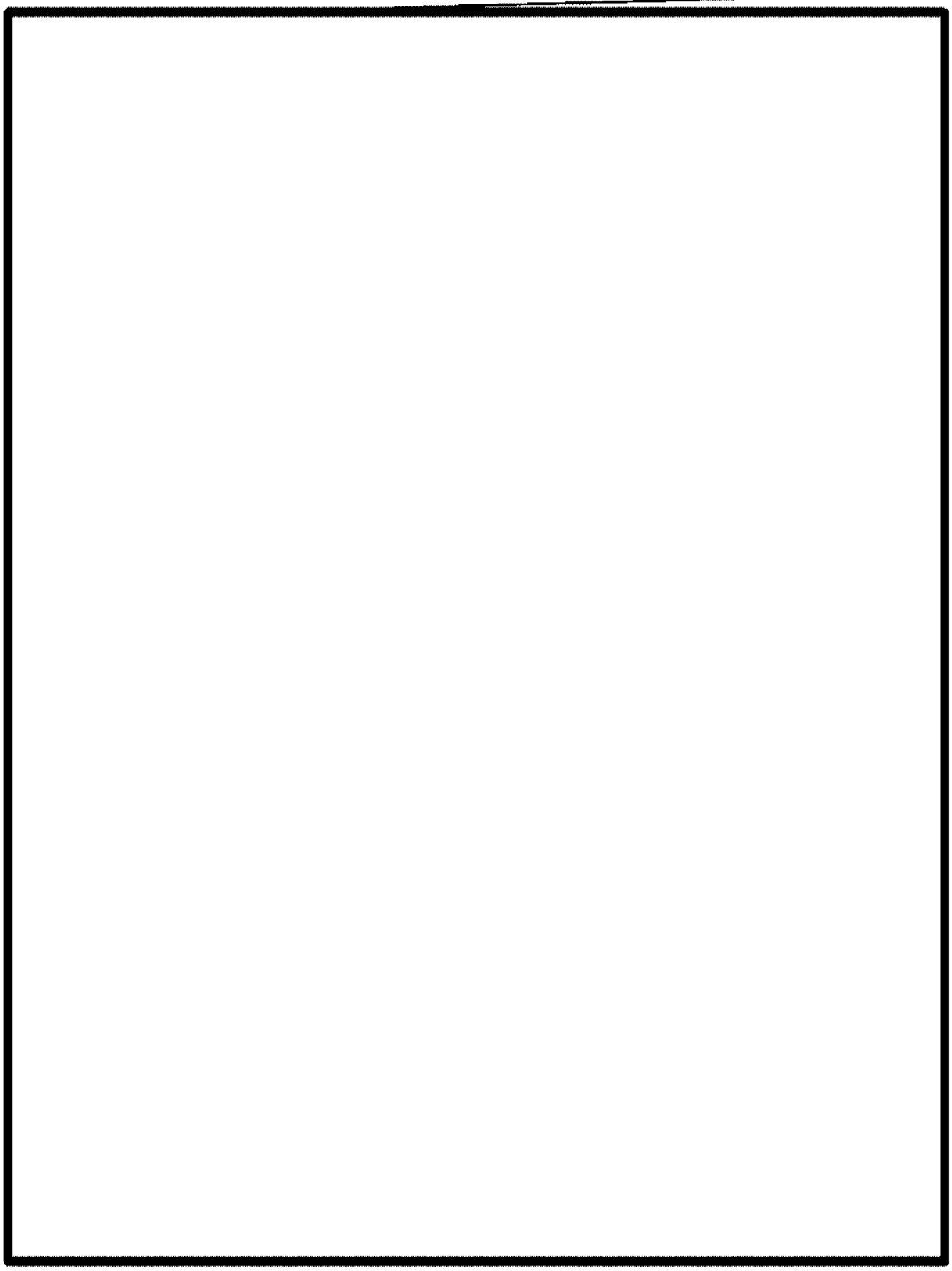


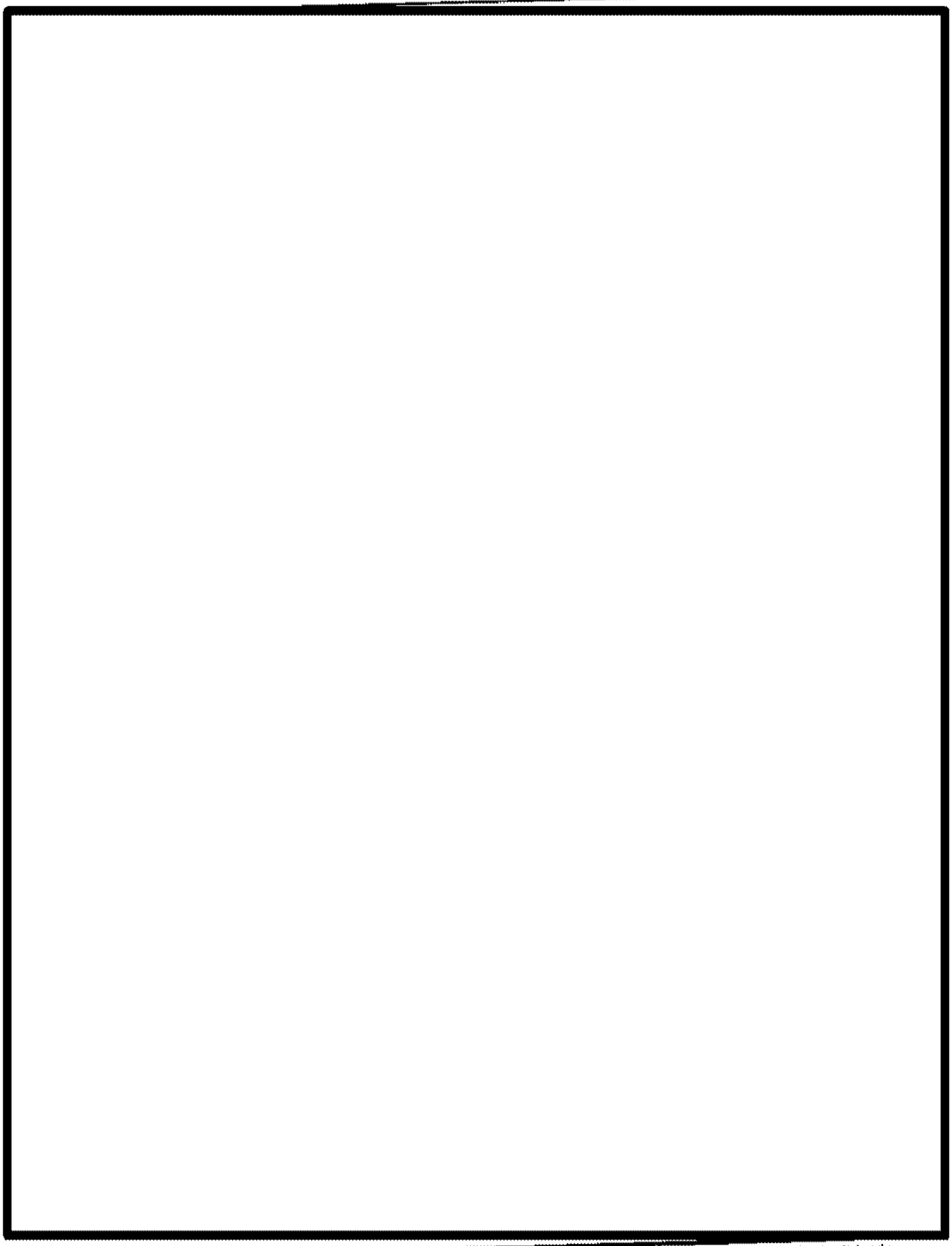


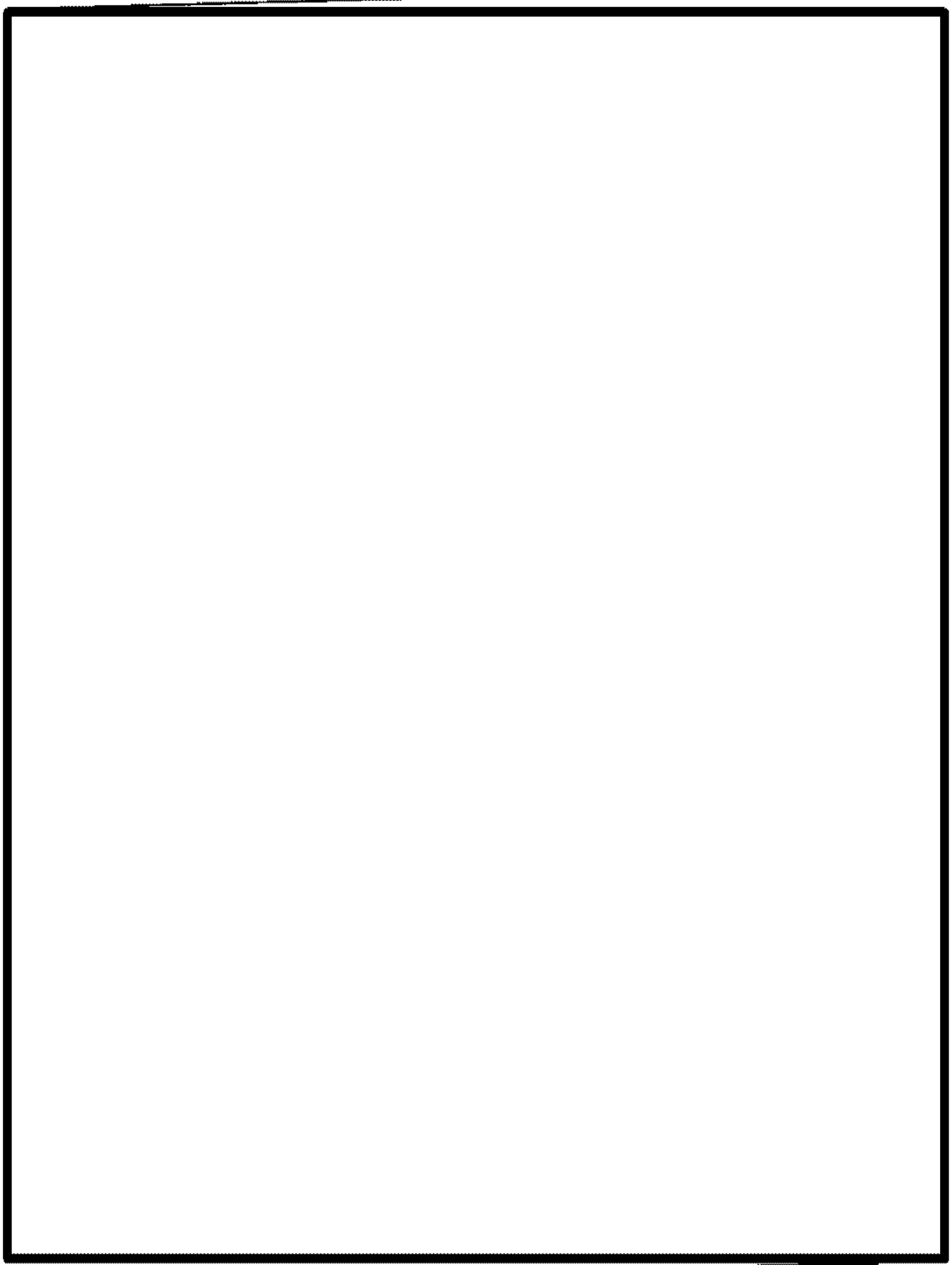












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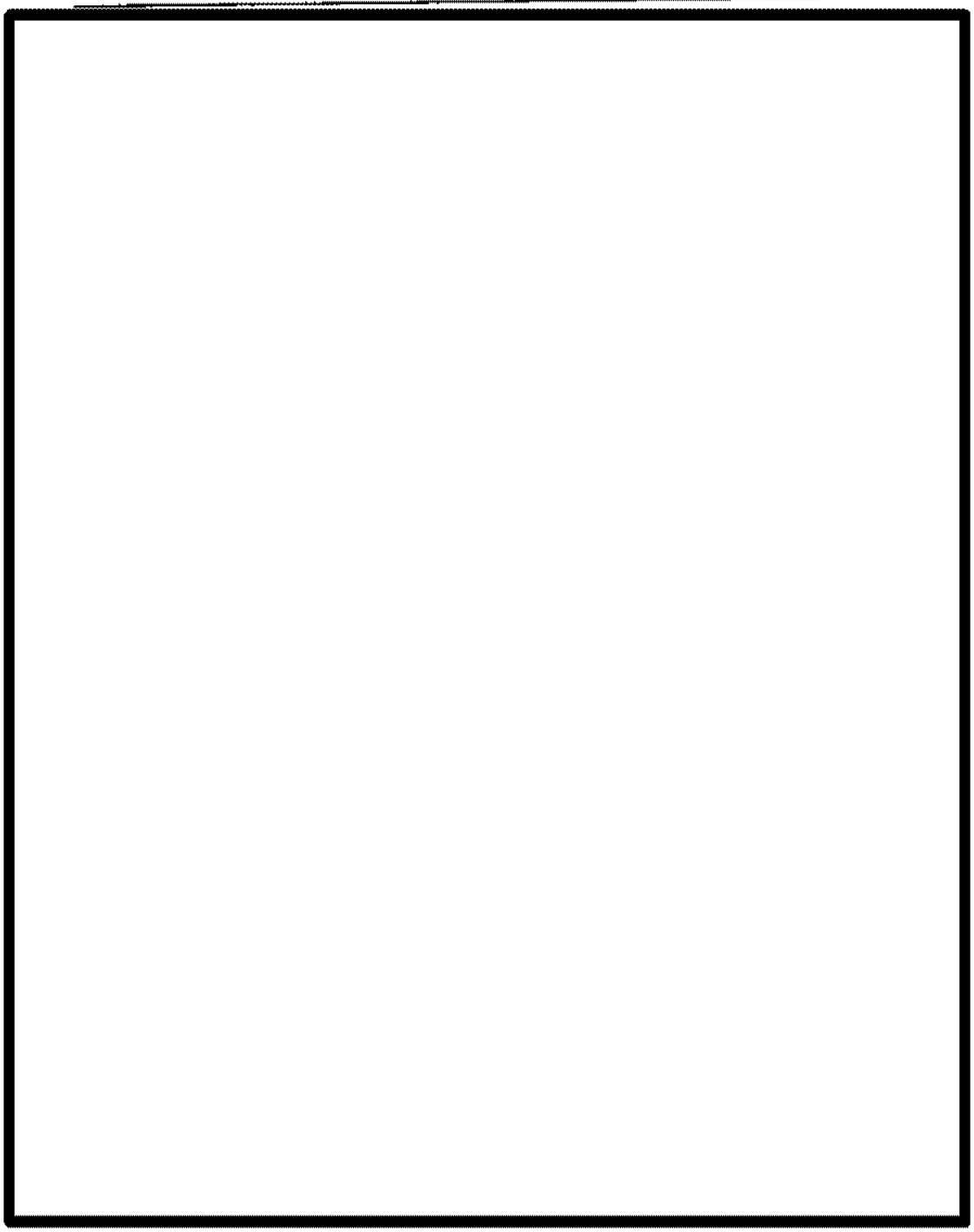
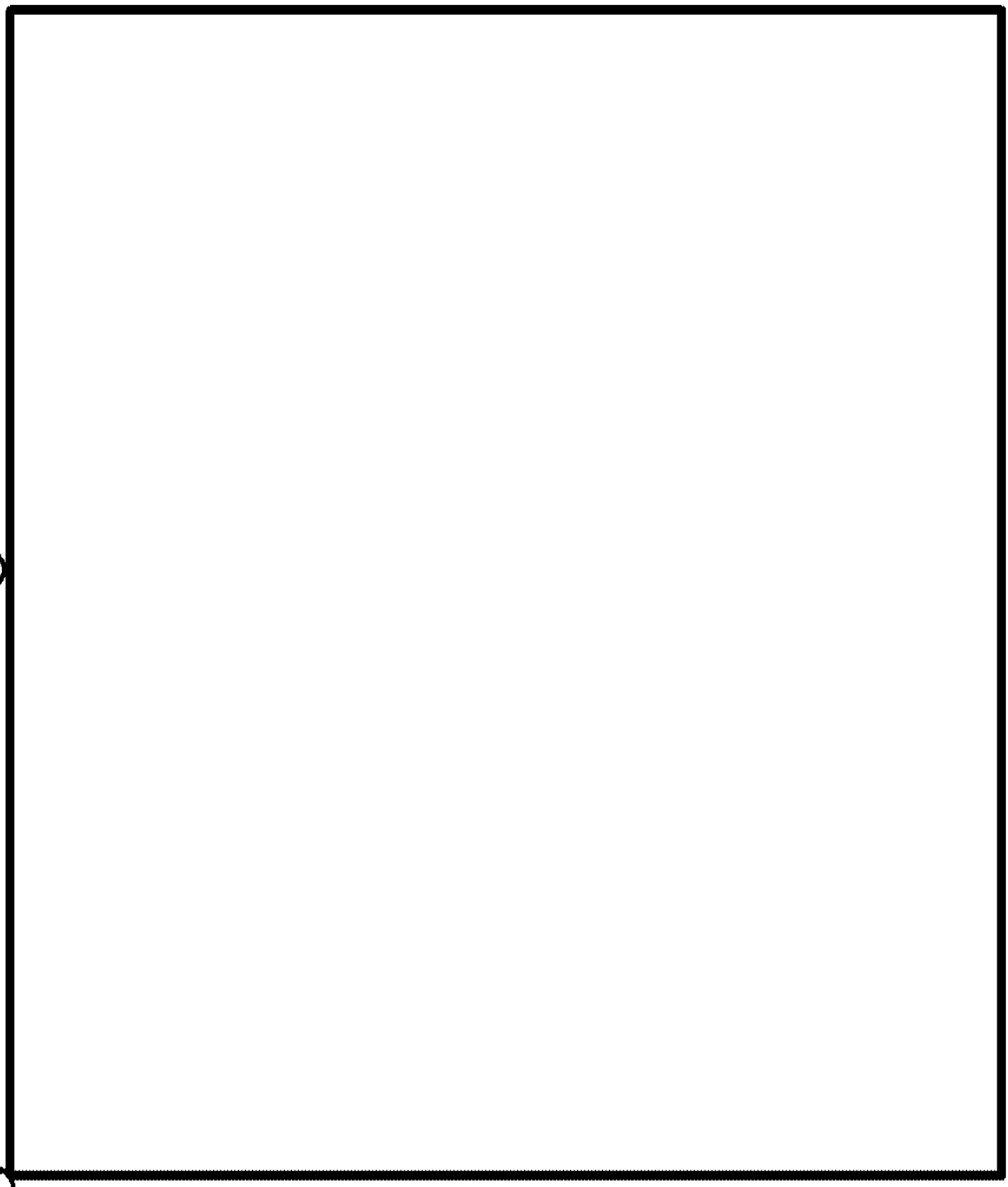
MARKET STUDY





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1. Executive Summary

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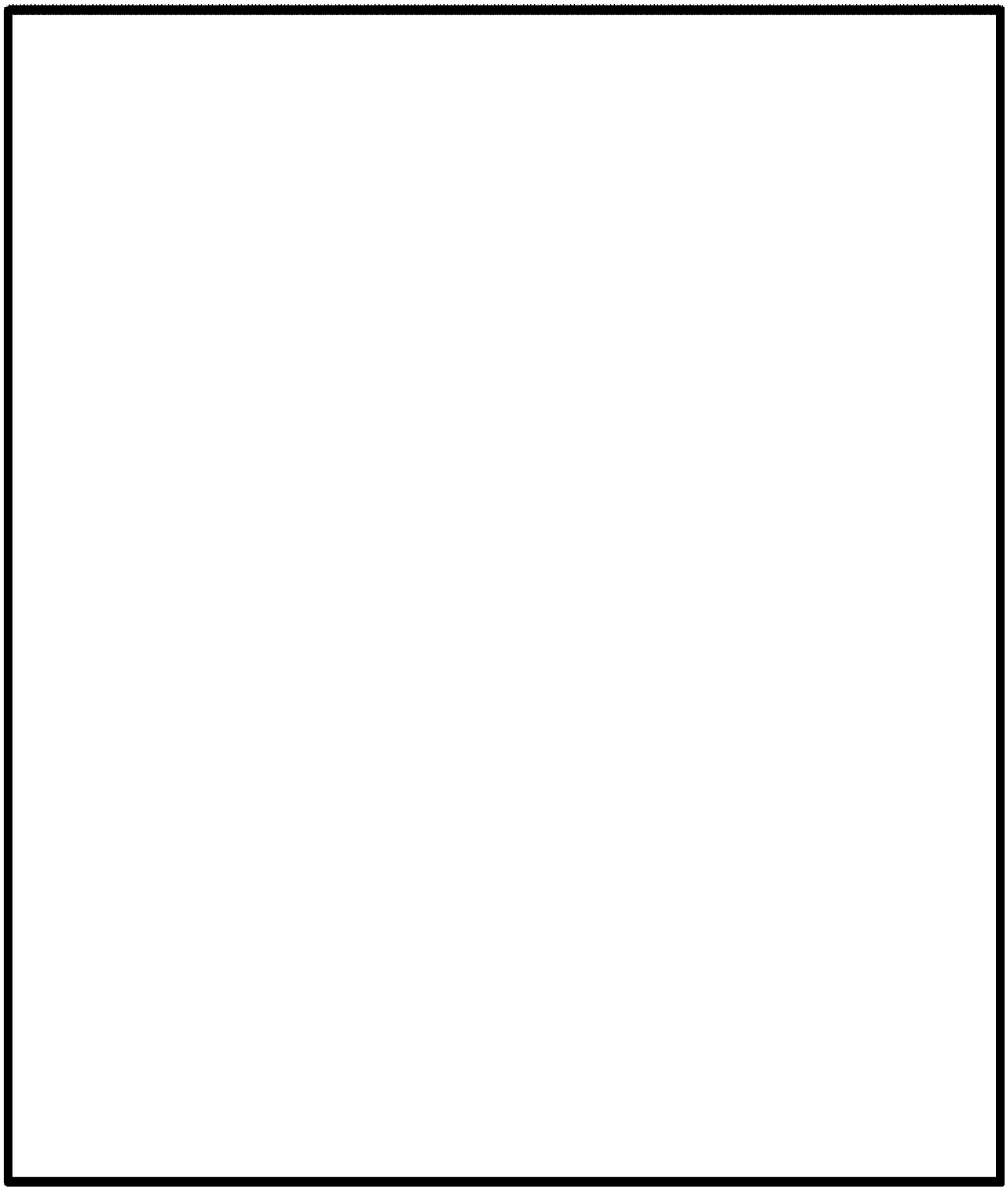

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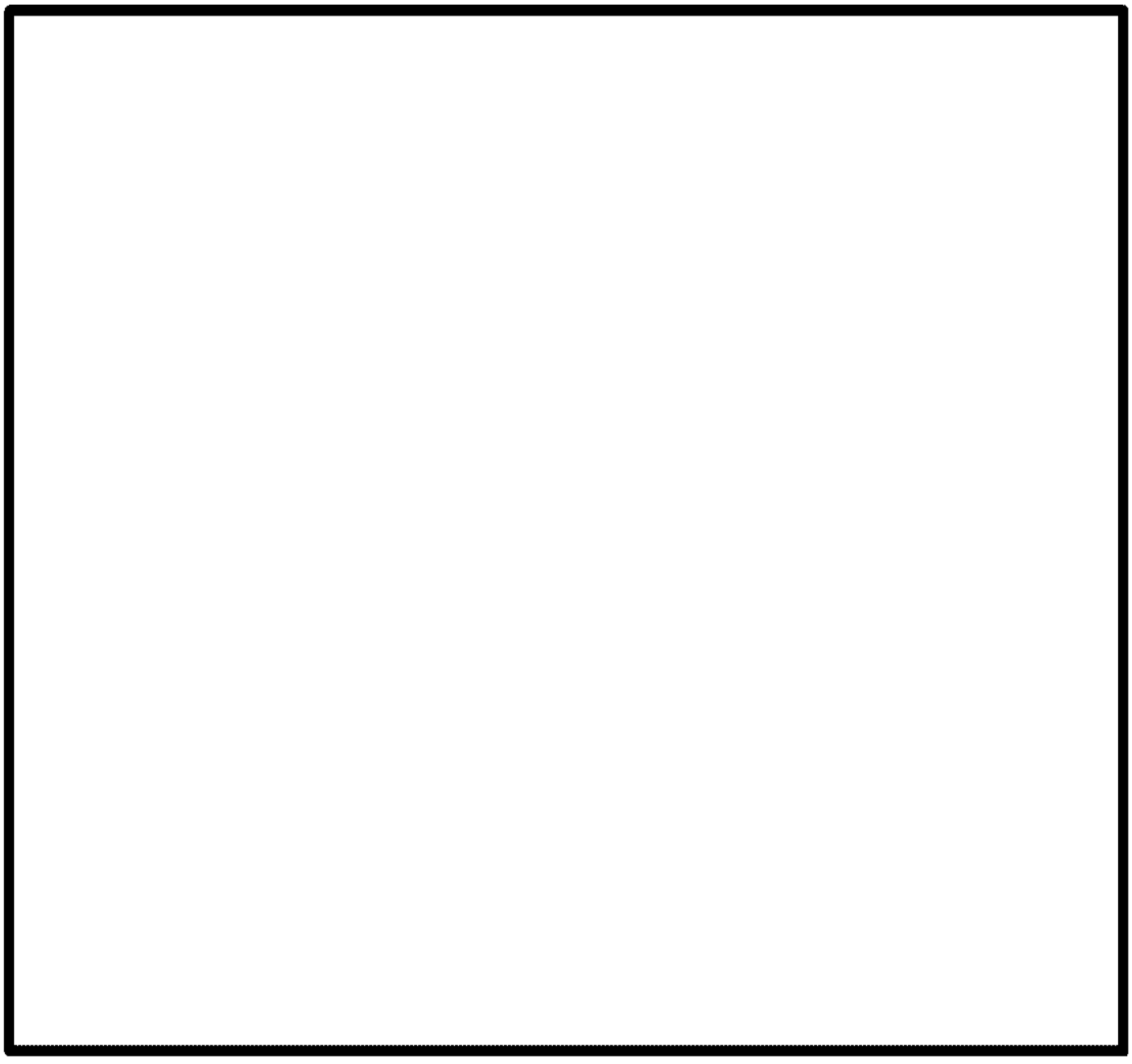

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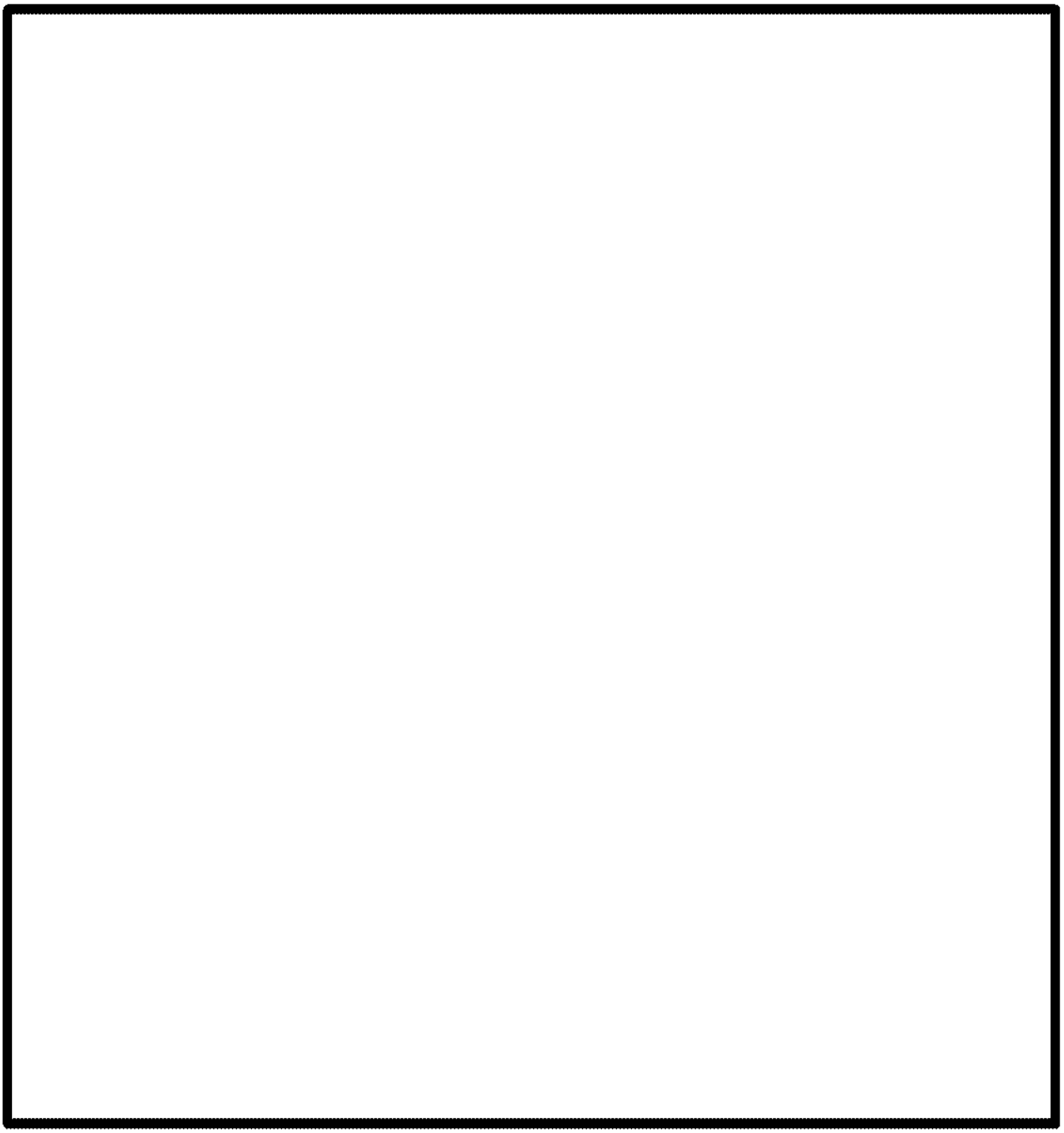

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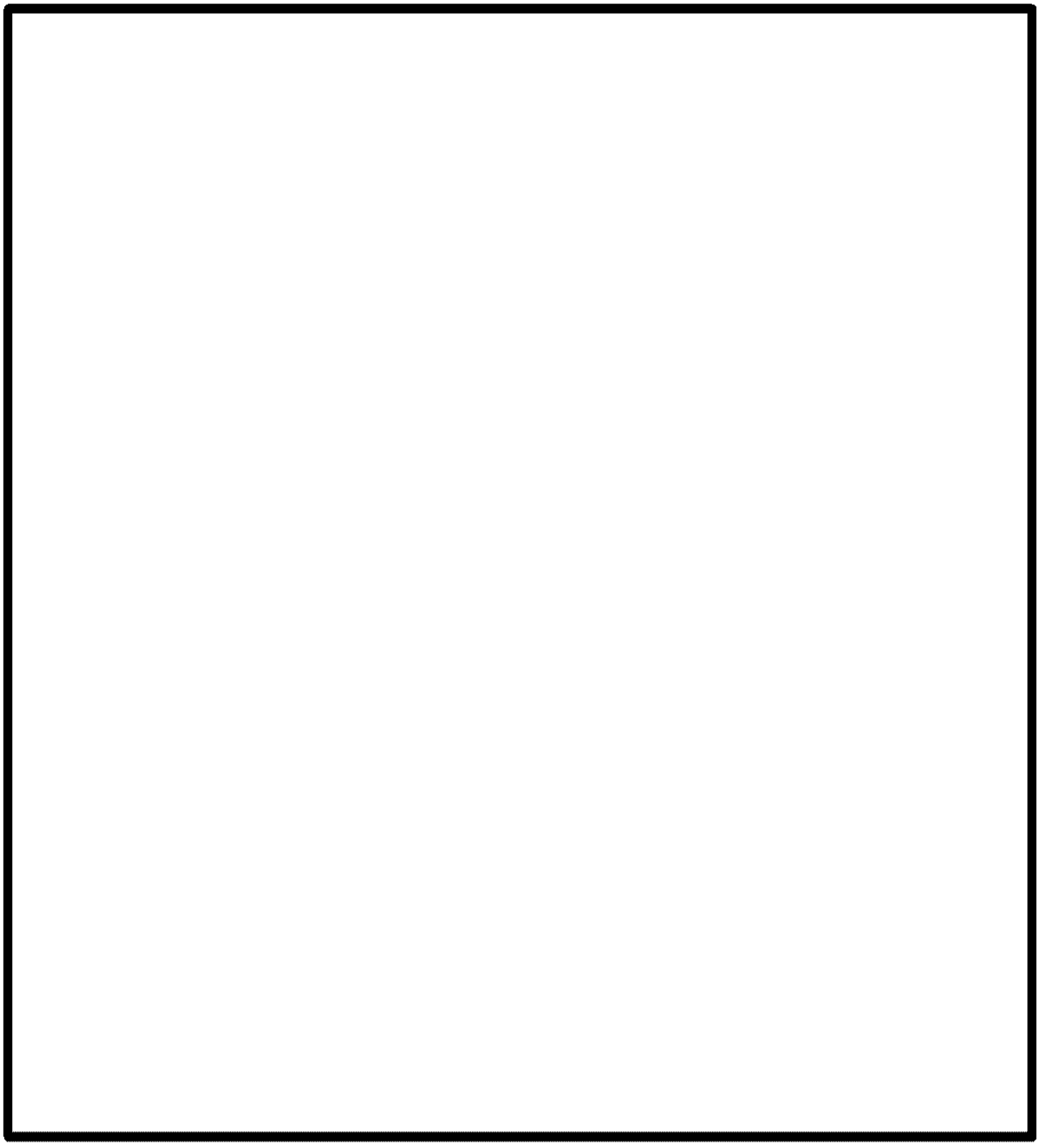

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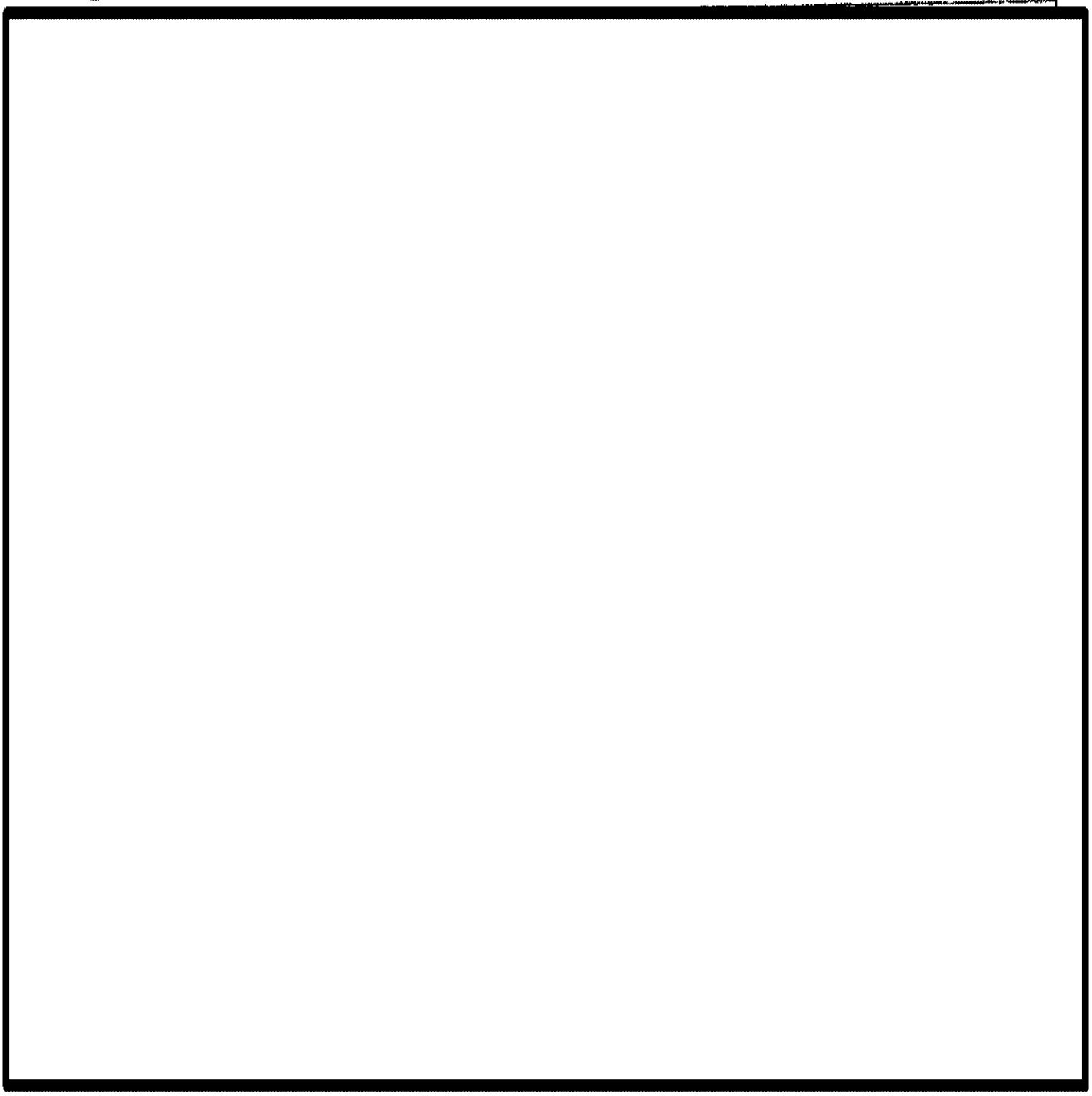

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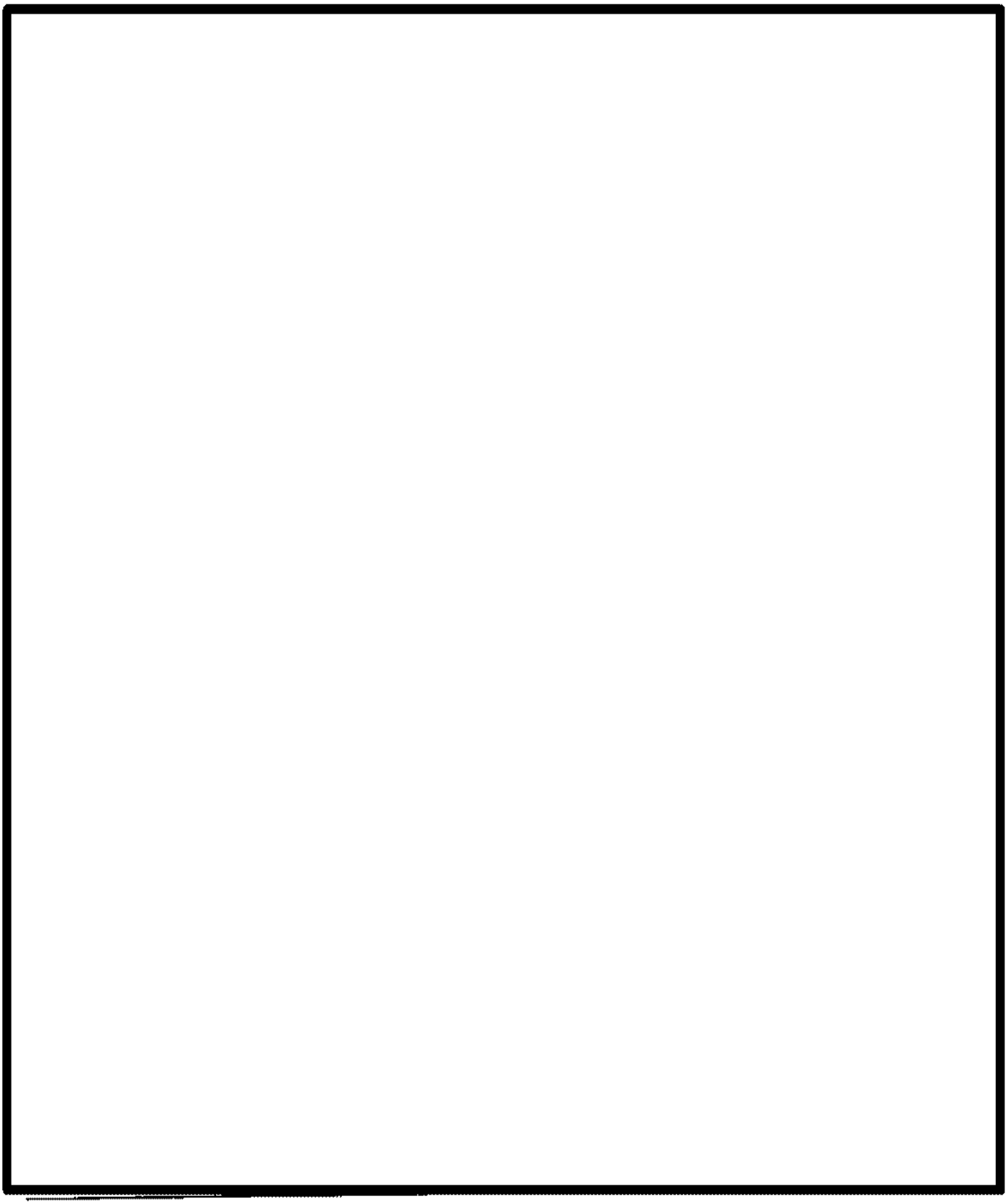

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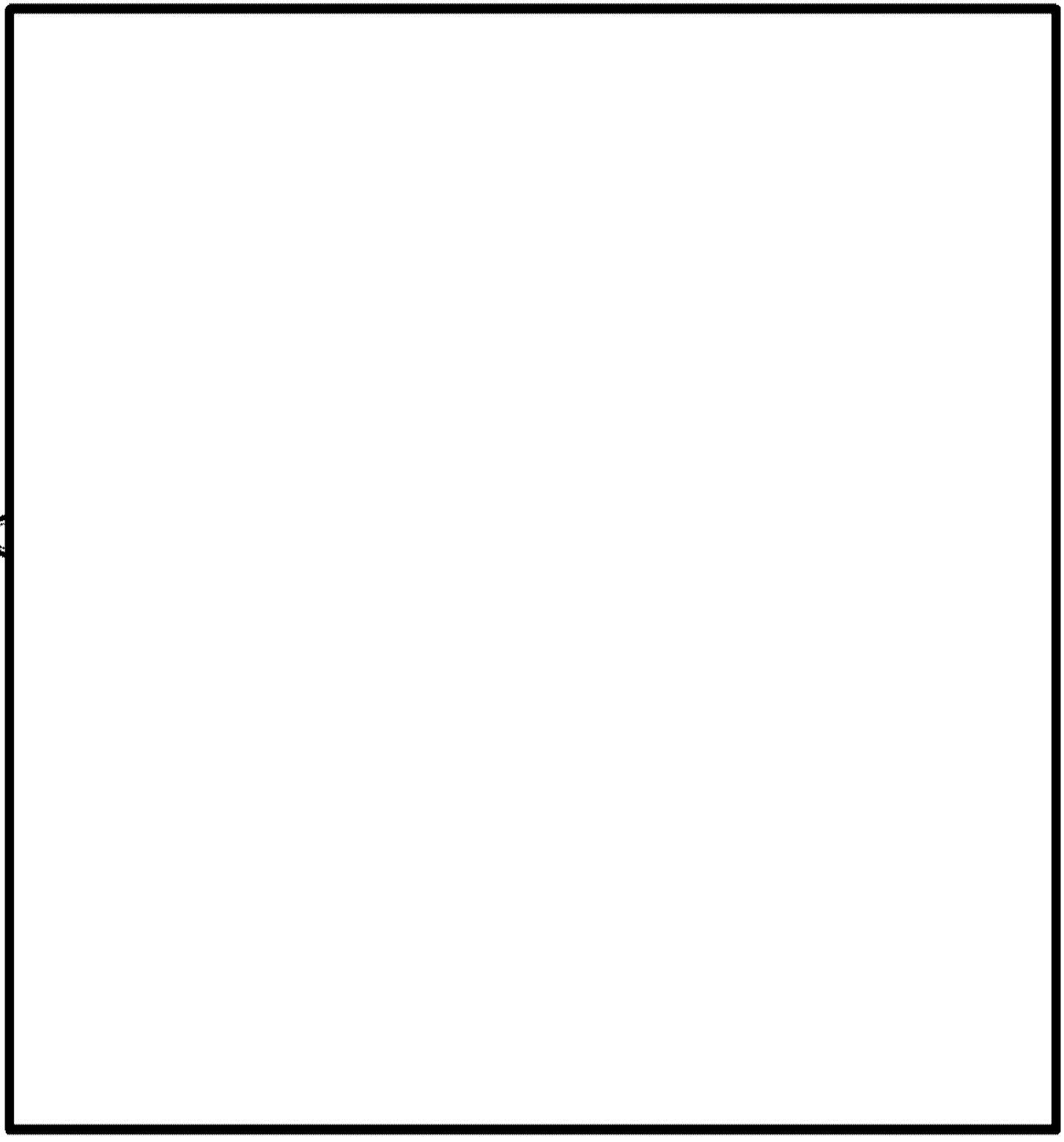

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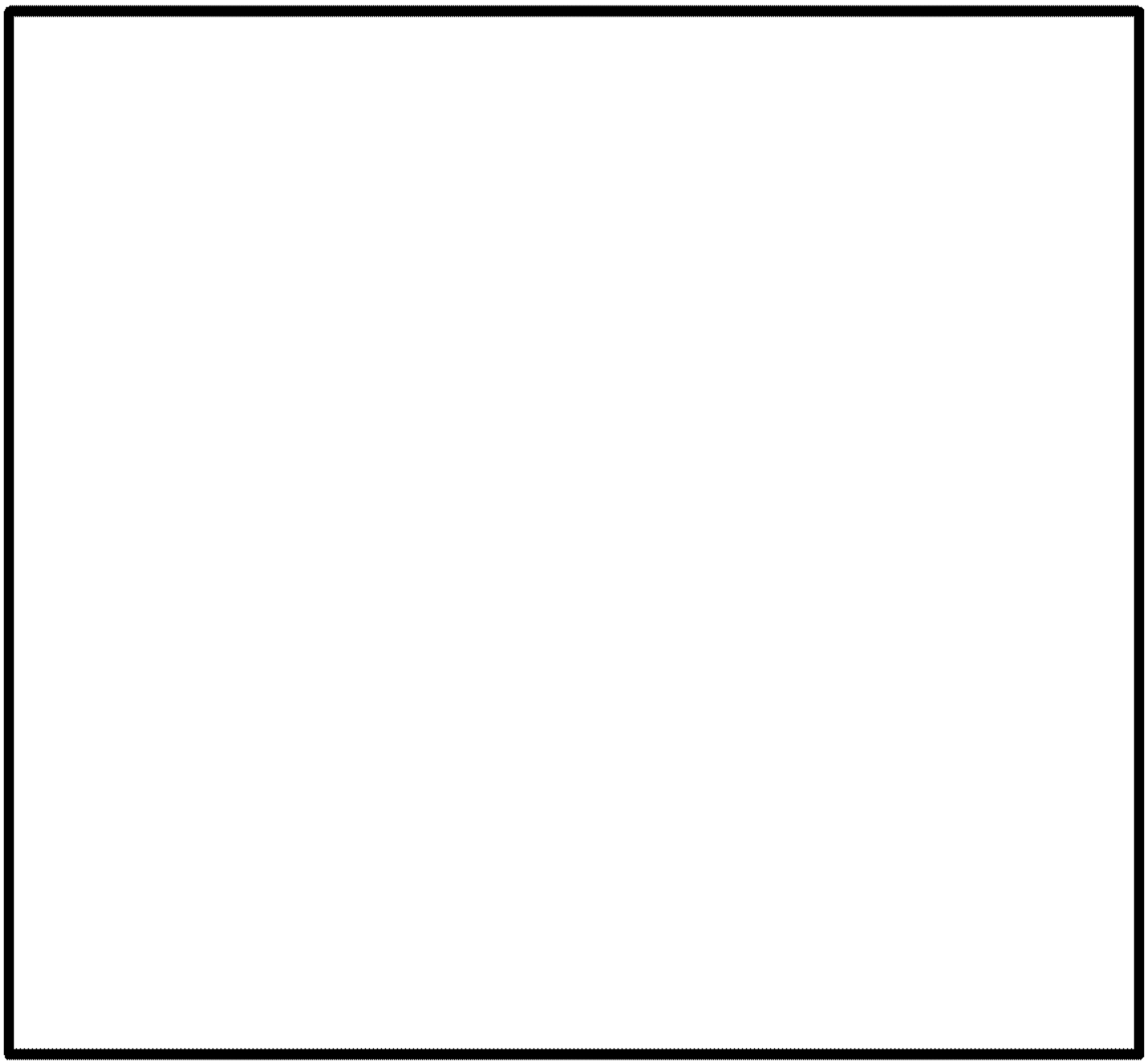

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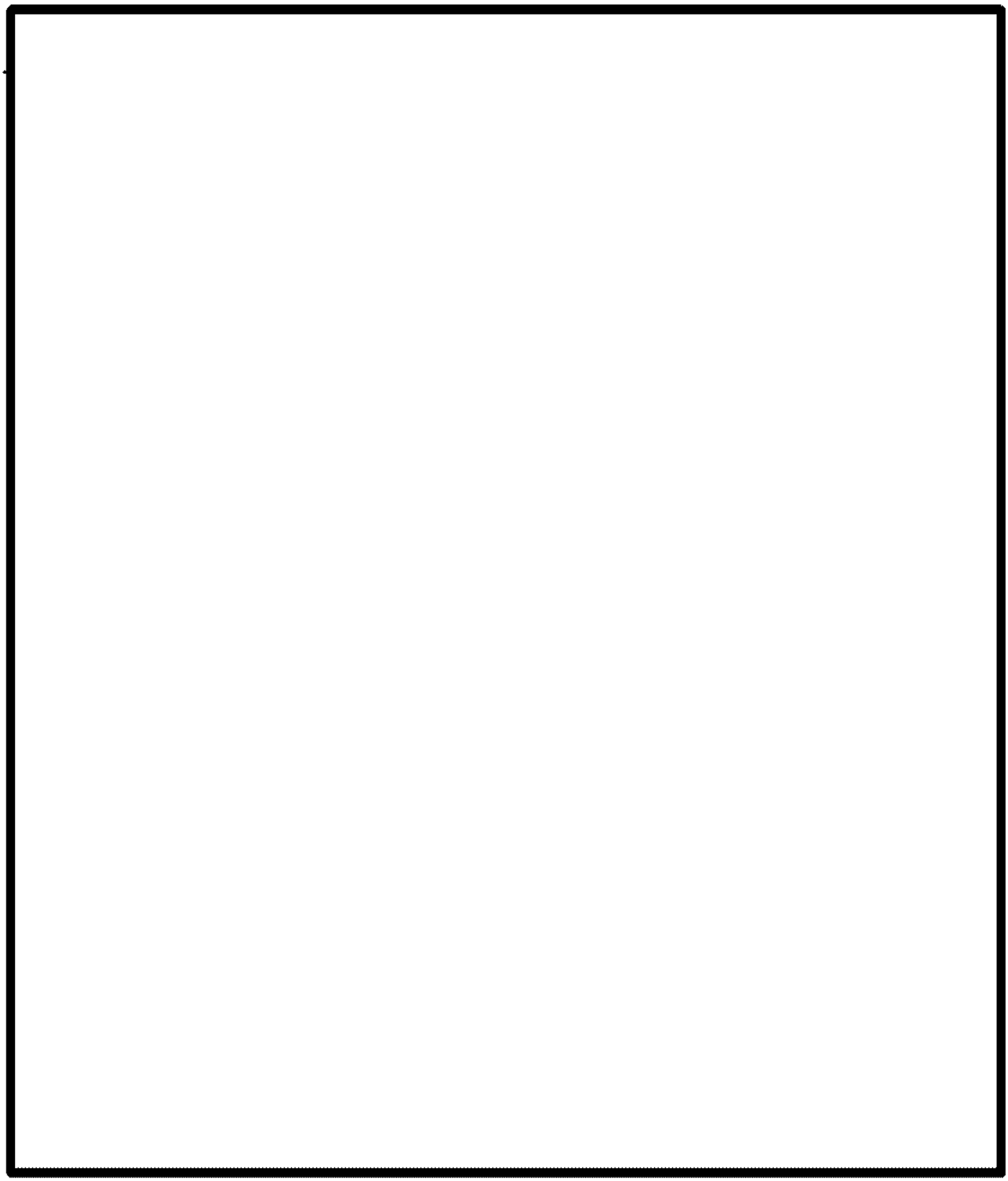

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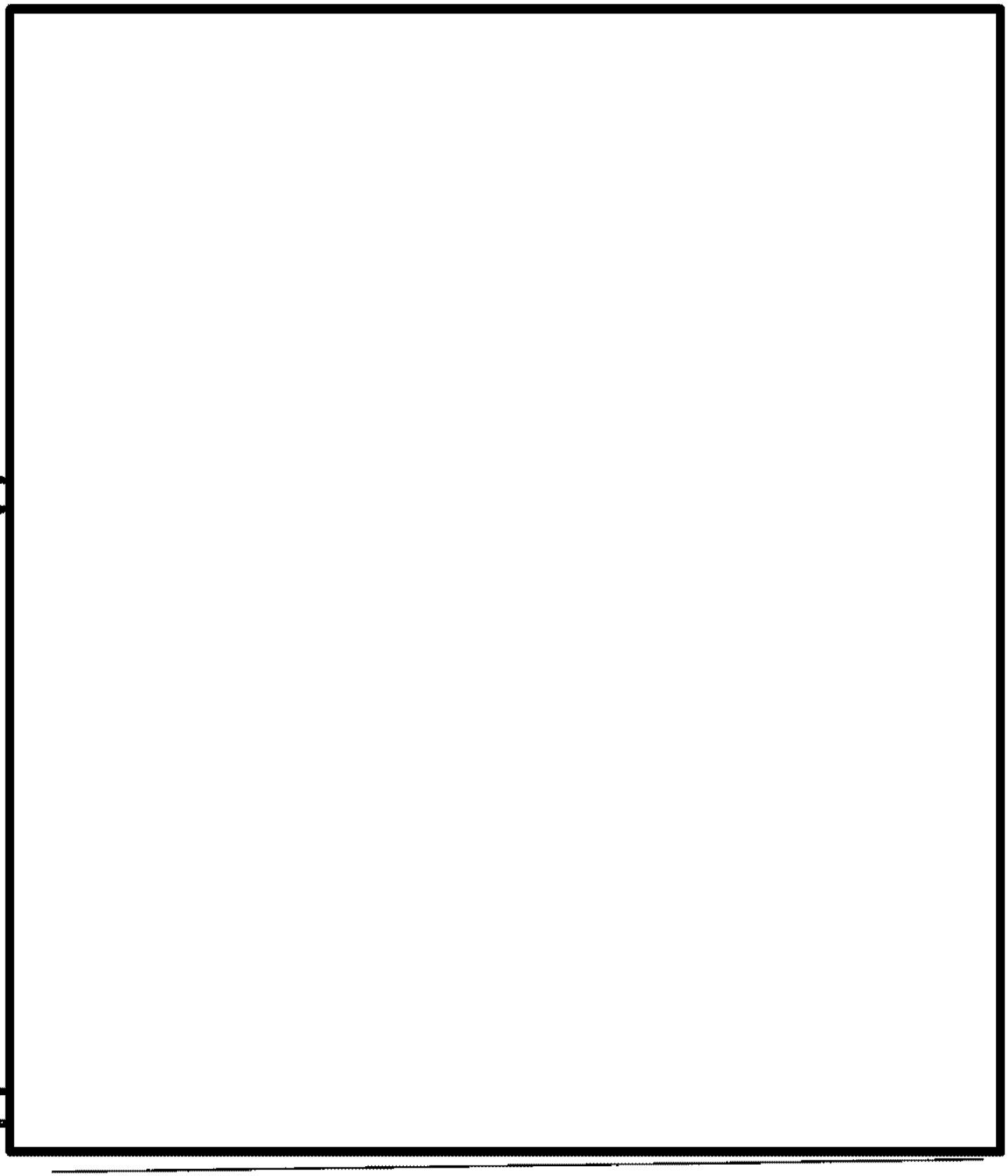

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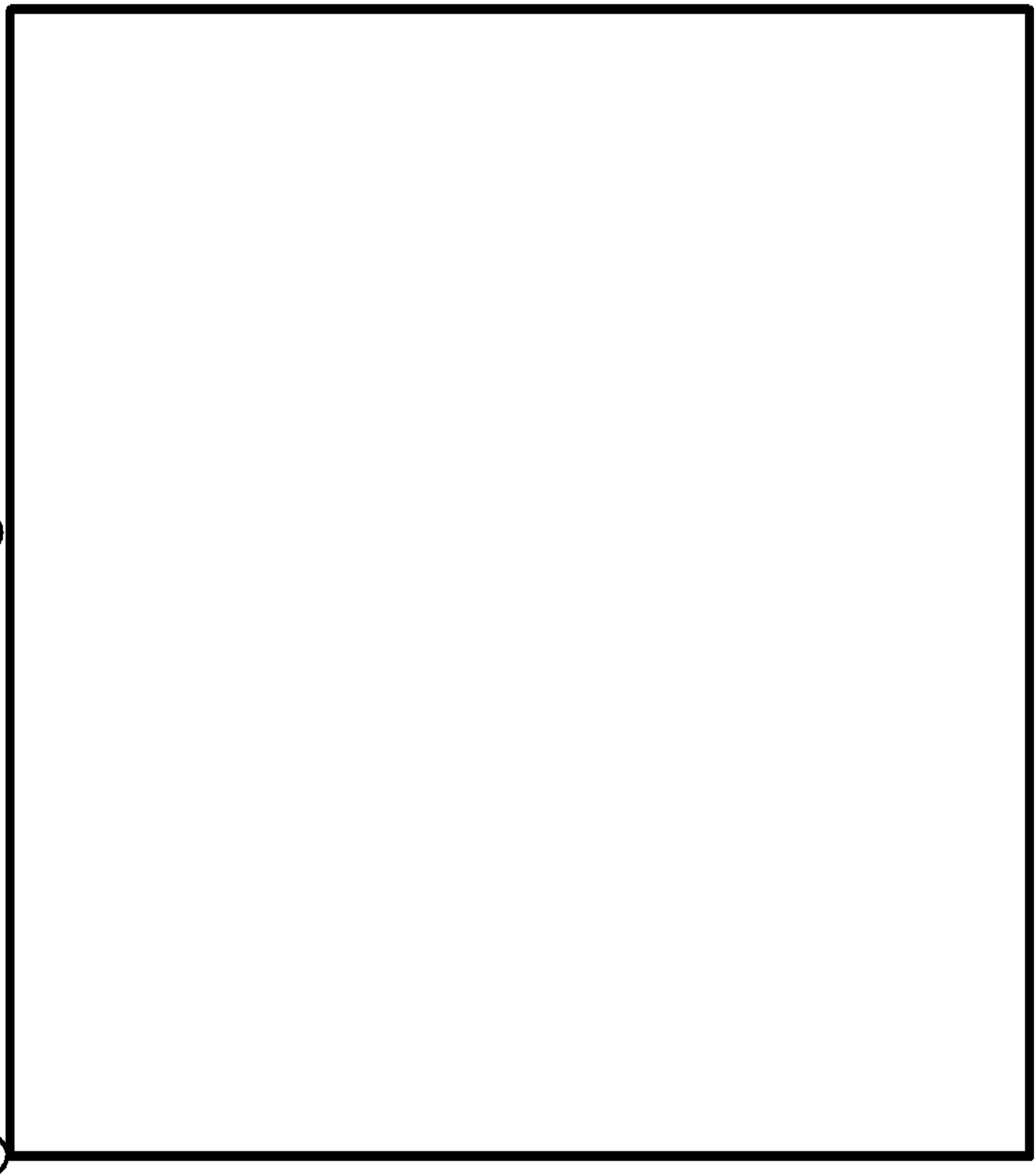

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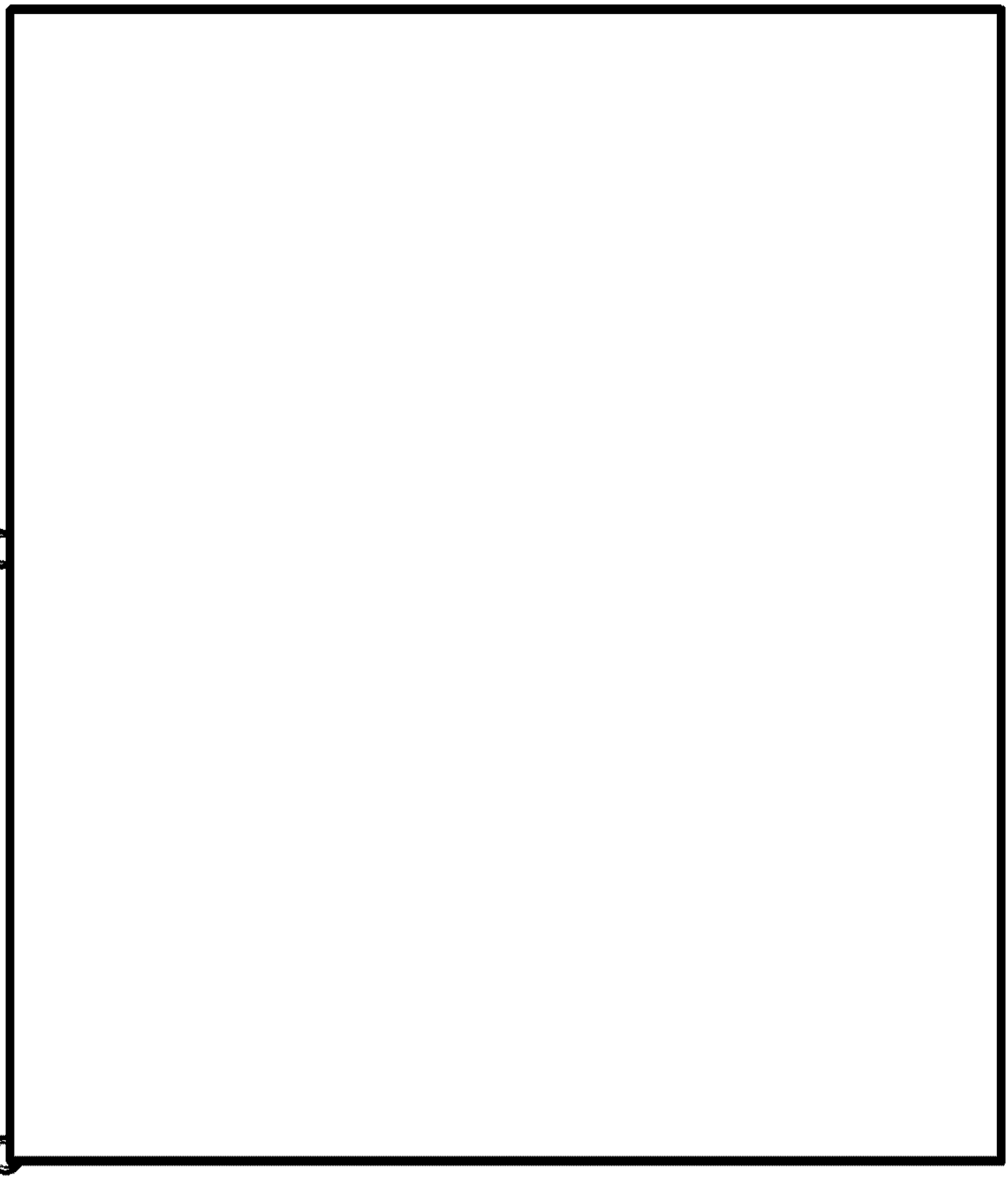

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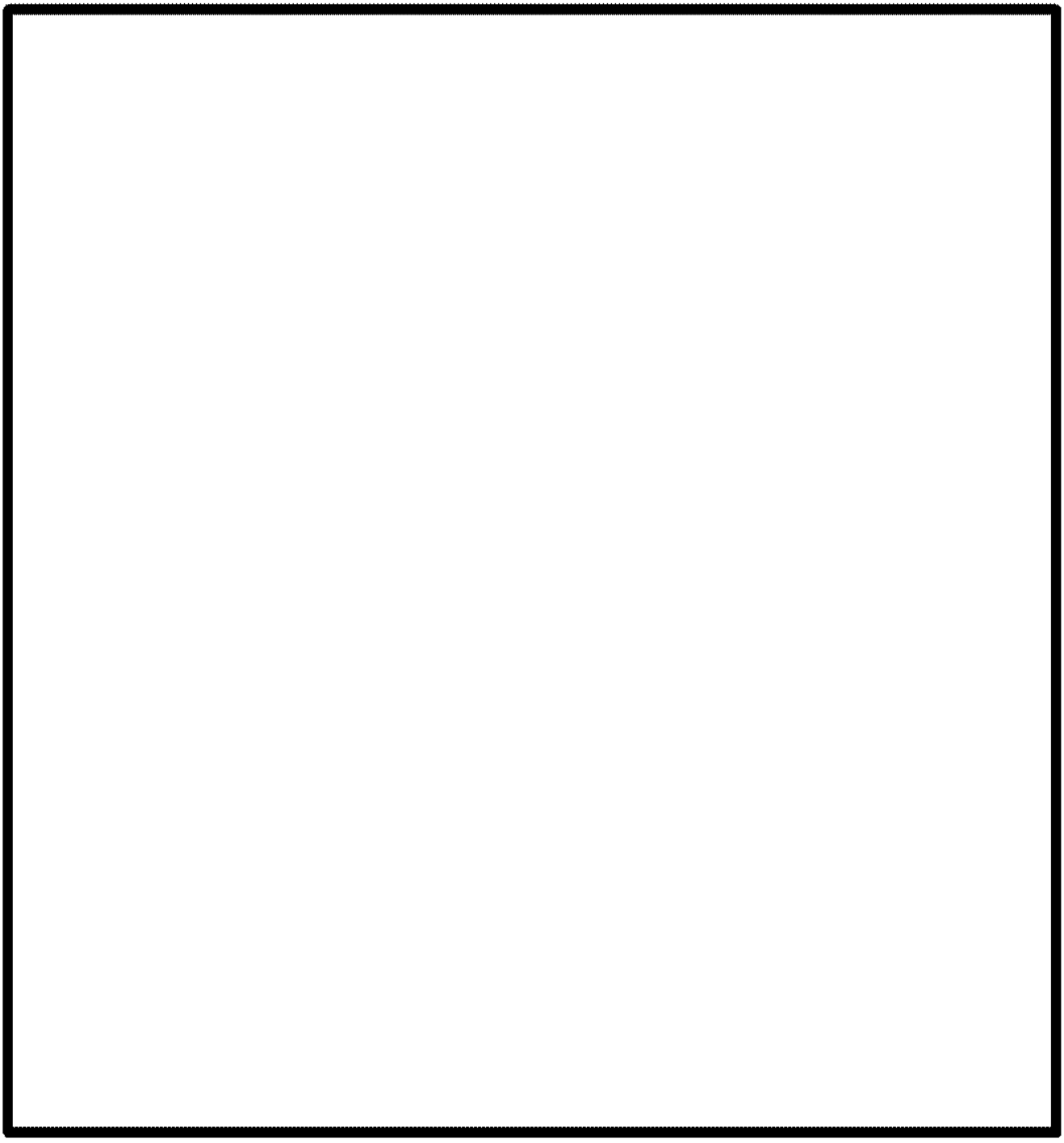

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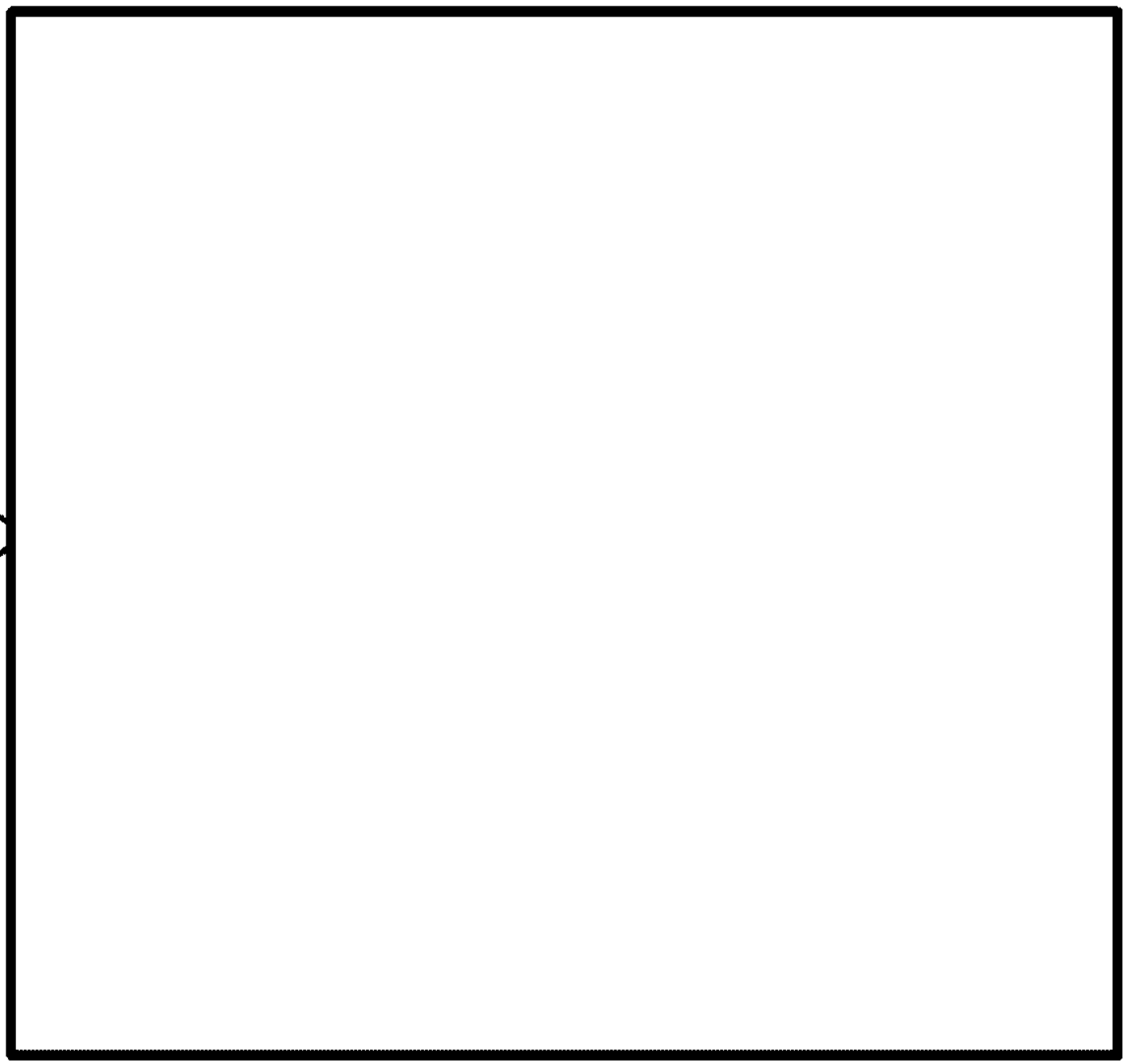

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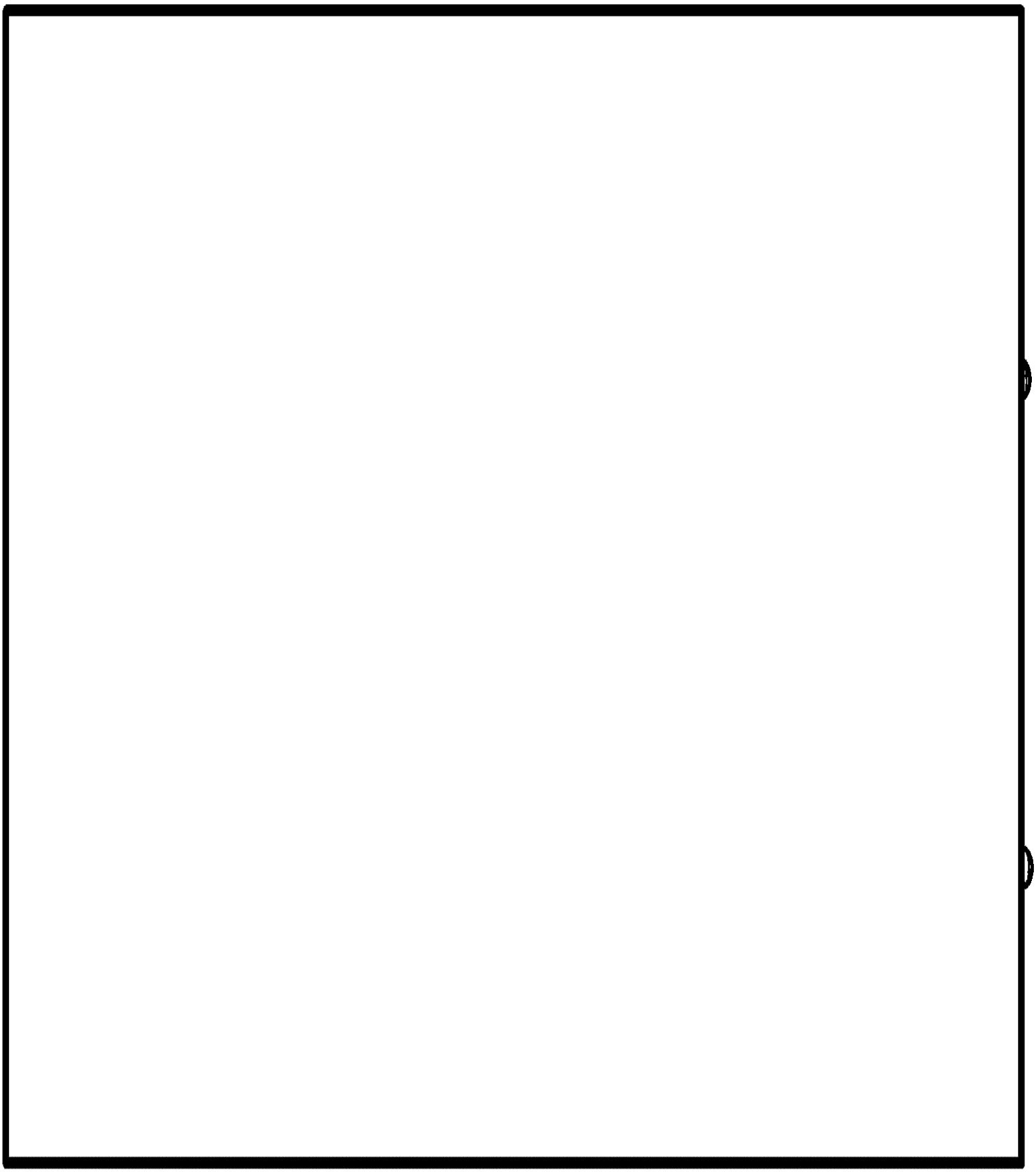

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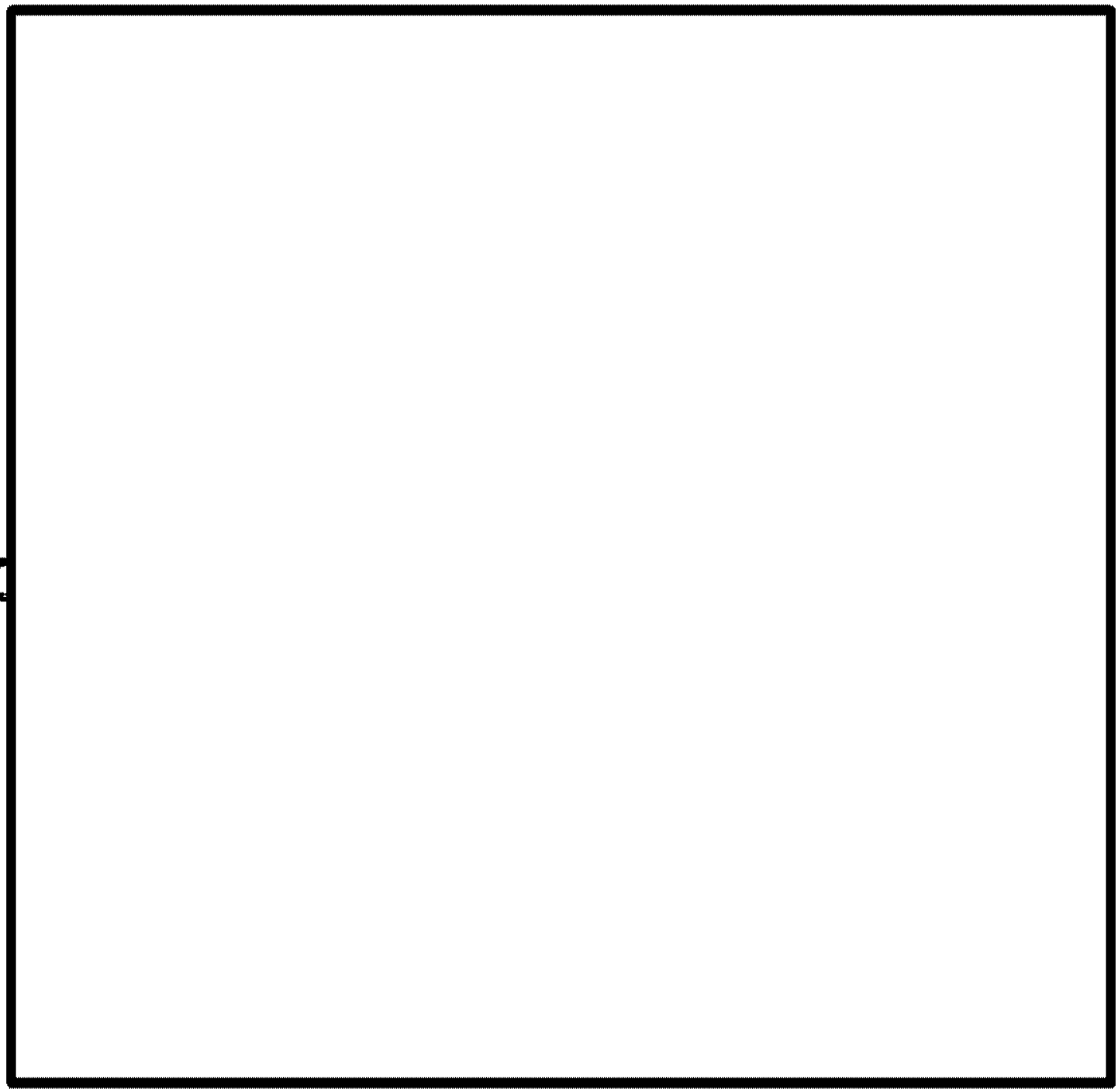

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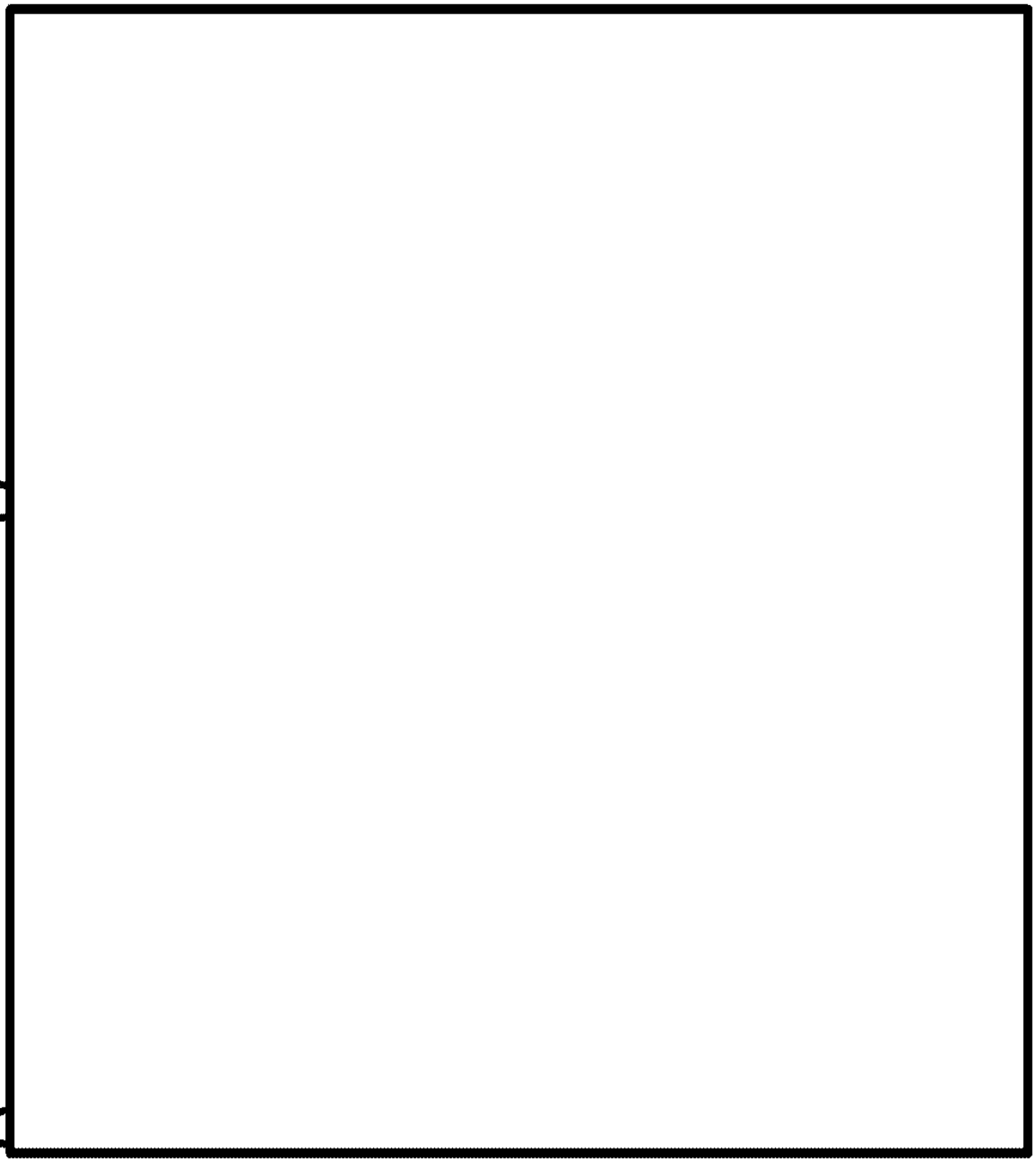

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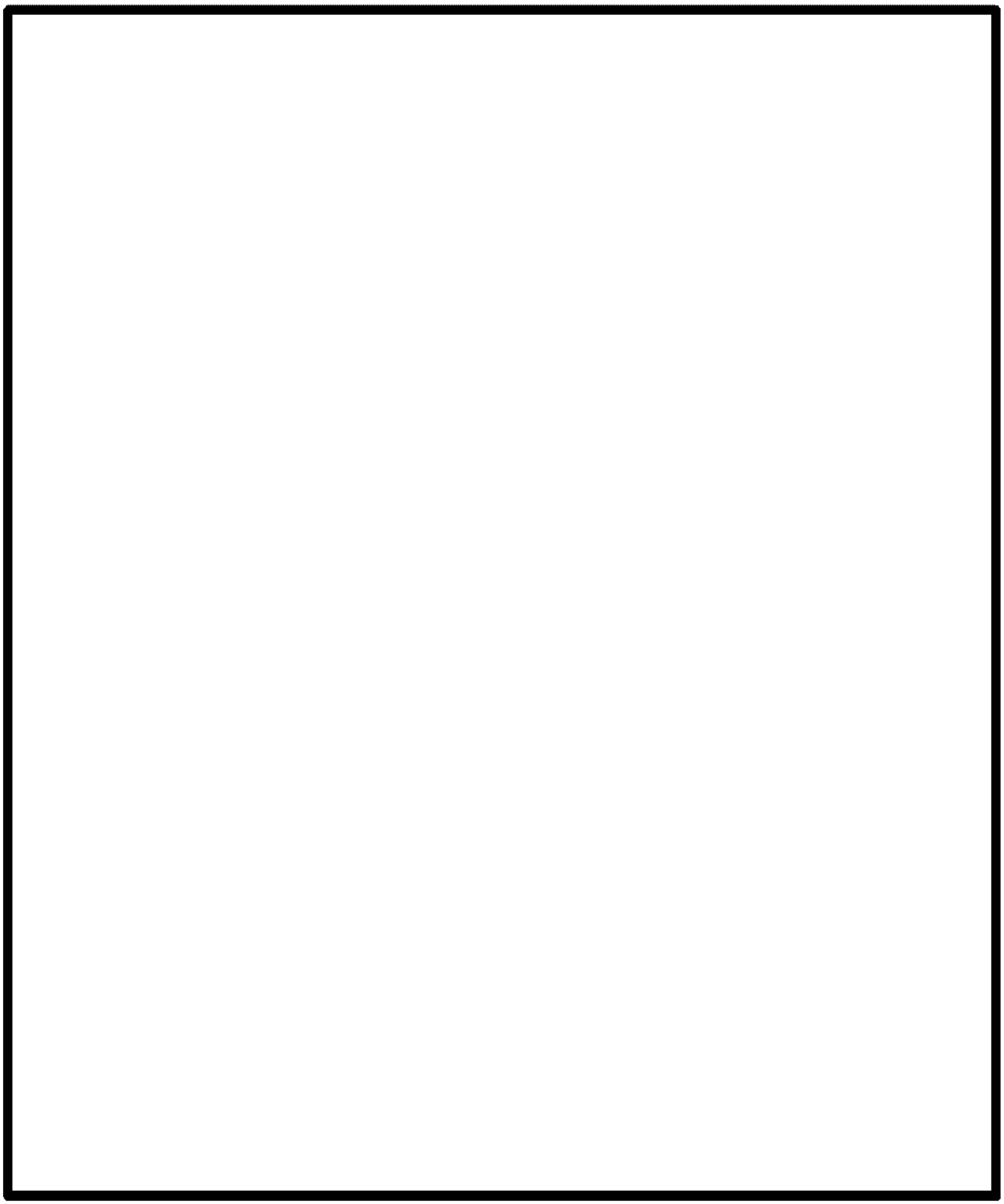

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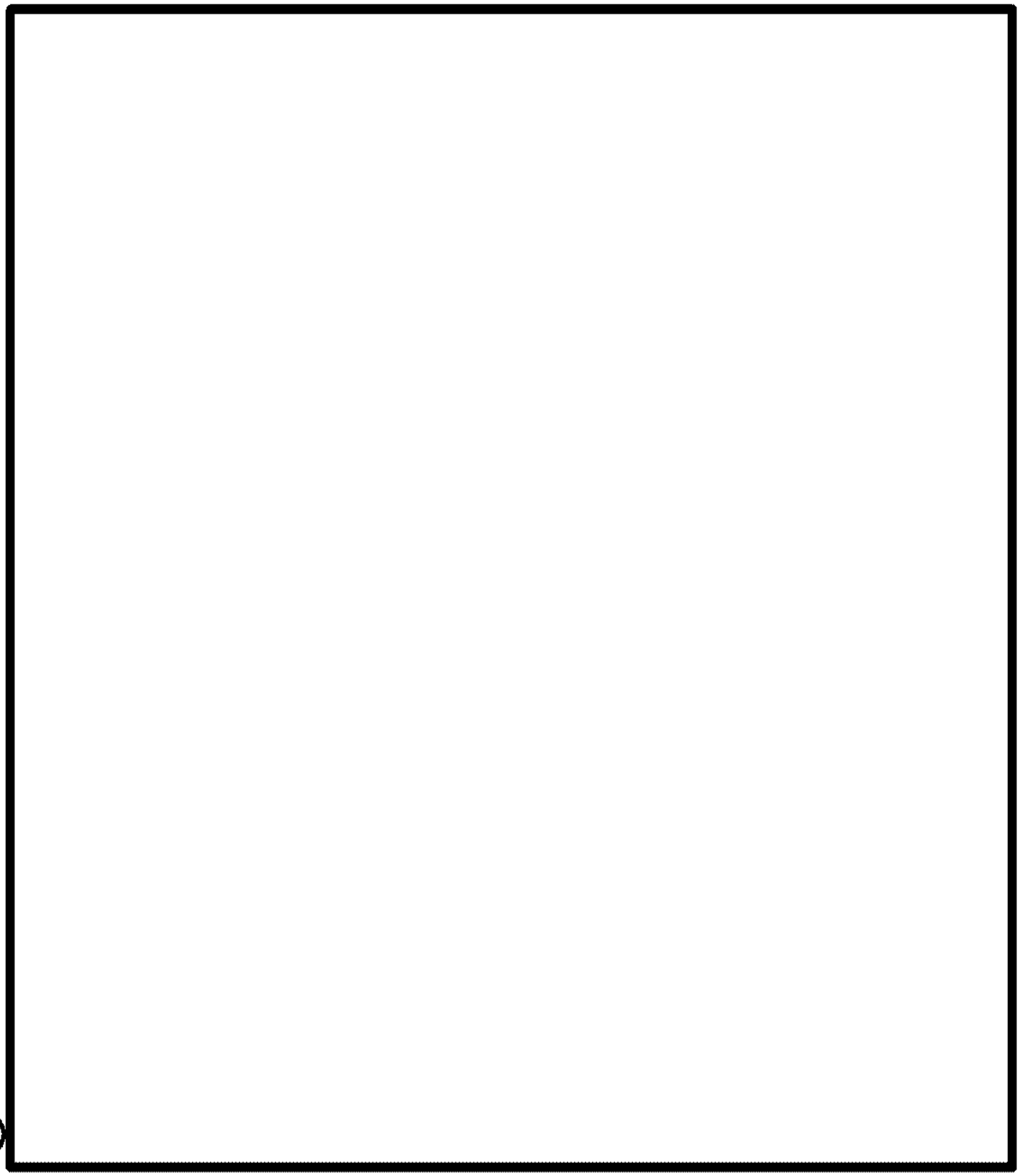

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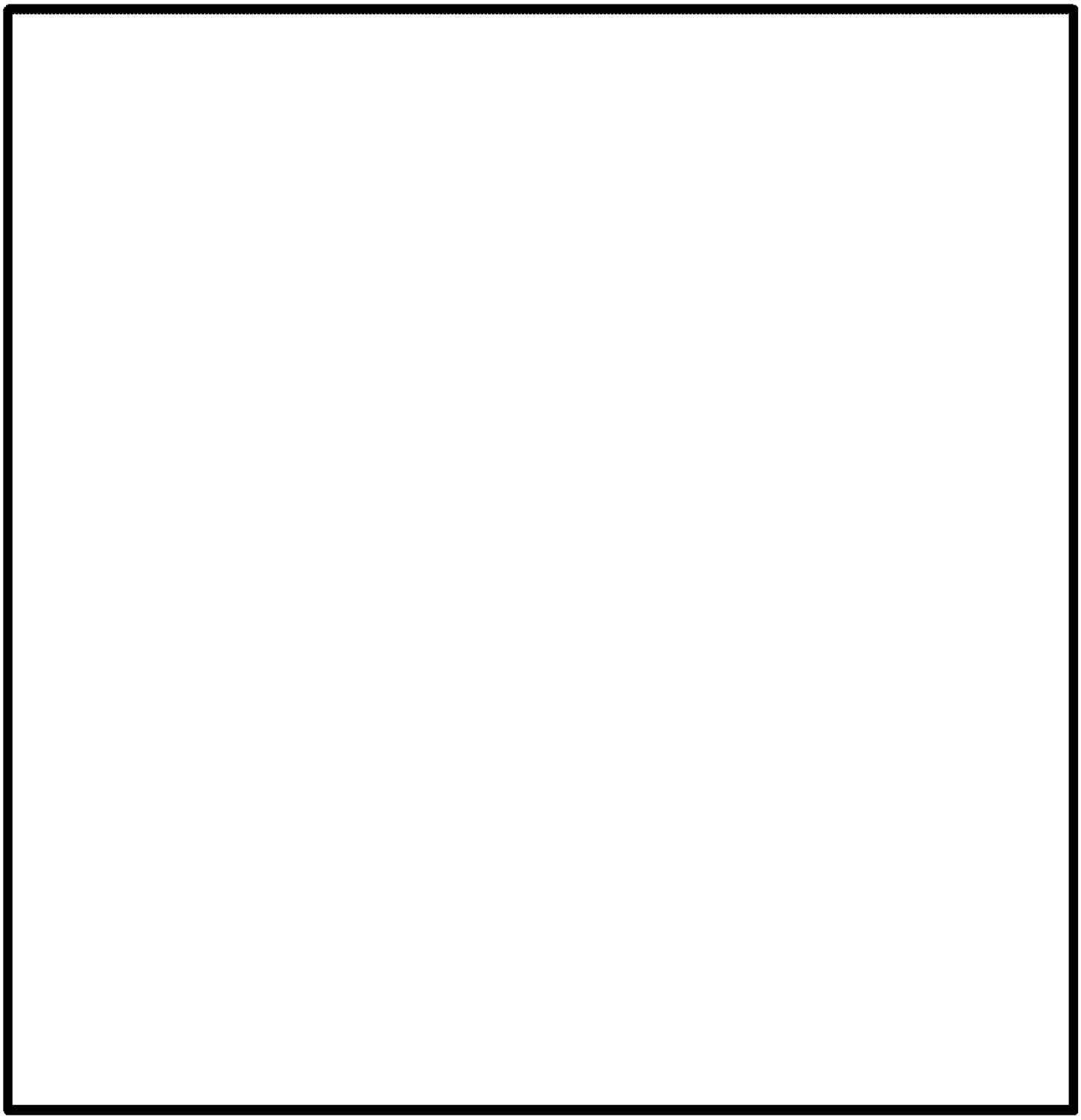

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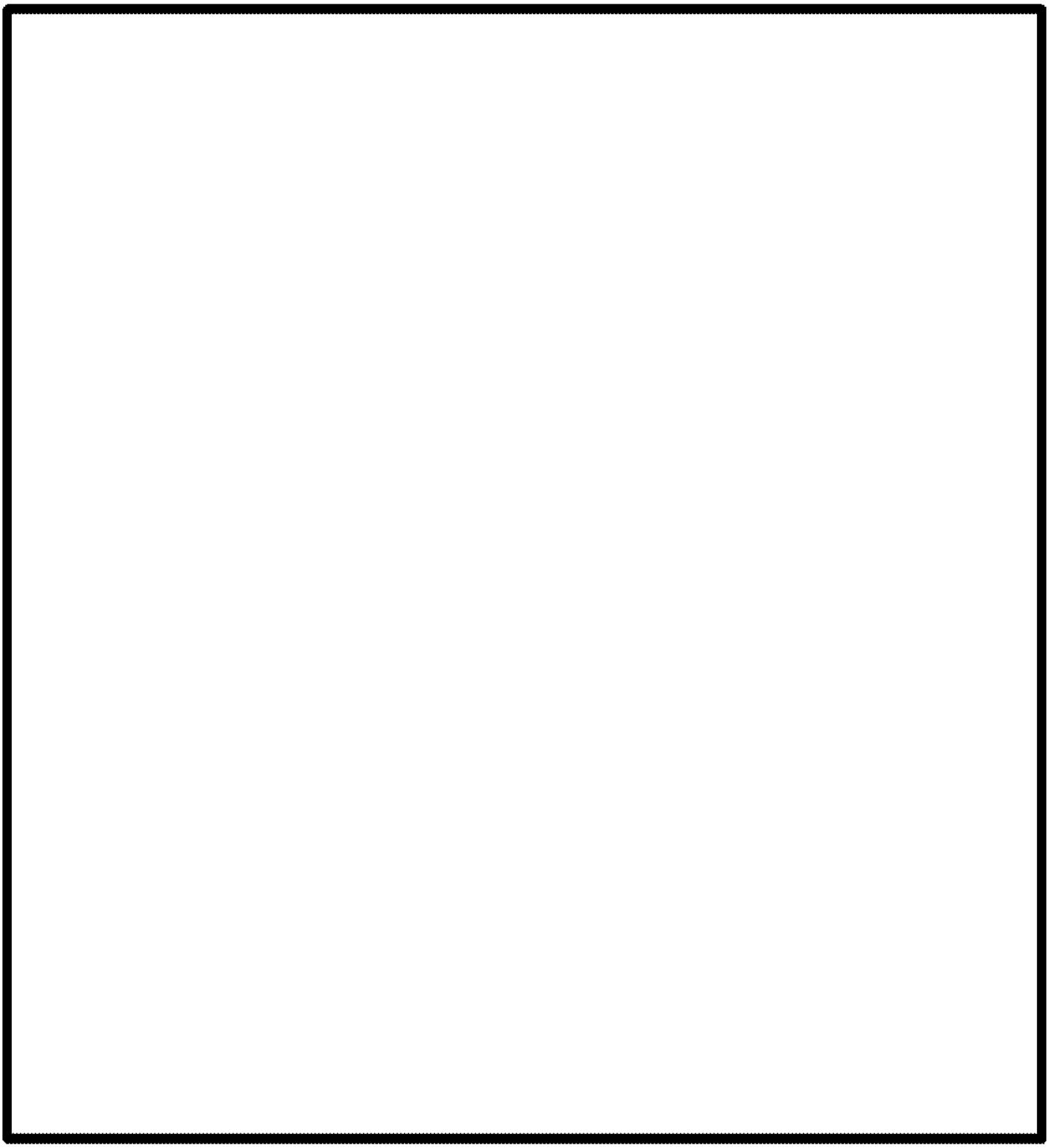

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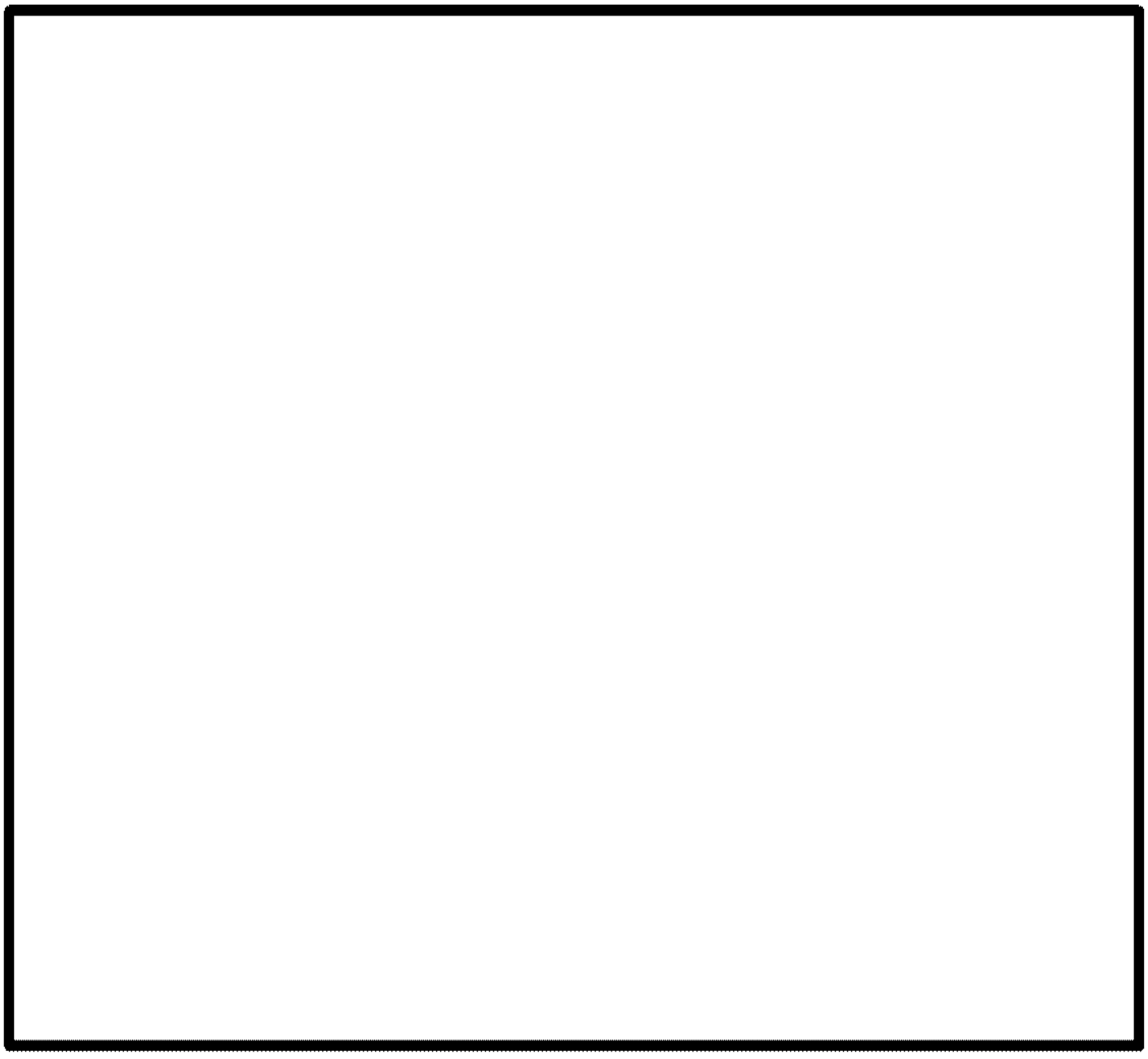

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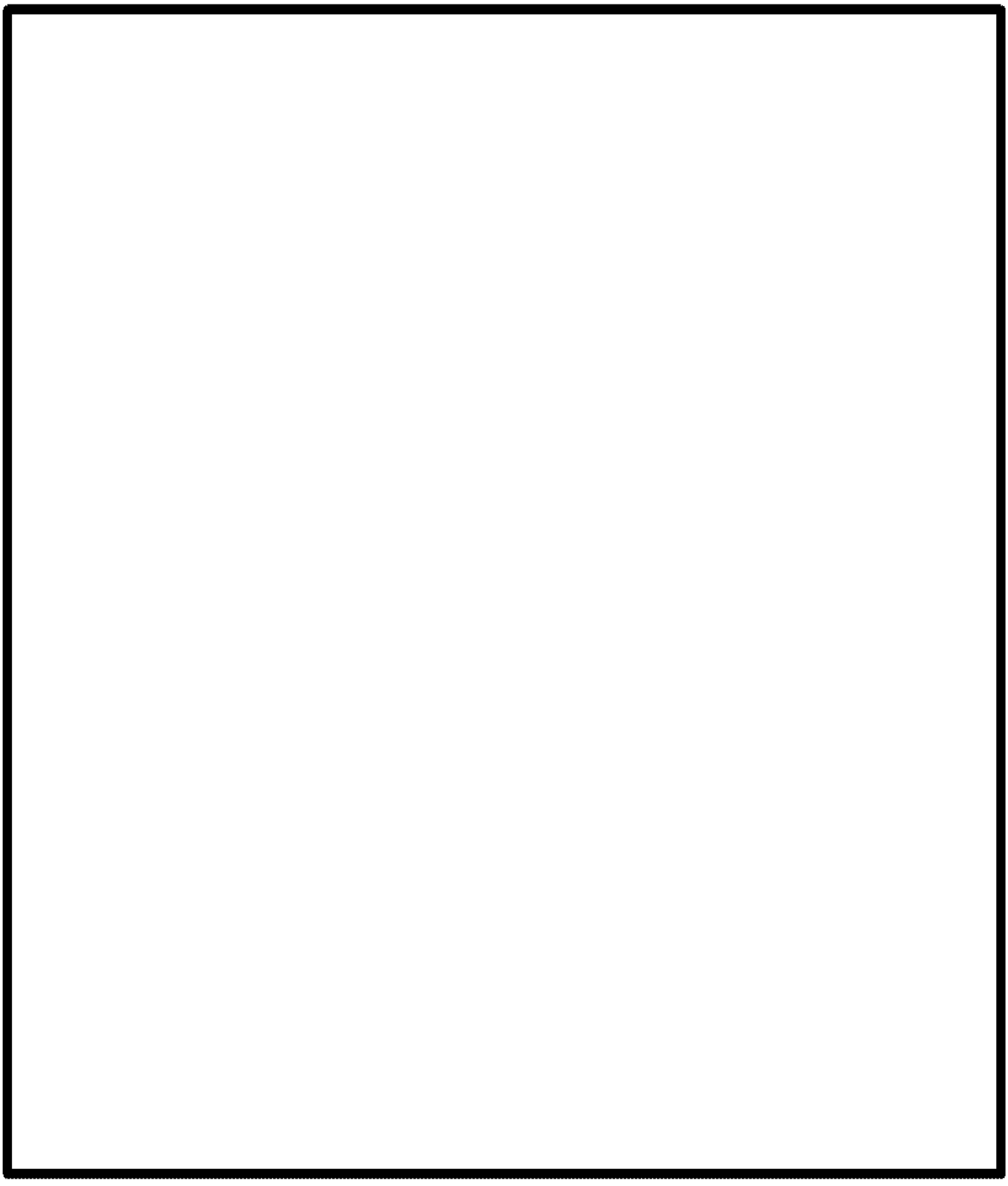

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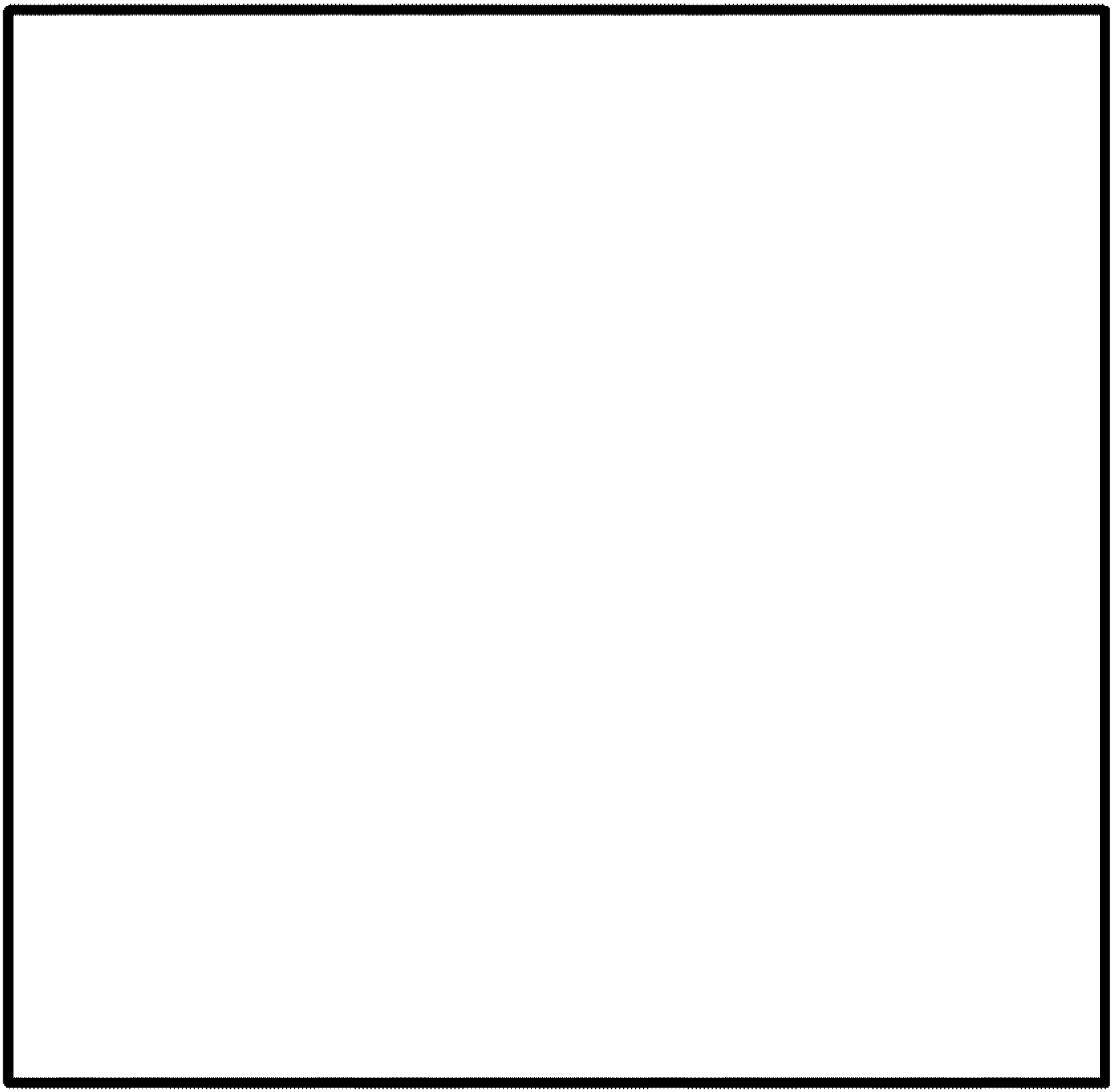

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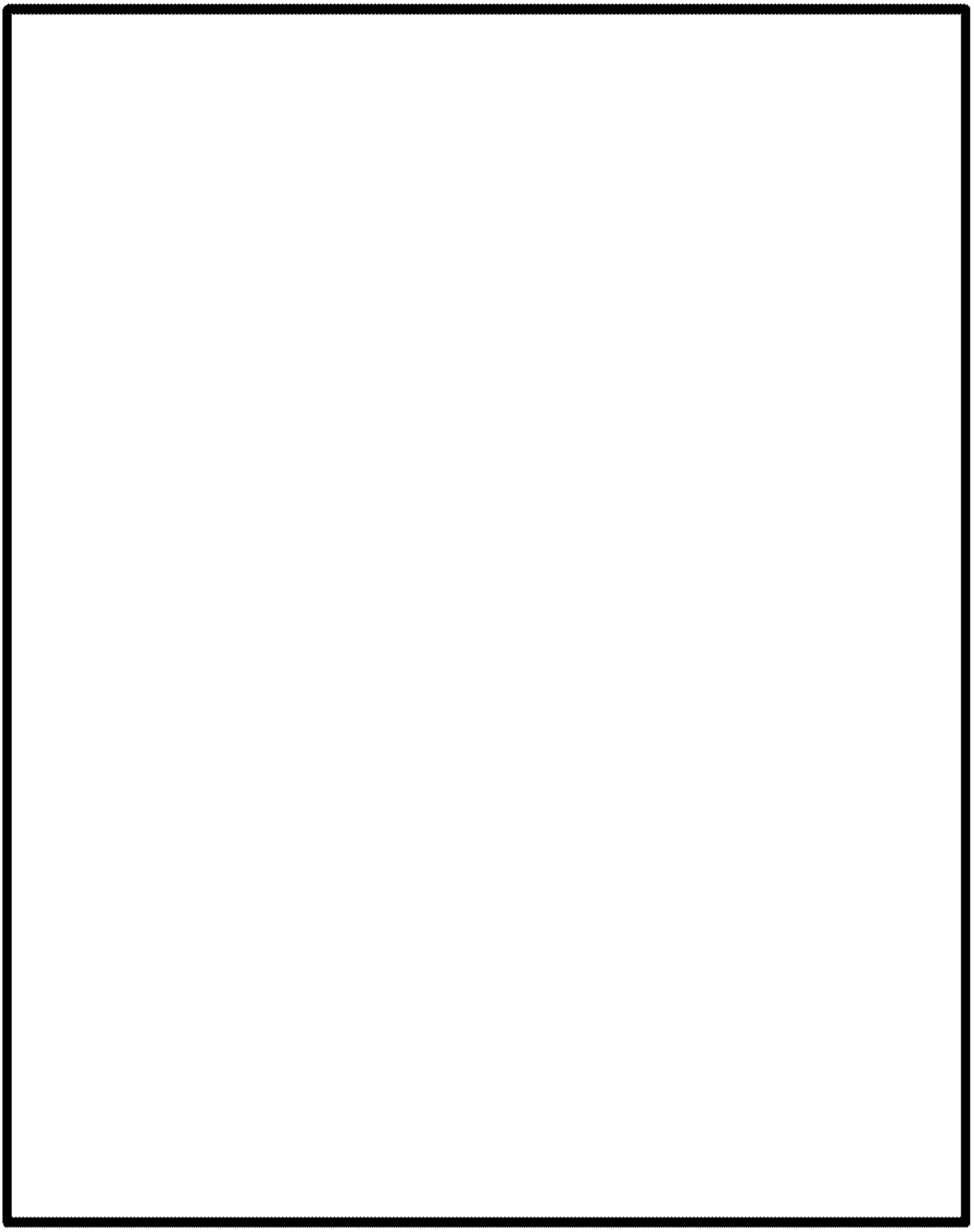

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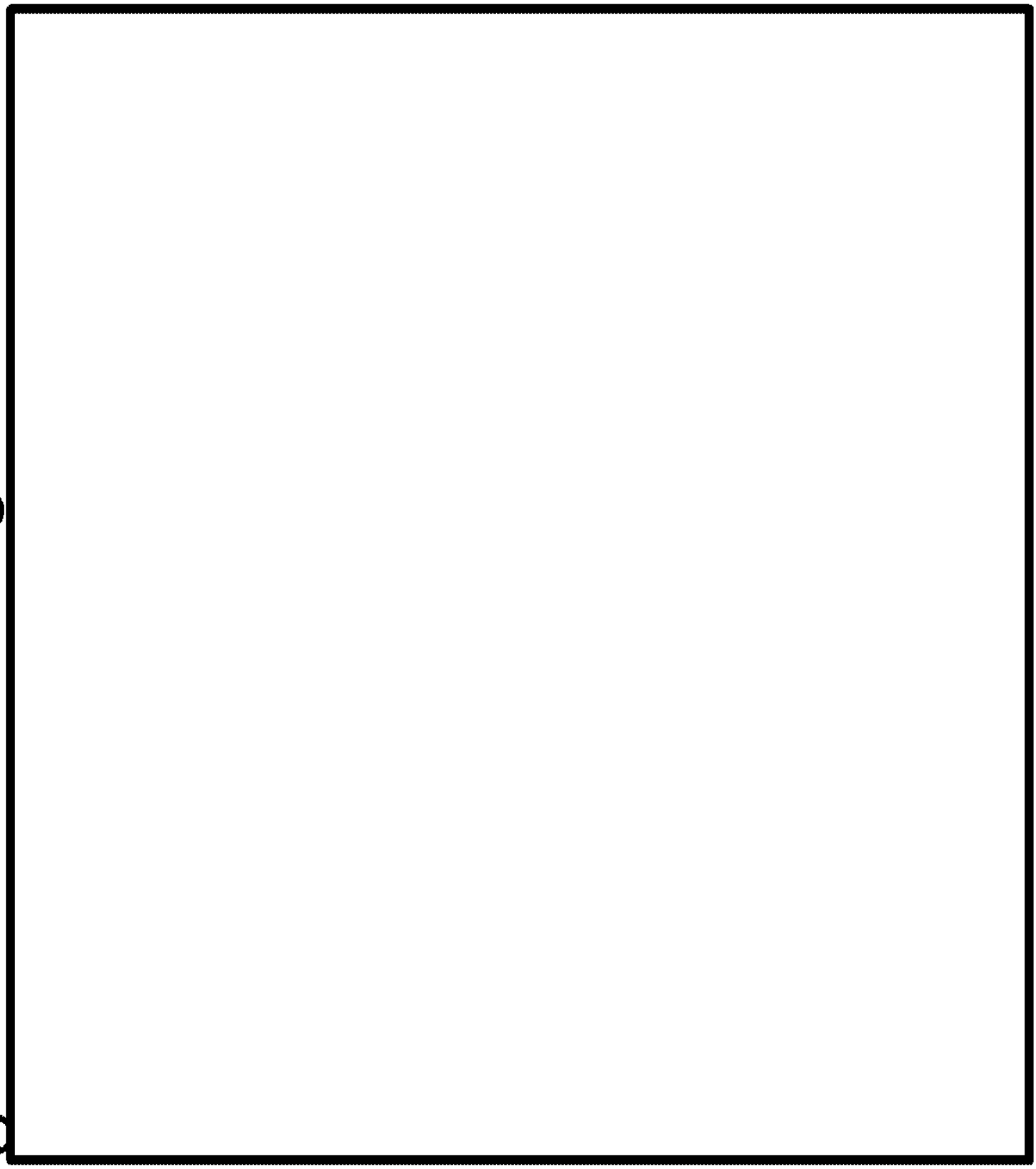

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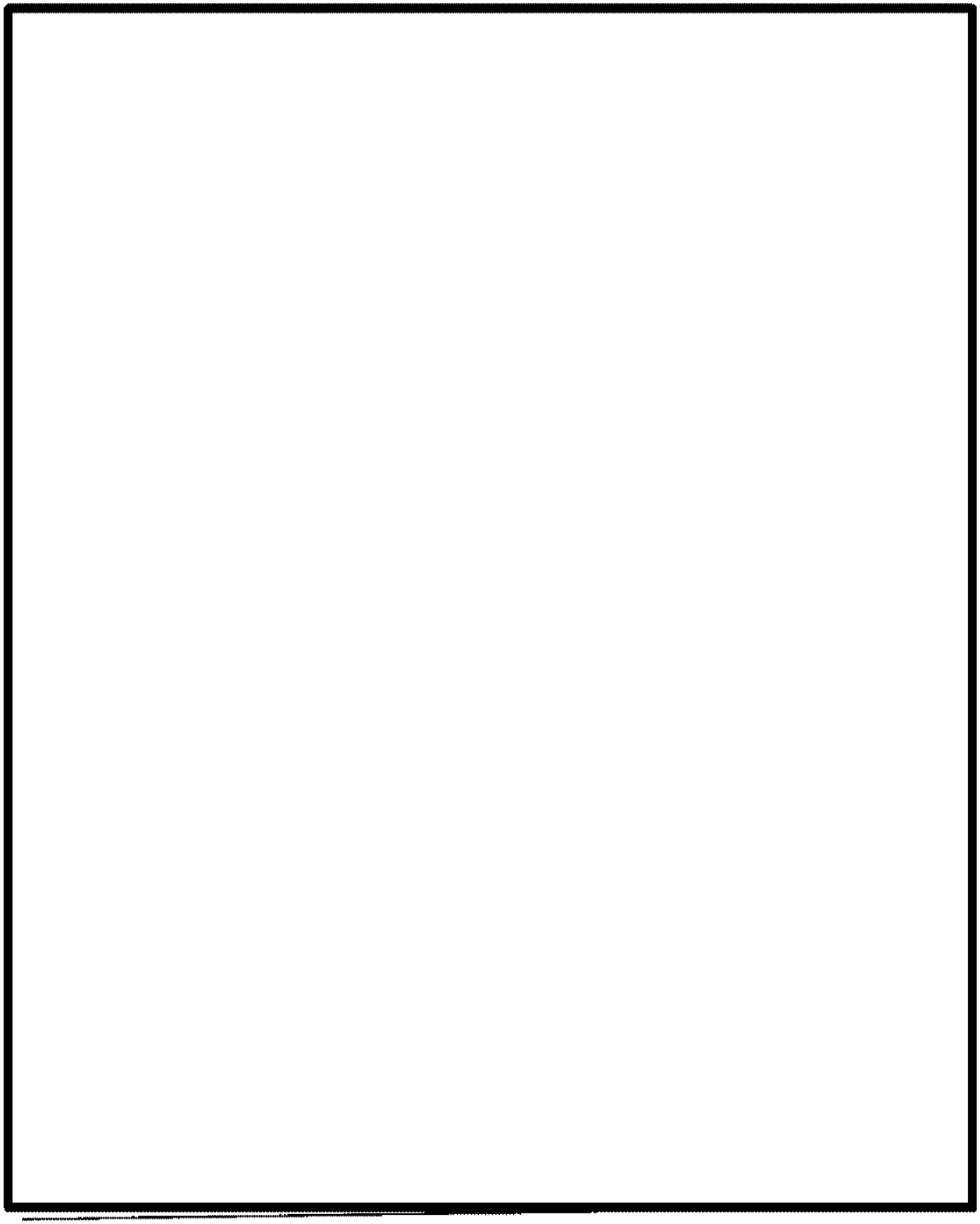

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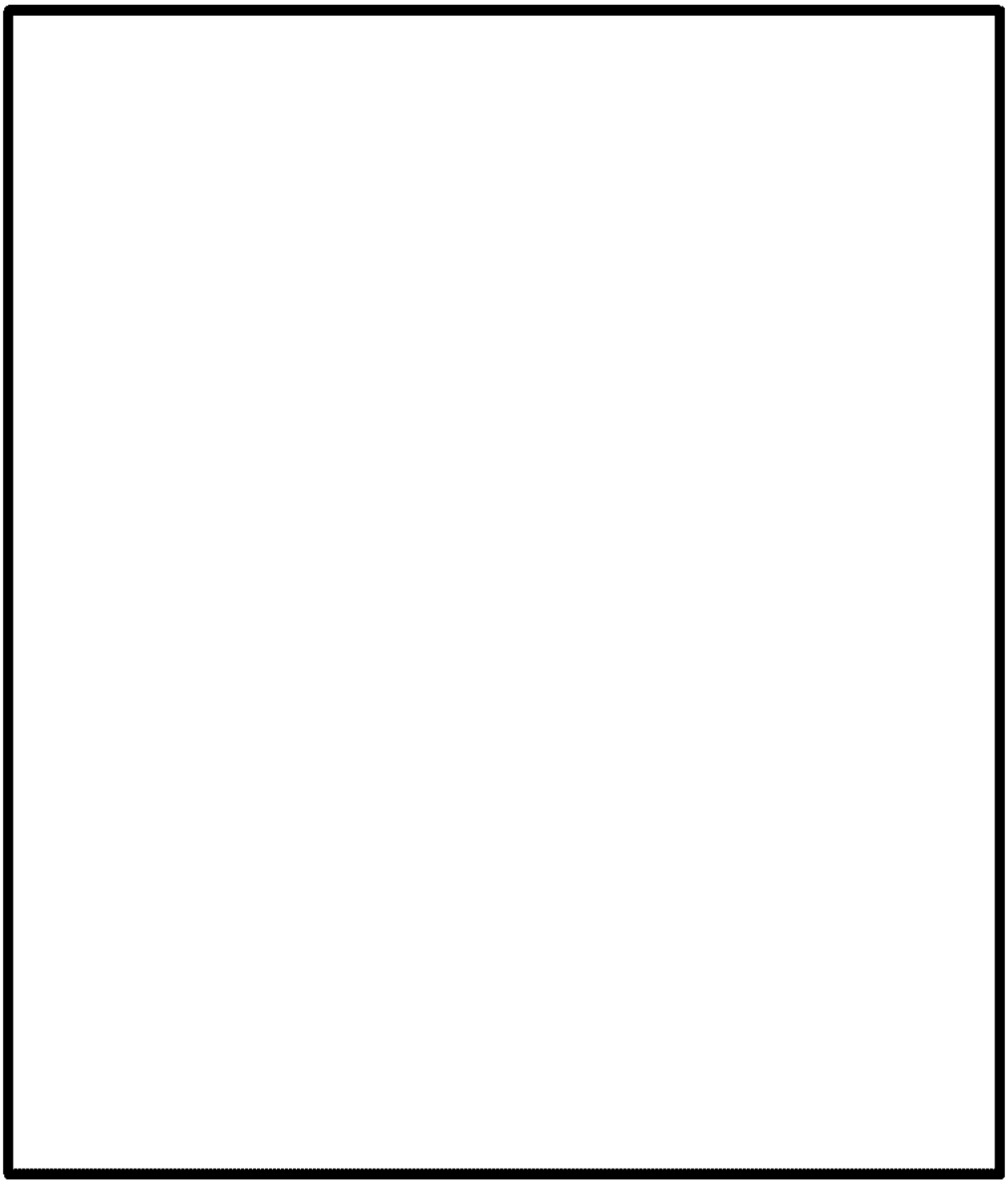

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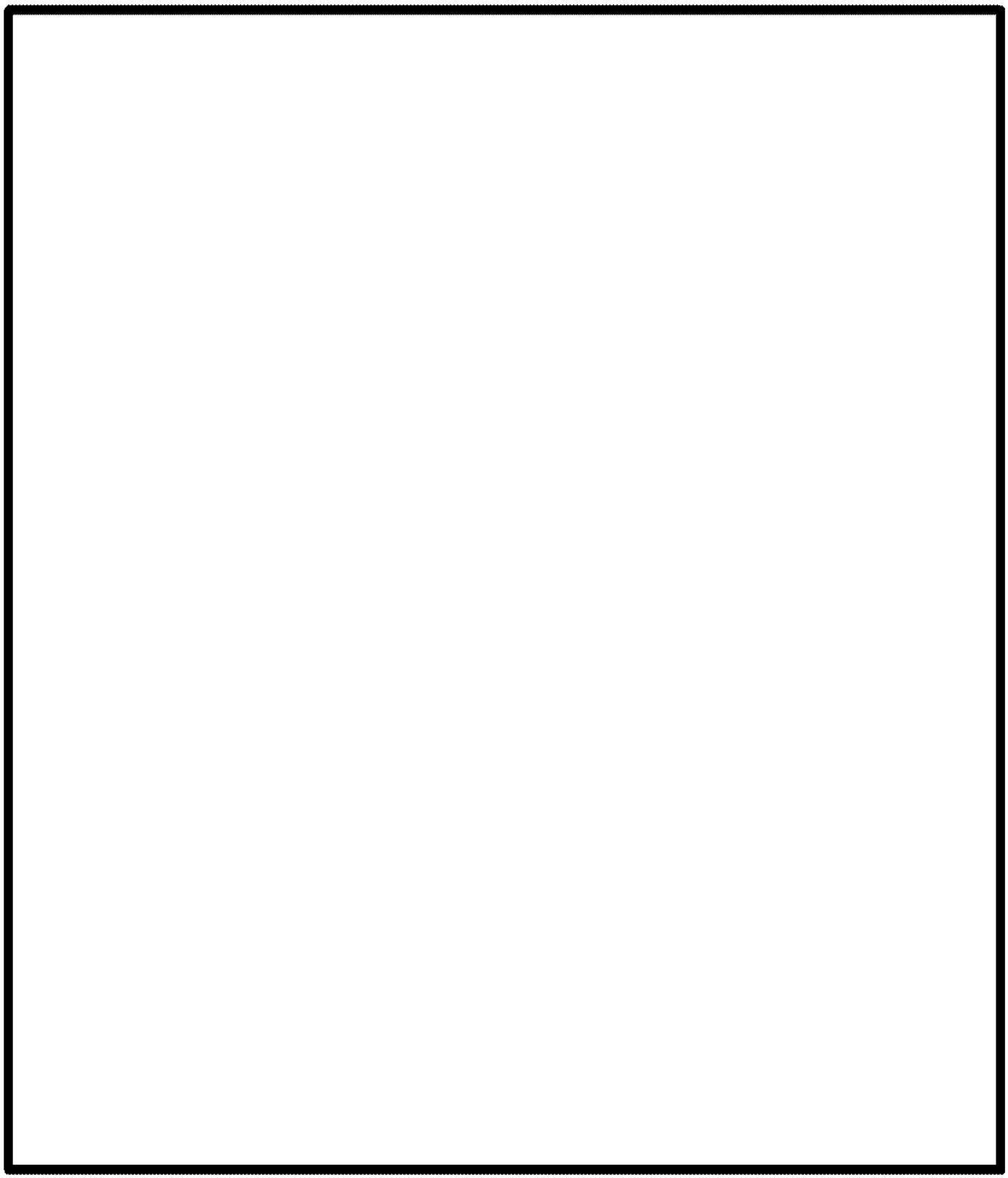

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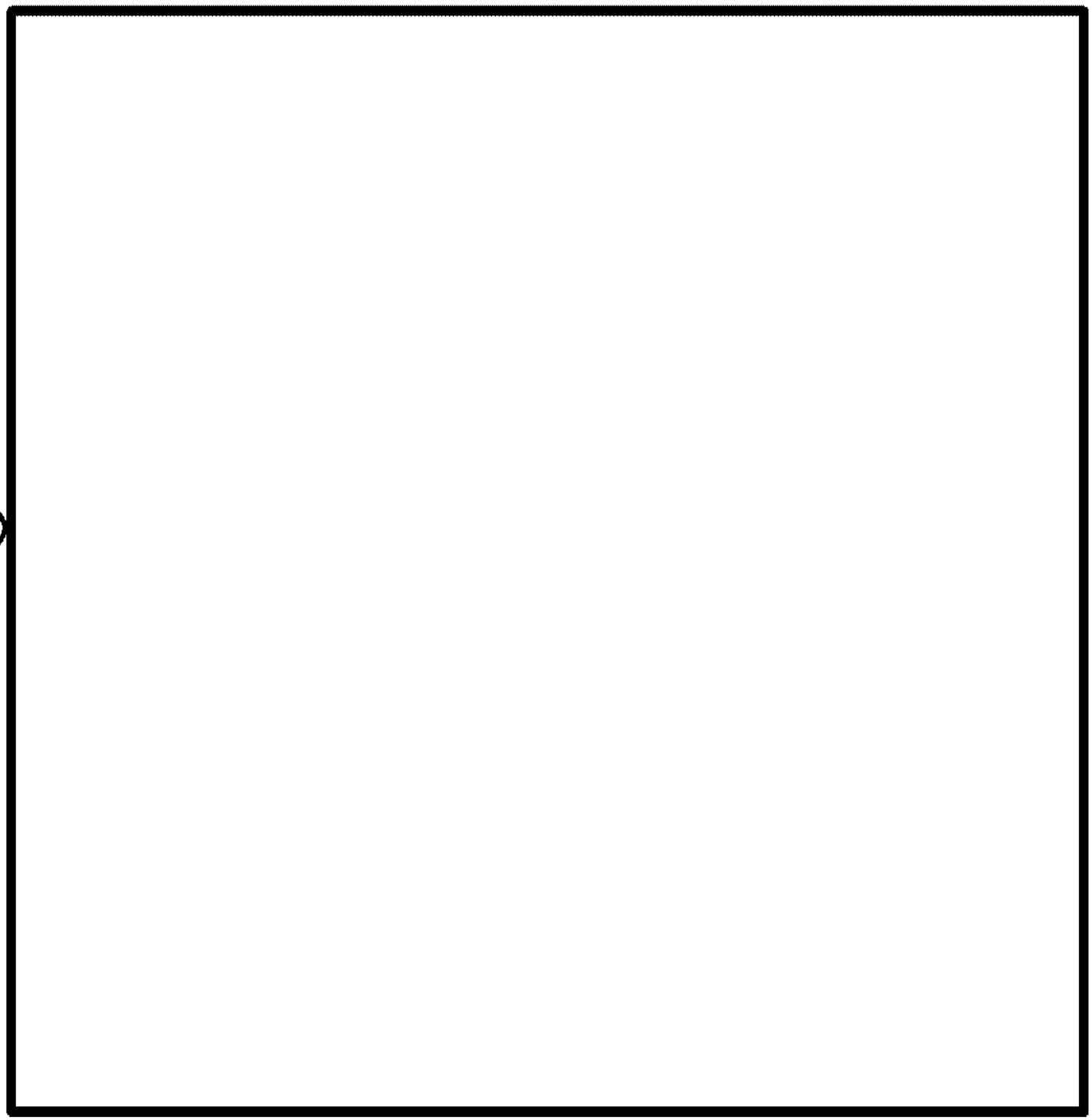

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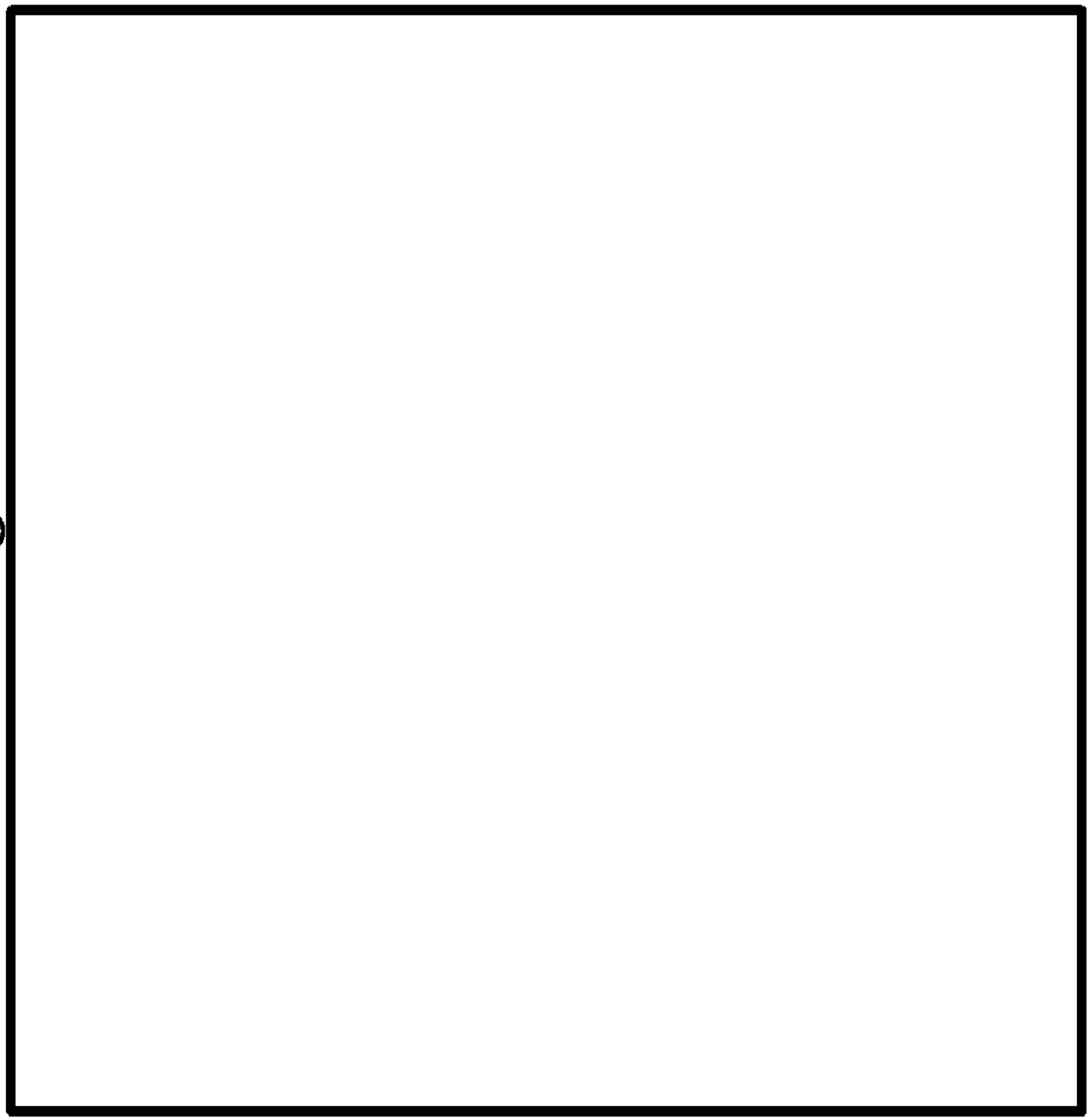

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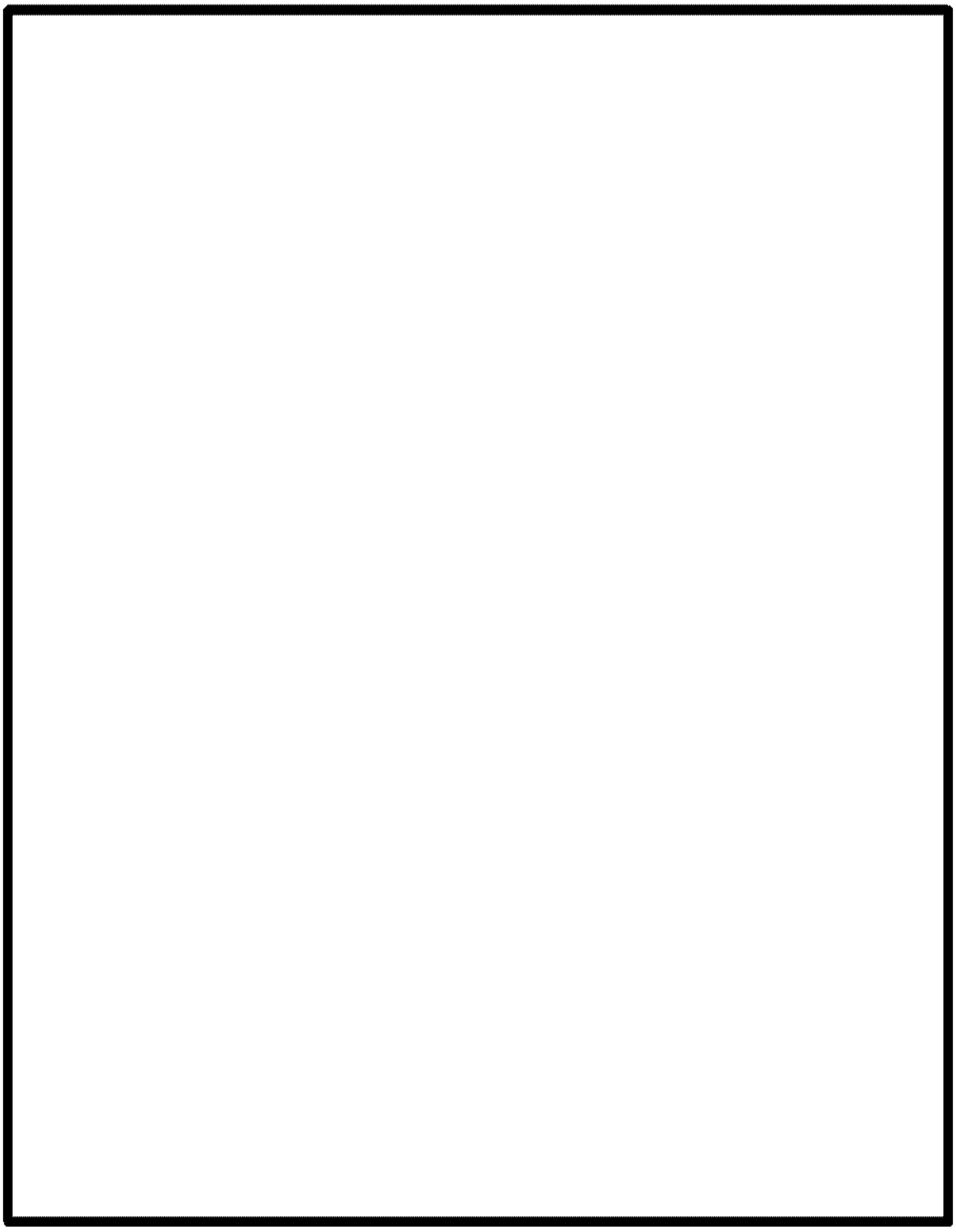

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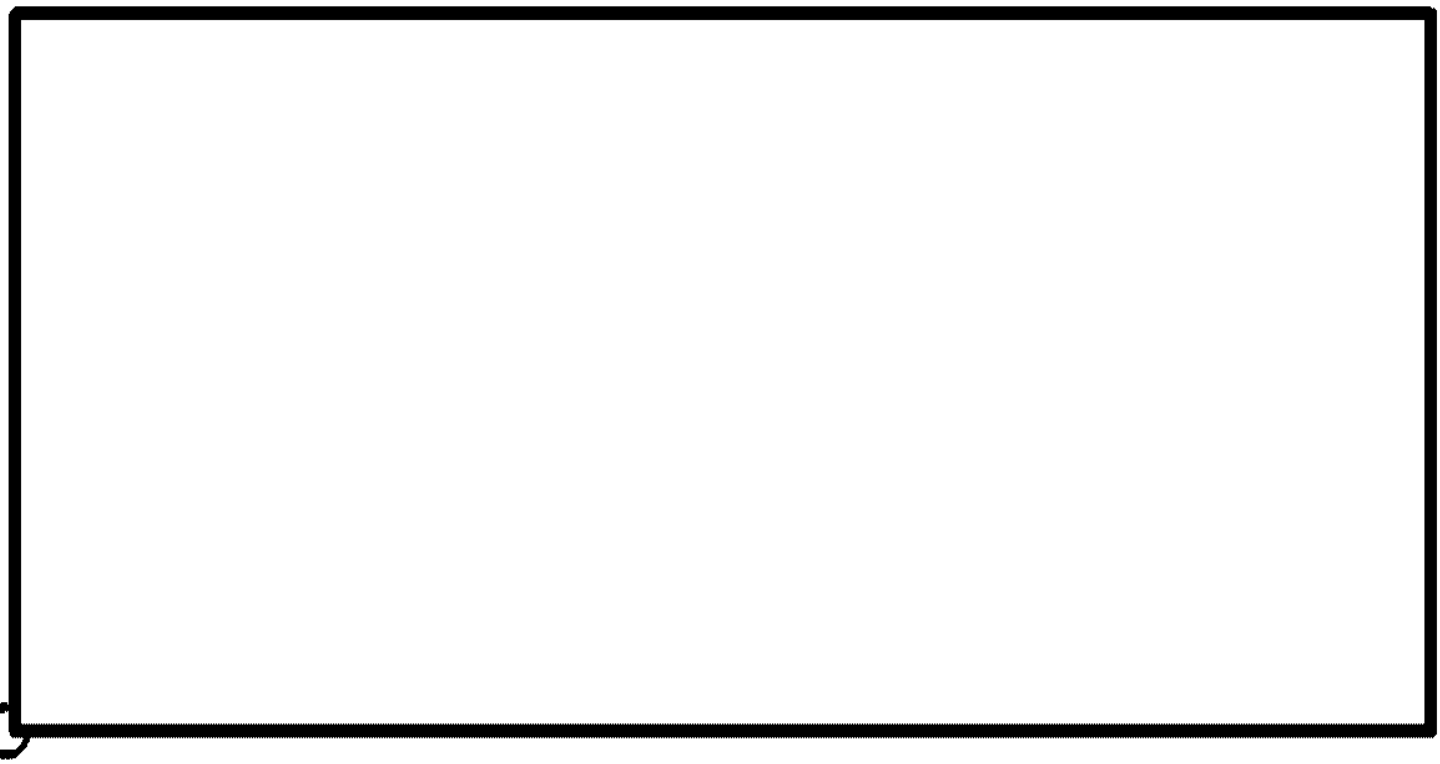

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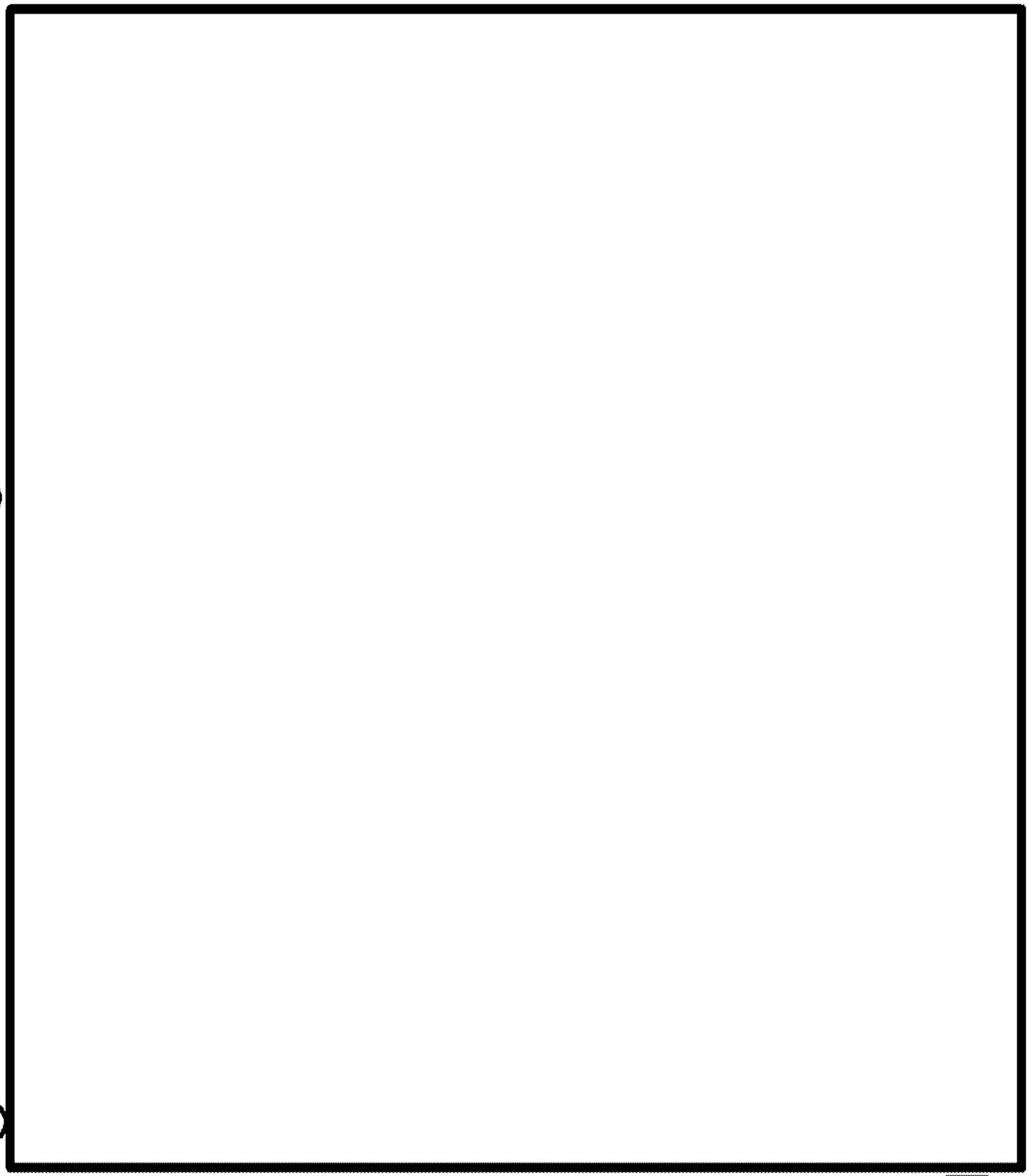

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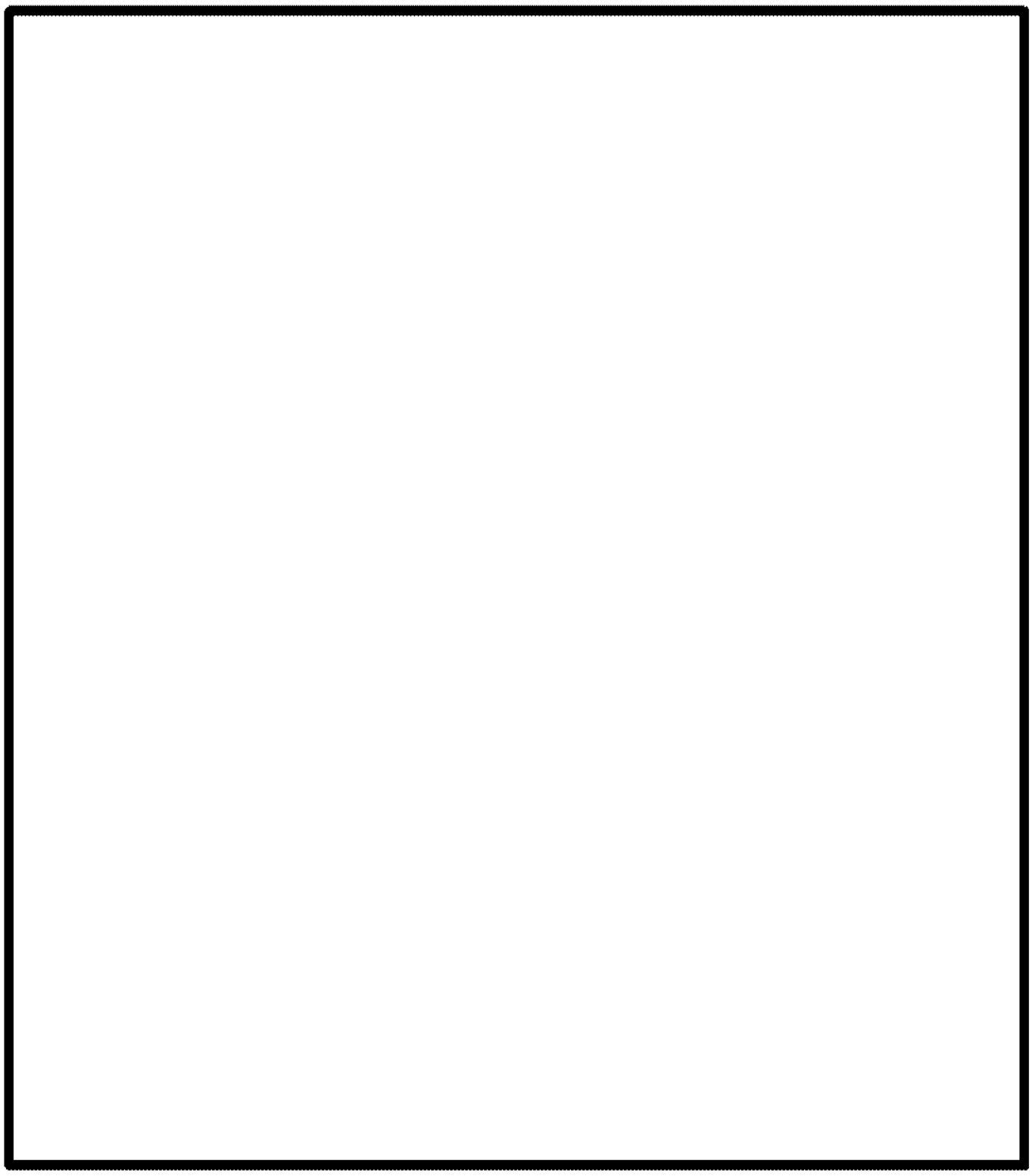

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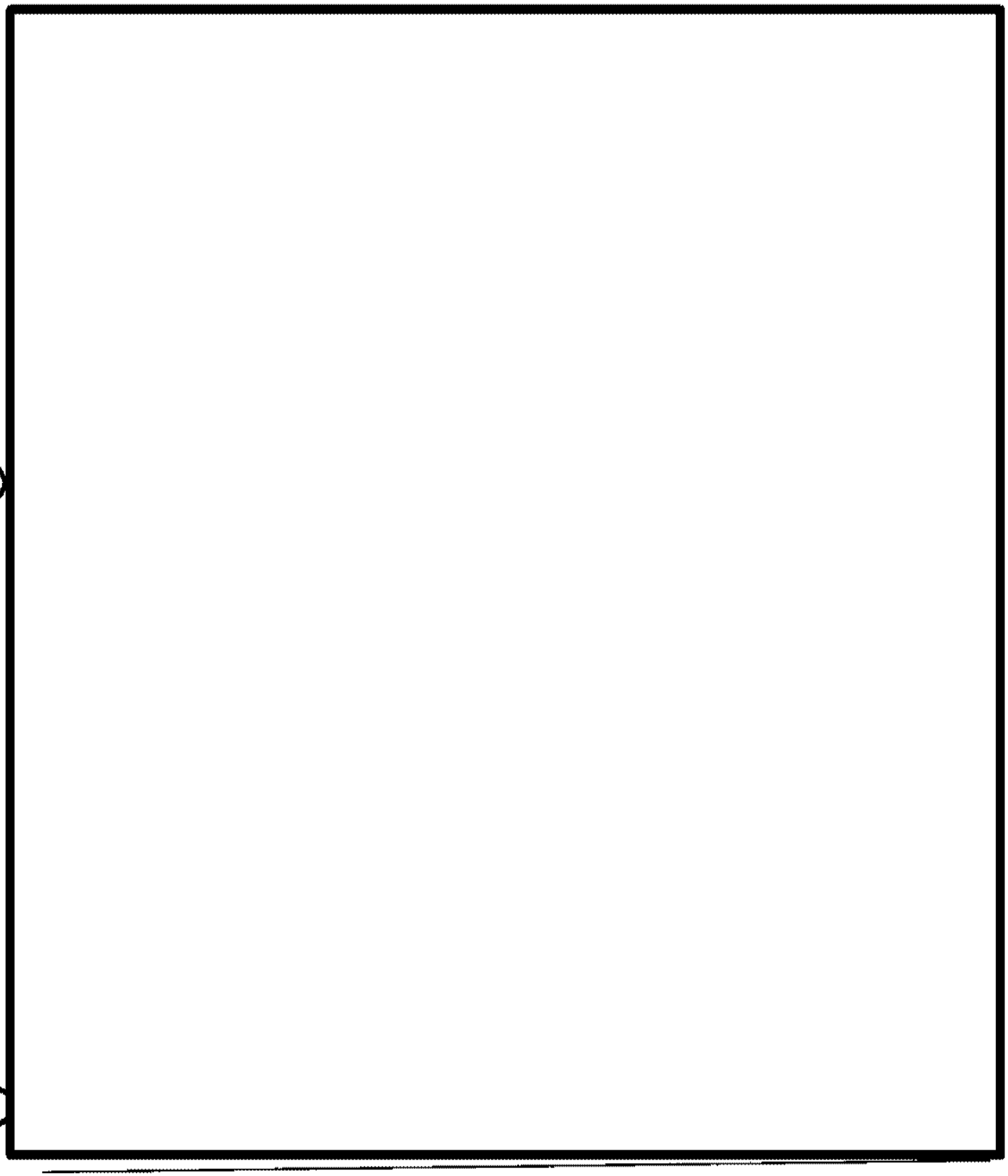

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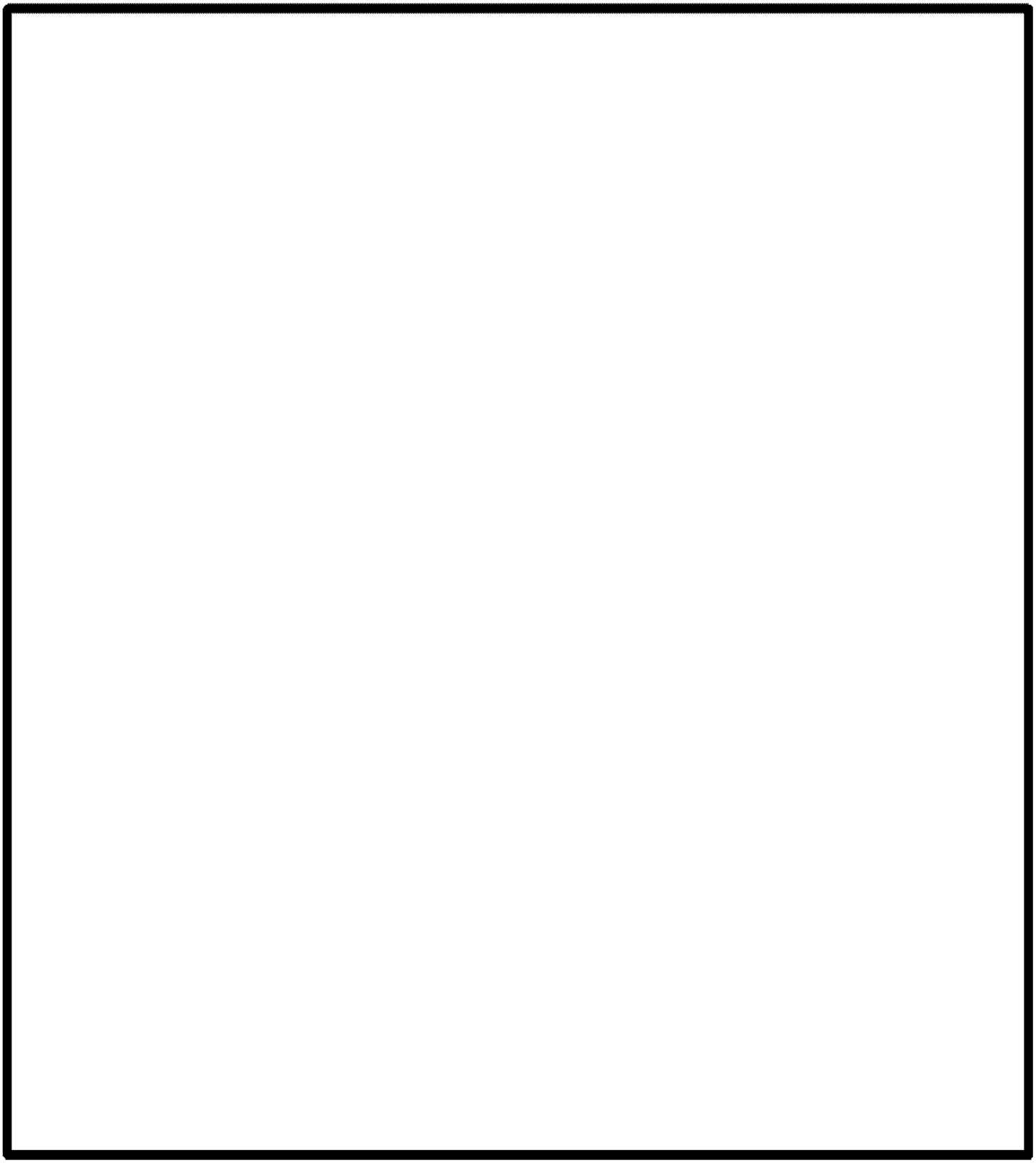

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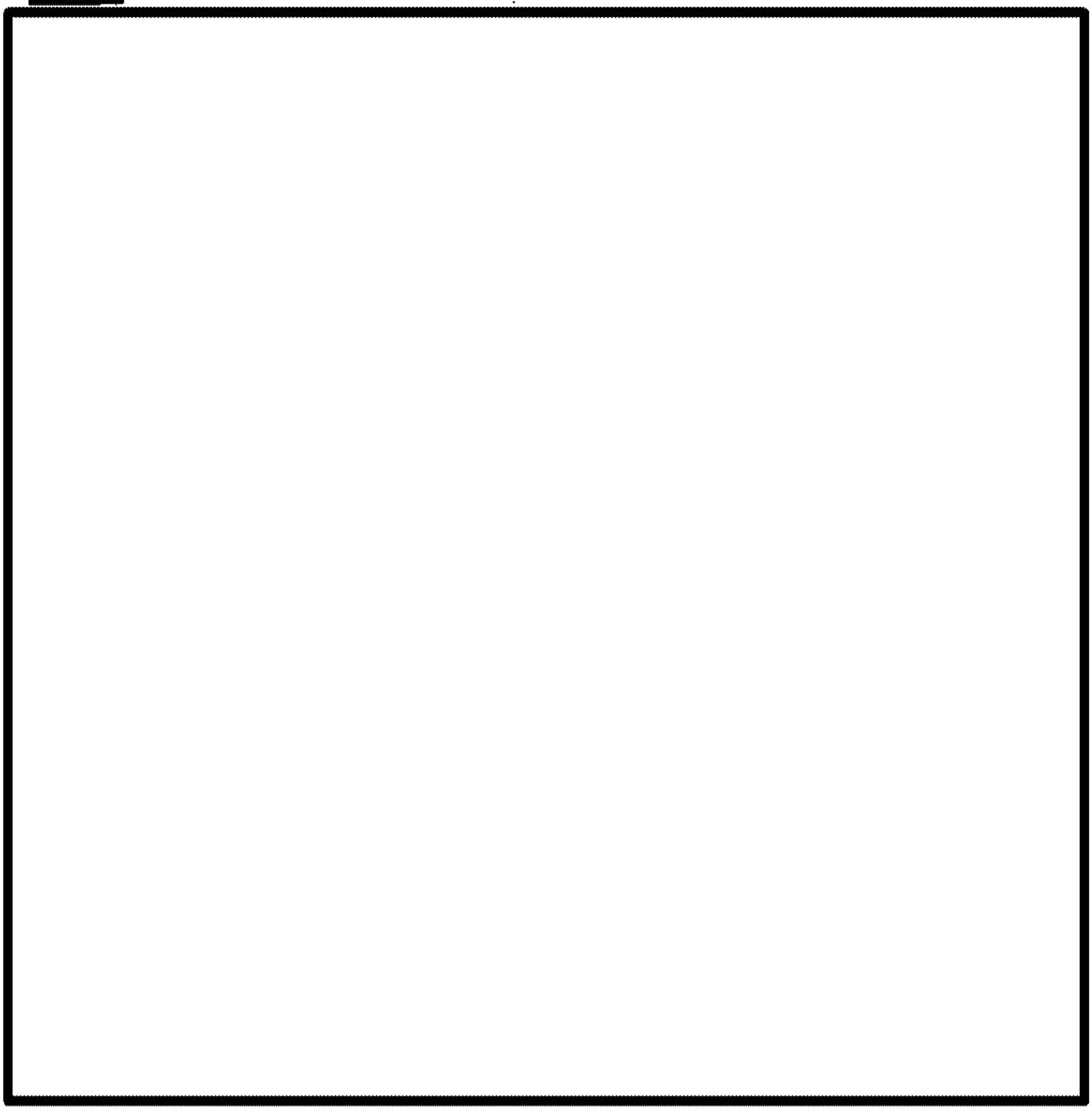

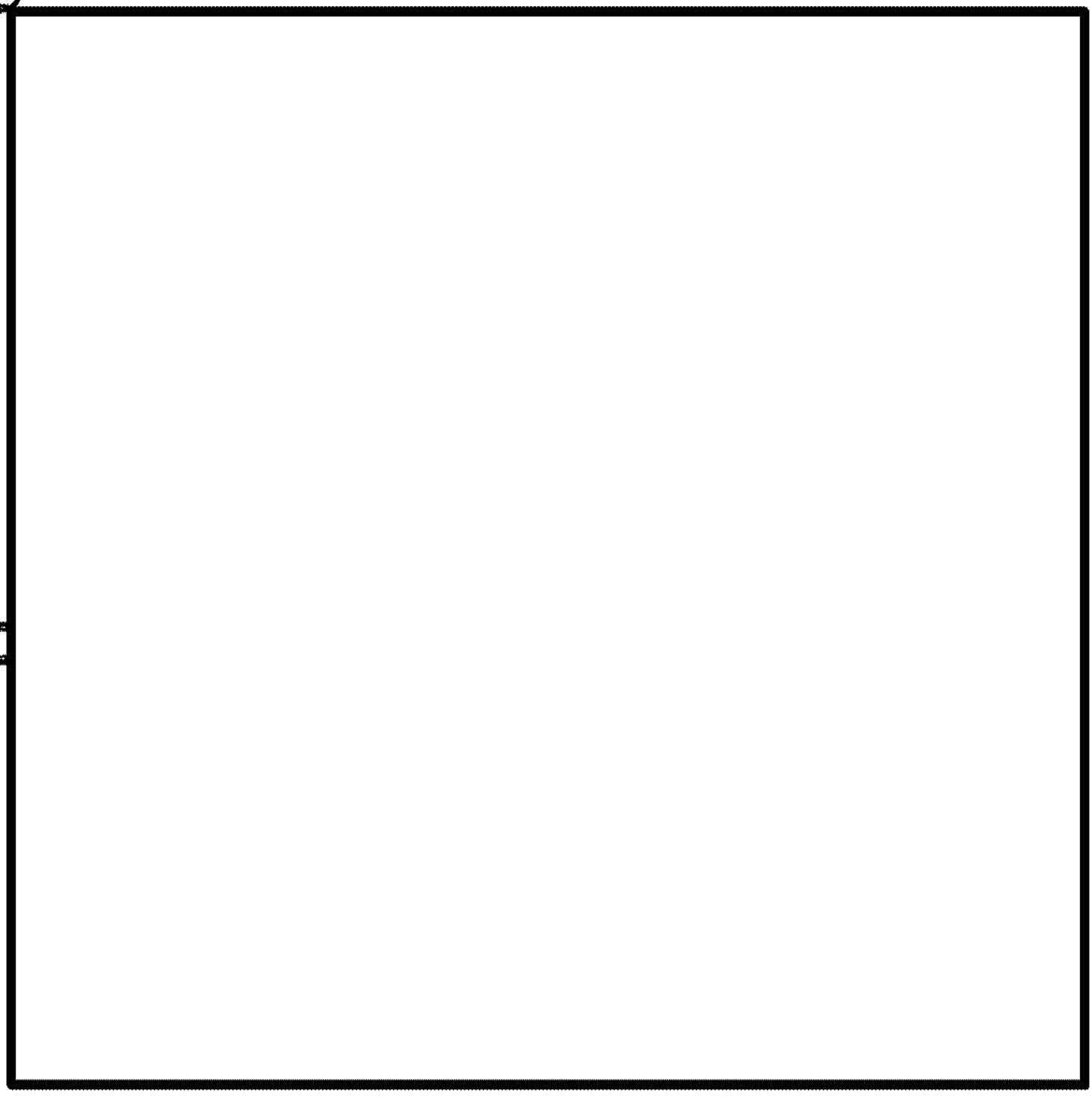

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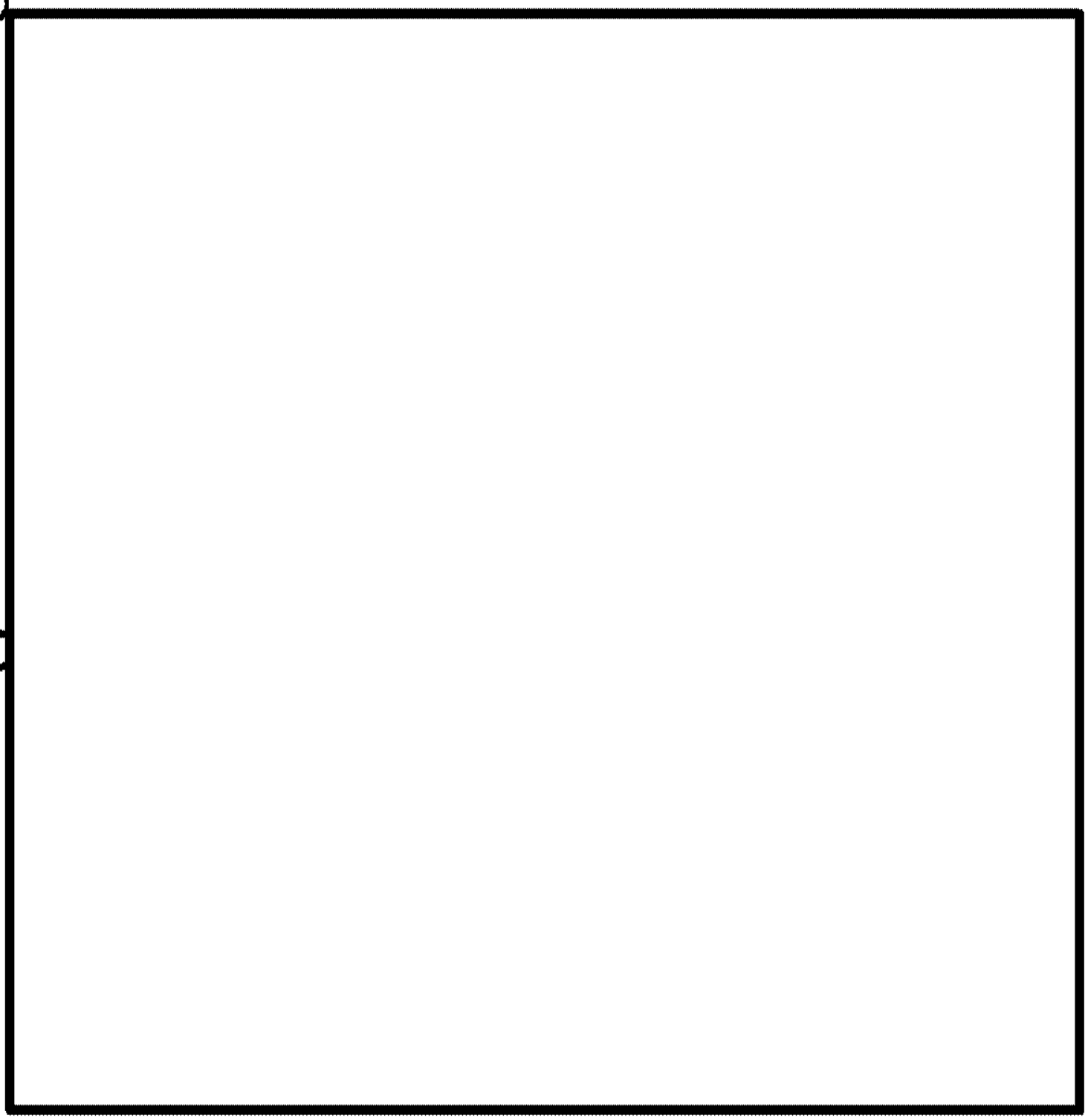

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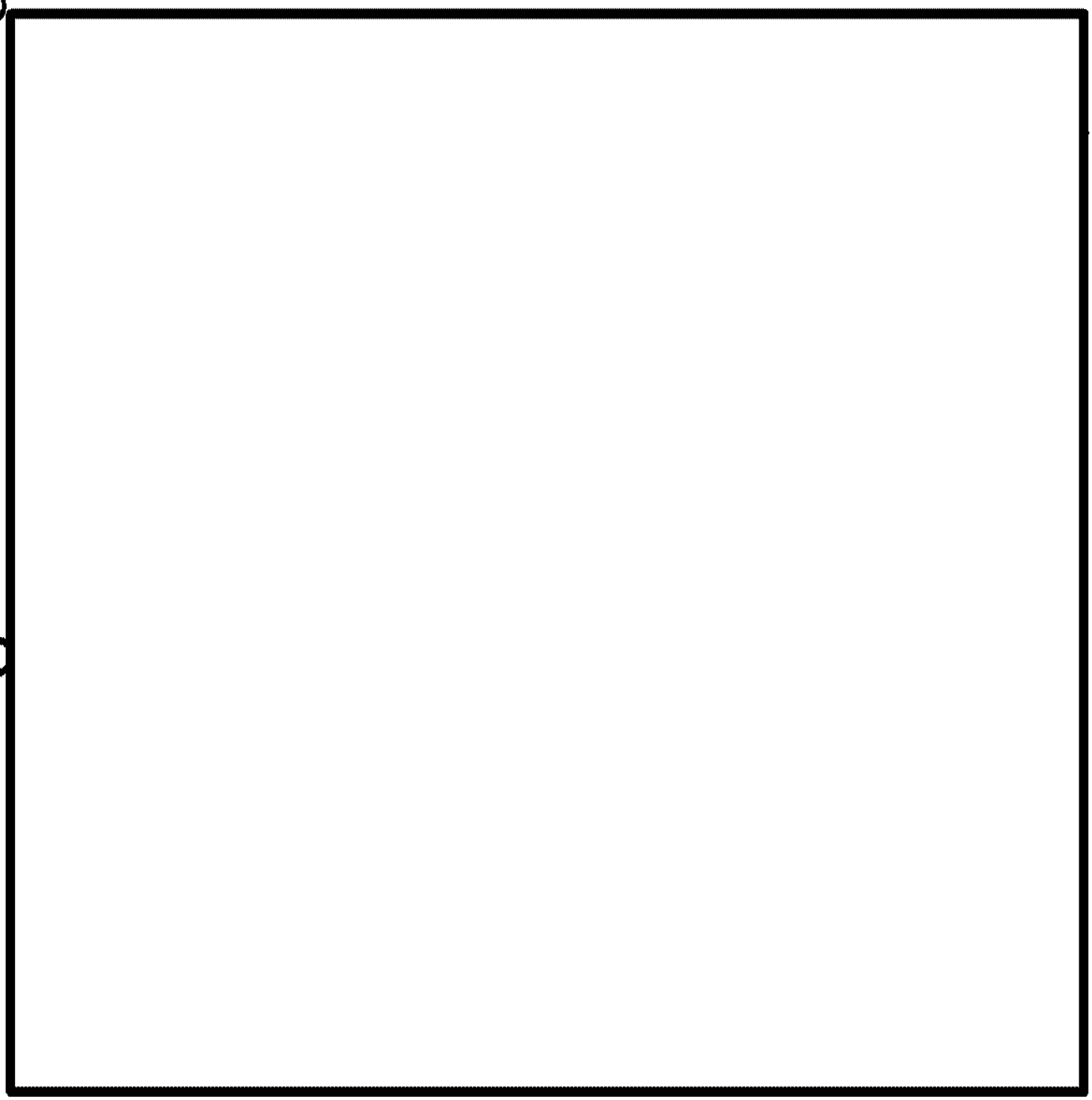

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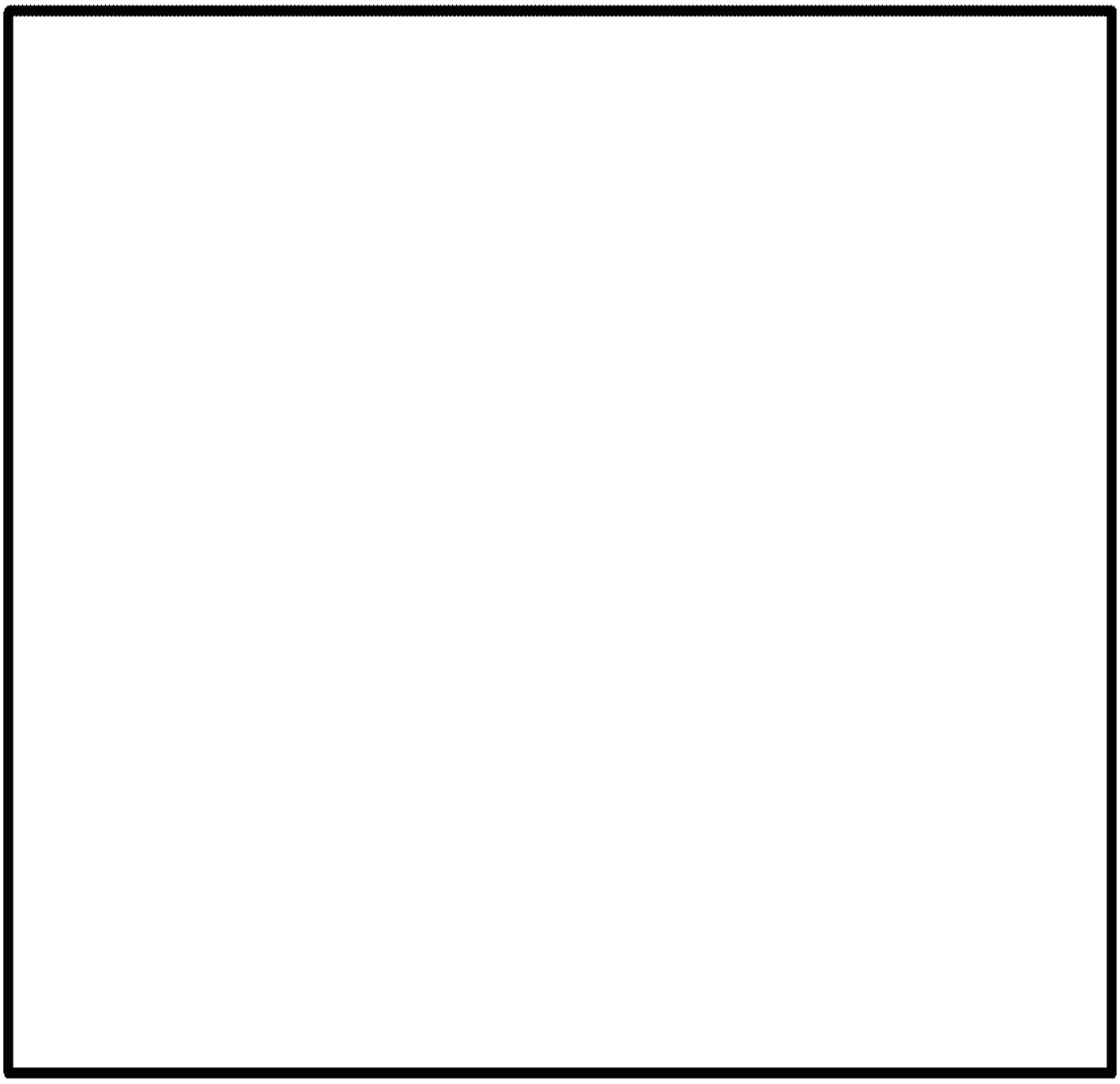

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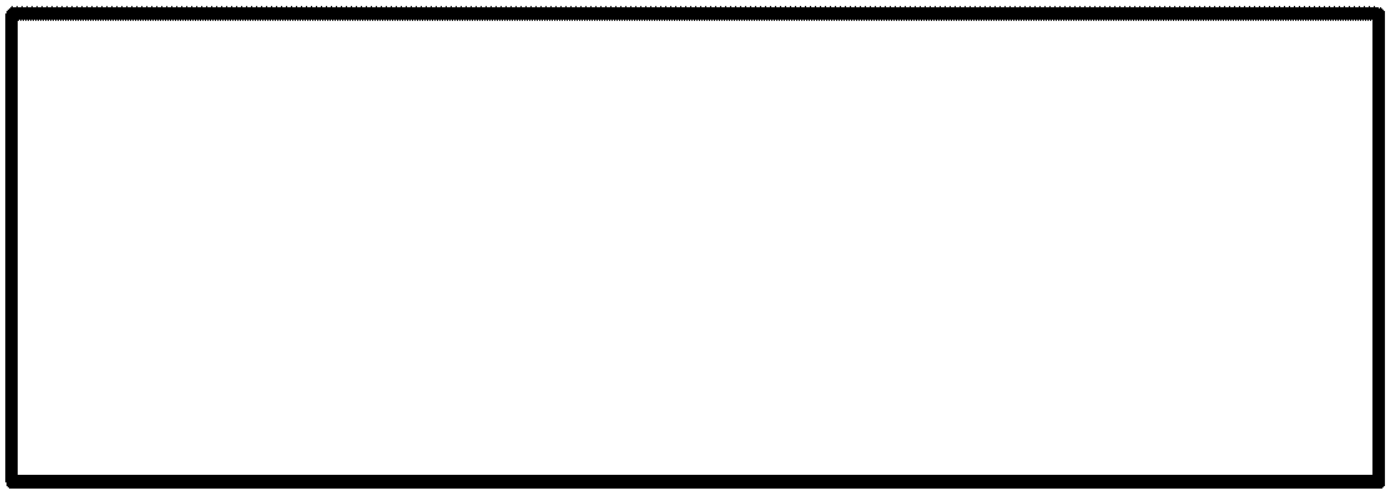

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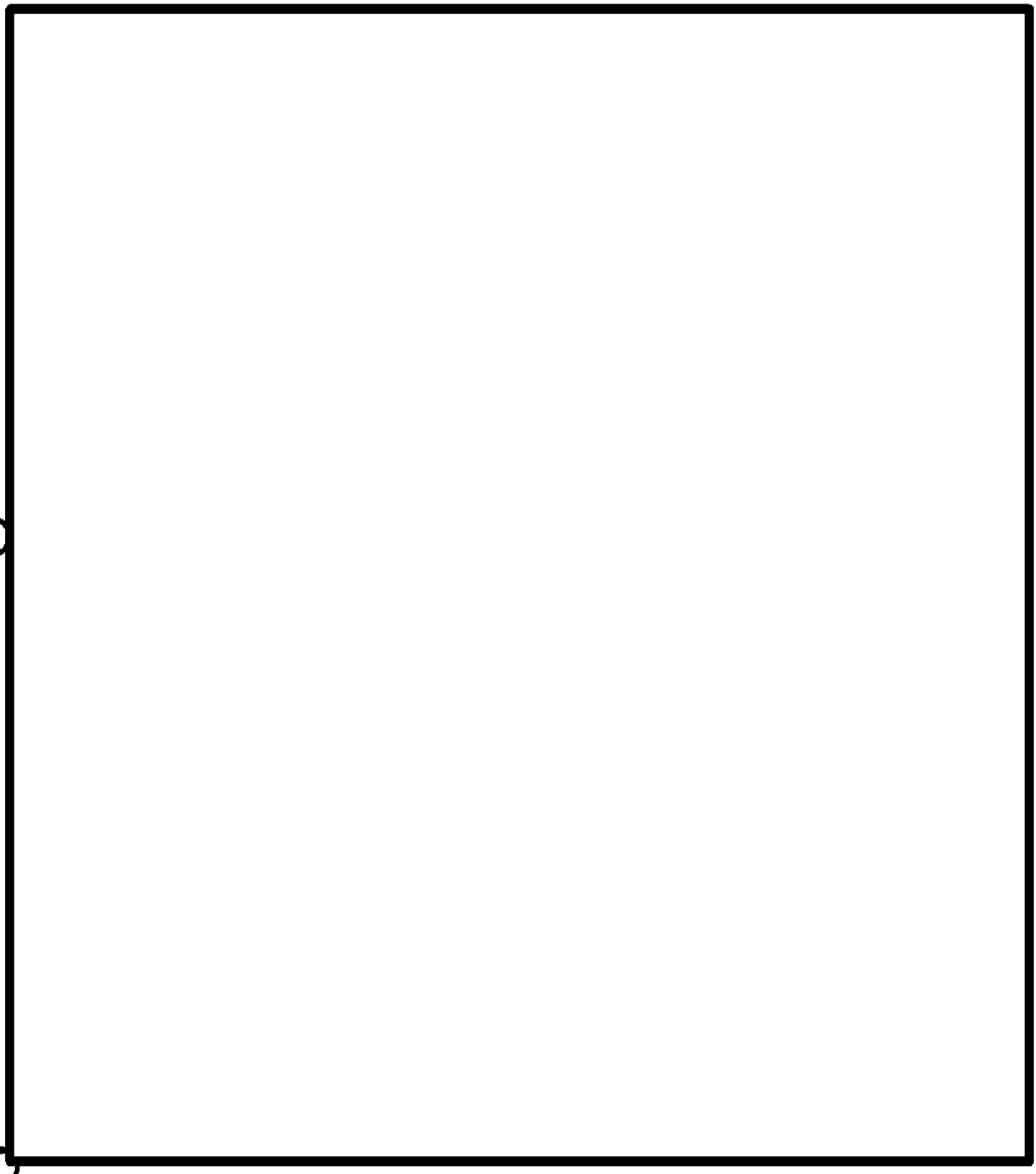

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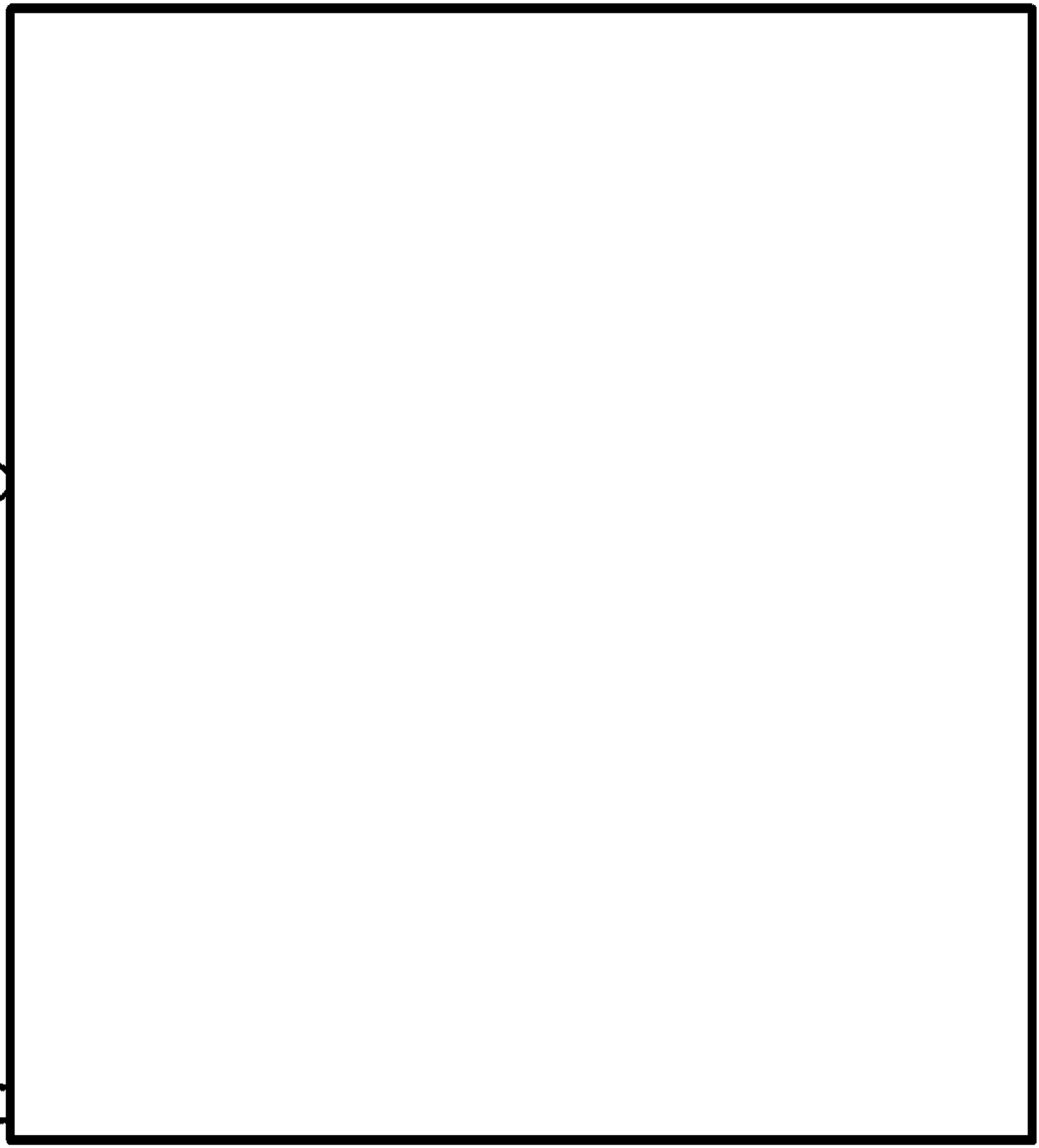

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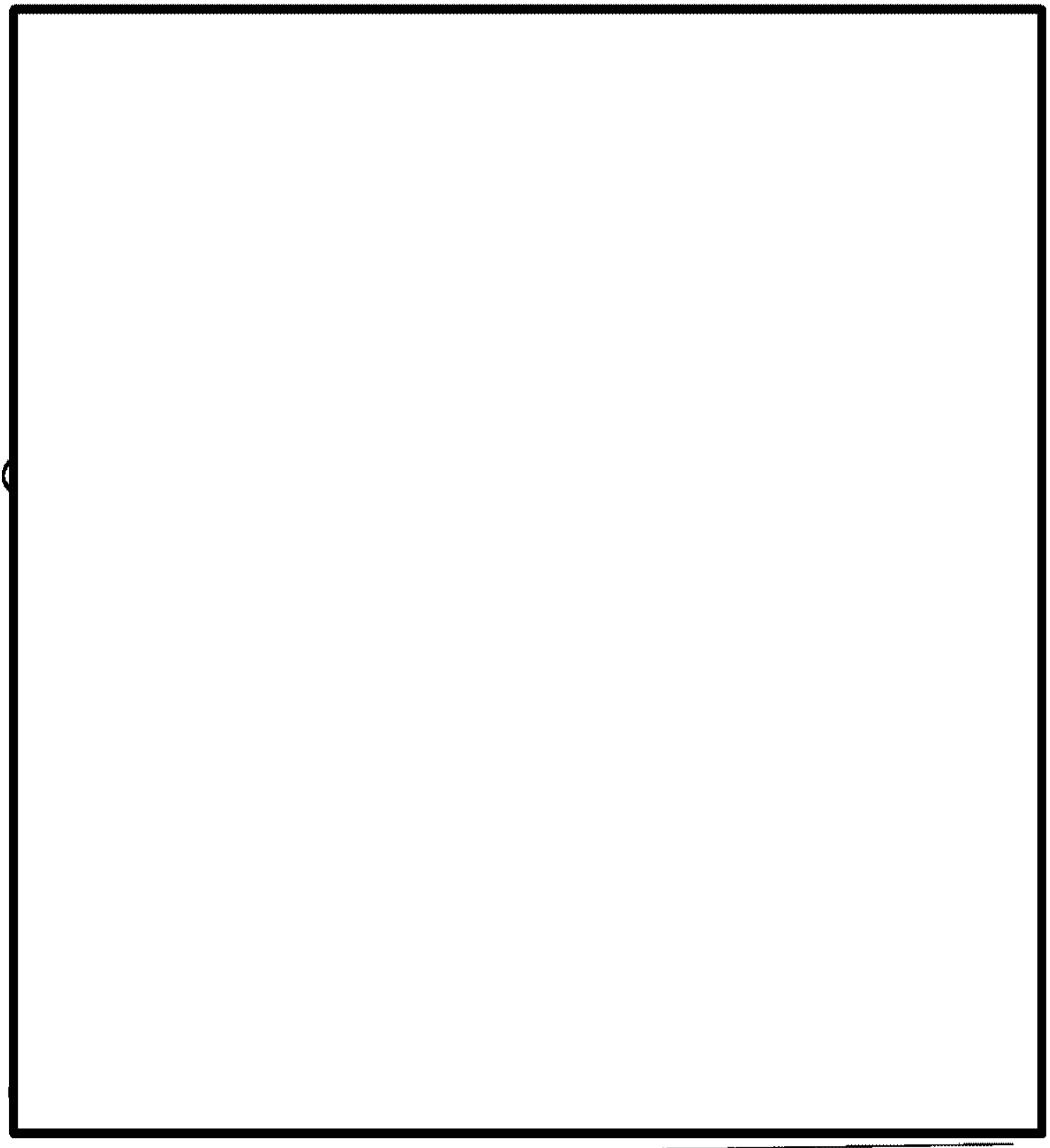

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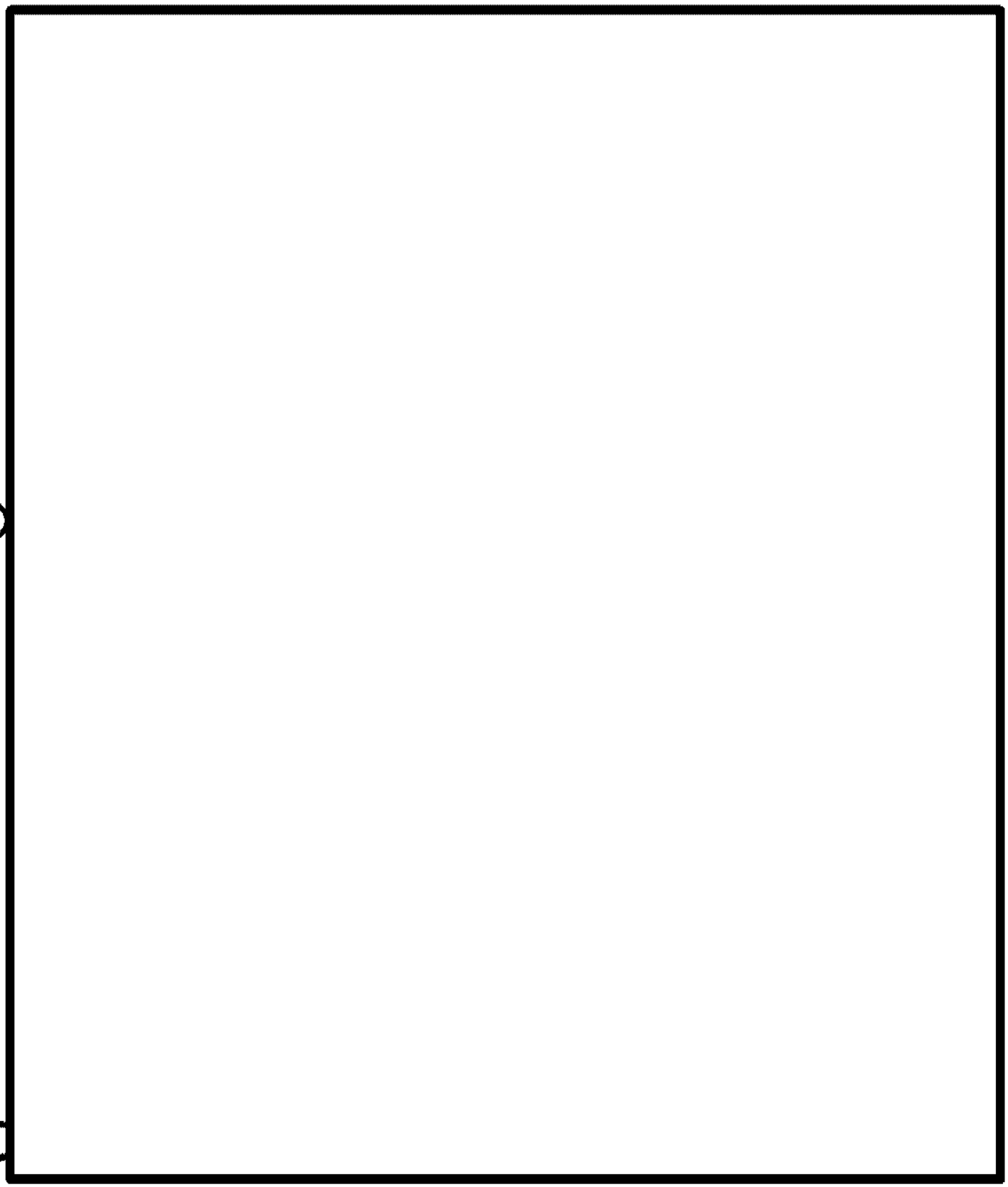

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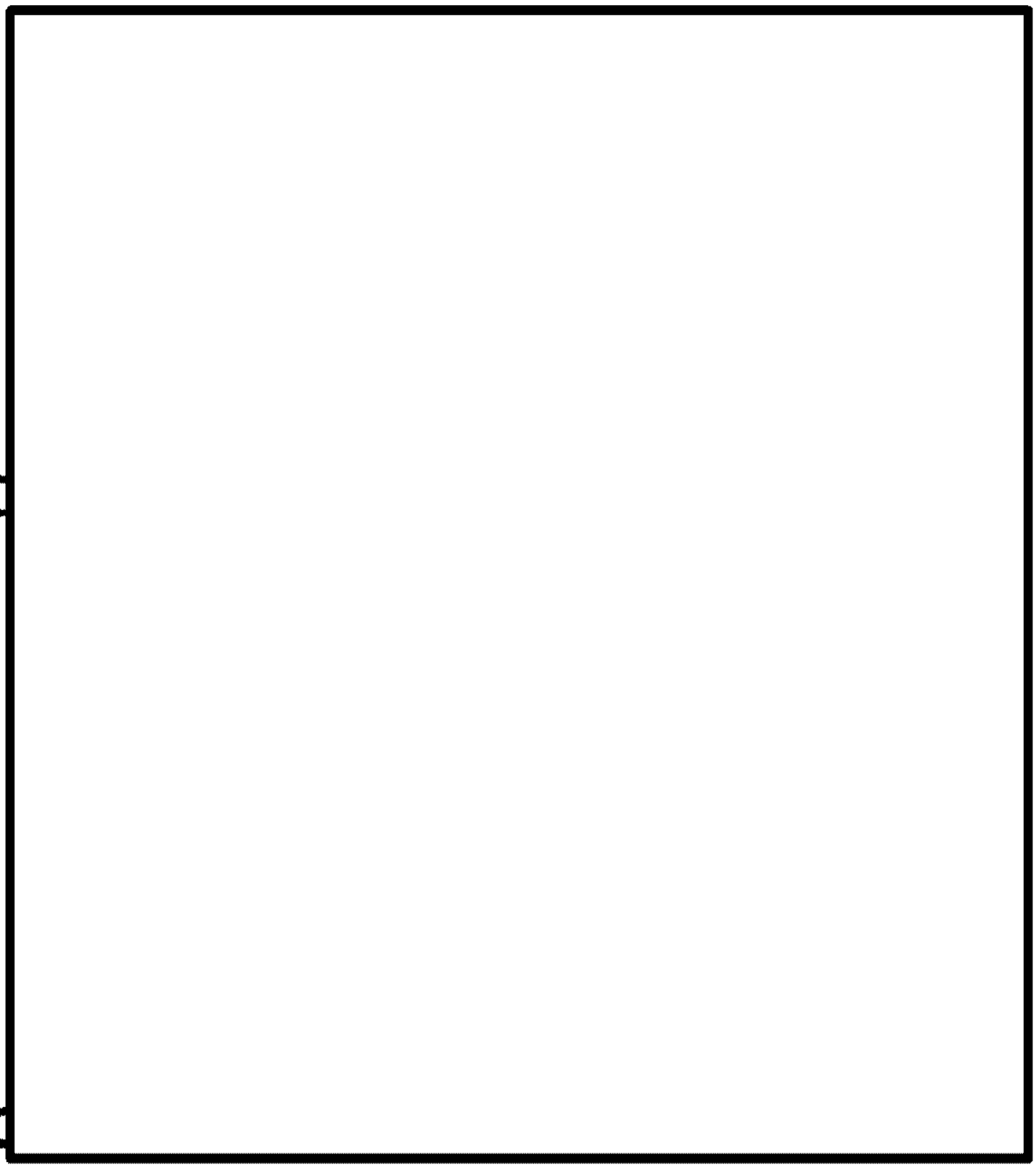

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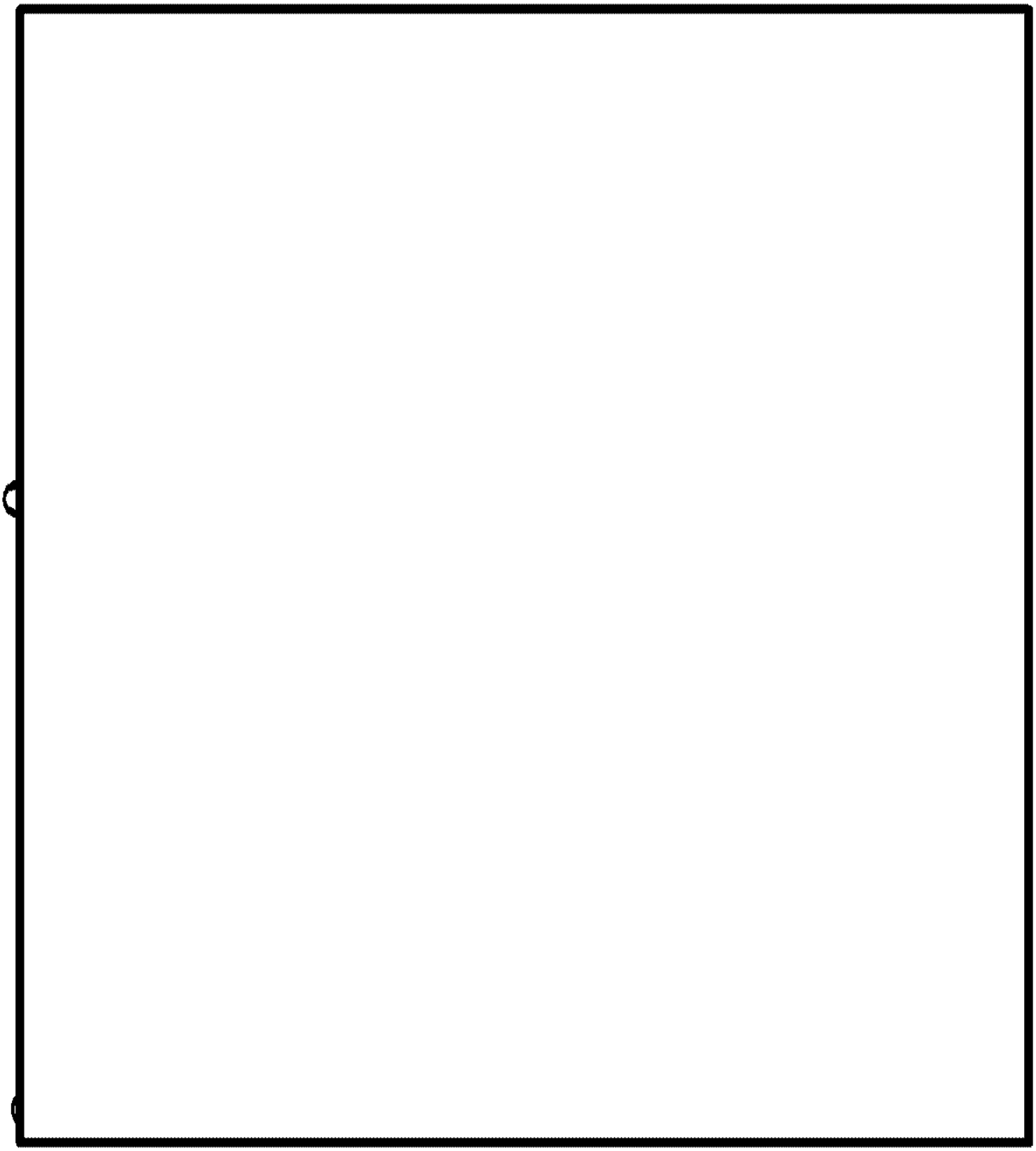

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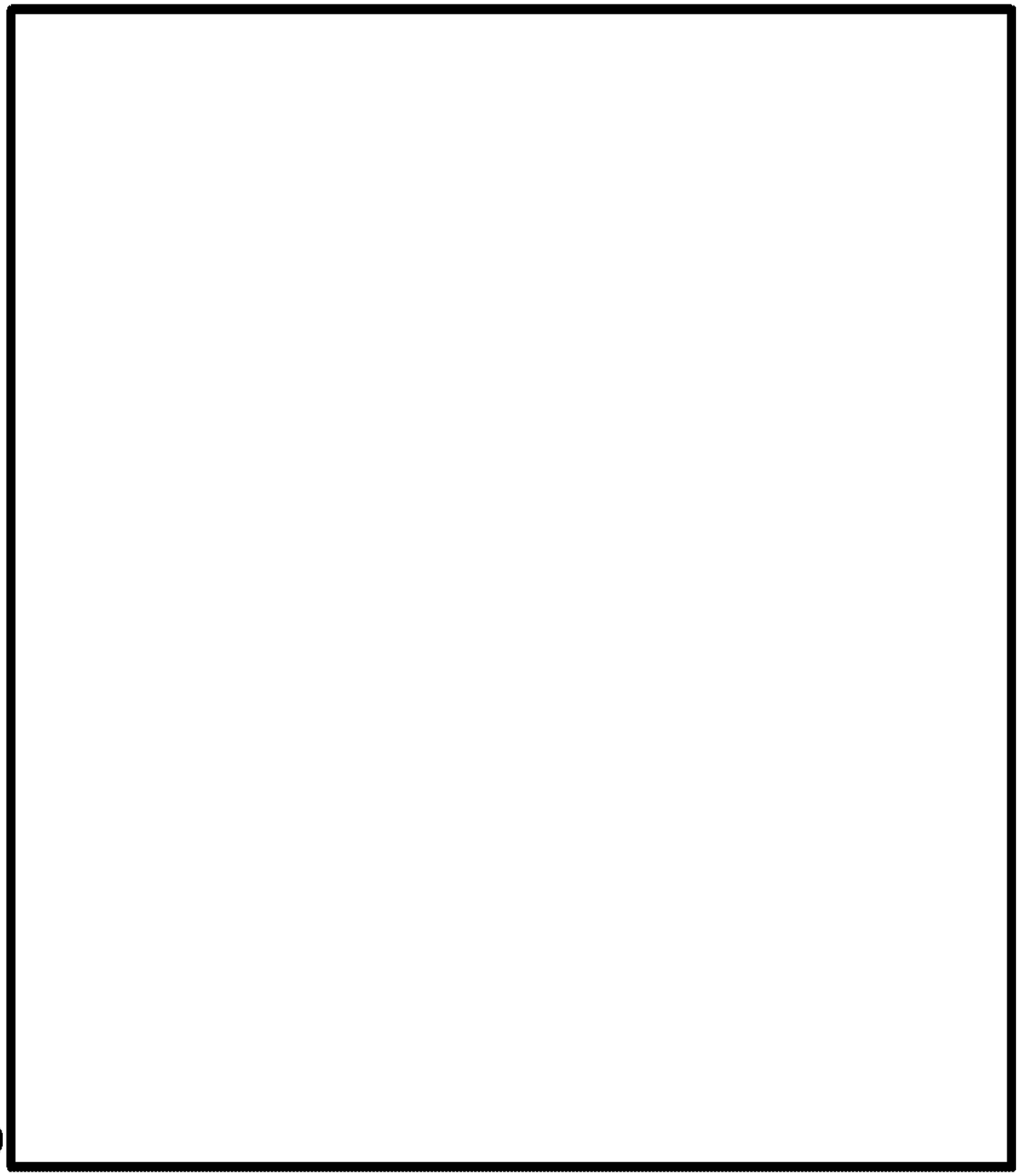

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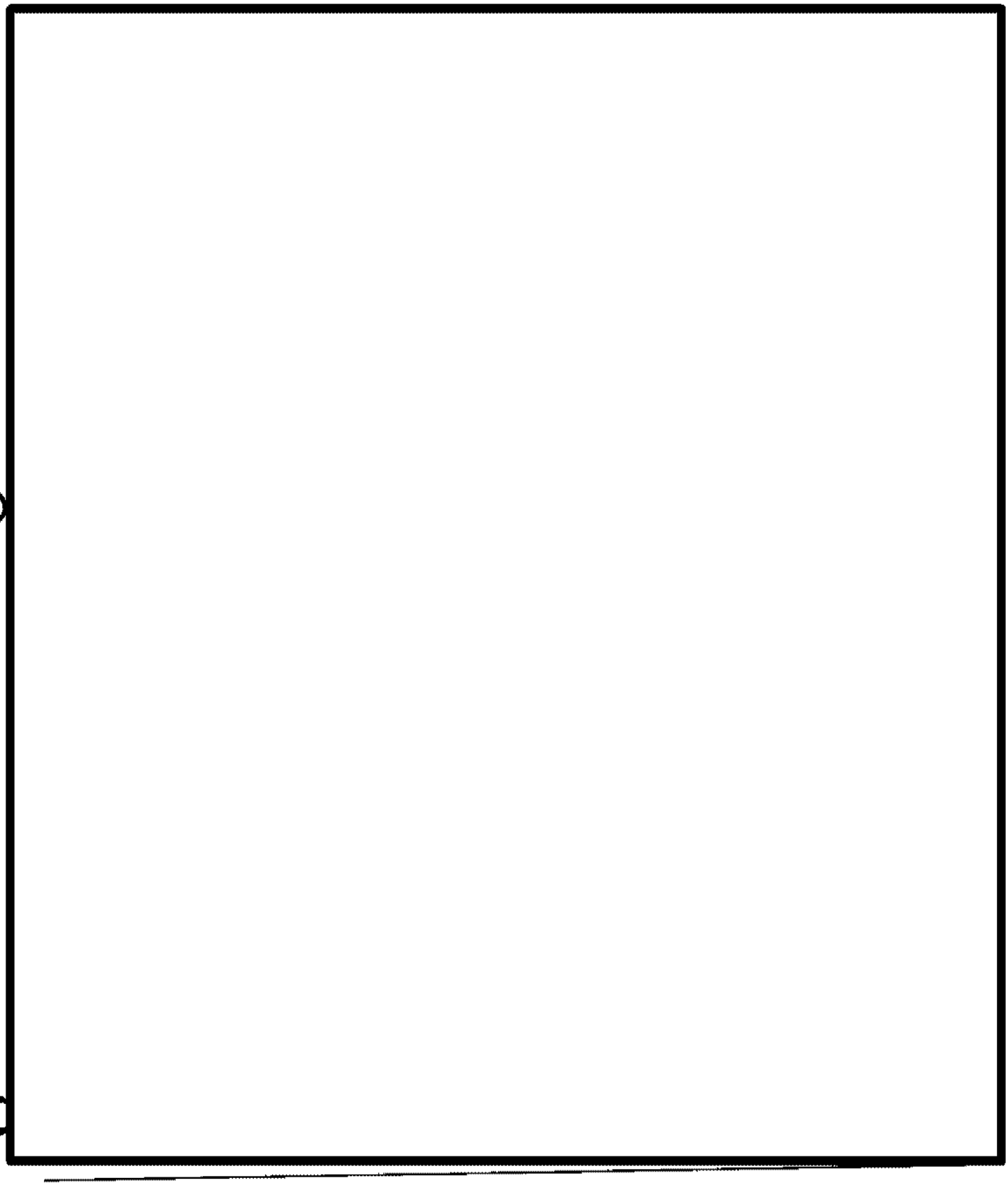

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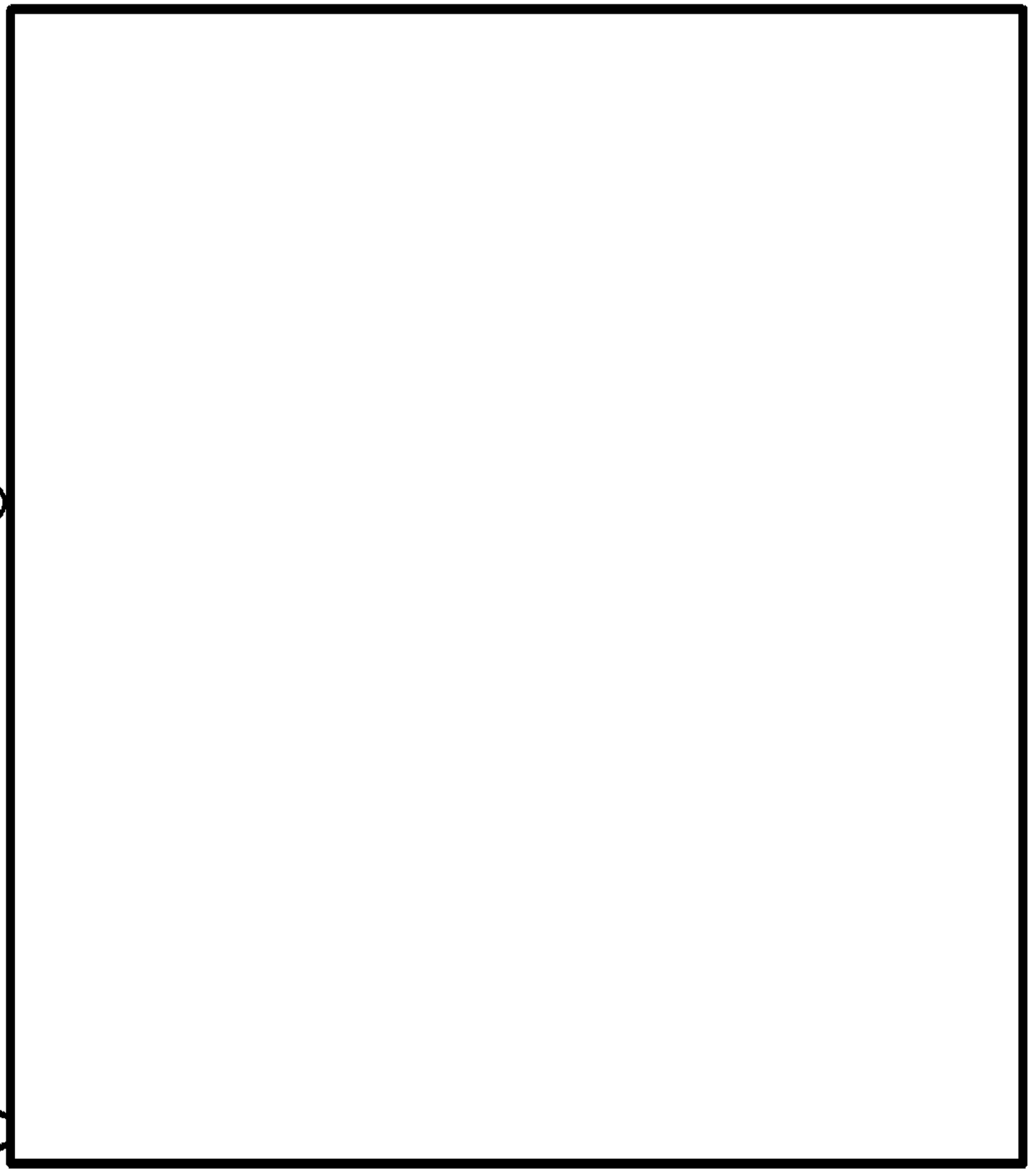

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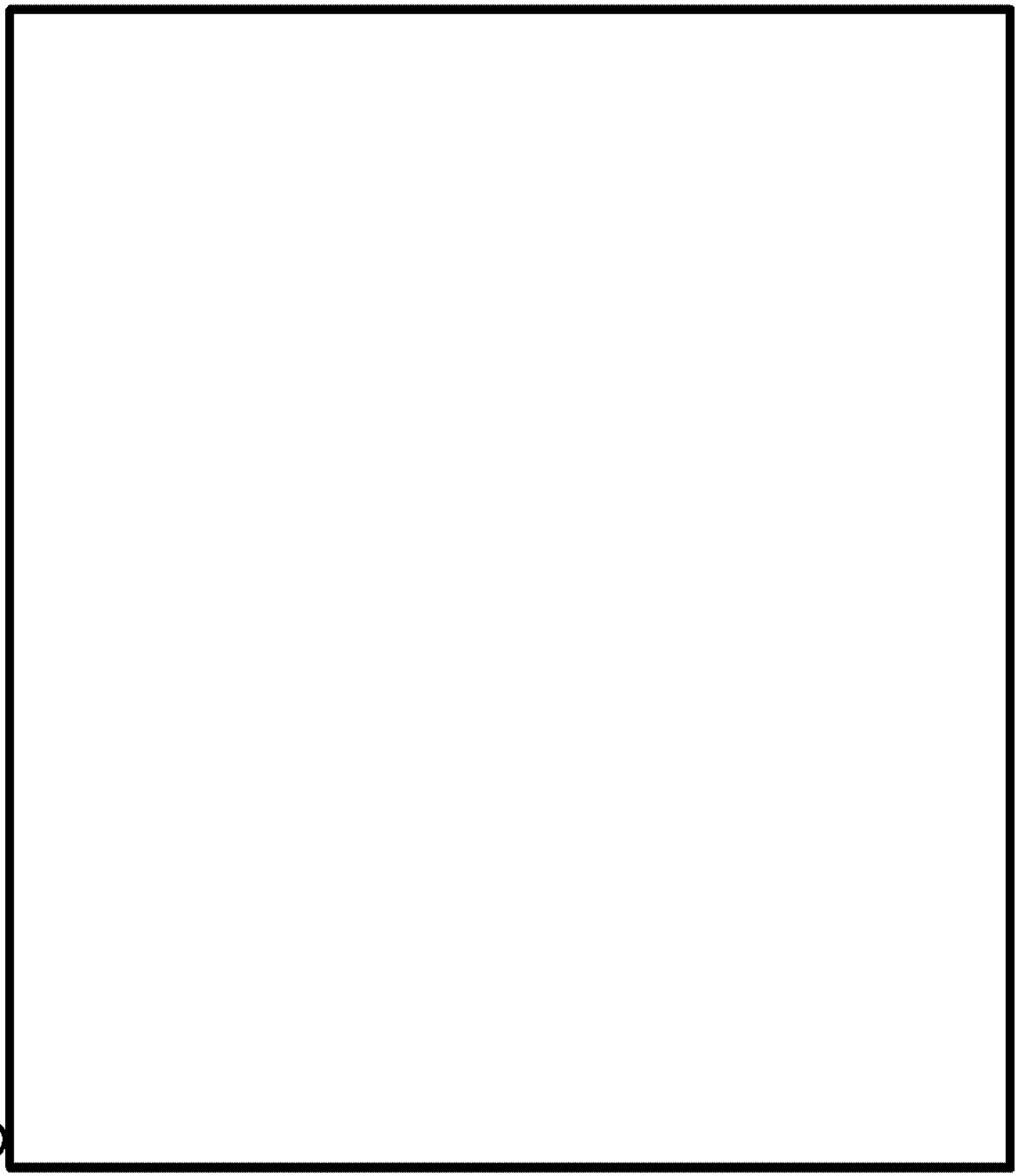

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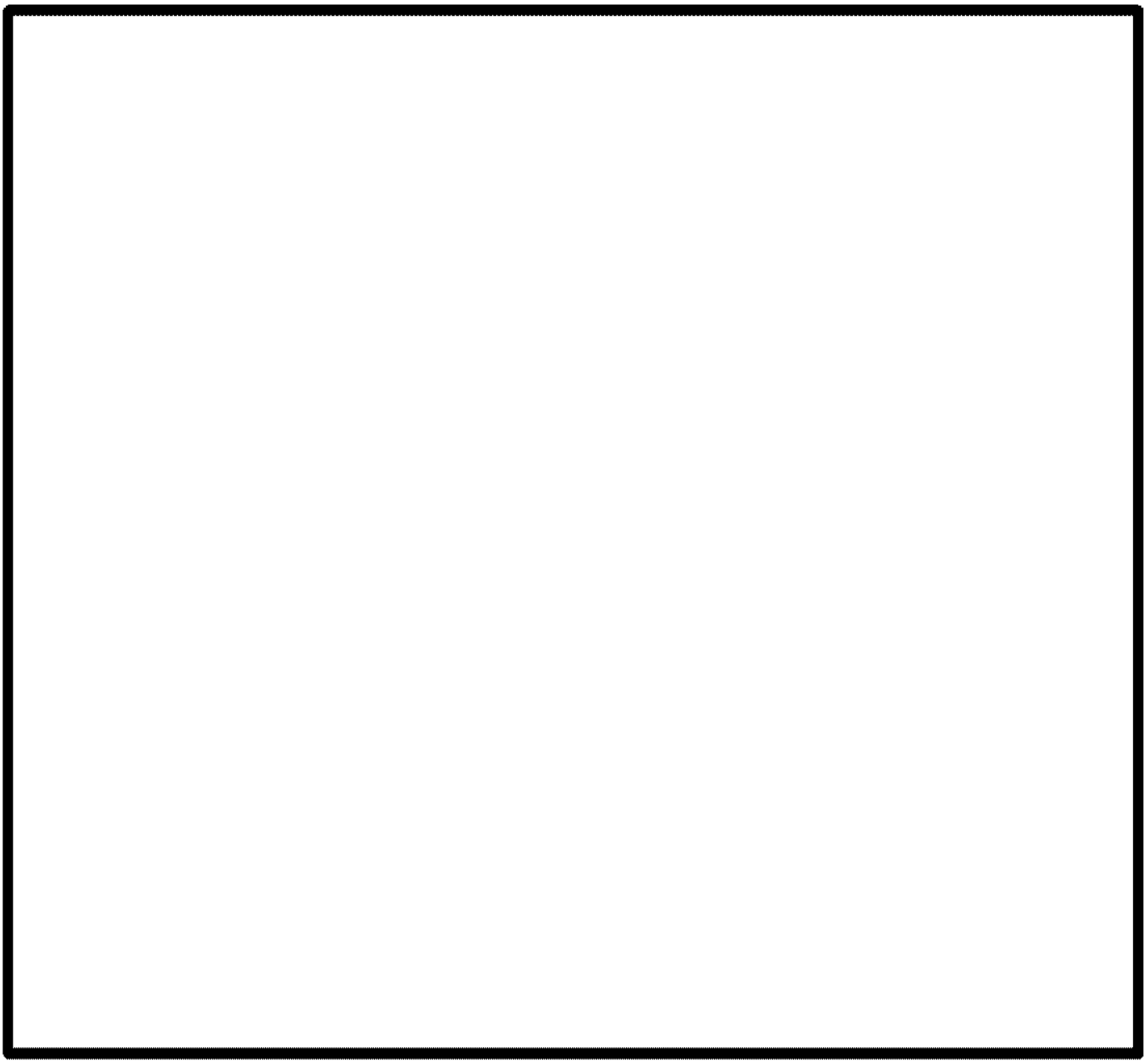

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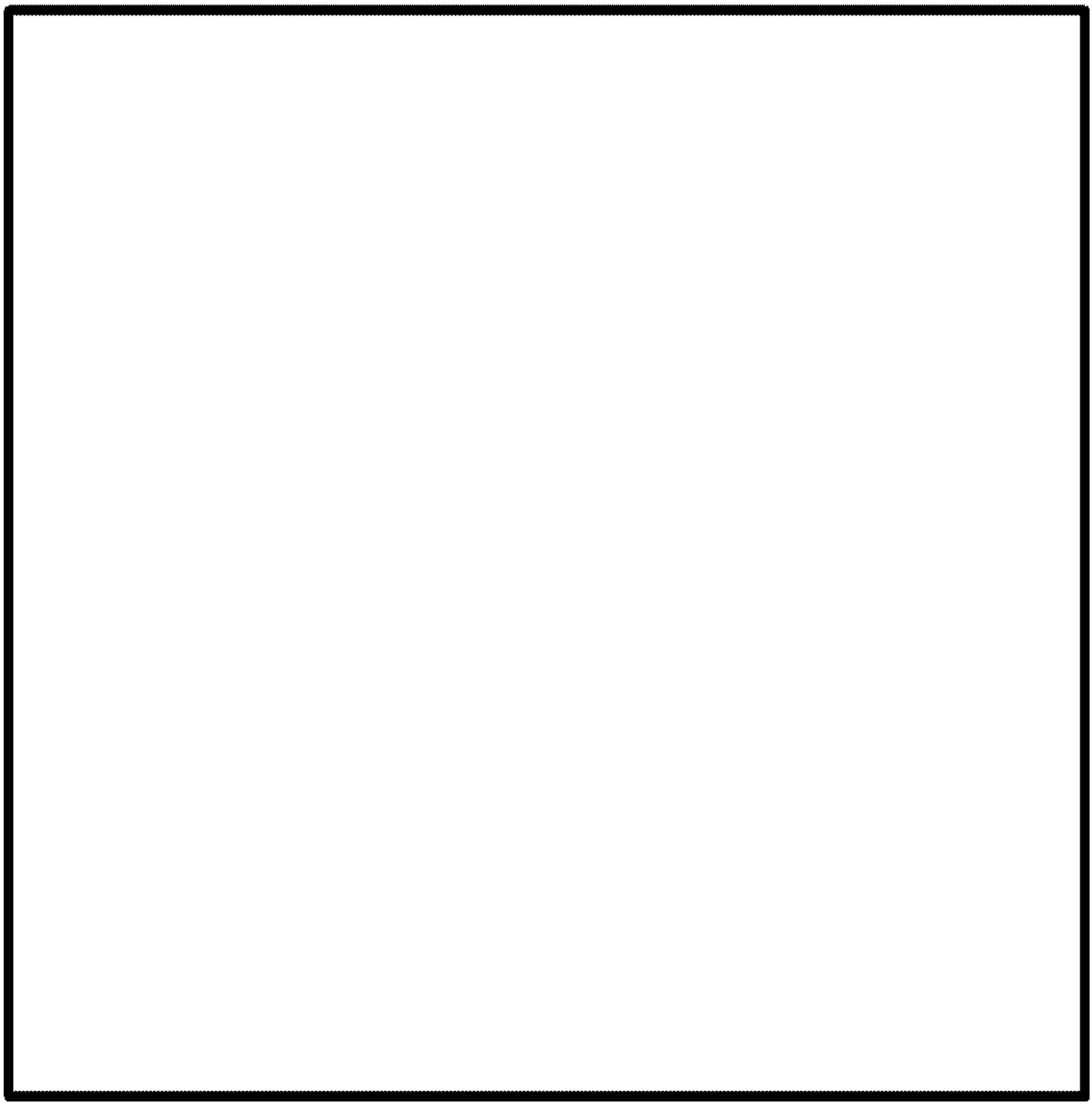

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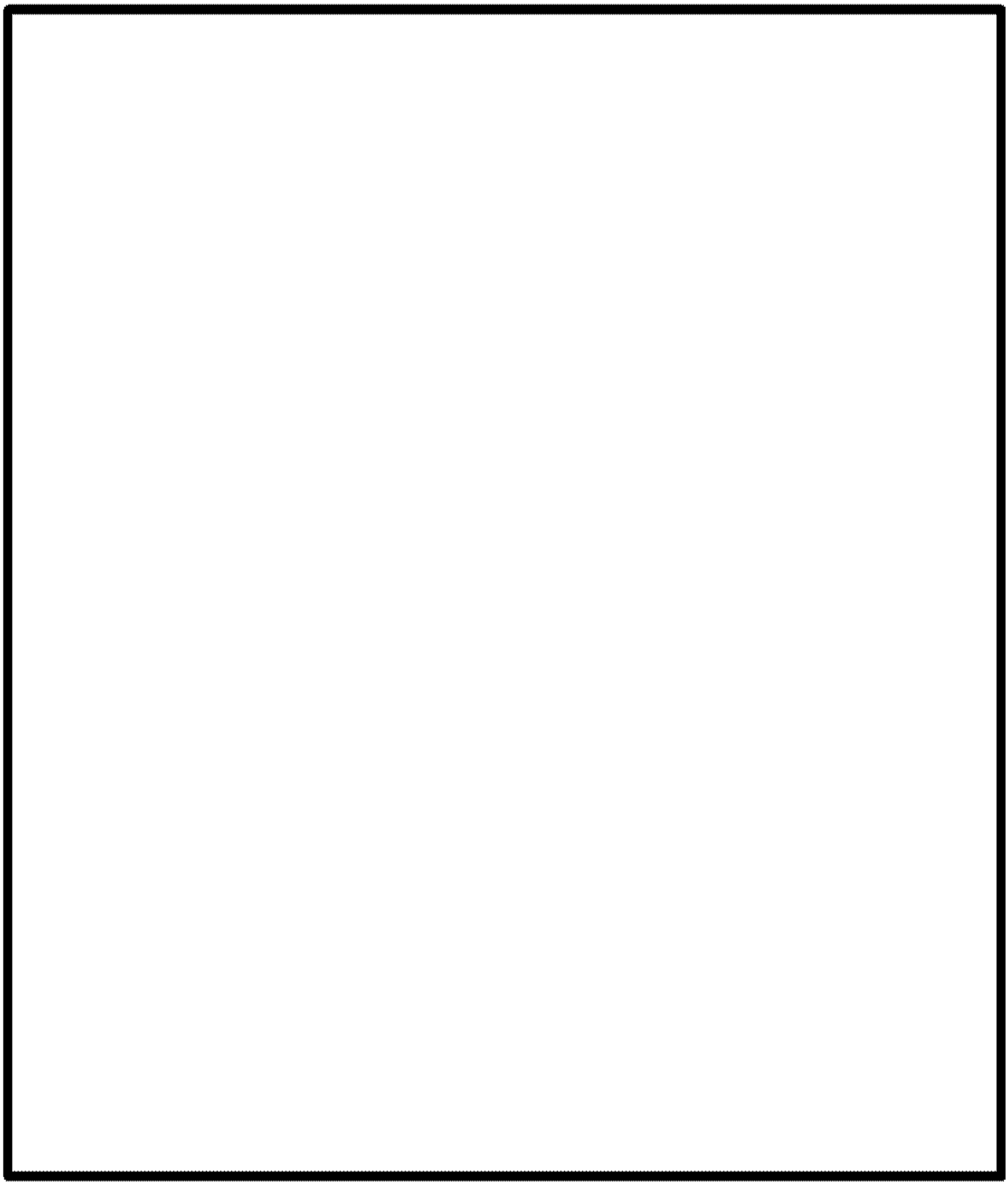

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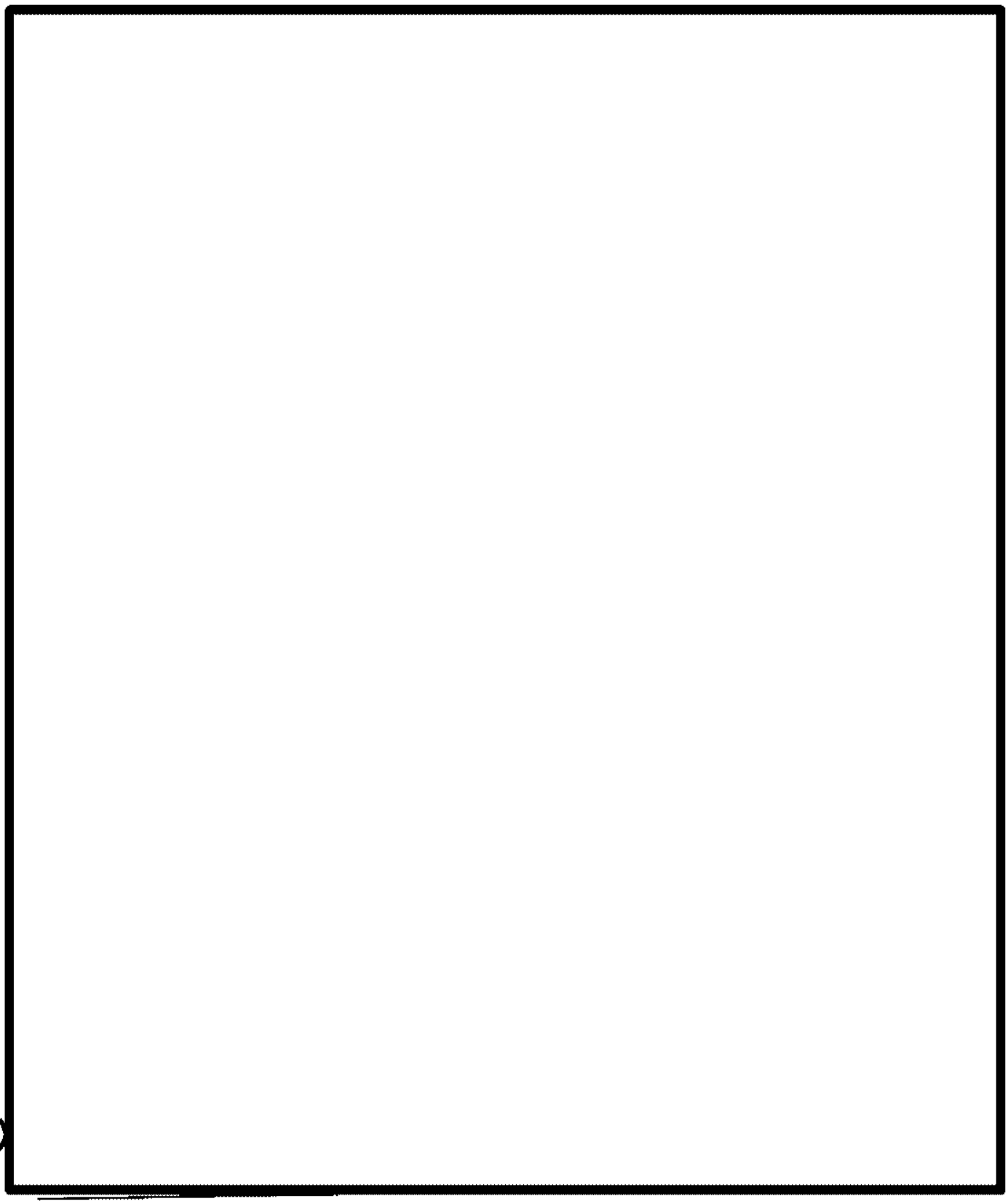

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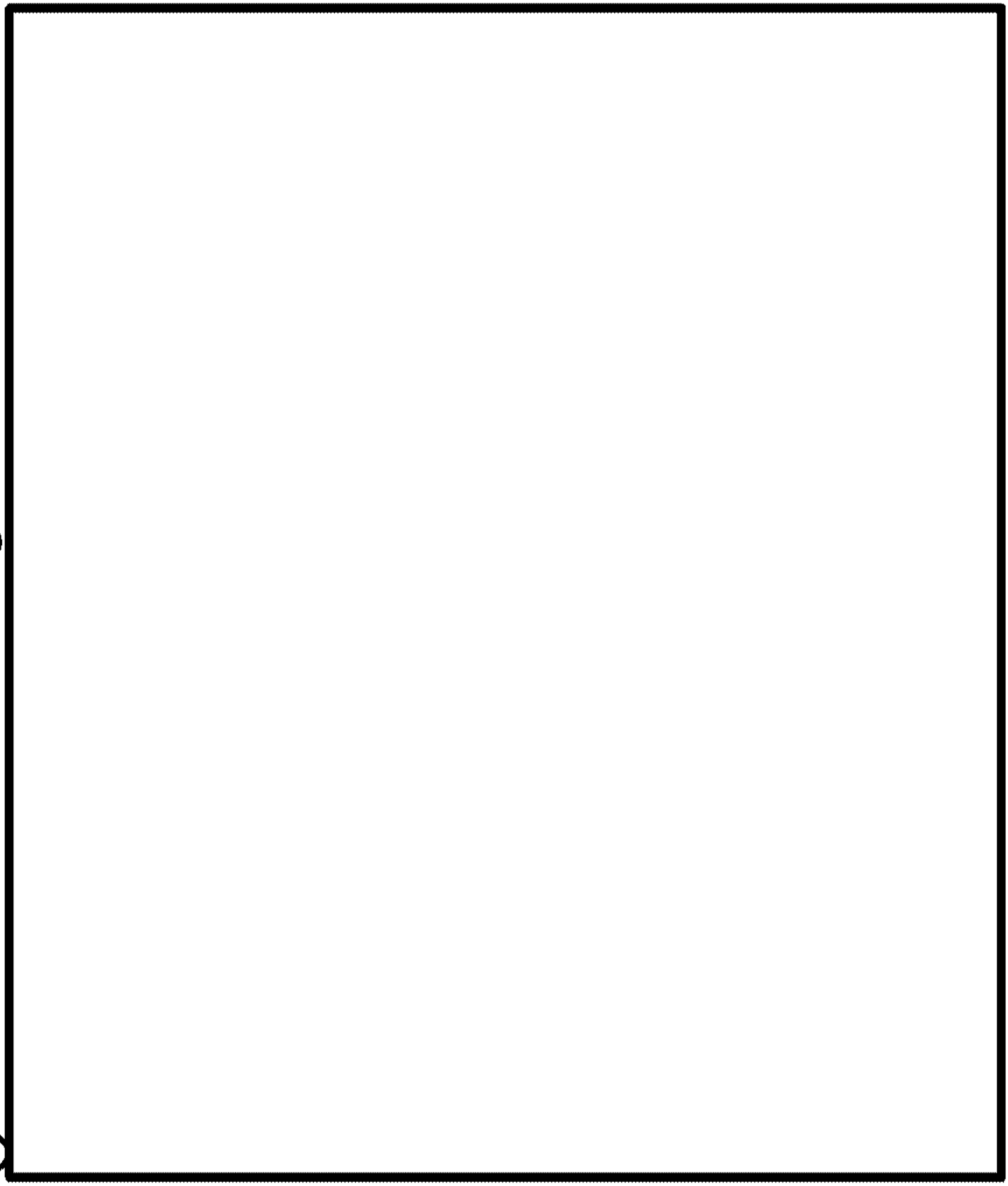

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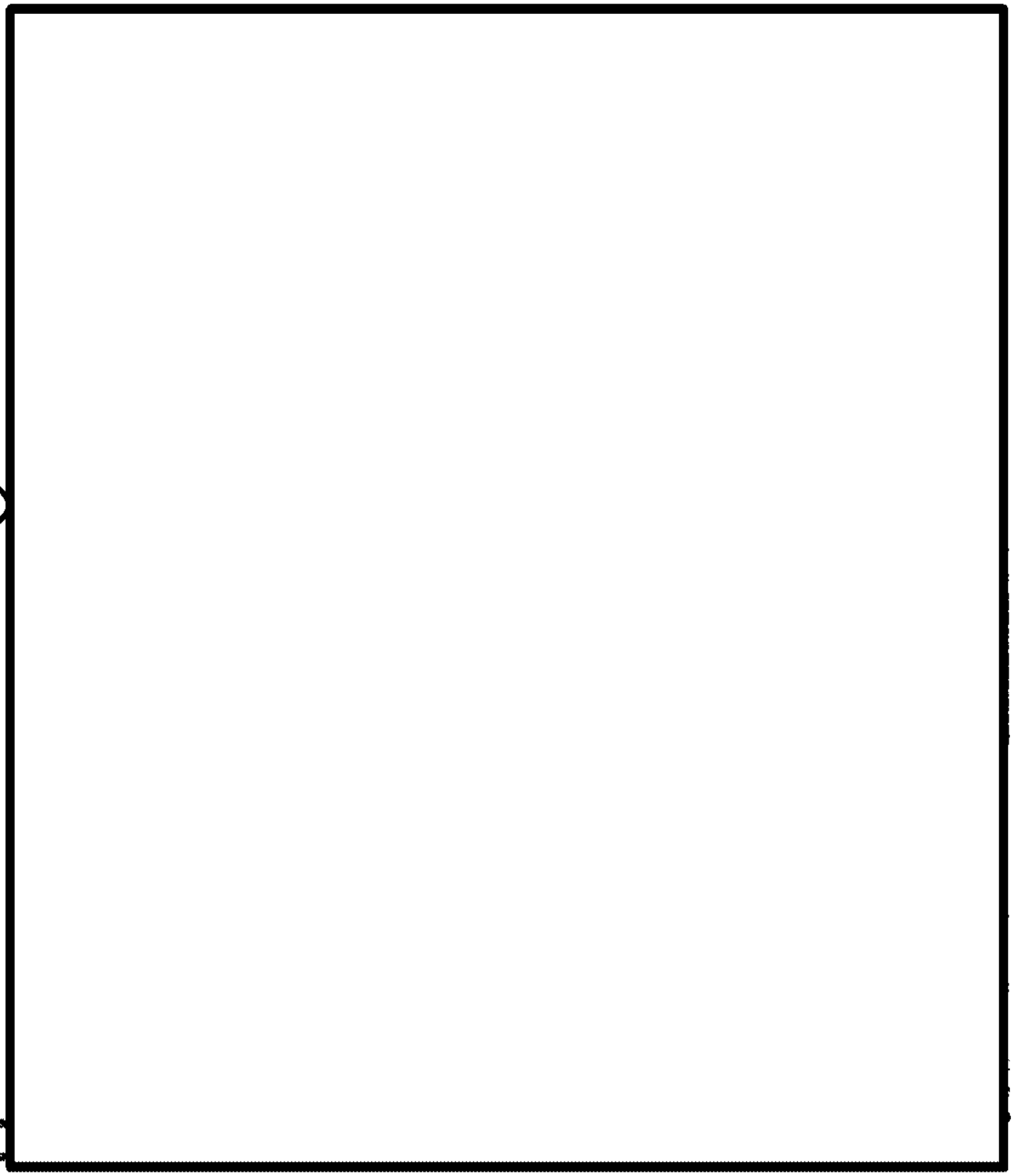

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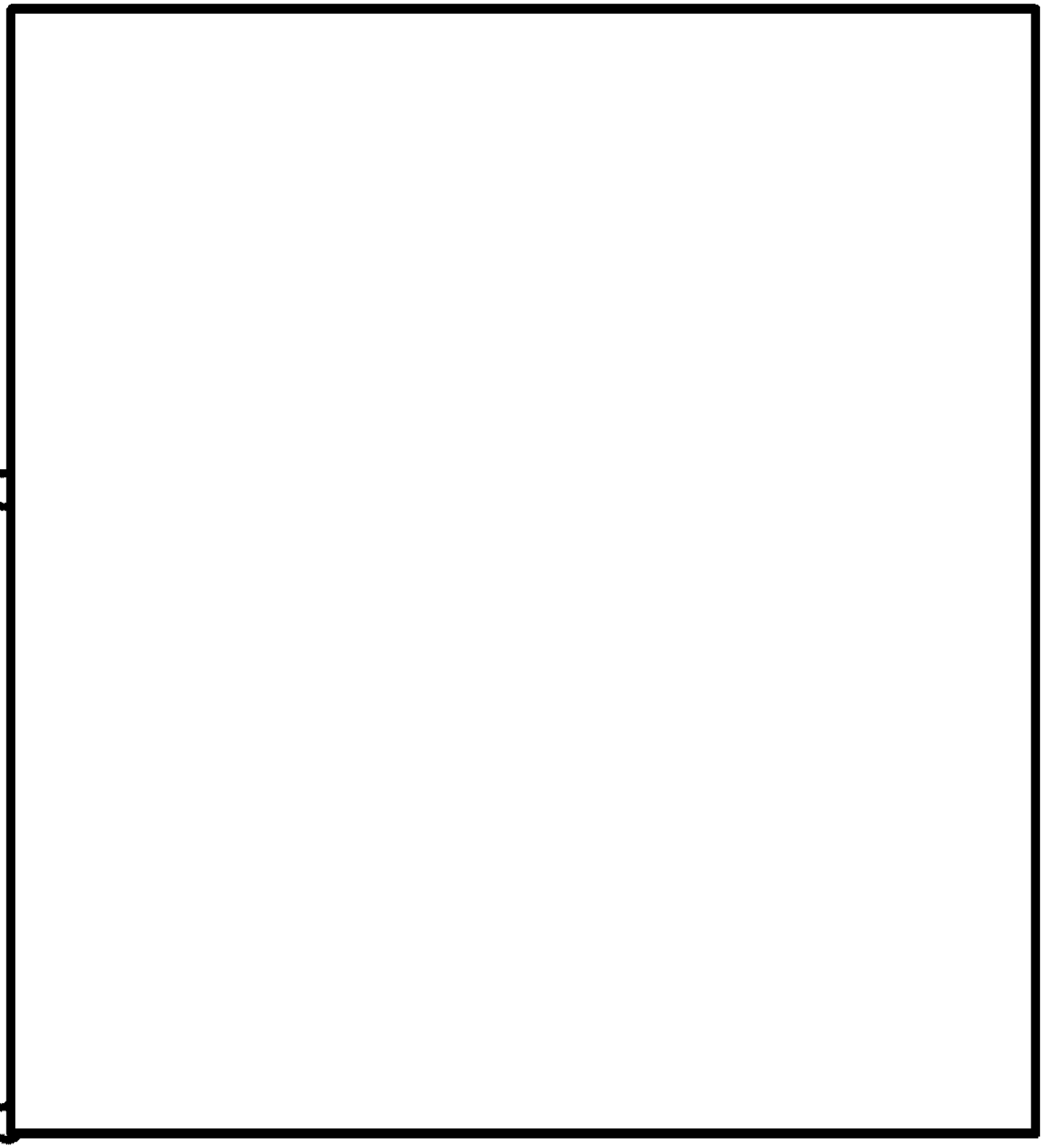

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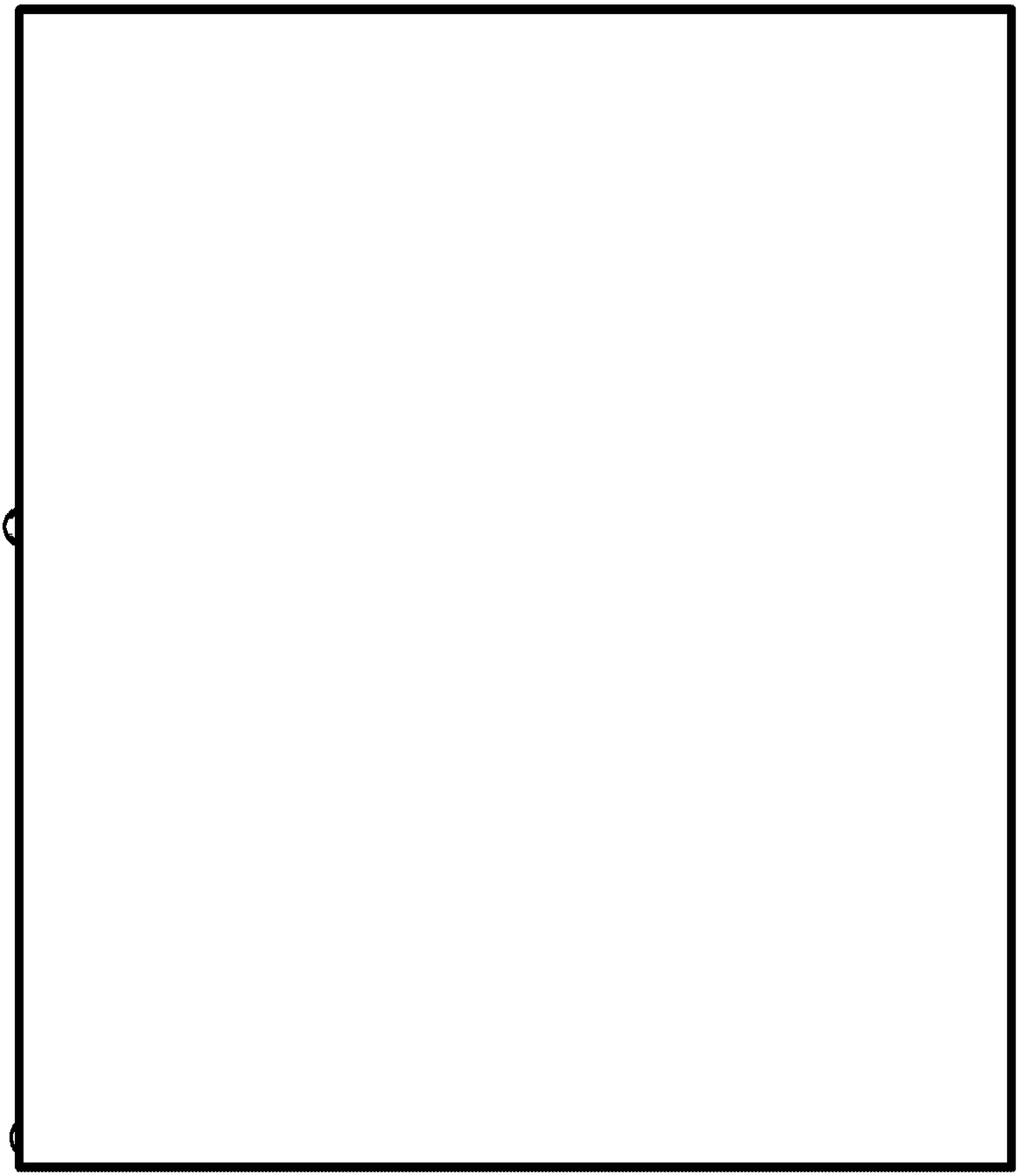

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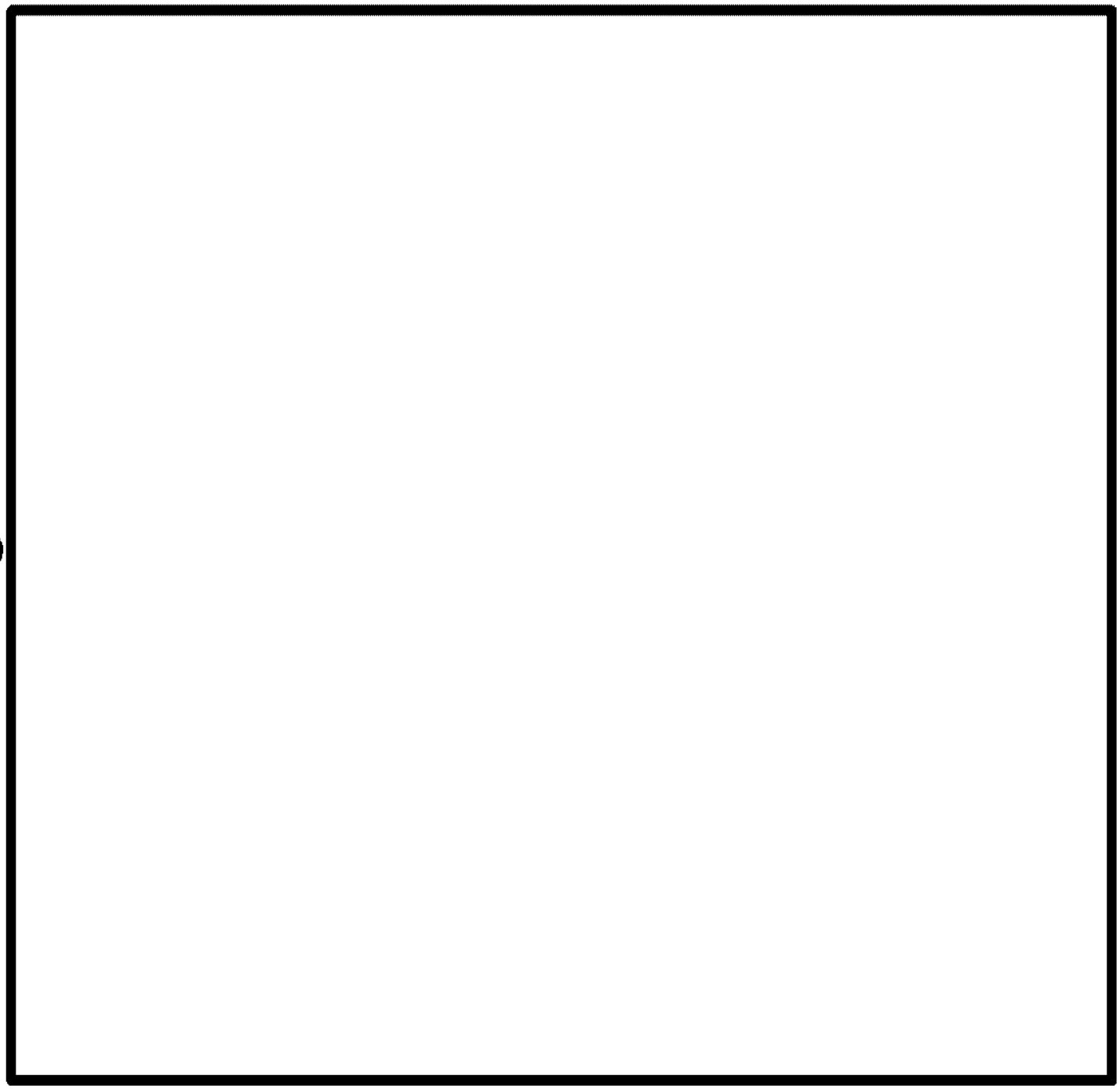

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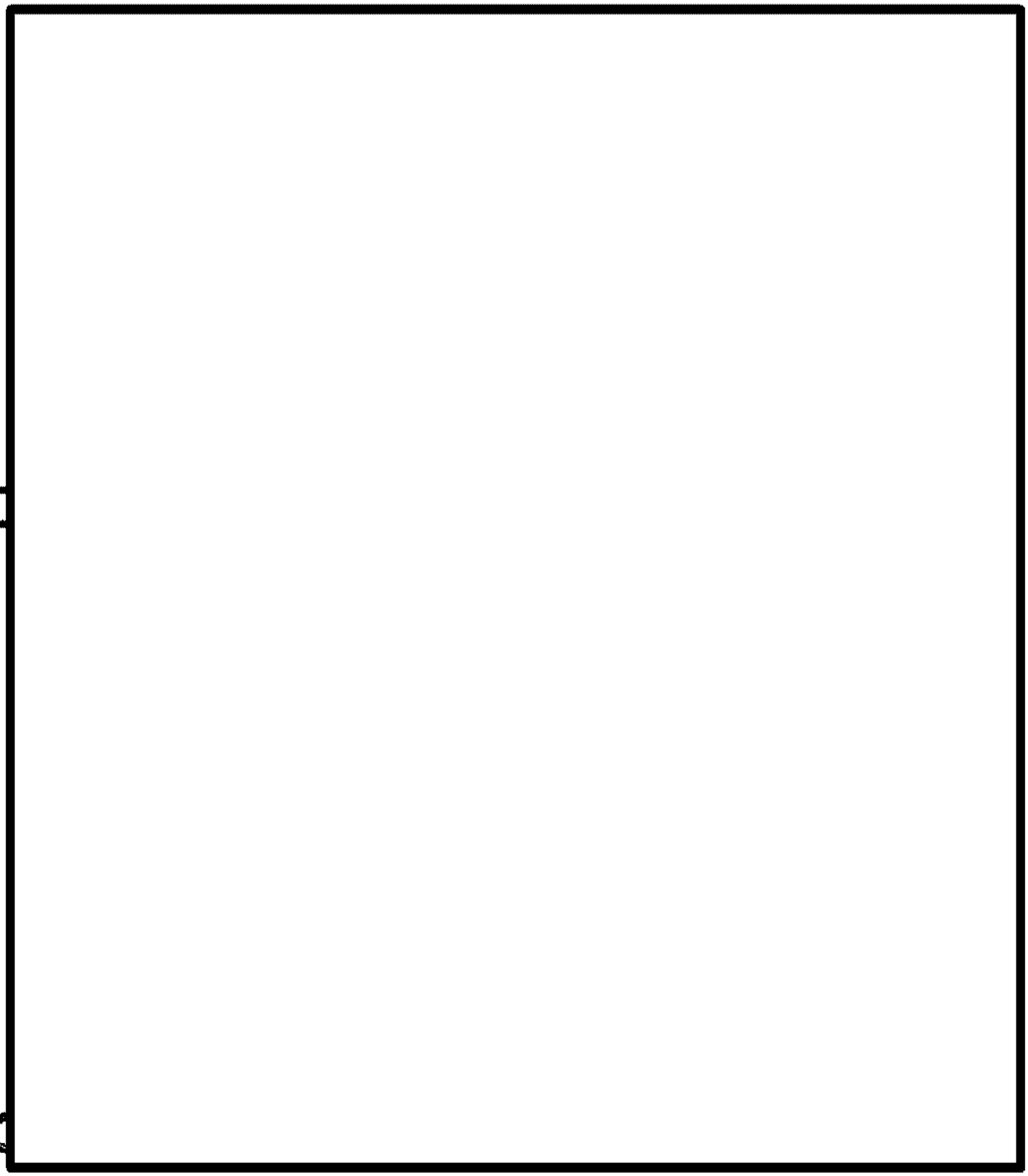

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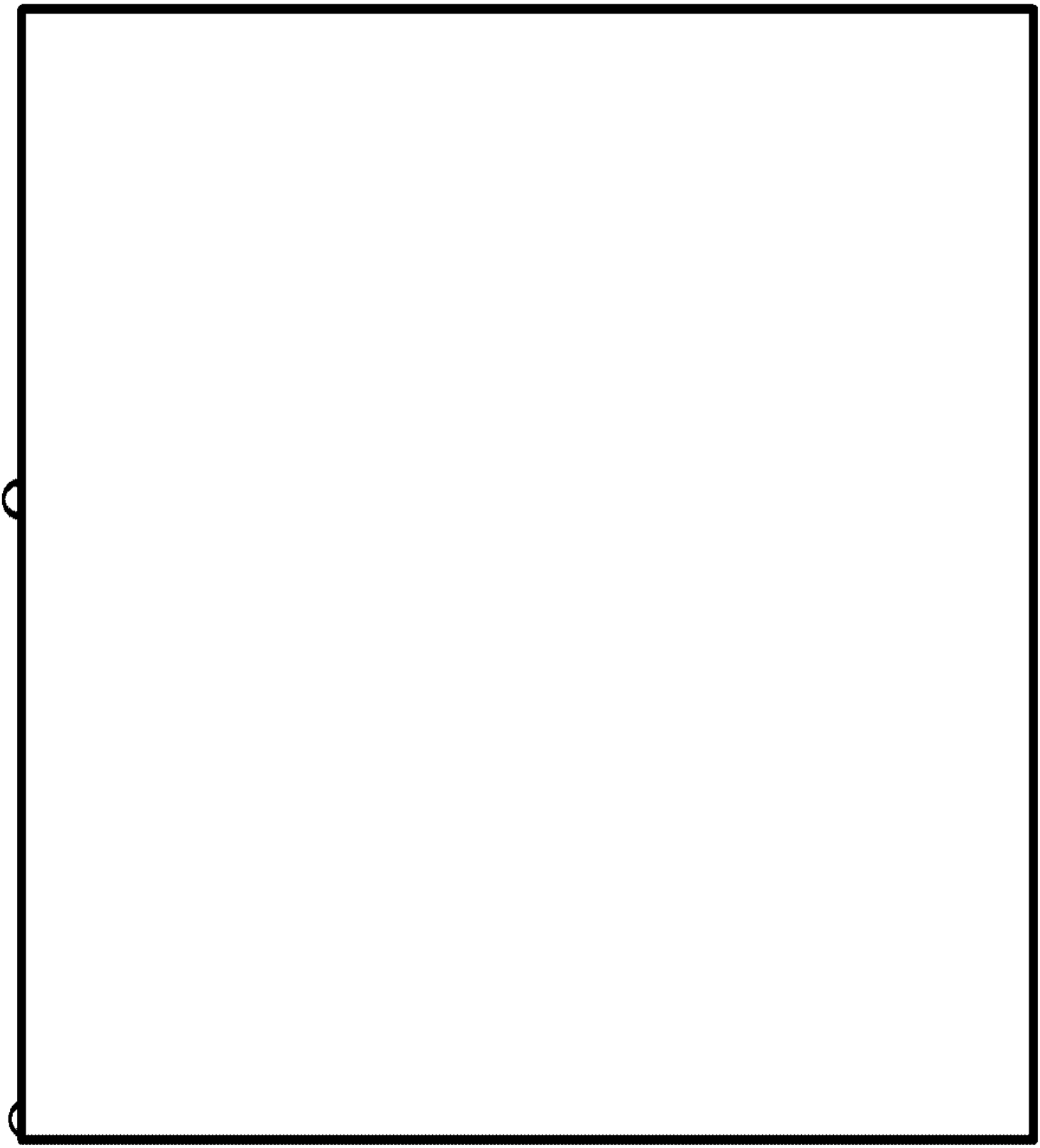

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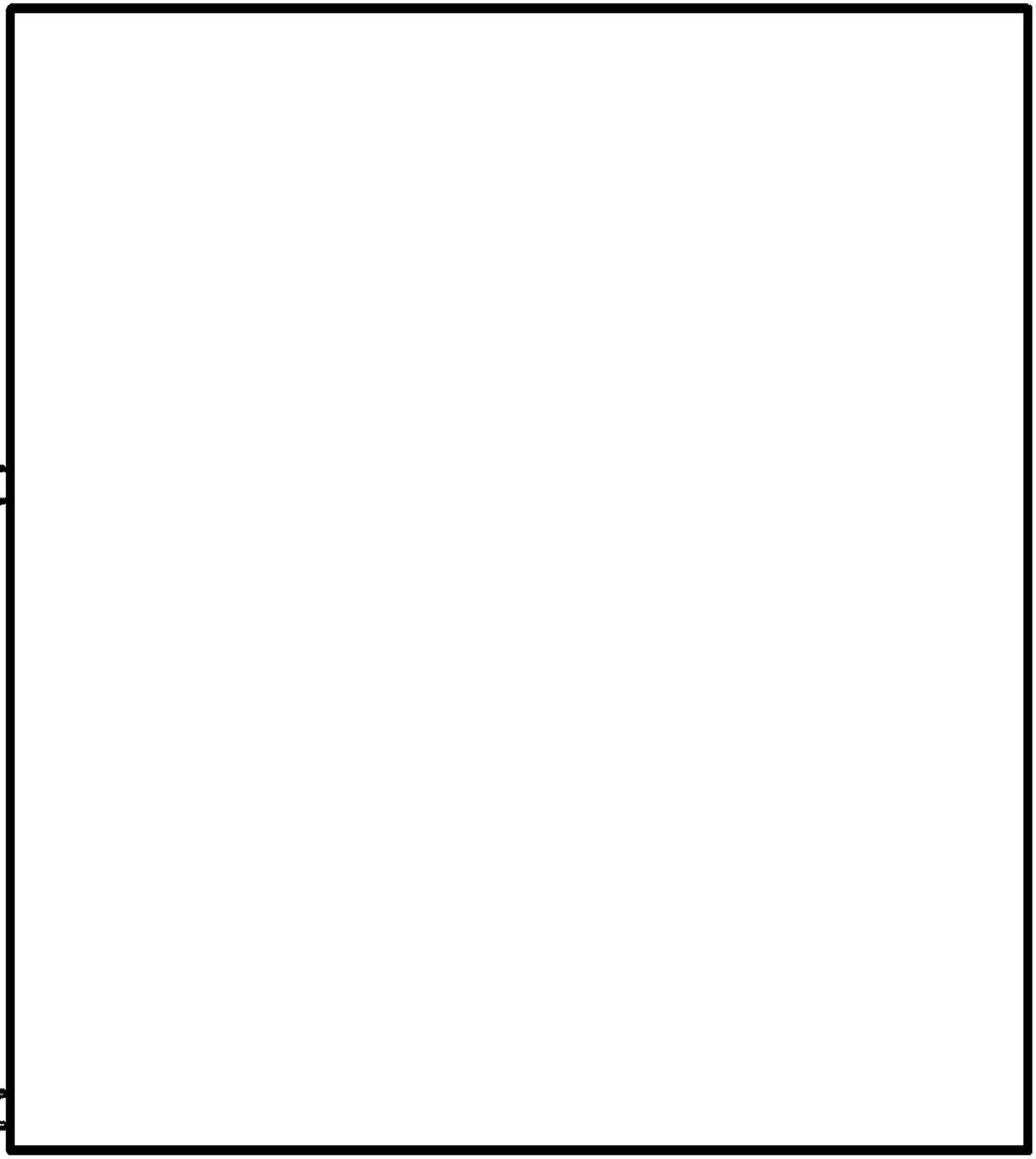

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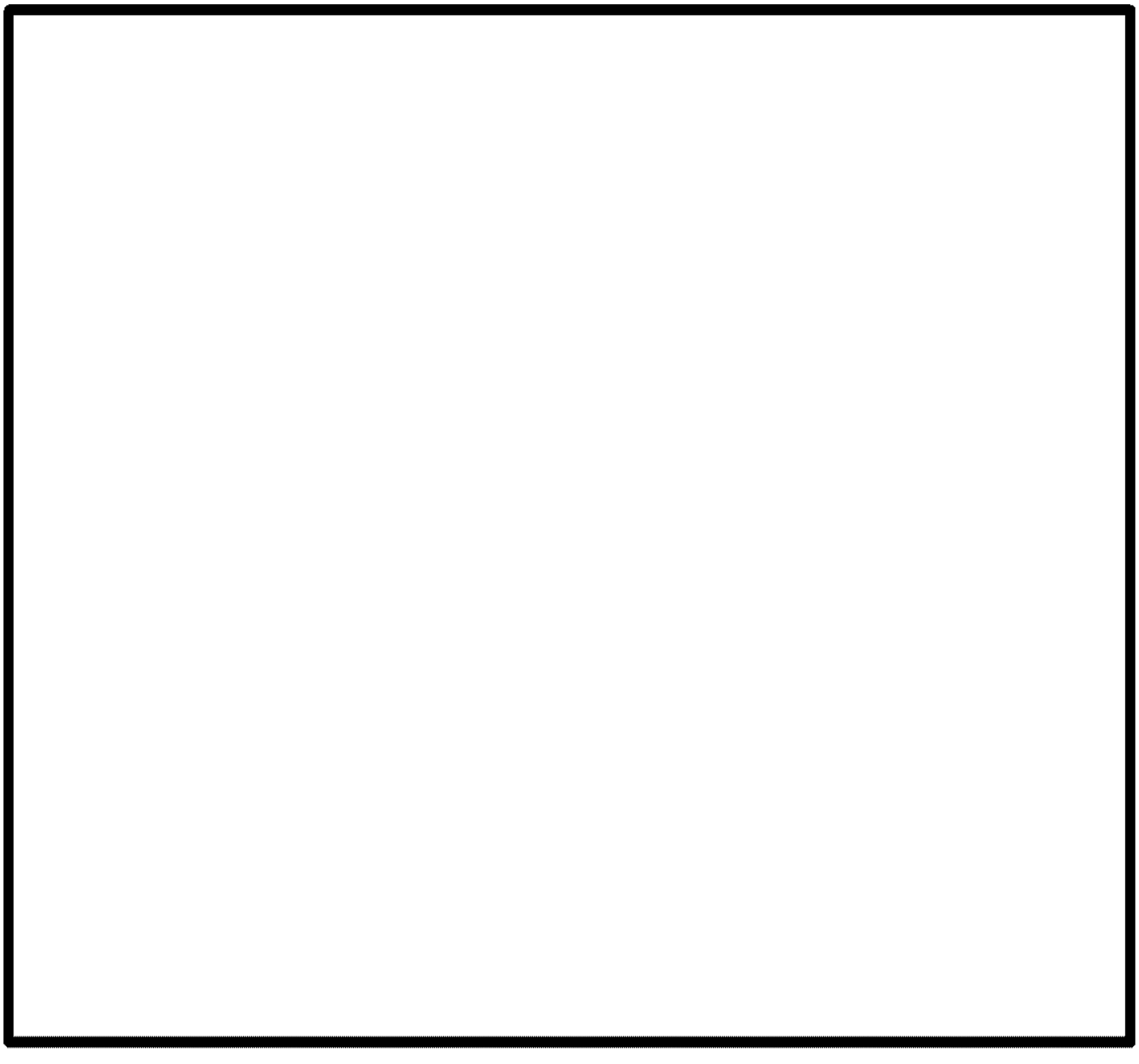

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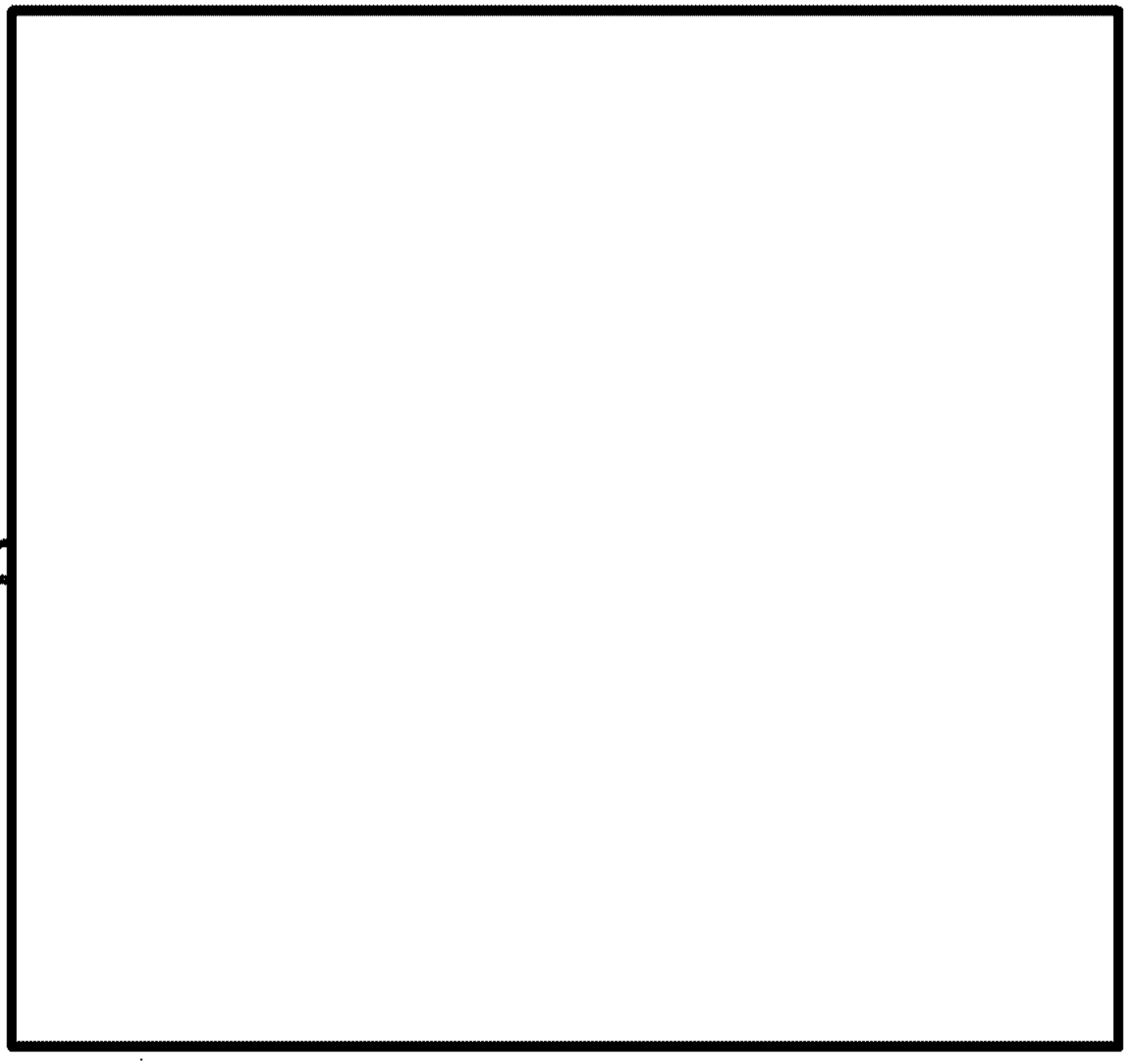

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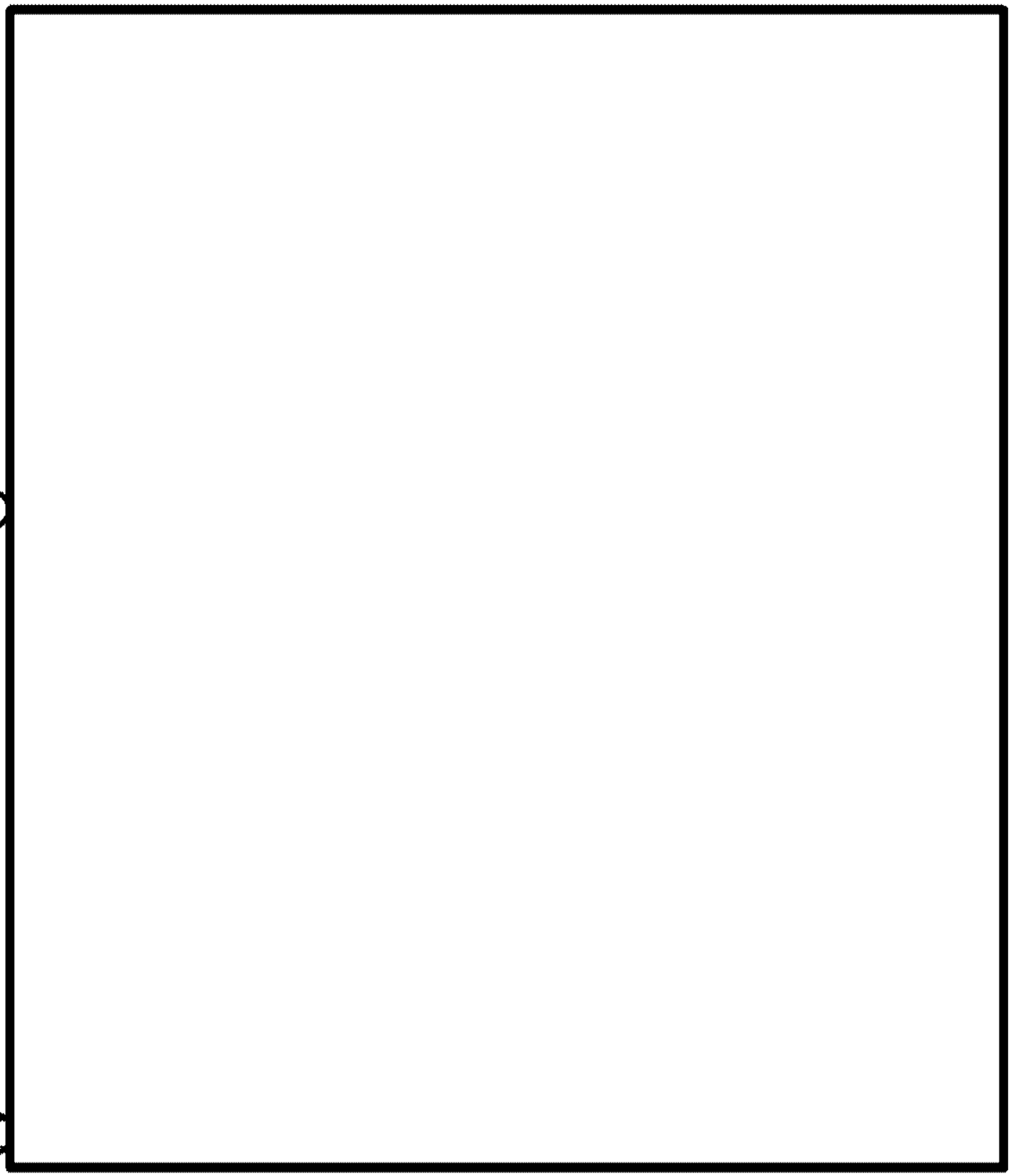

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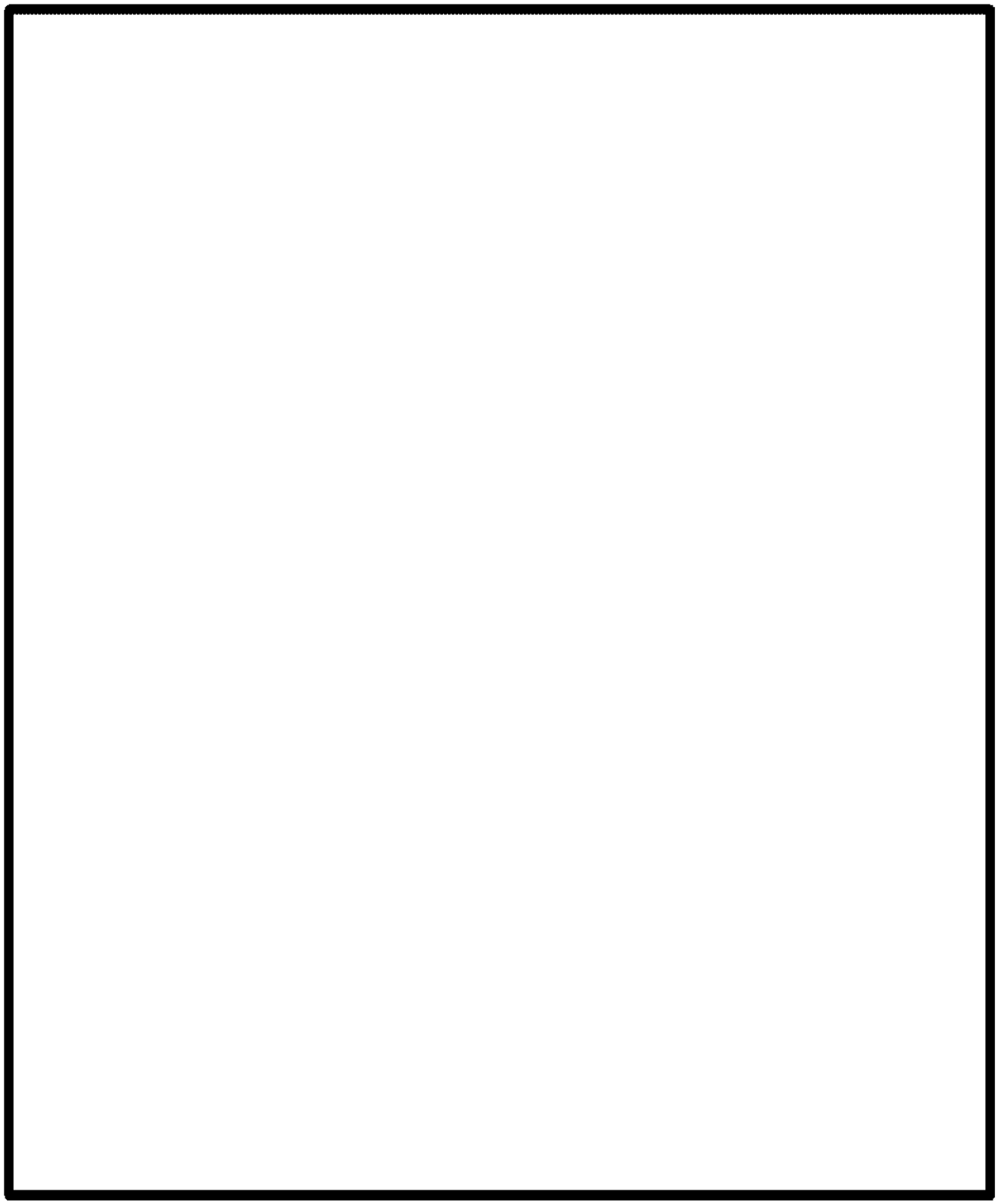

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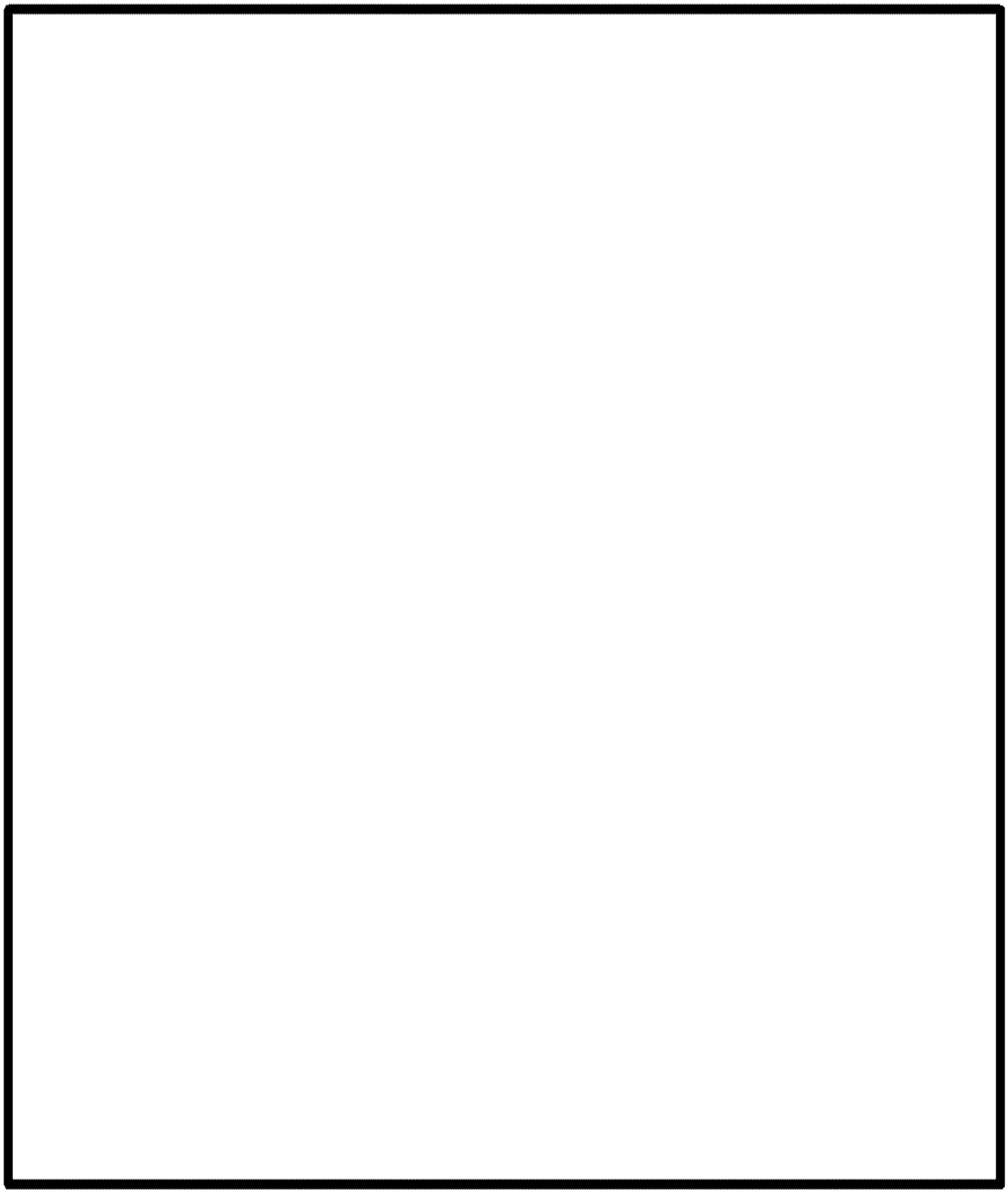

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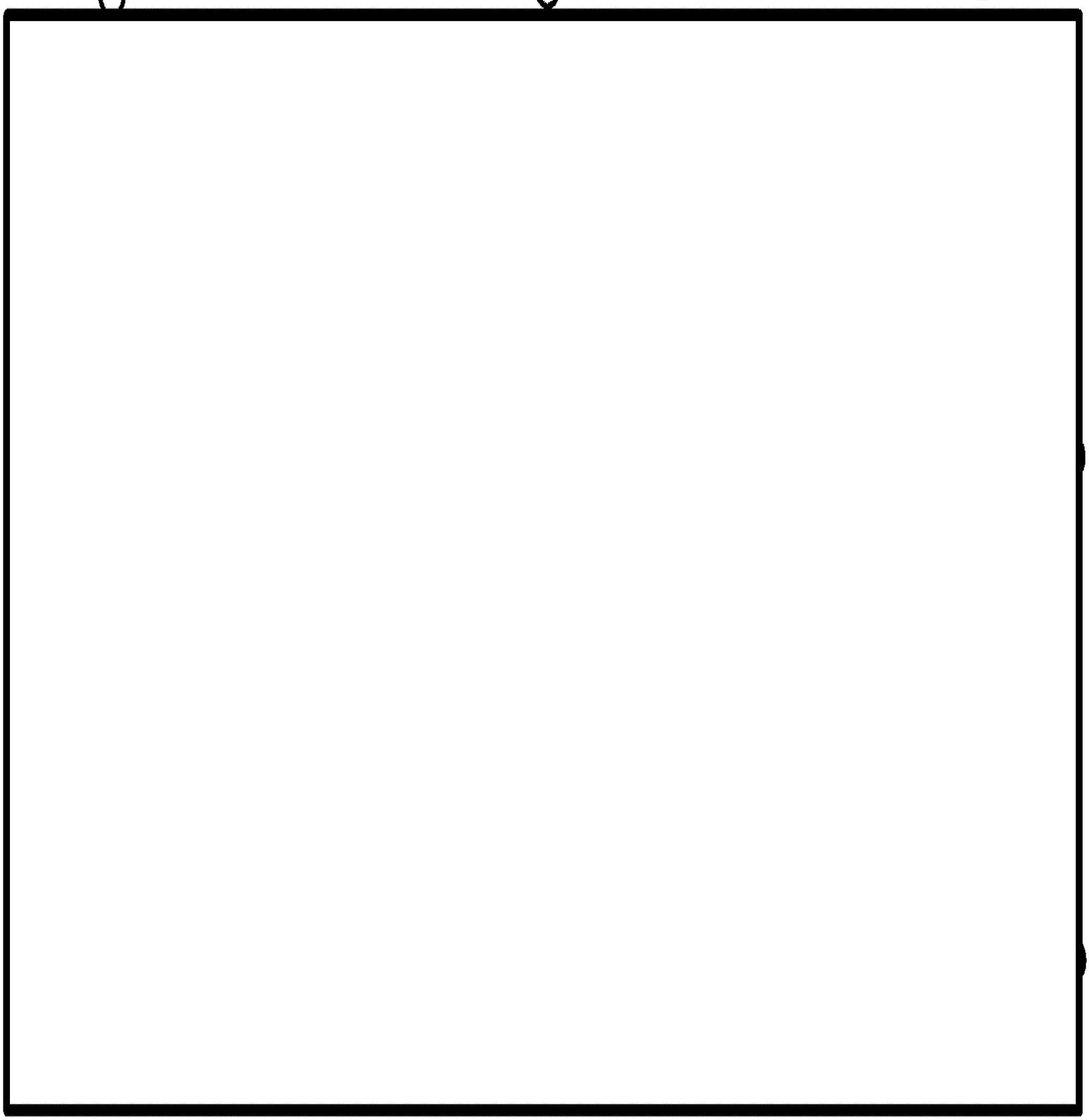

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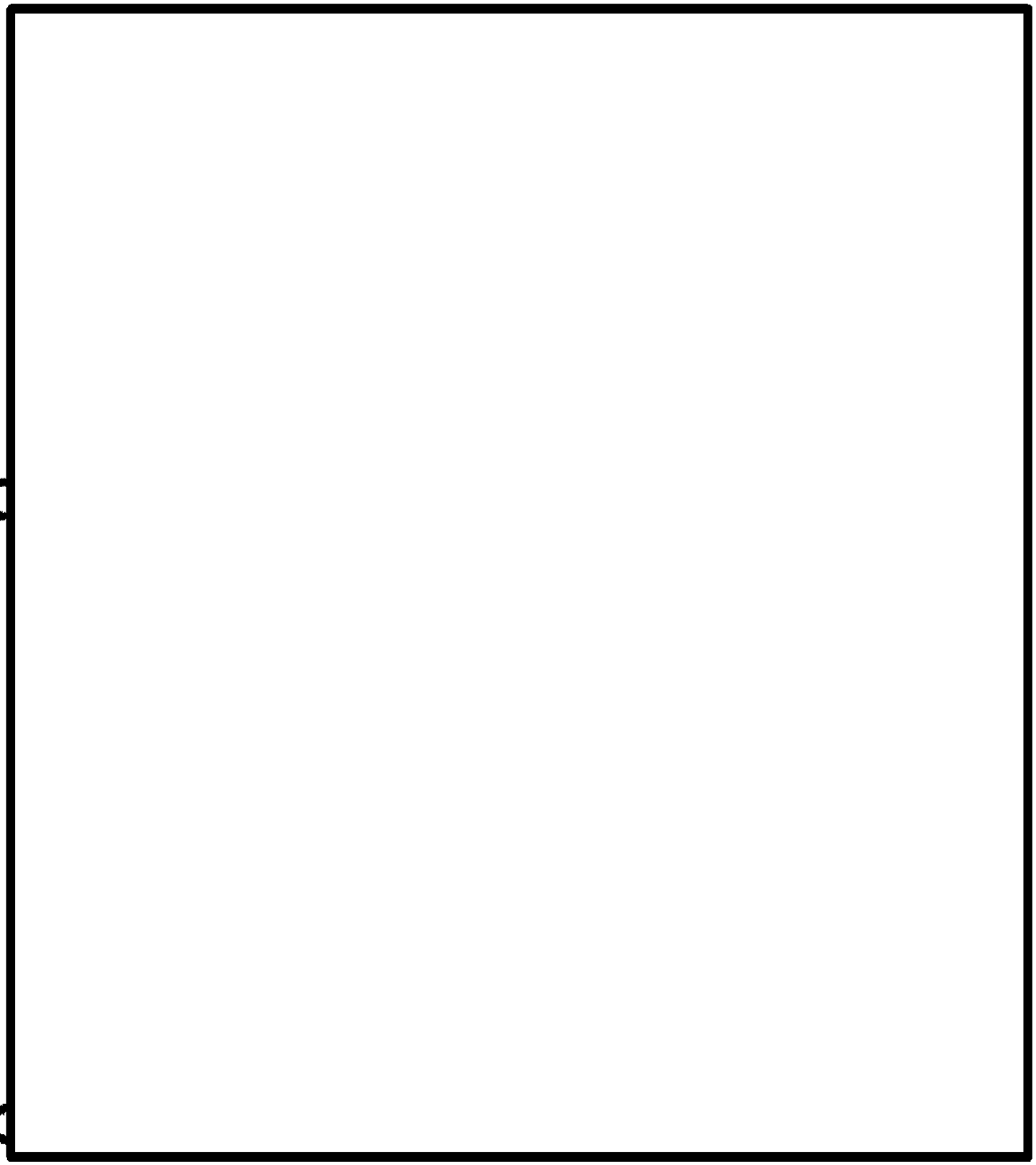

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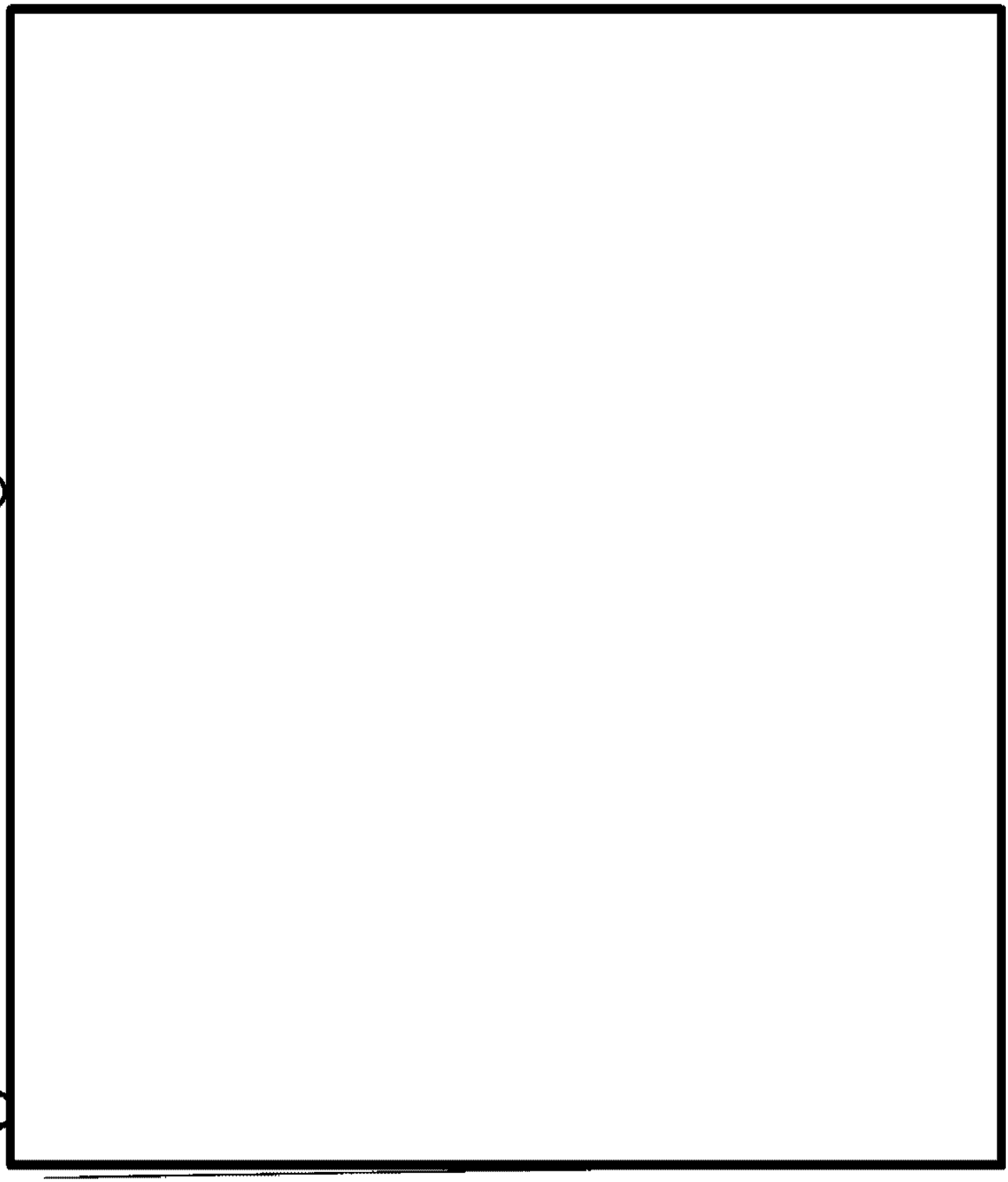

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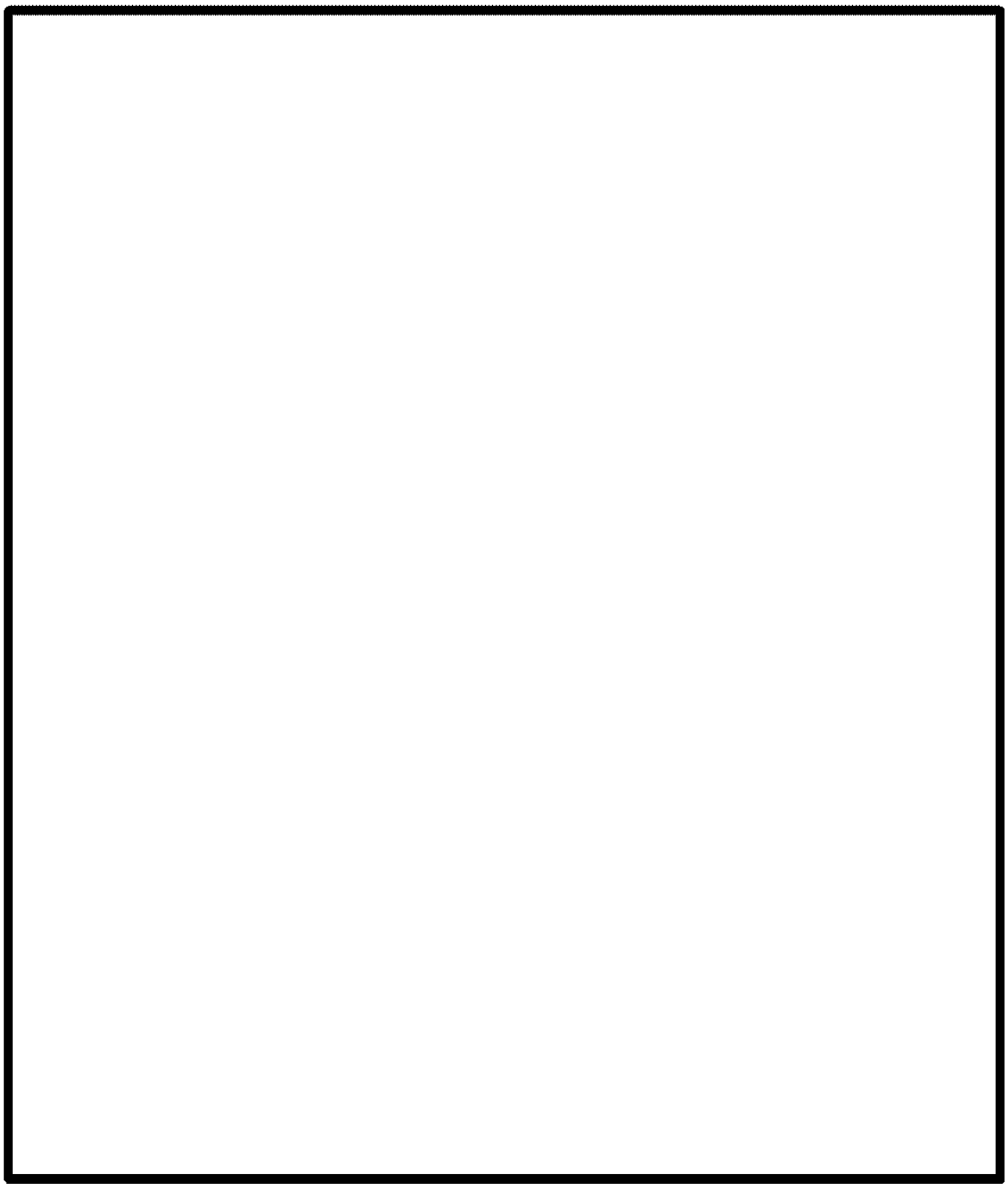

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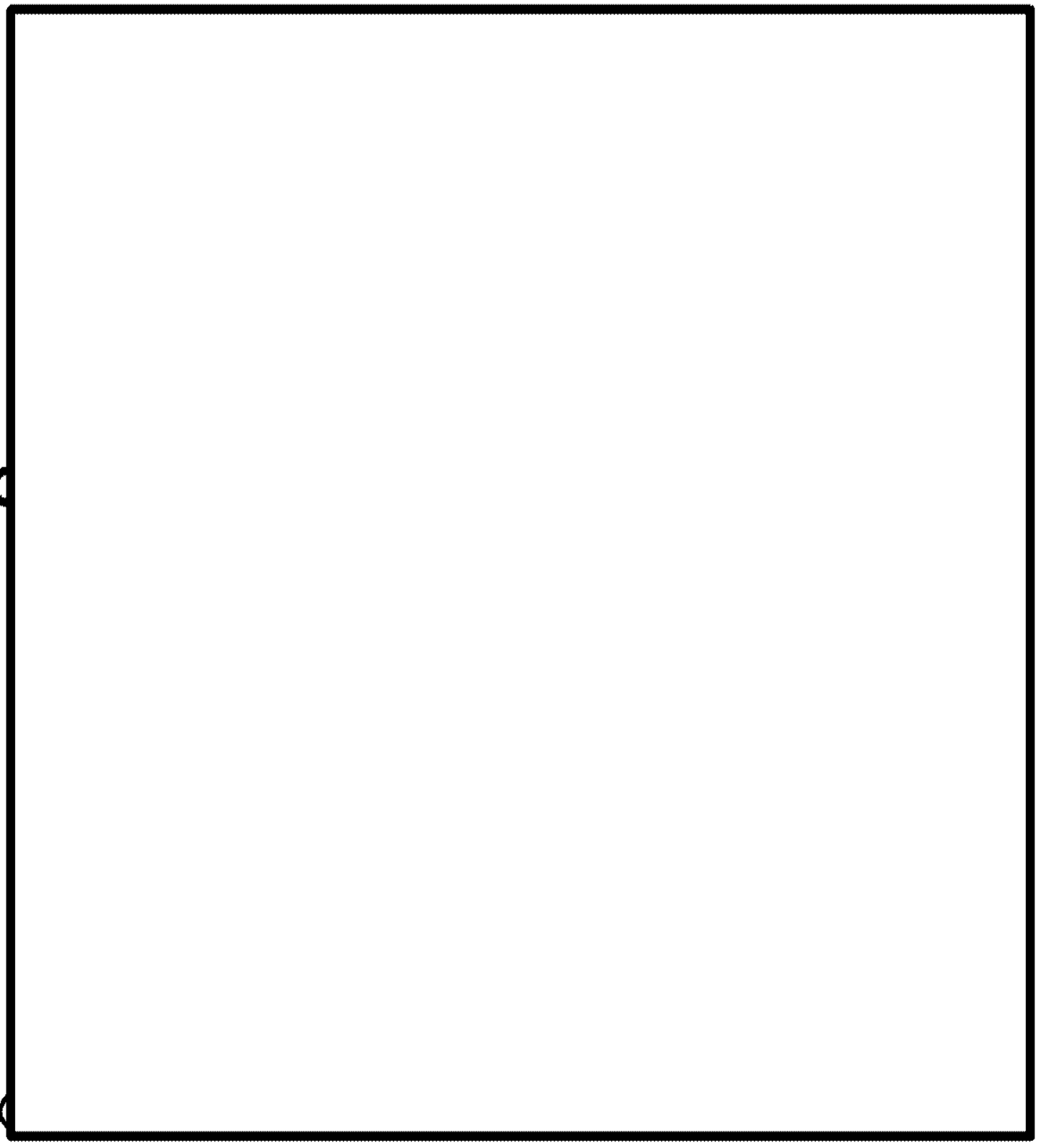

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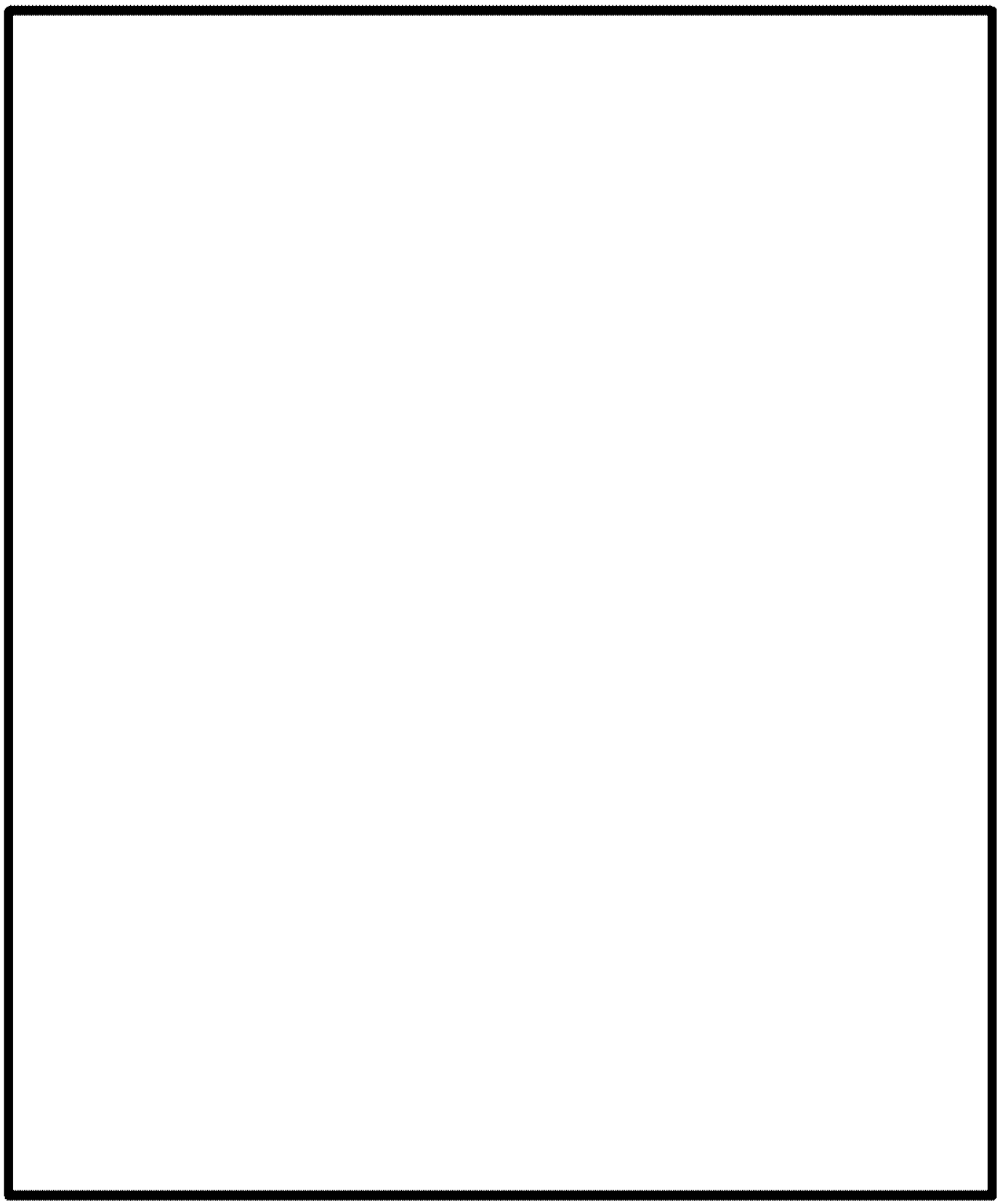

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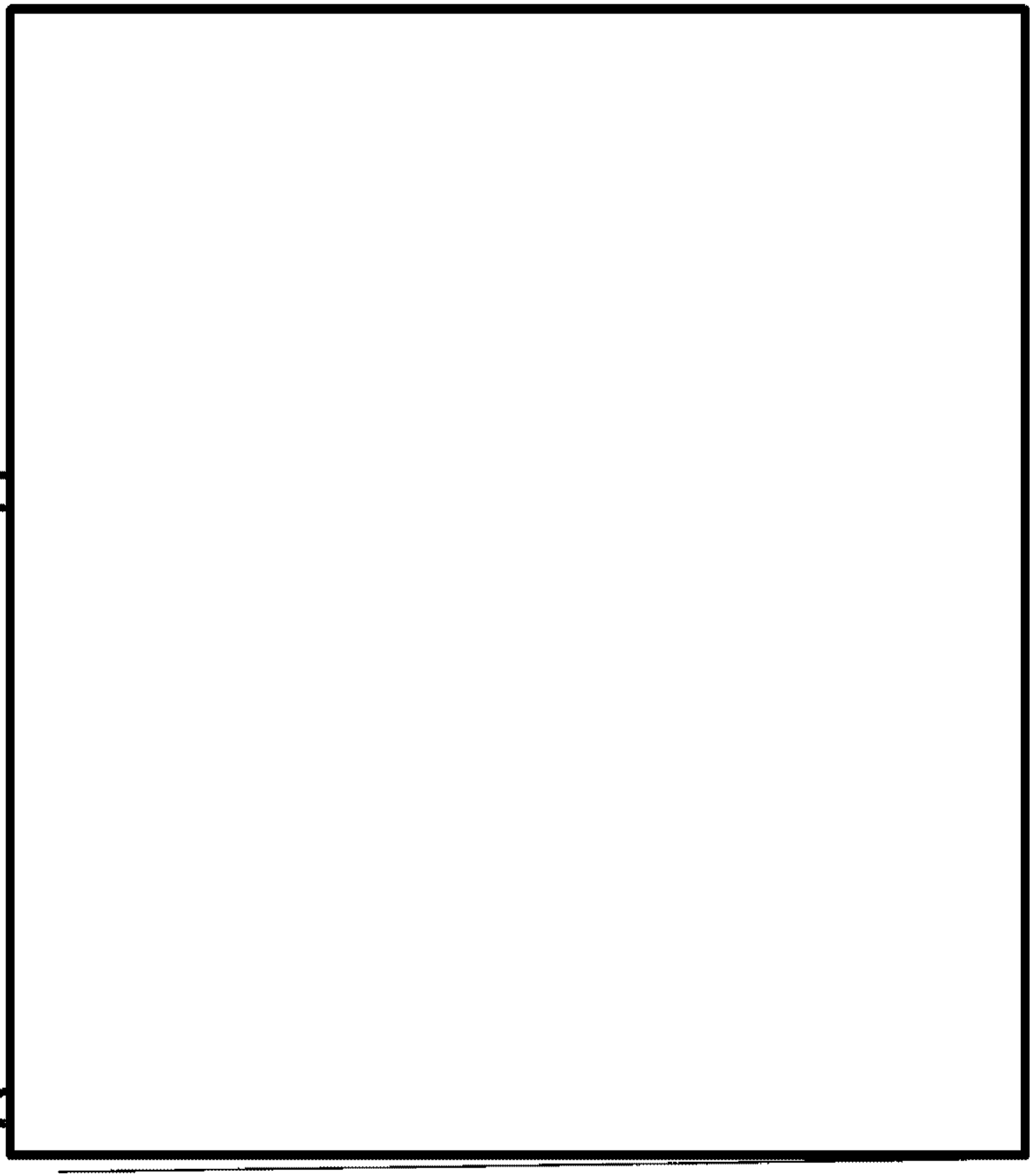

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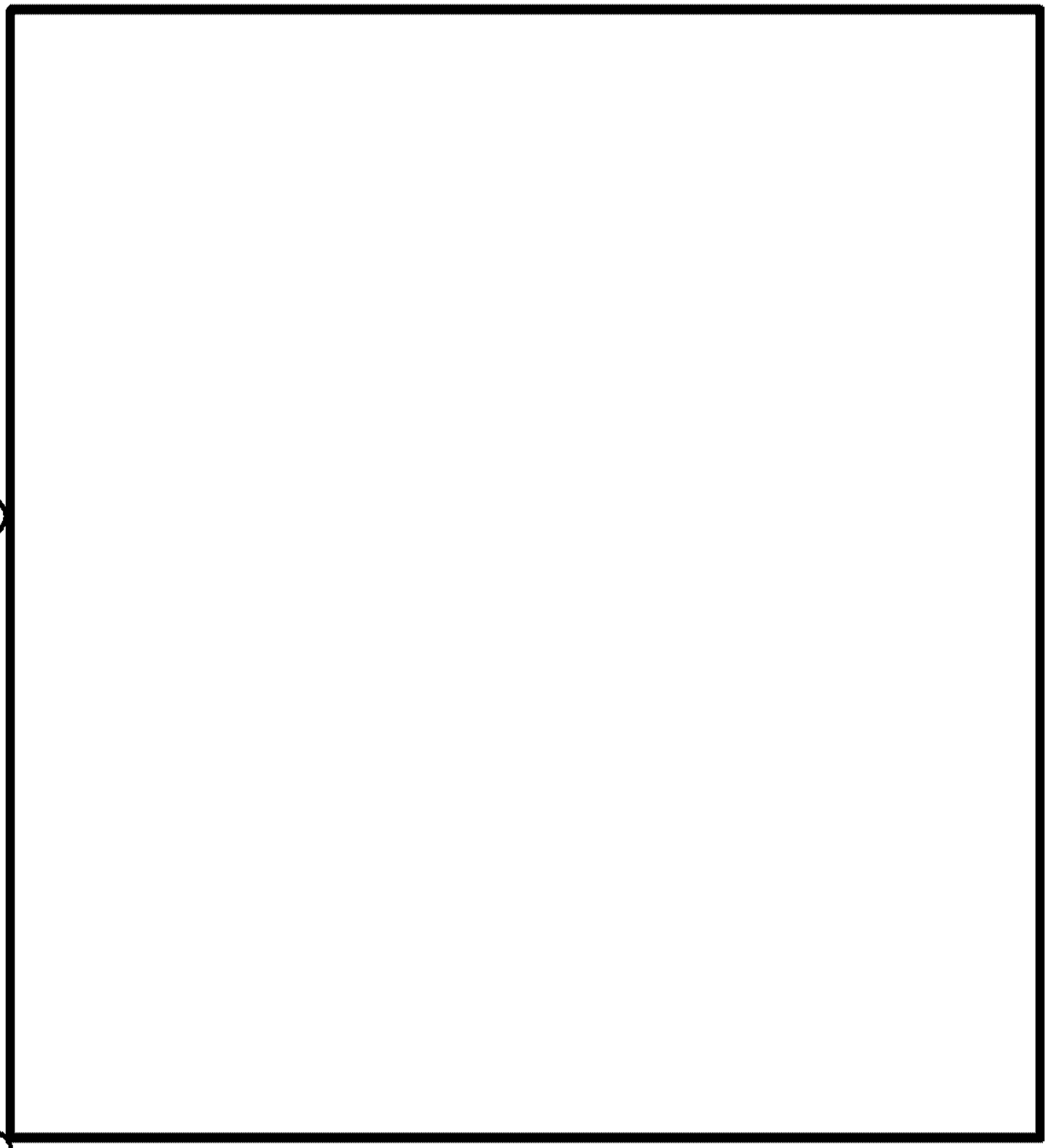

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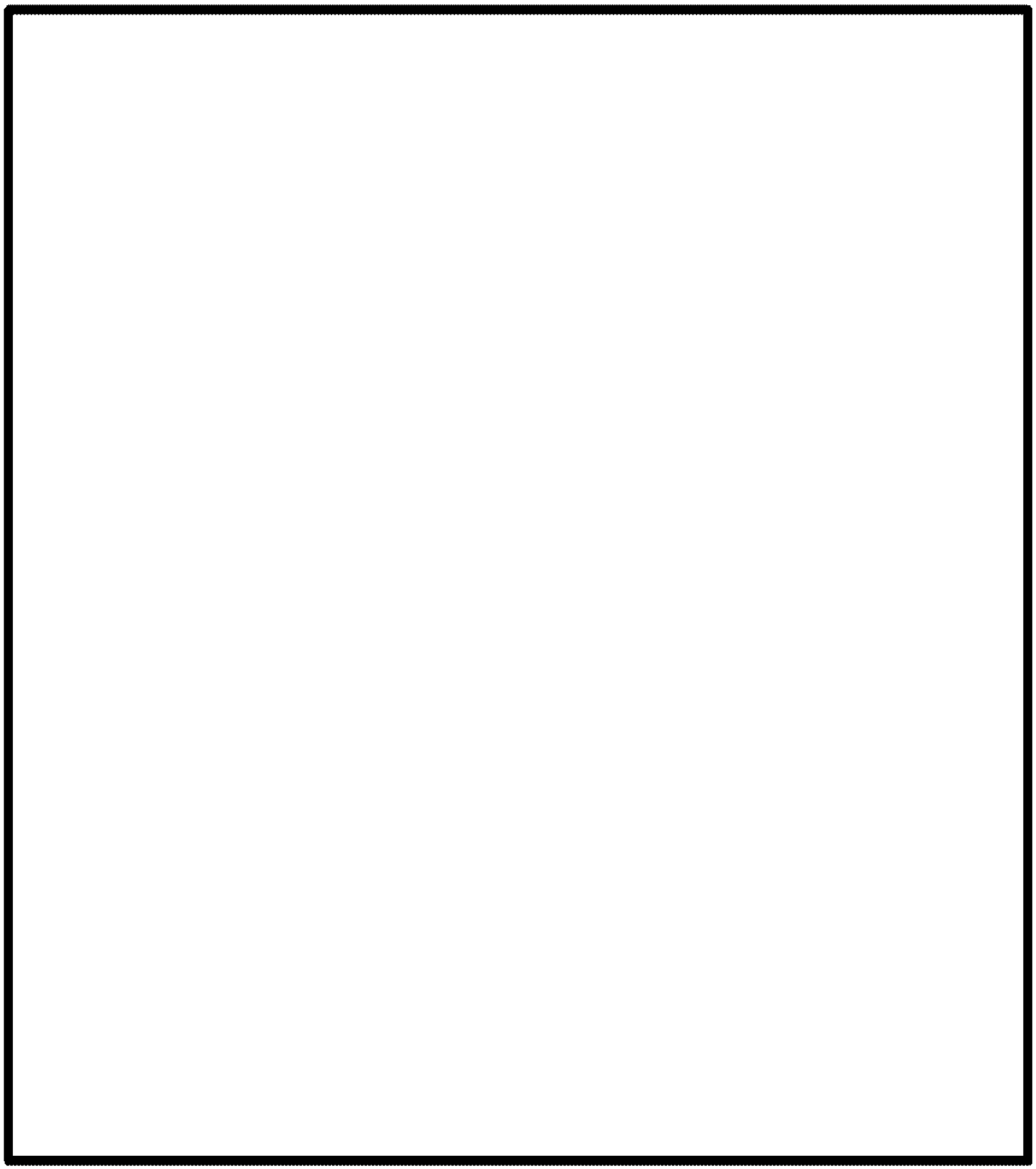

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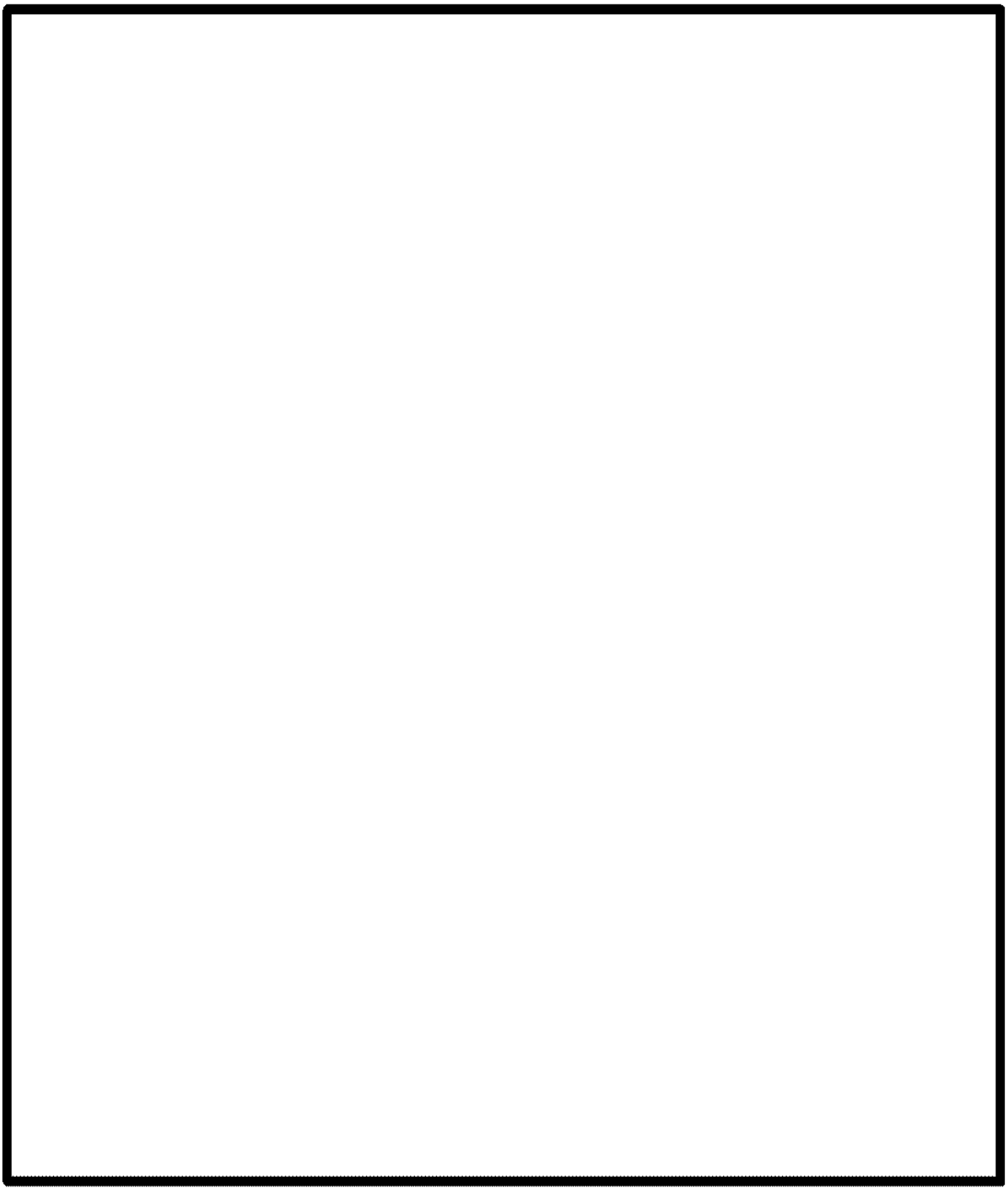

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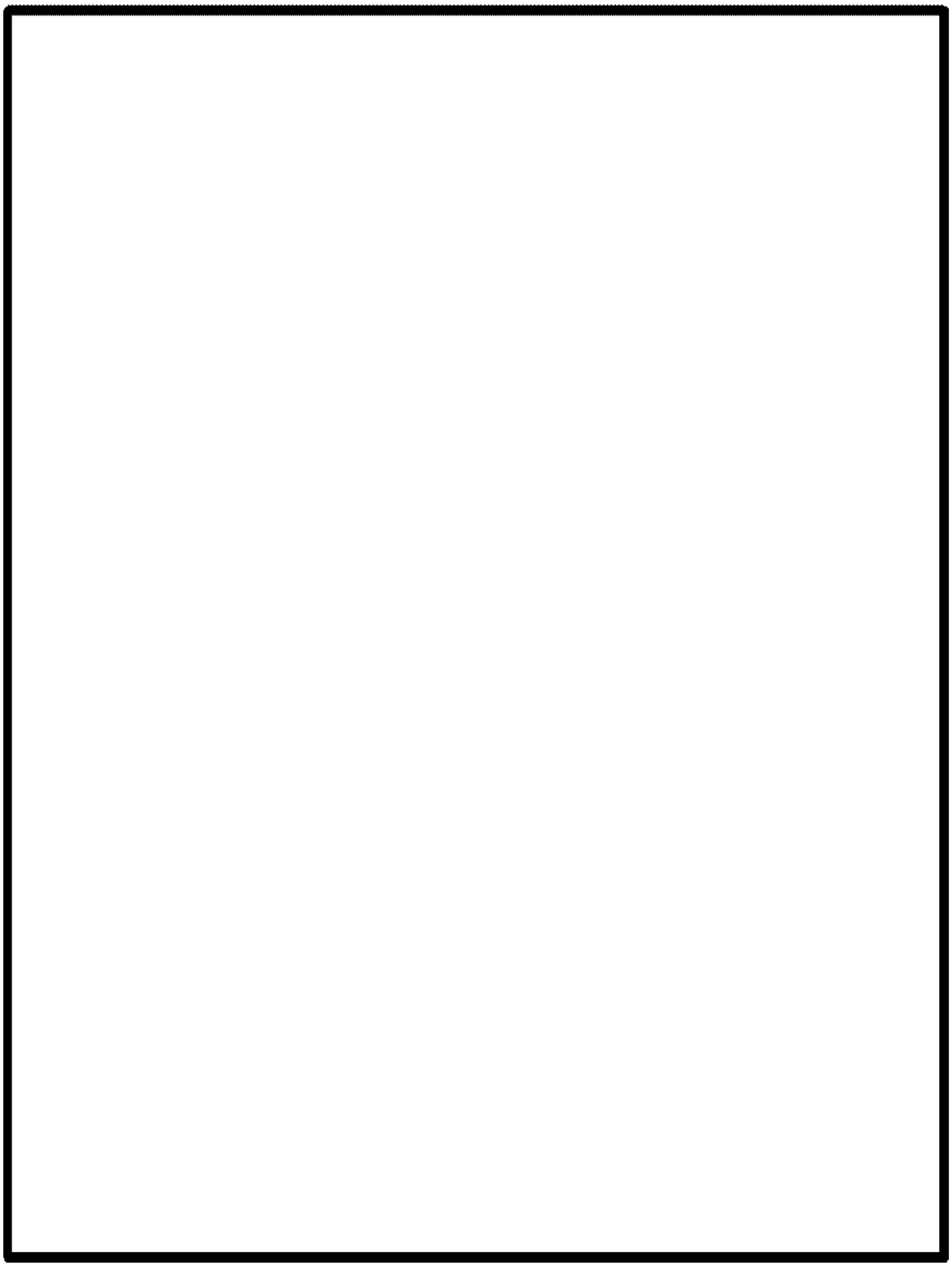

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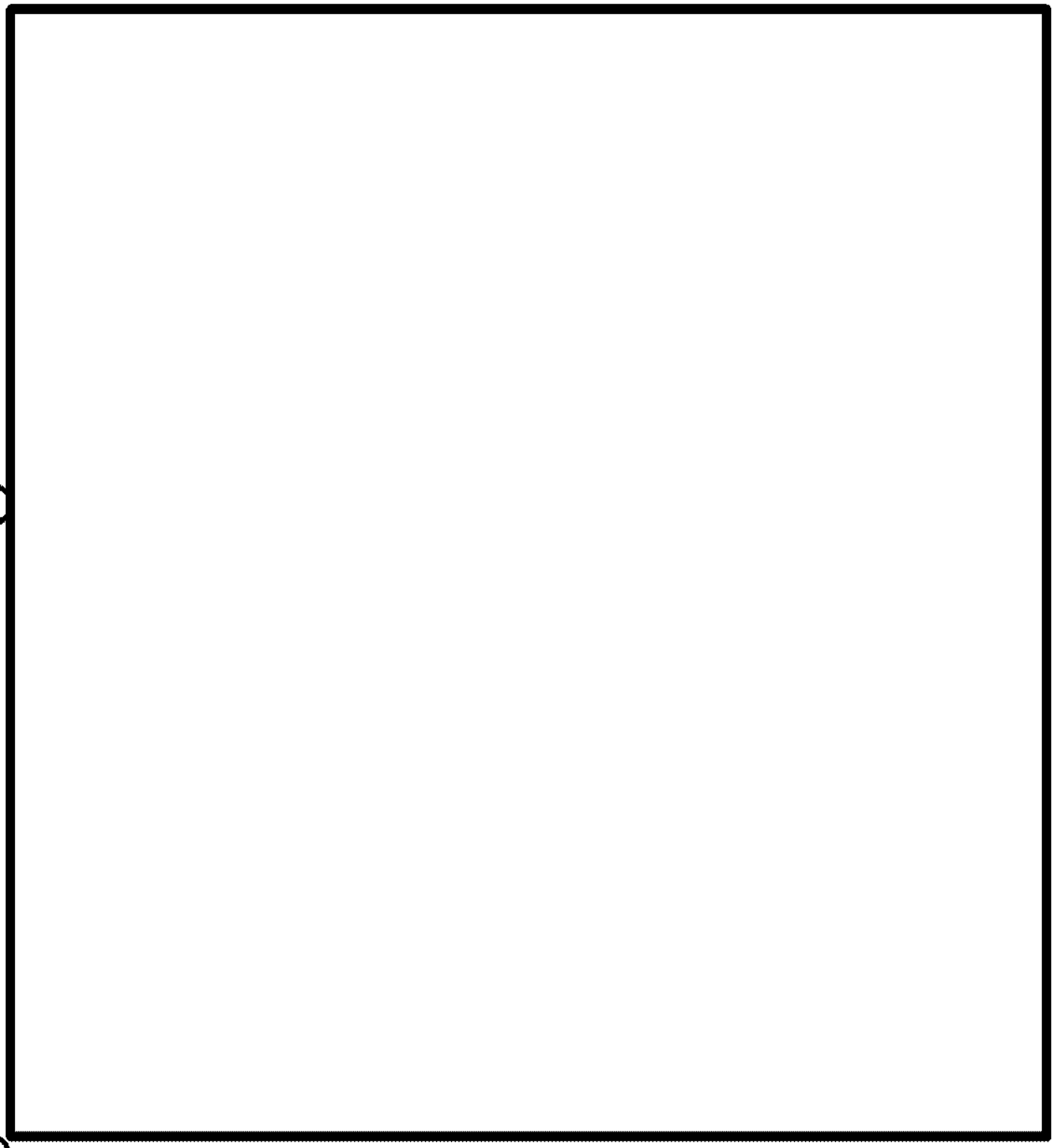

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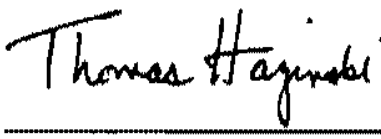
Director
HVS Convention, Sports, & Entertainment Facilities Consulting



Tom Hazinski
Managing Director
HVS Convention, Sports, & Entertainment Facilities Consulting

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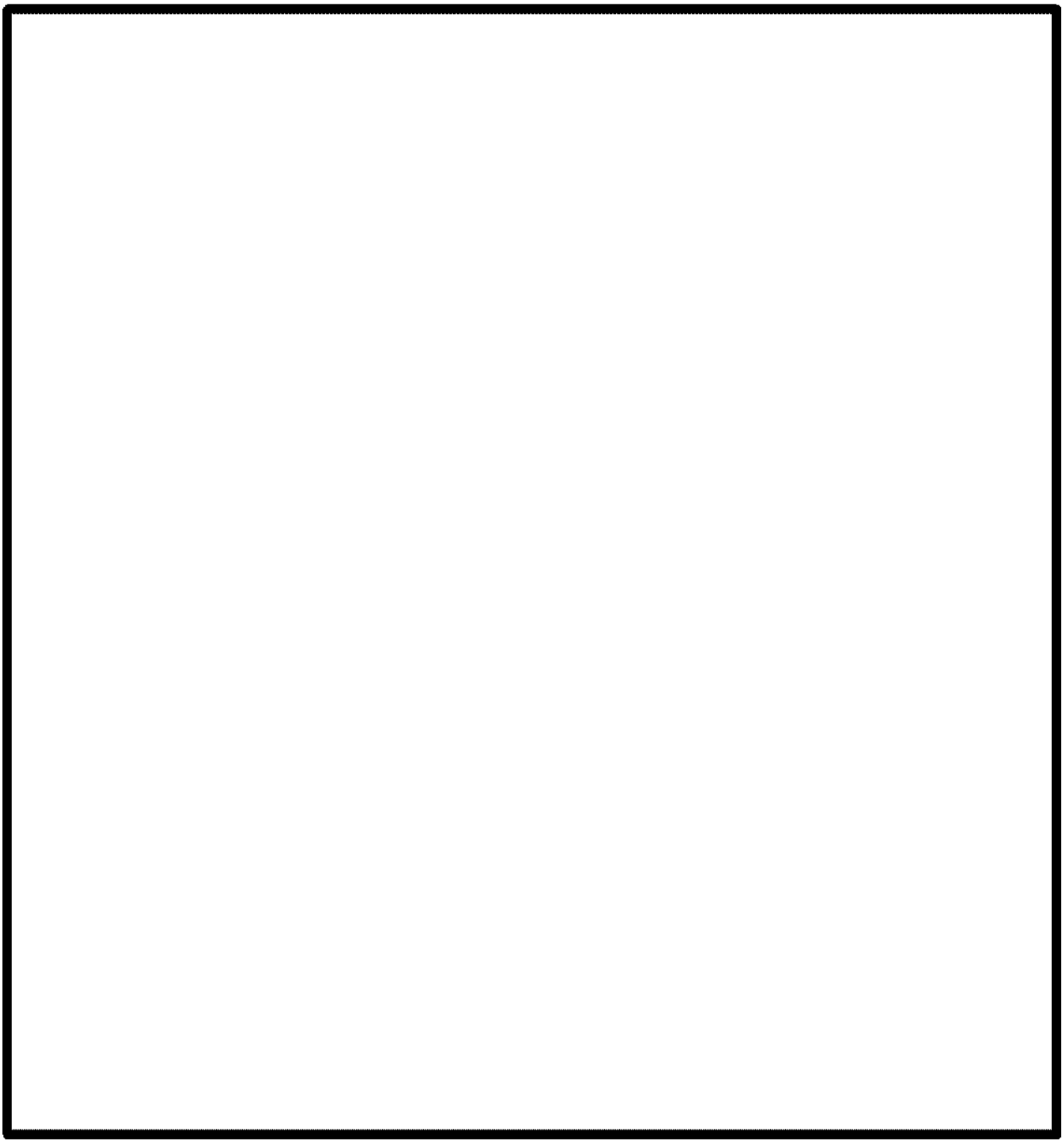

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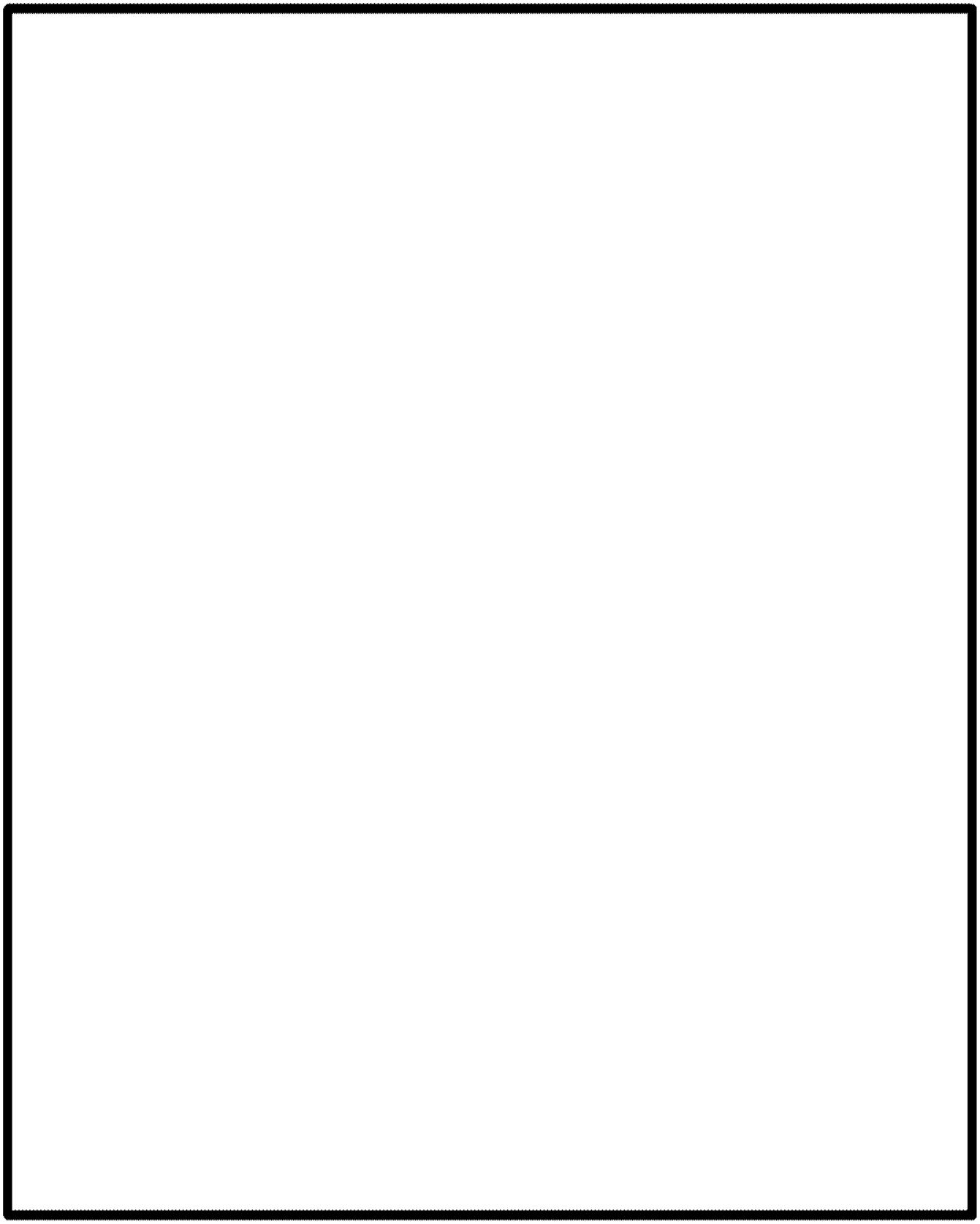

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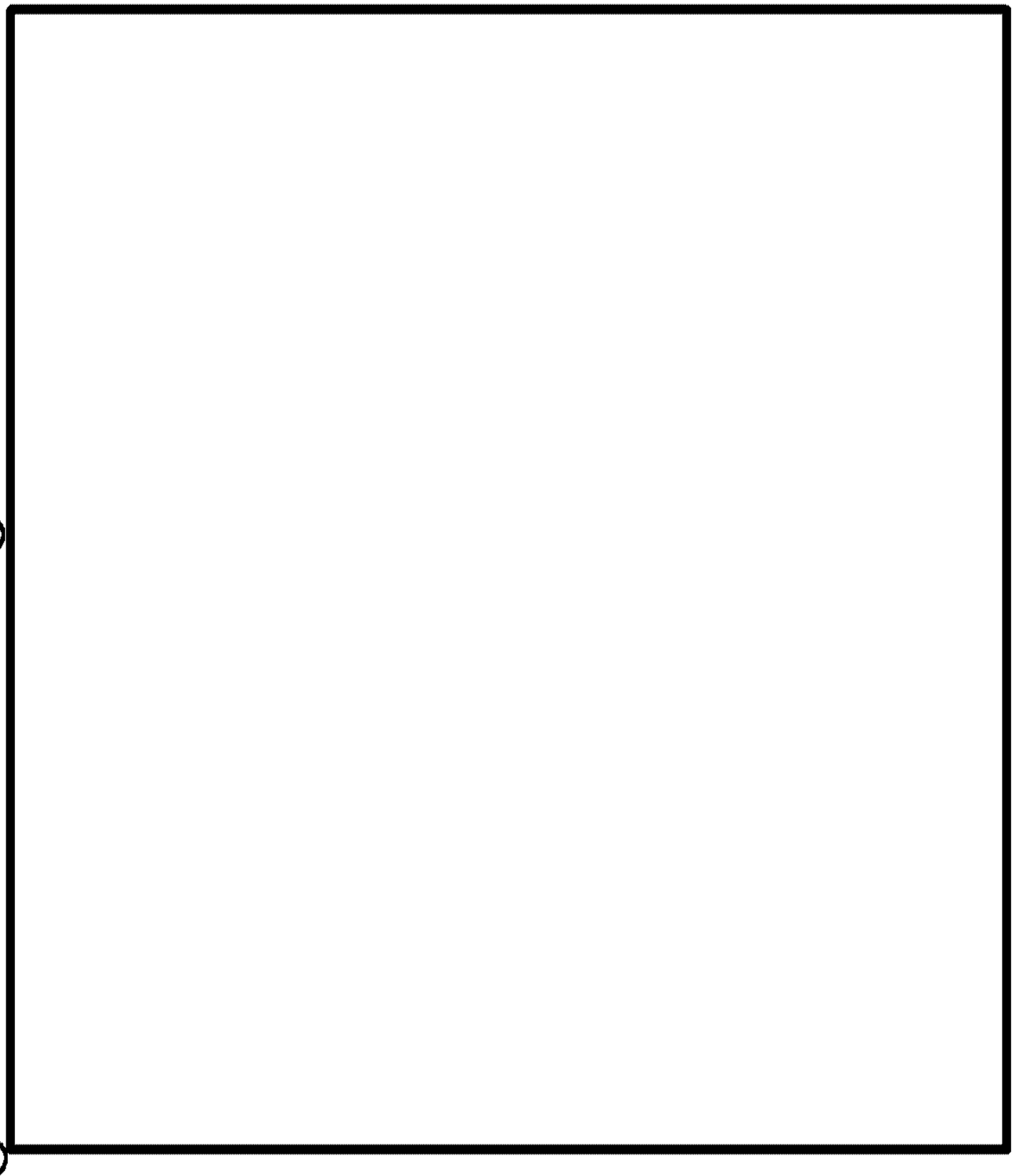

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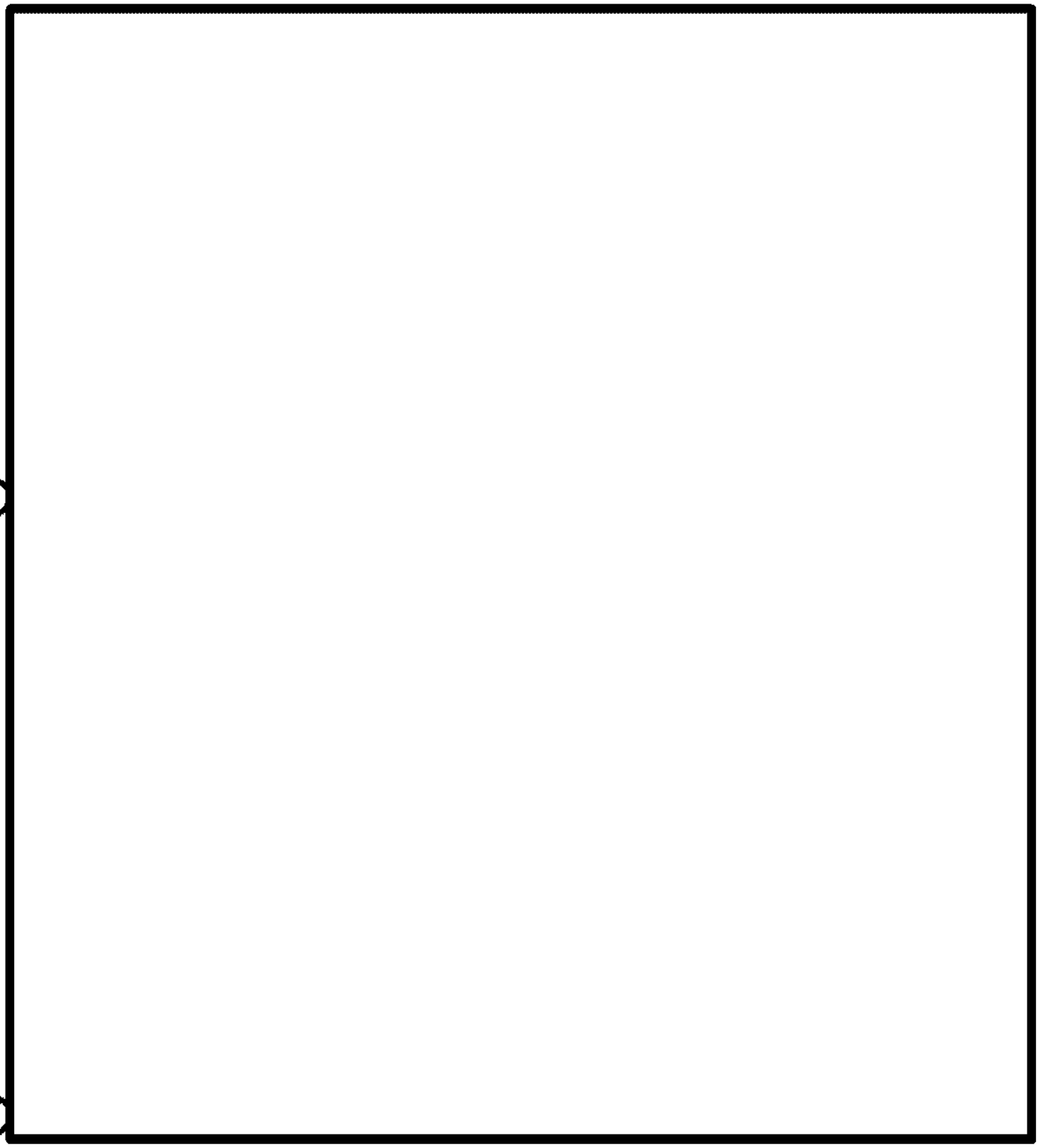

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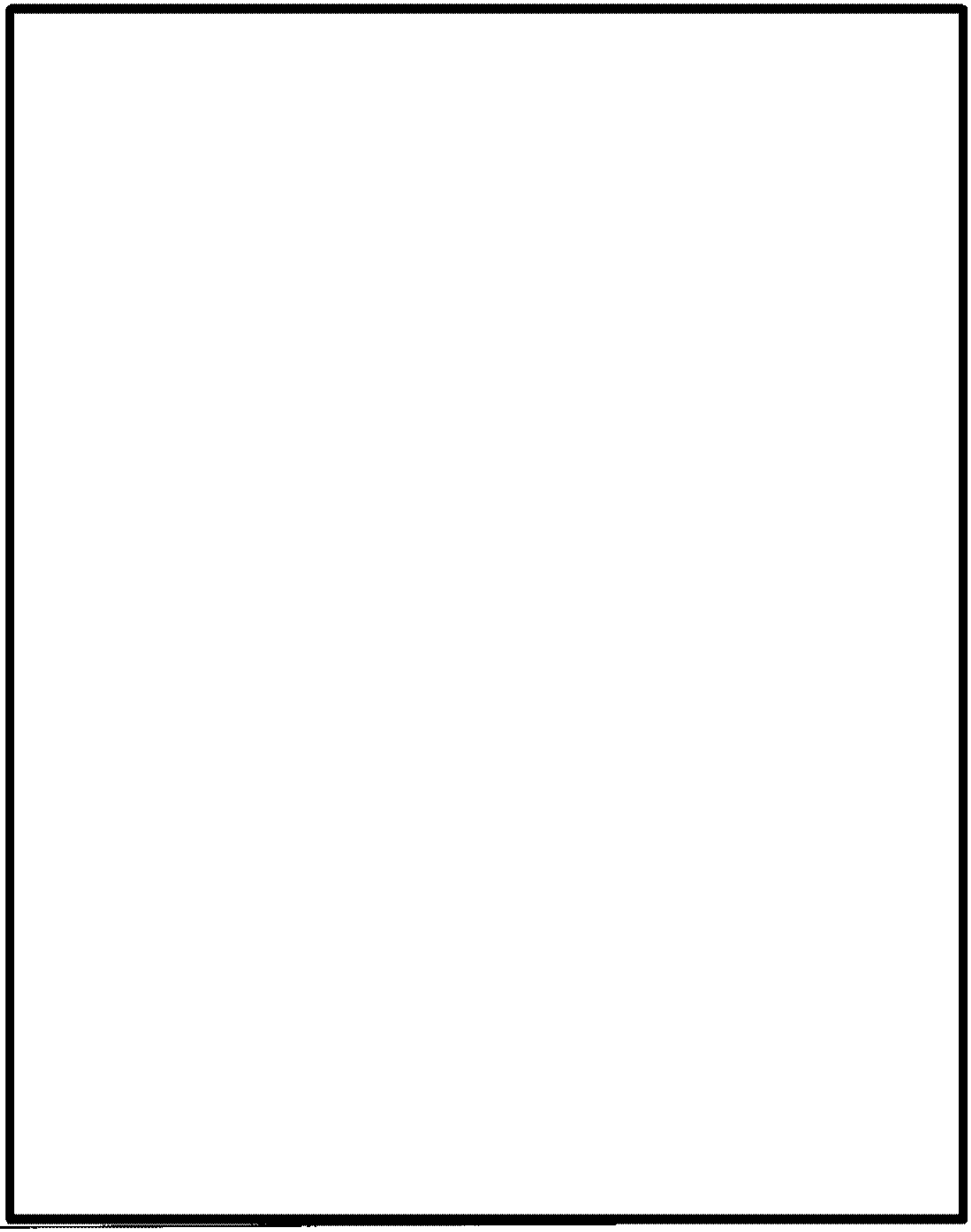

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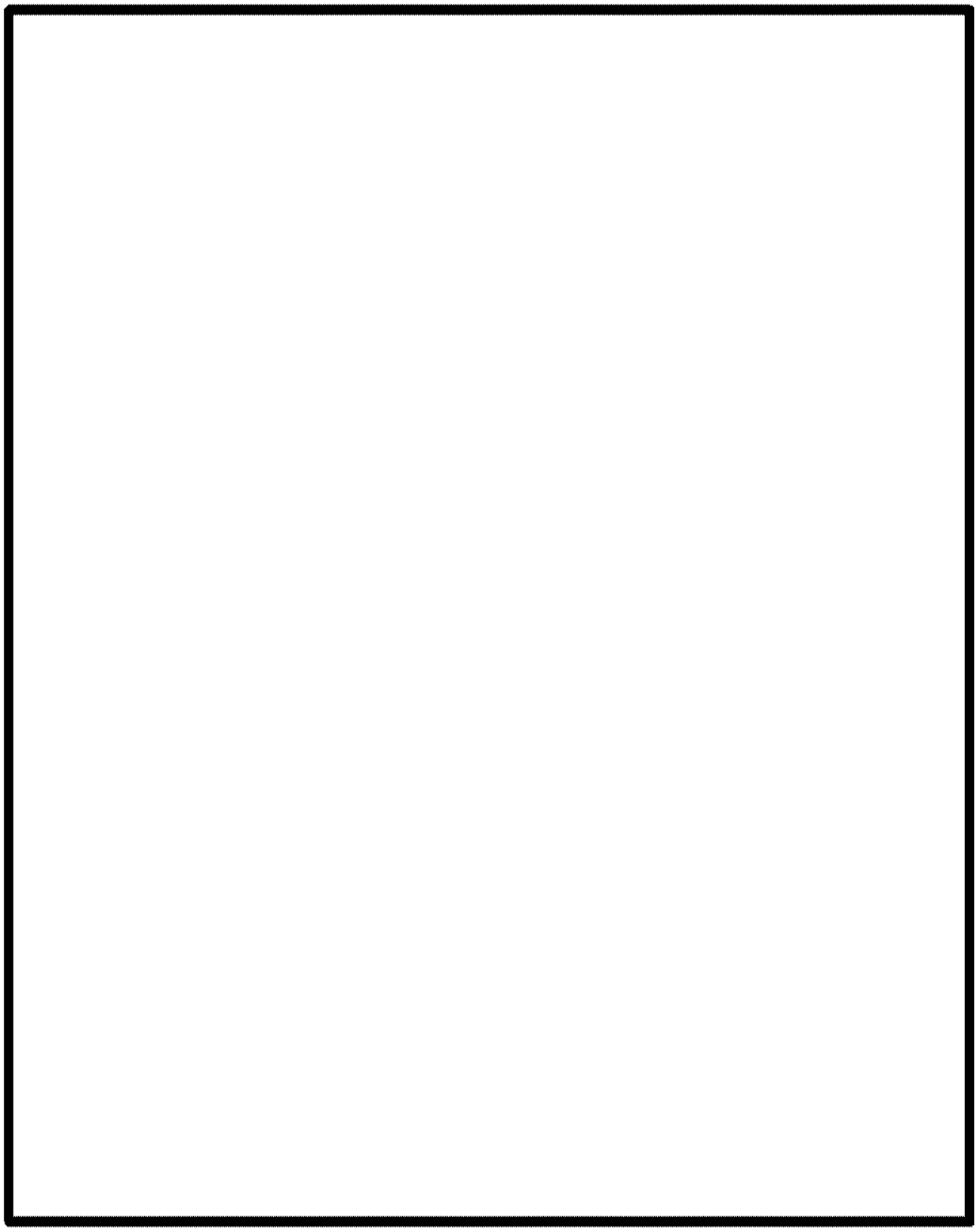

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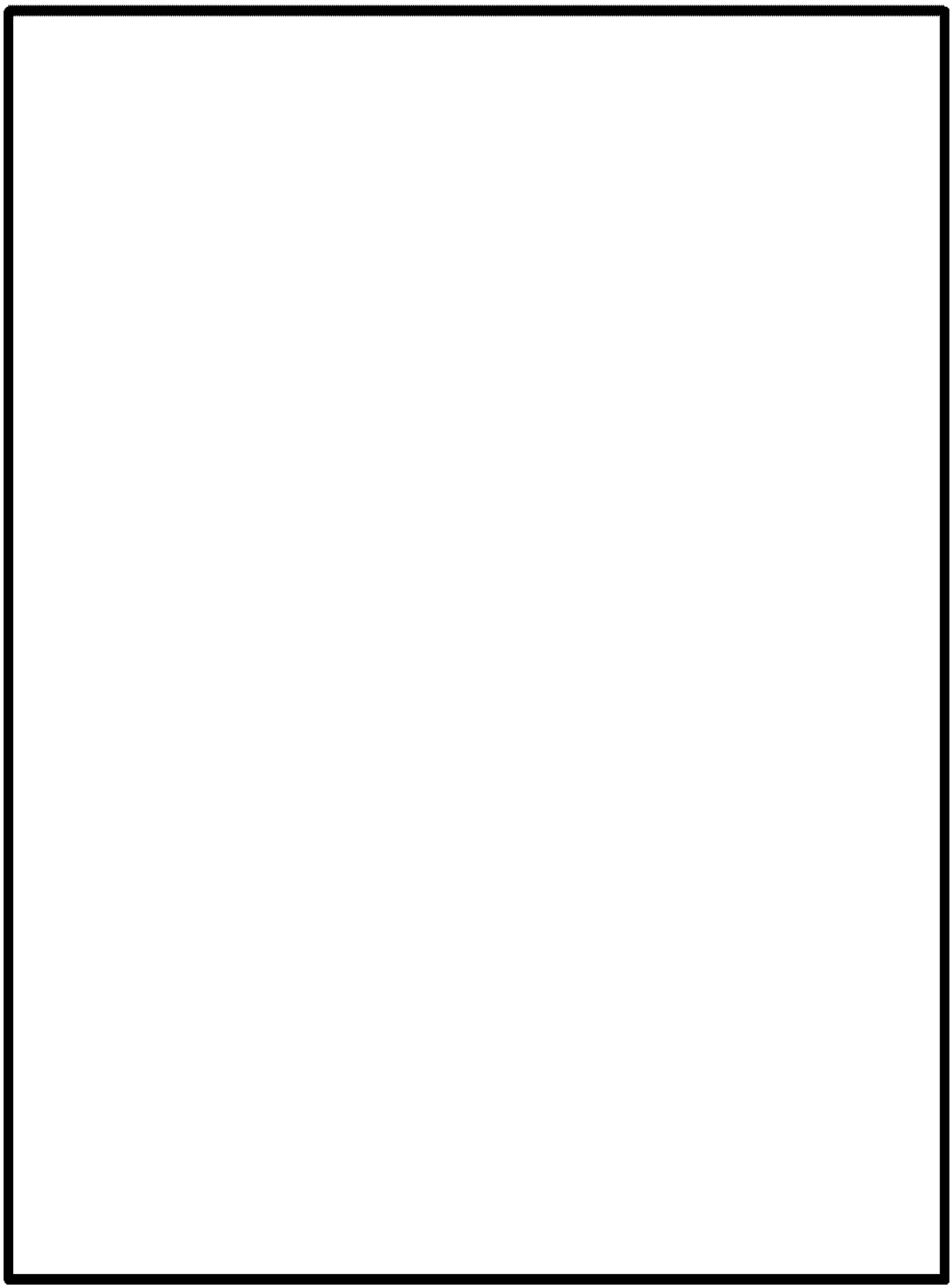

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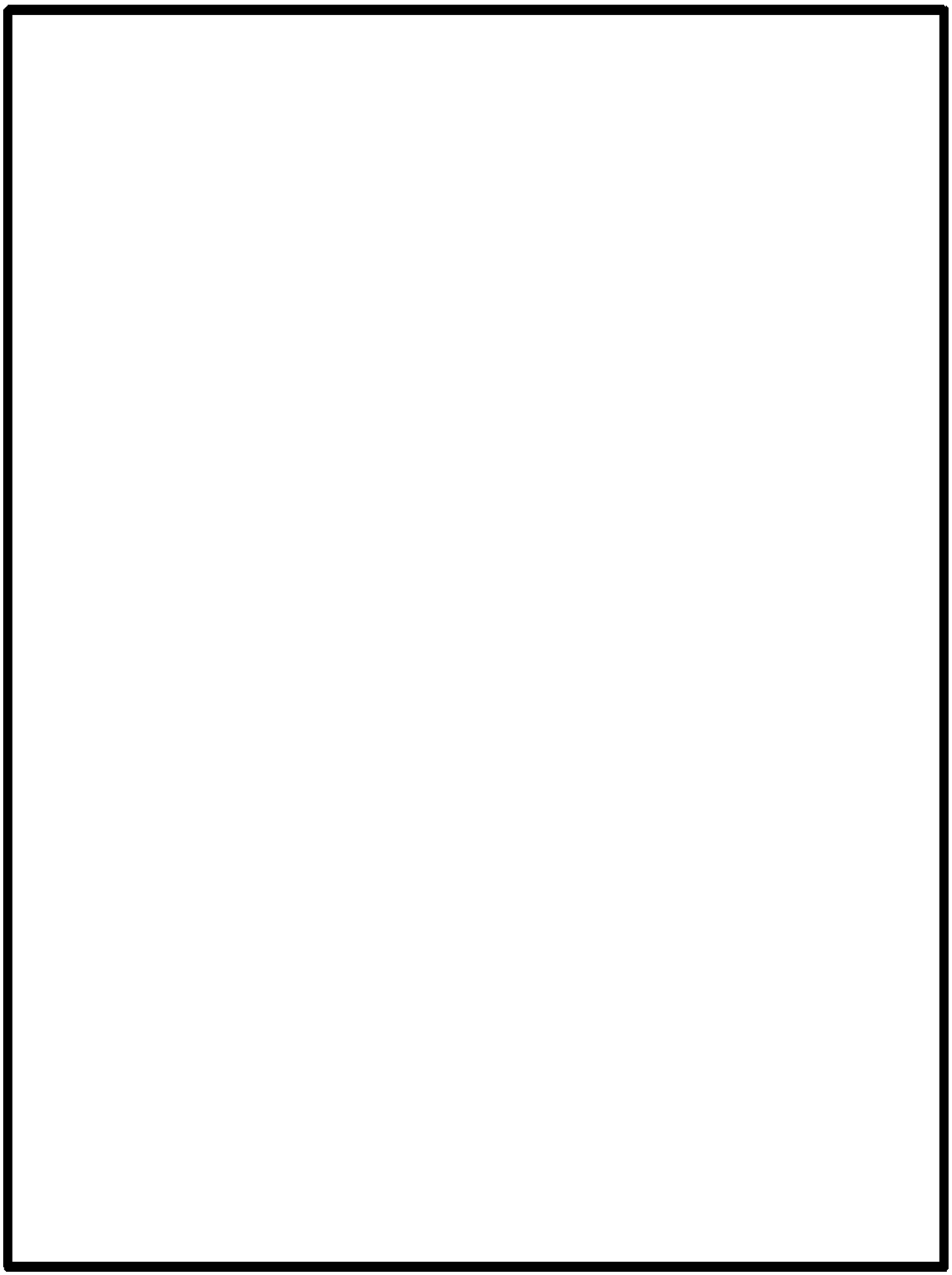

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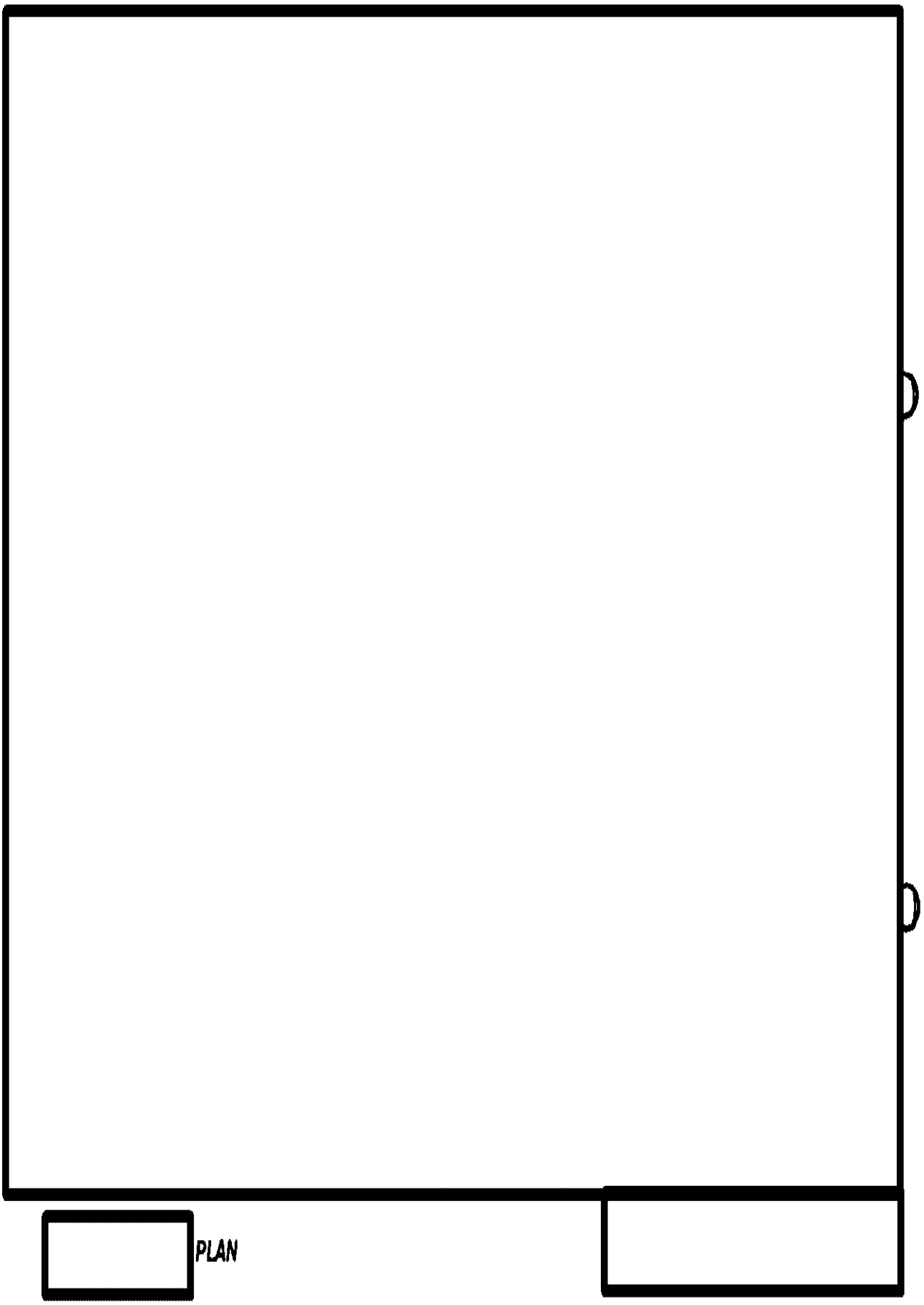

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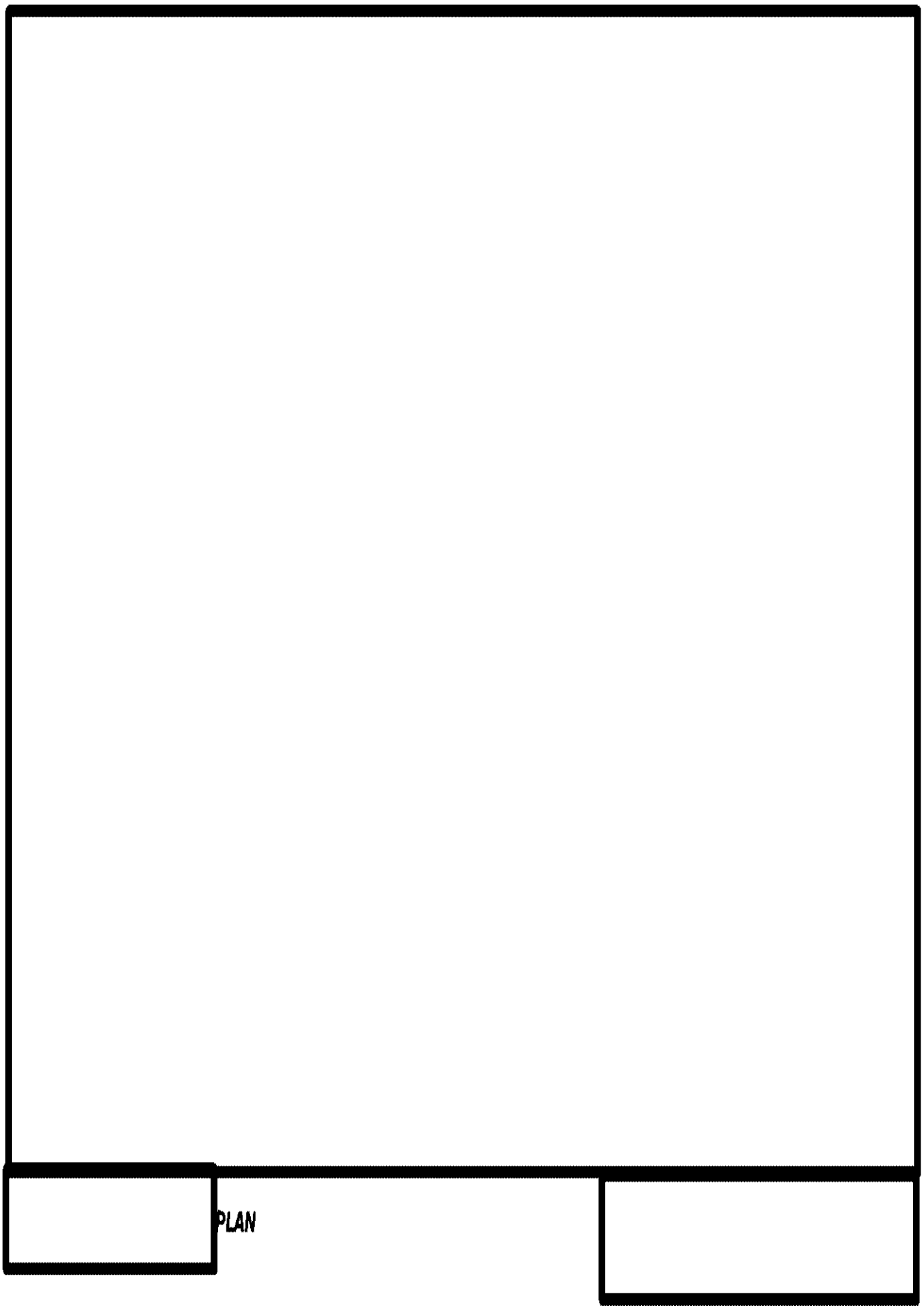

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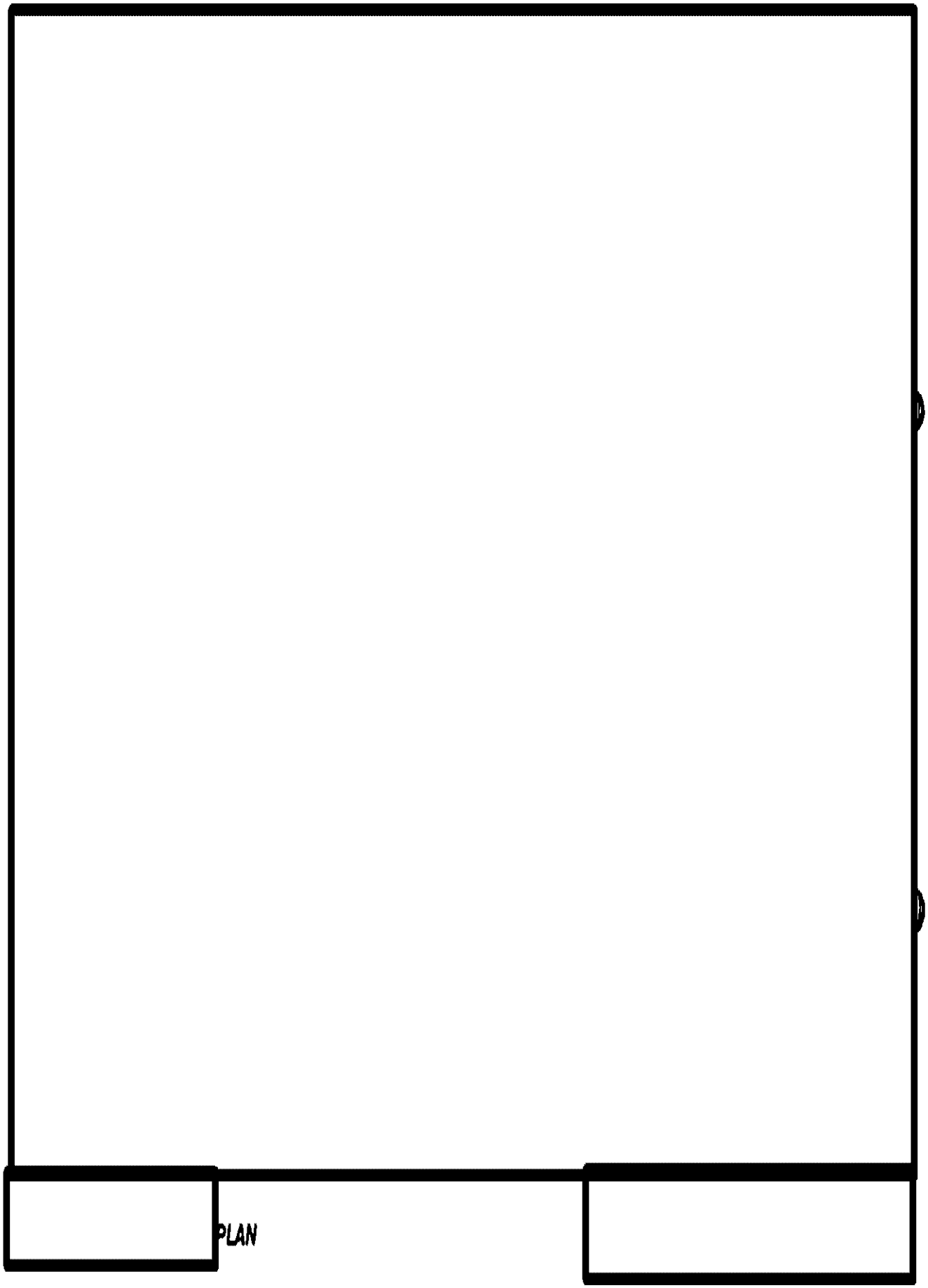

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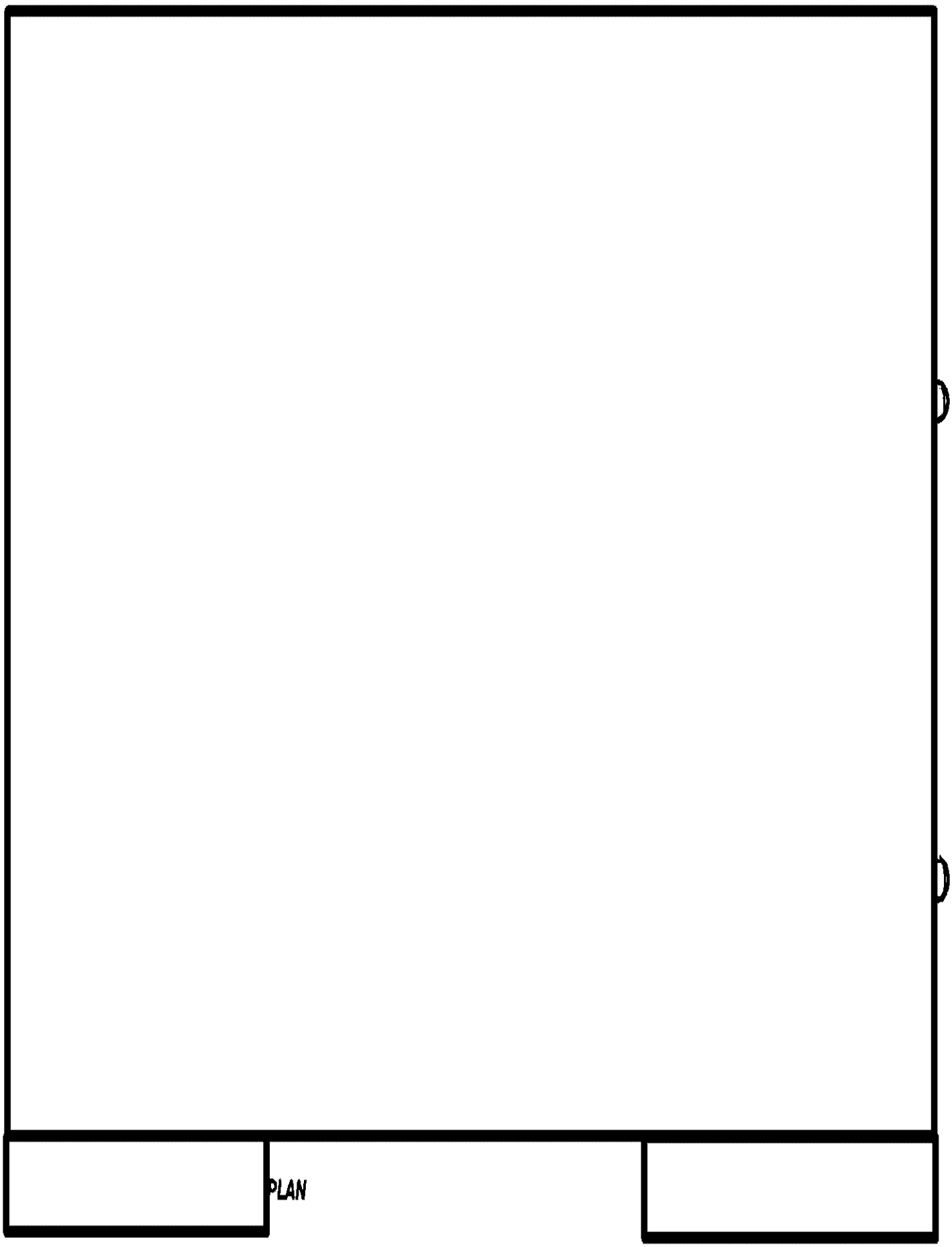

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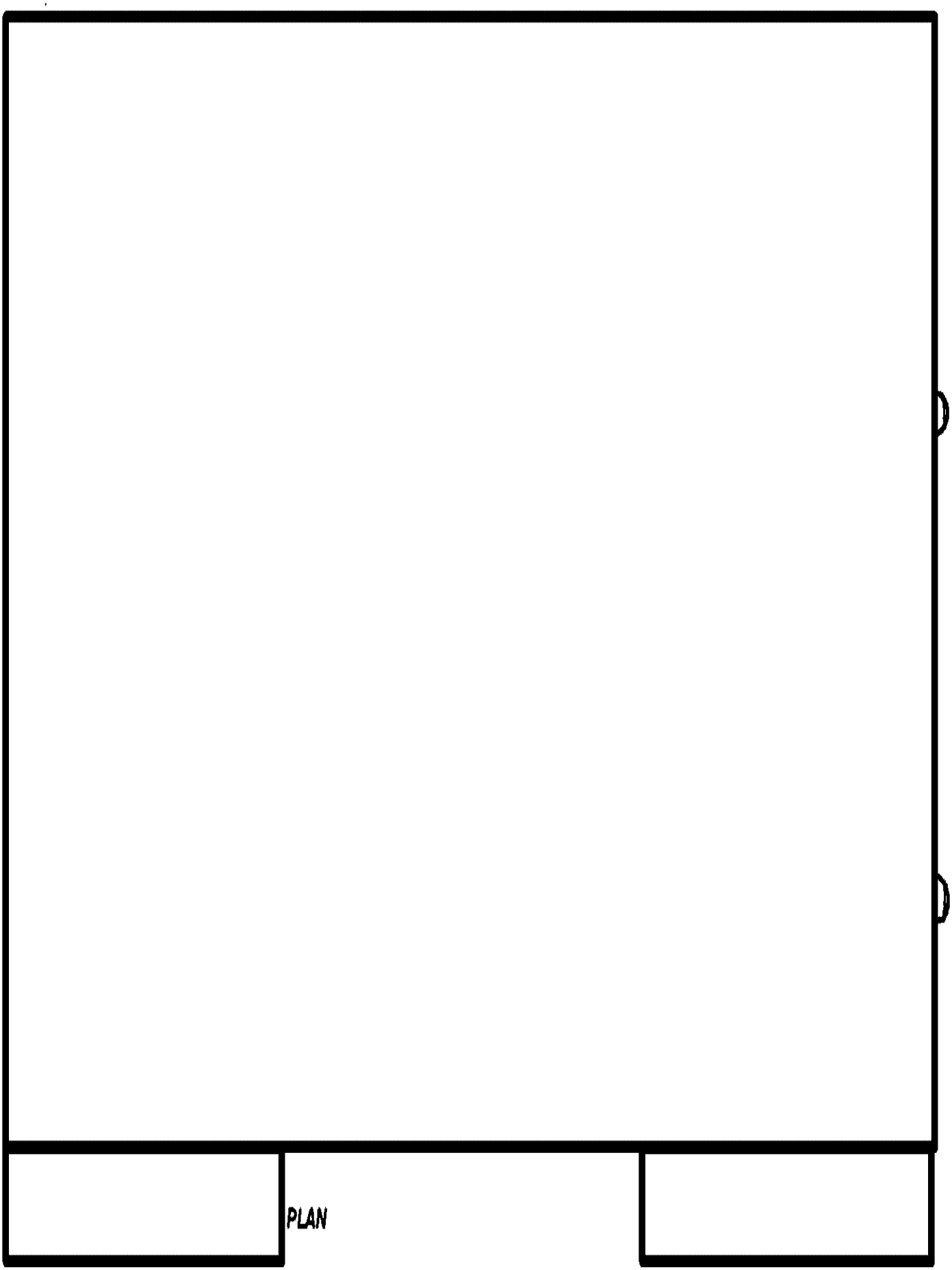

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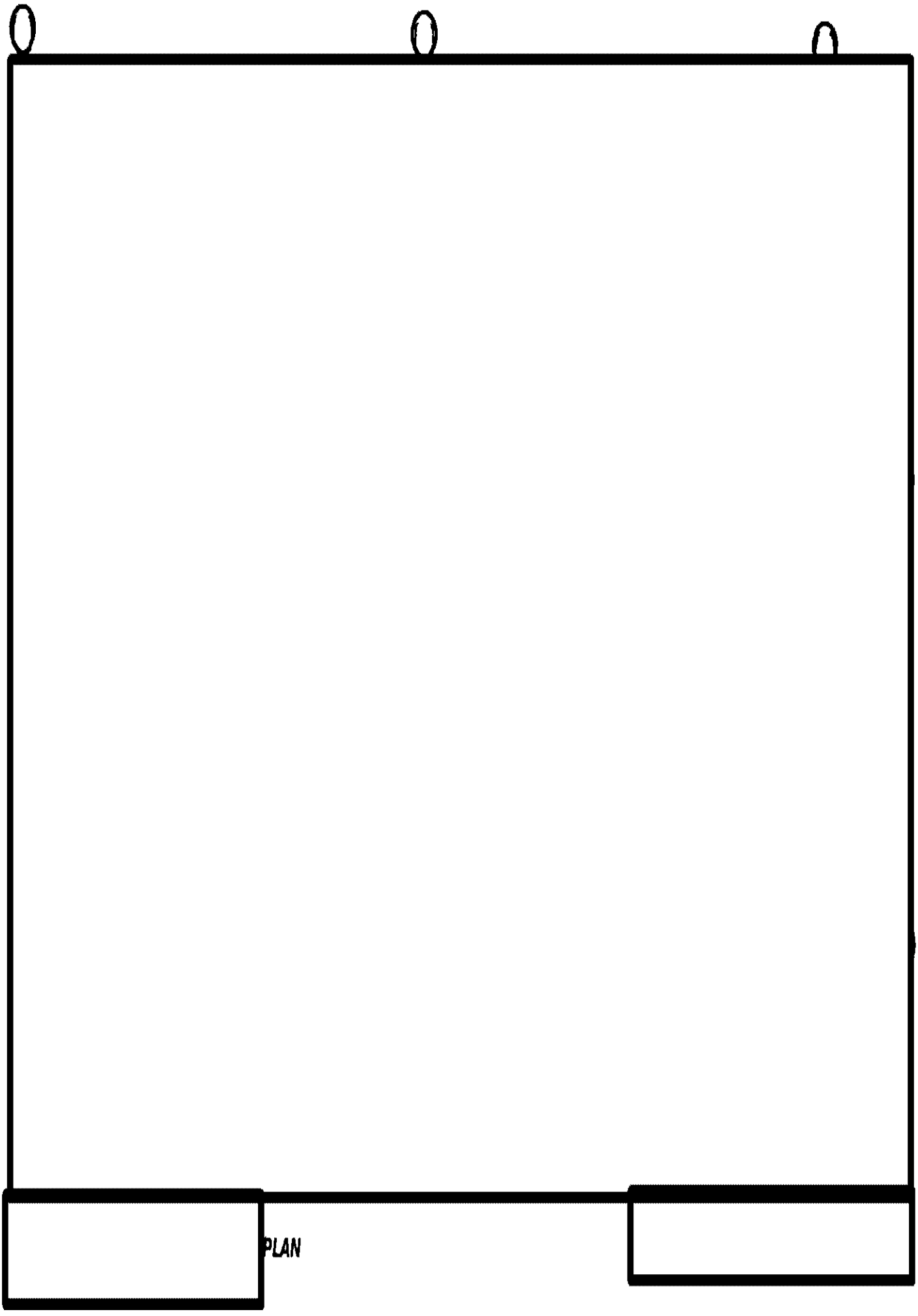

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PROJECT CASH FLOW SUMMARY

Dave Heineman
Governor

STATE OF NEBRASKA
OFFICE OF THE GOVERNOR
P.O. Box 94848 • Lincoln, Nebraska 68509-4848
Phone: (402) 471-2244 • gov.heineman@gov.ne.gov

December 3, 2012

Associate Commissioner for Examinations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue Northwest
Washington, DC 20529

Re: Designation of Authority to the Nebraska Department of Economic Development
To Certify High Unemployment Areas Pursuant to 8 CFR 204.6(i)

To Whom It May Concern:

Pursuant to the provisions of the Immigration Act of 1990 and 8 CFR 204.6(i), I, Dave Heineman, Governor of the State of Nebraska, hereby designate the Nebraska Department of Economic Development as the appropriate agency in our state to certify that a particular geographic or political subdivision is a Targeted Employment Area (TEA) based on high unemployment.

Sincerely,

Dave Heineman
Governor

Cc: Catherine Lang, Director, Nebraska Department of Economic Development

RECIPIENT:_____ MEMORANDUM NO.:_____

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CONFIDENTIAL PRIVATE PLACEMENT MEMORANDUM

[MEMORANDUM DATE]

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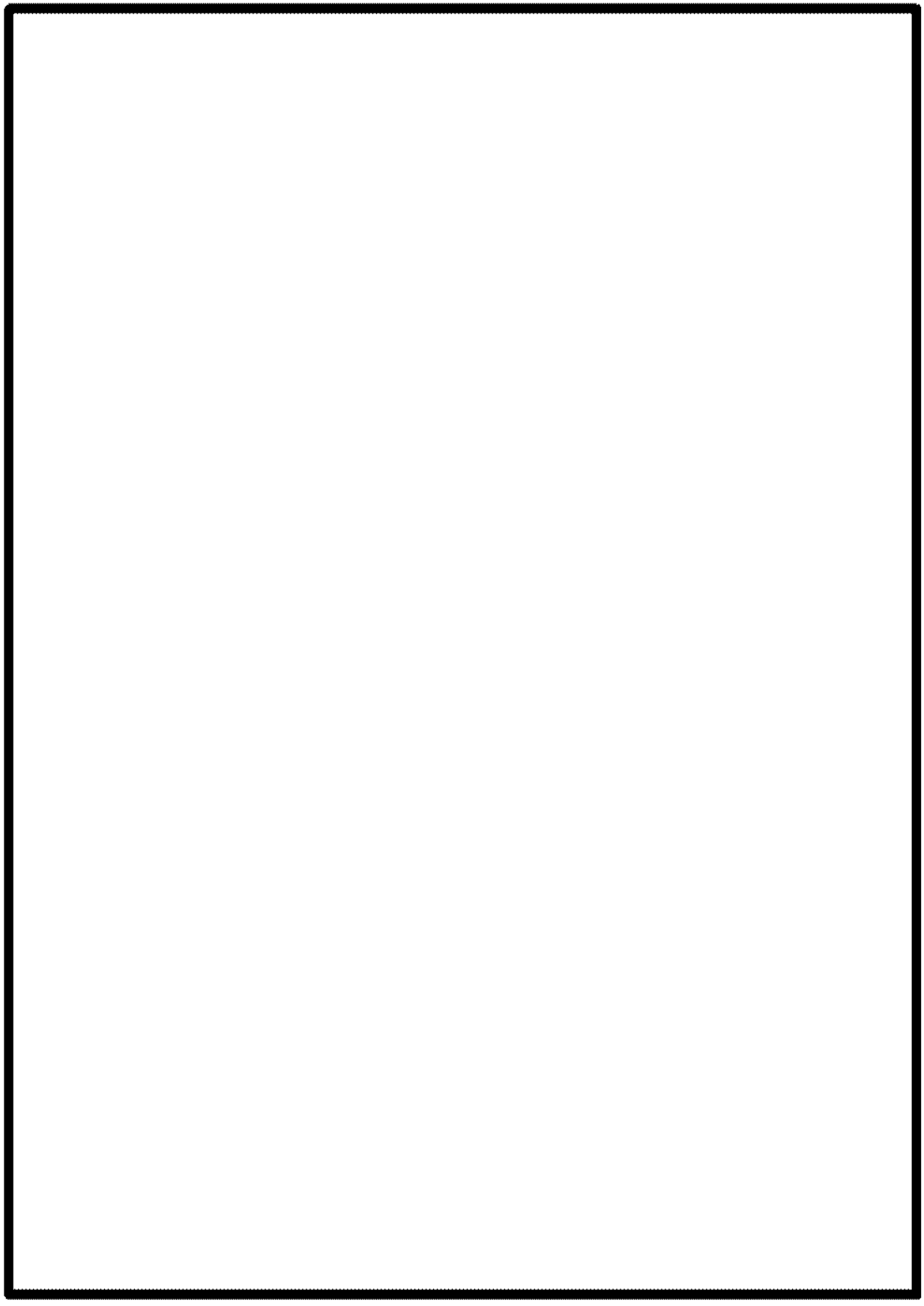
SUMMARY OF THE OFFERING



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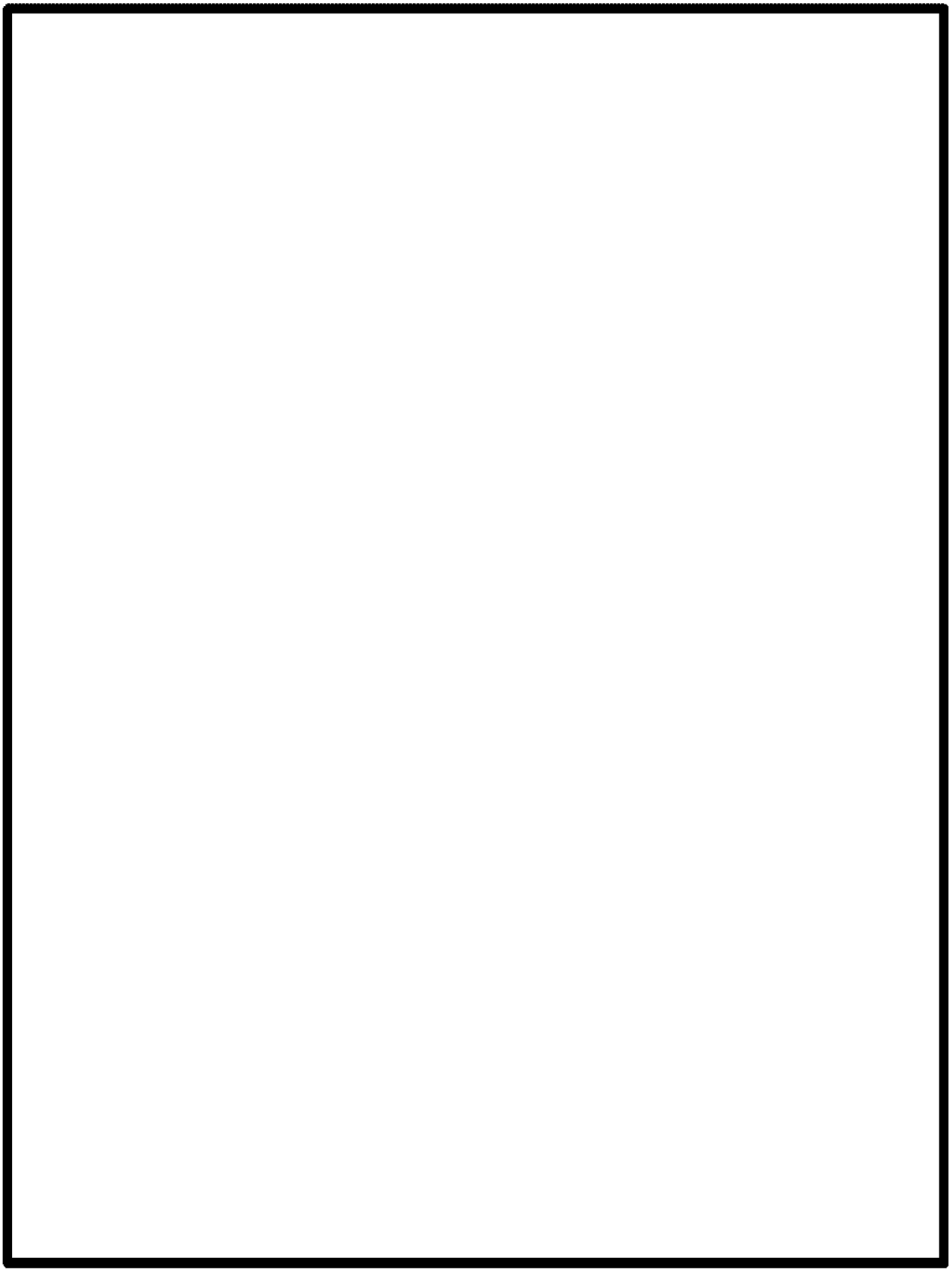

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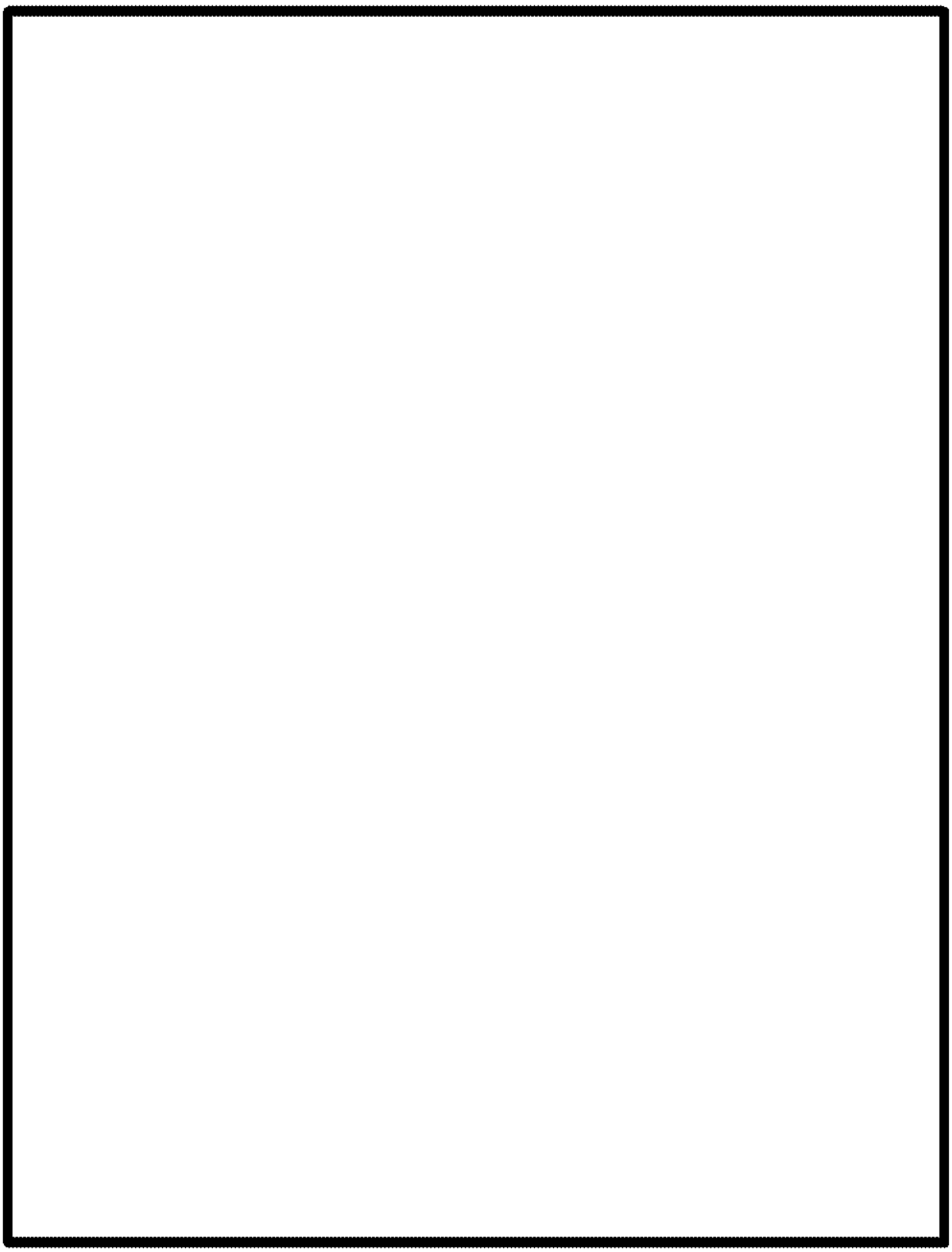
INVESTOR CHECKLIST."



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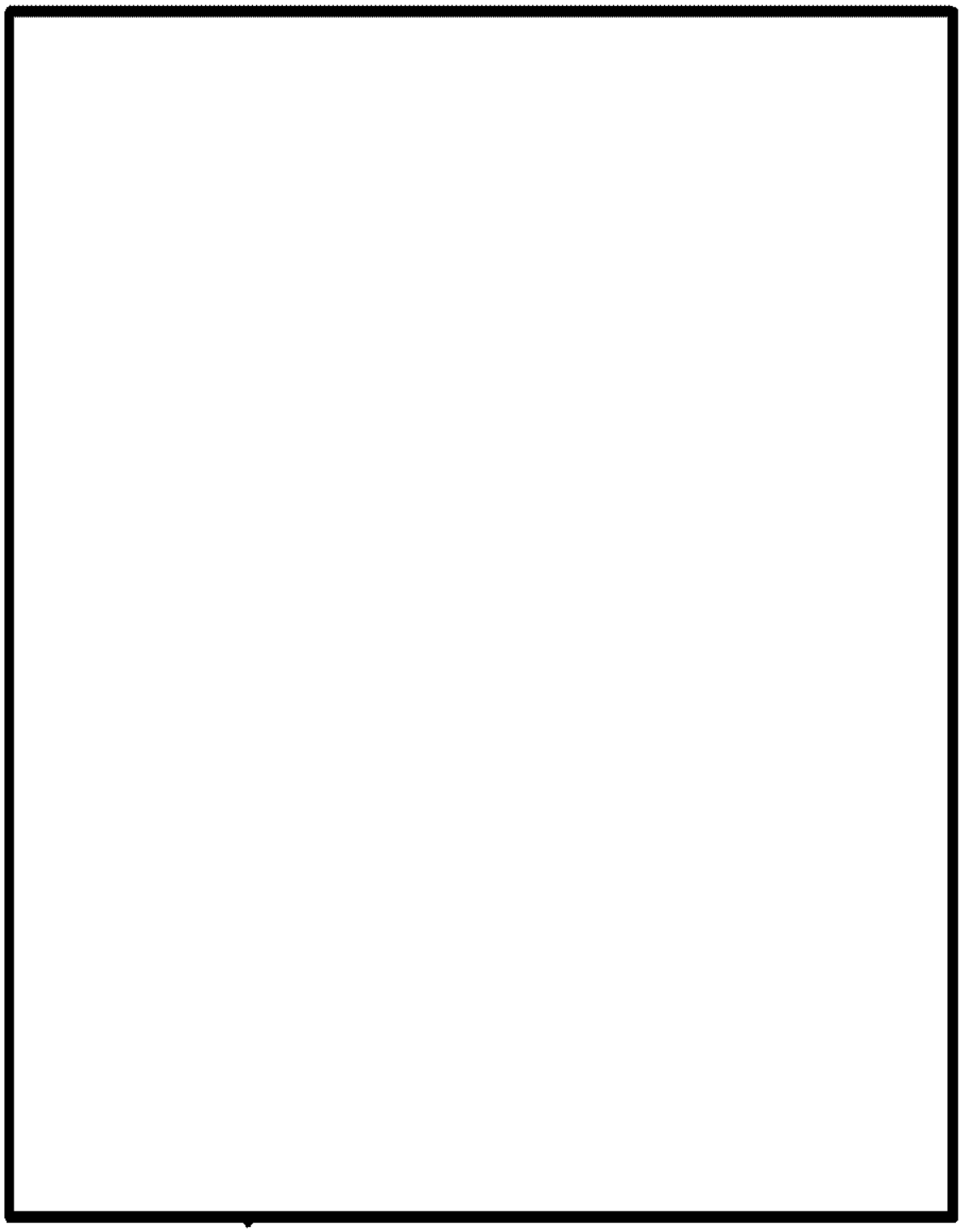

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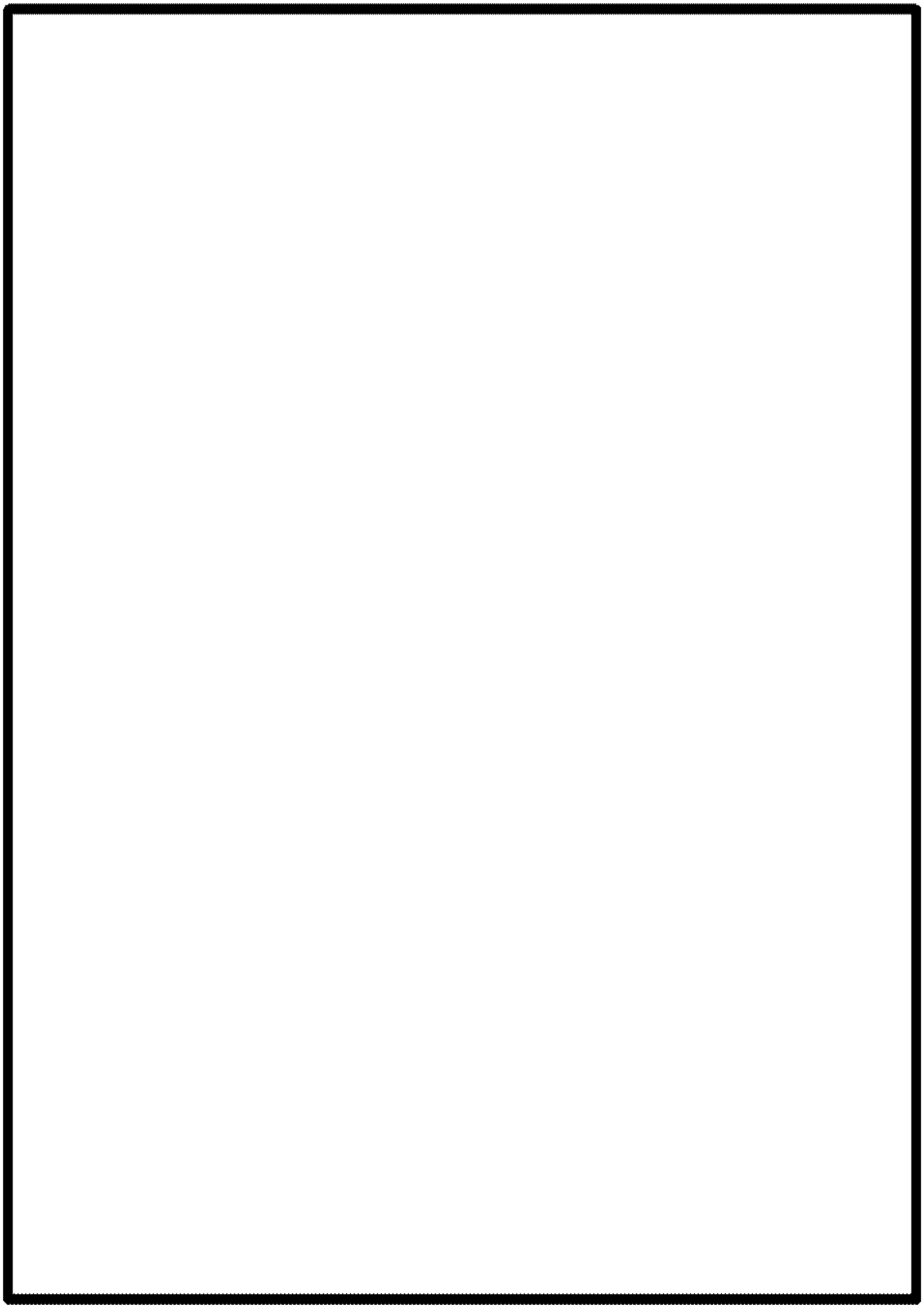

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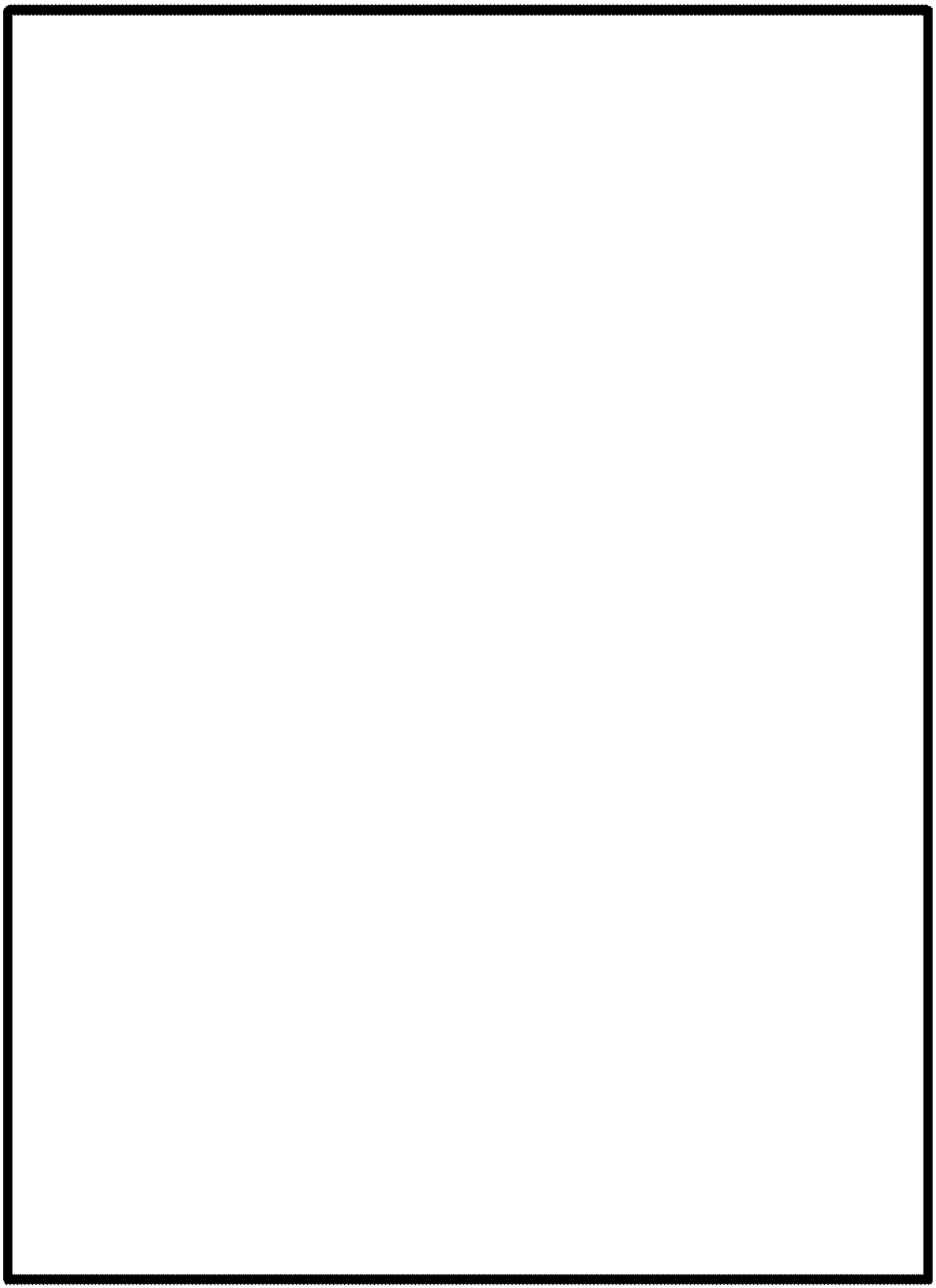

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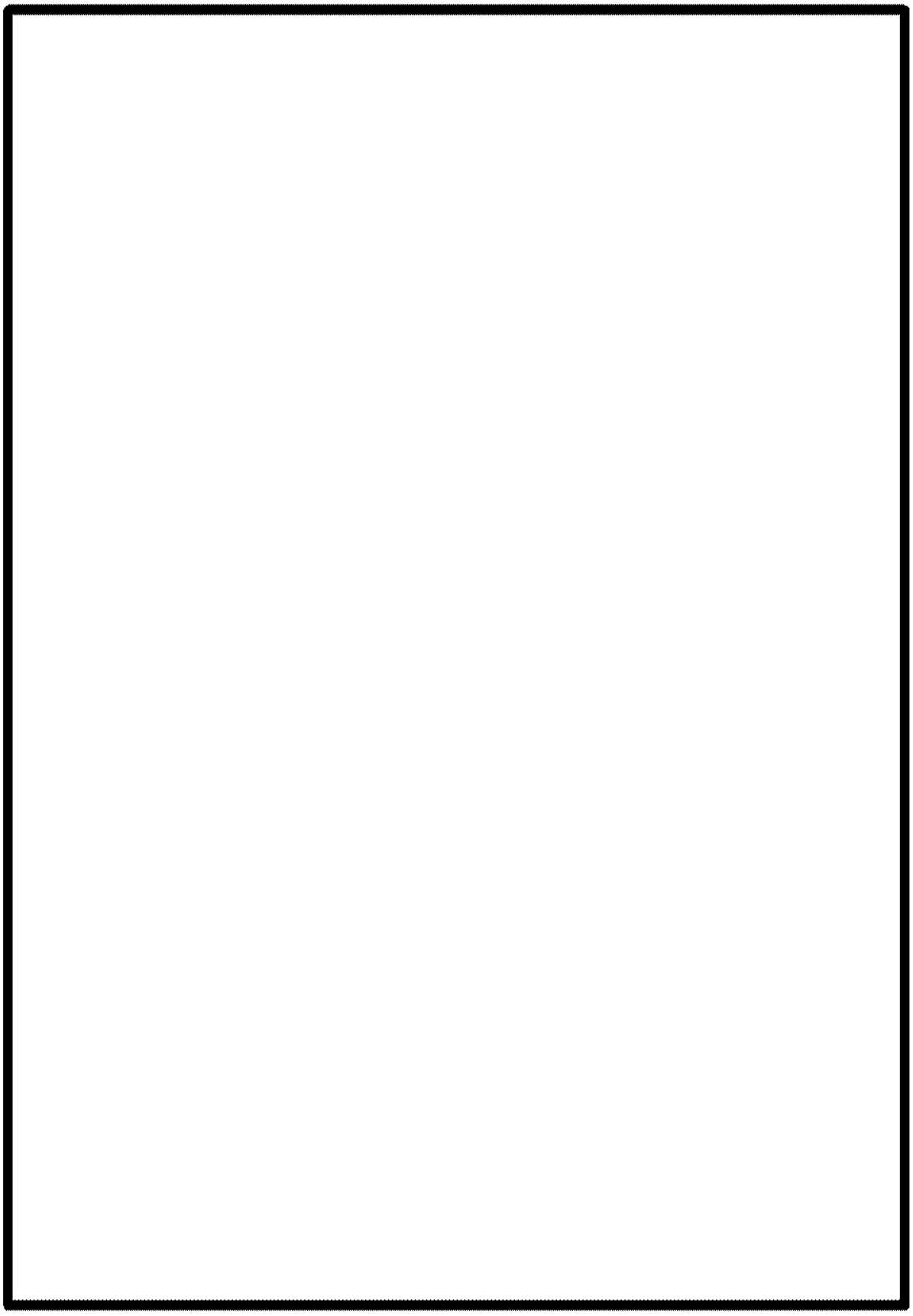

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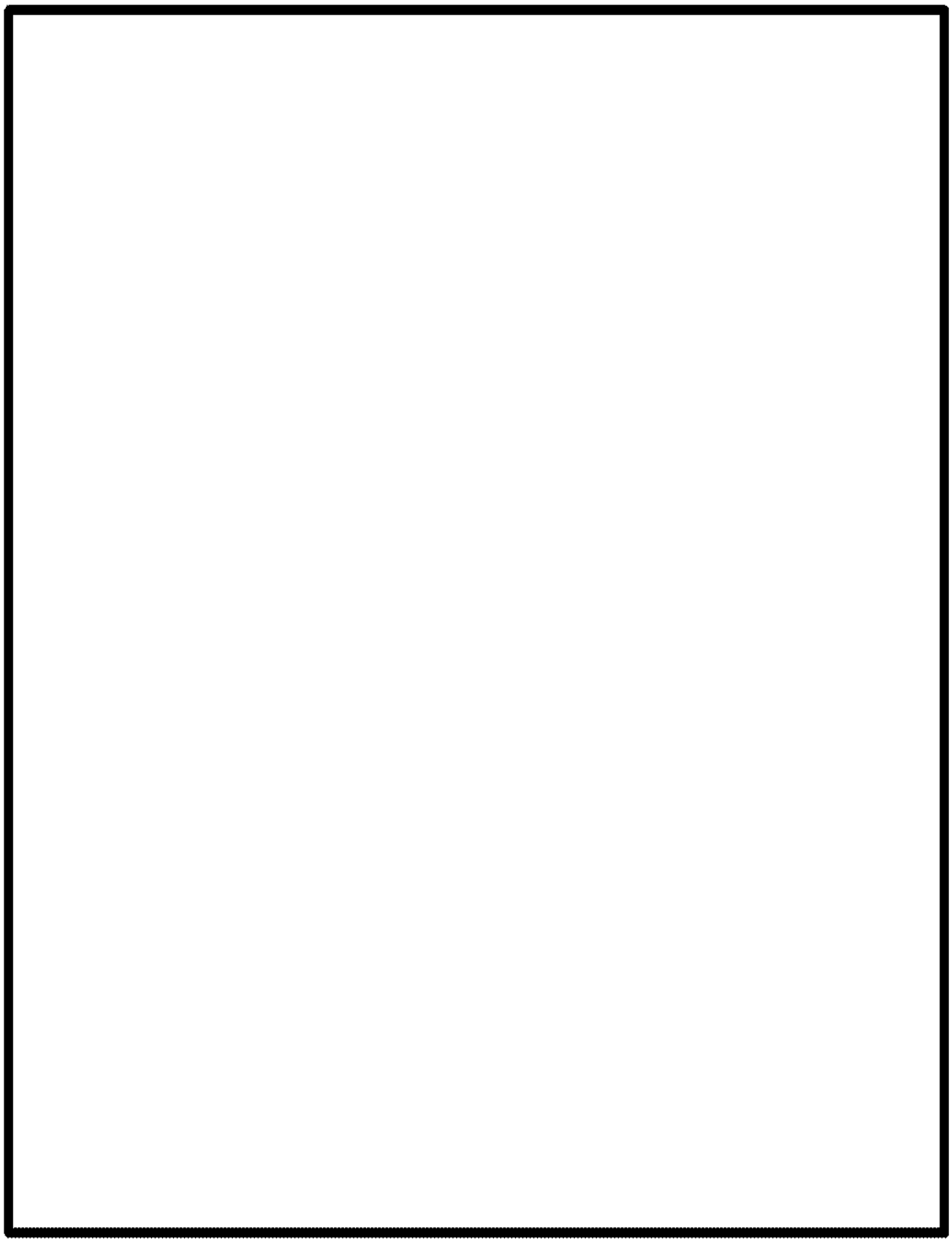

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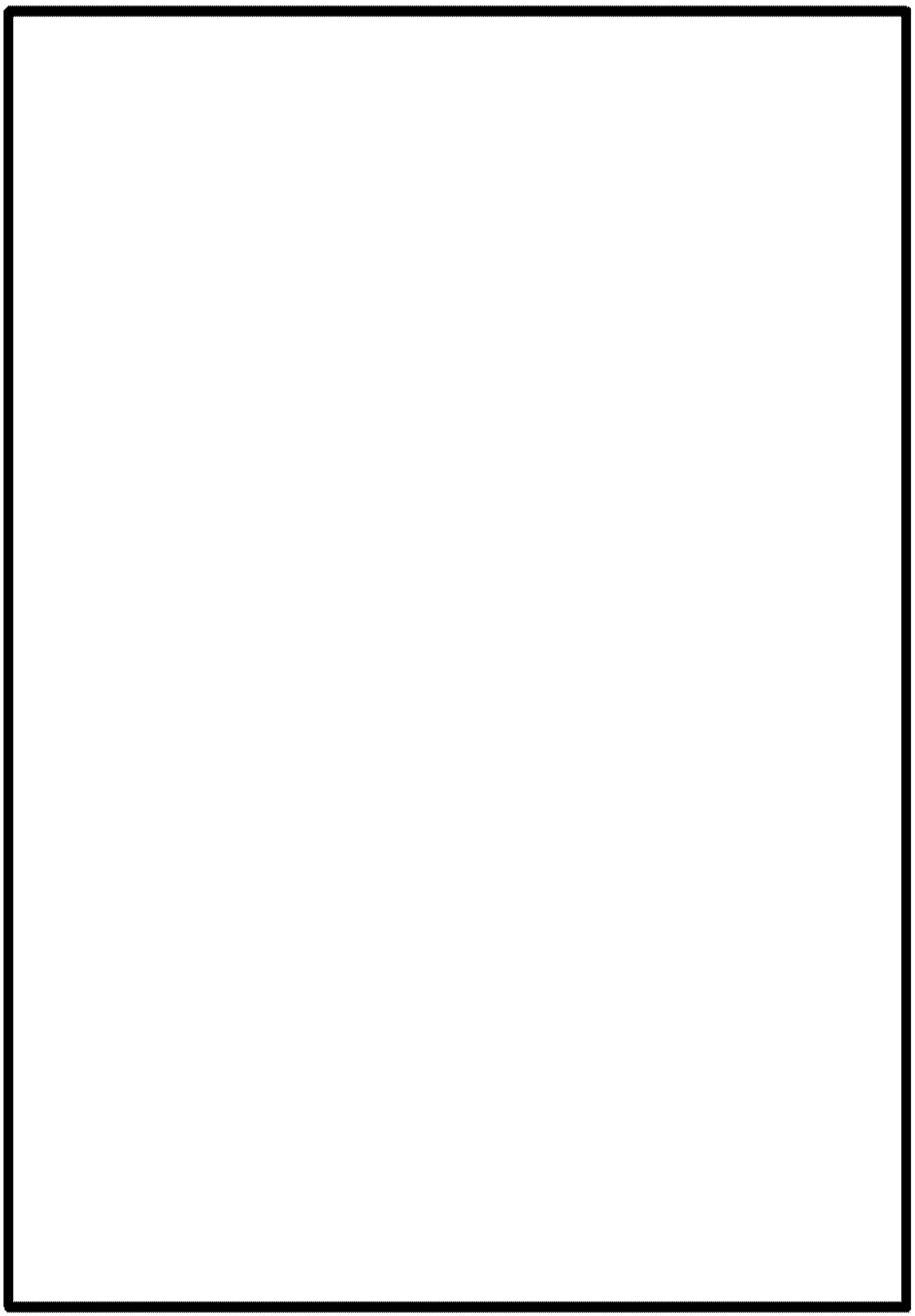

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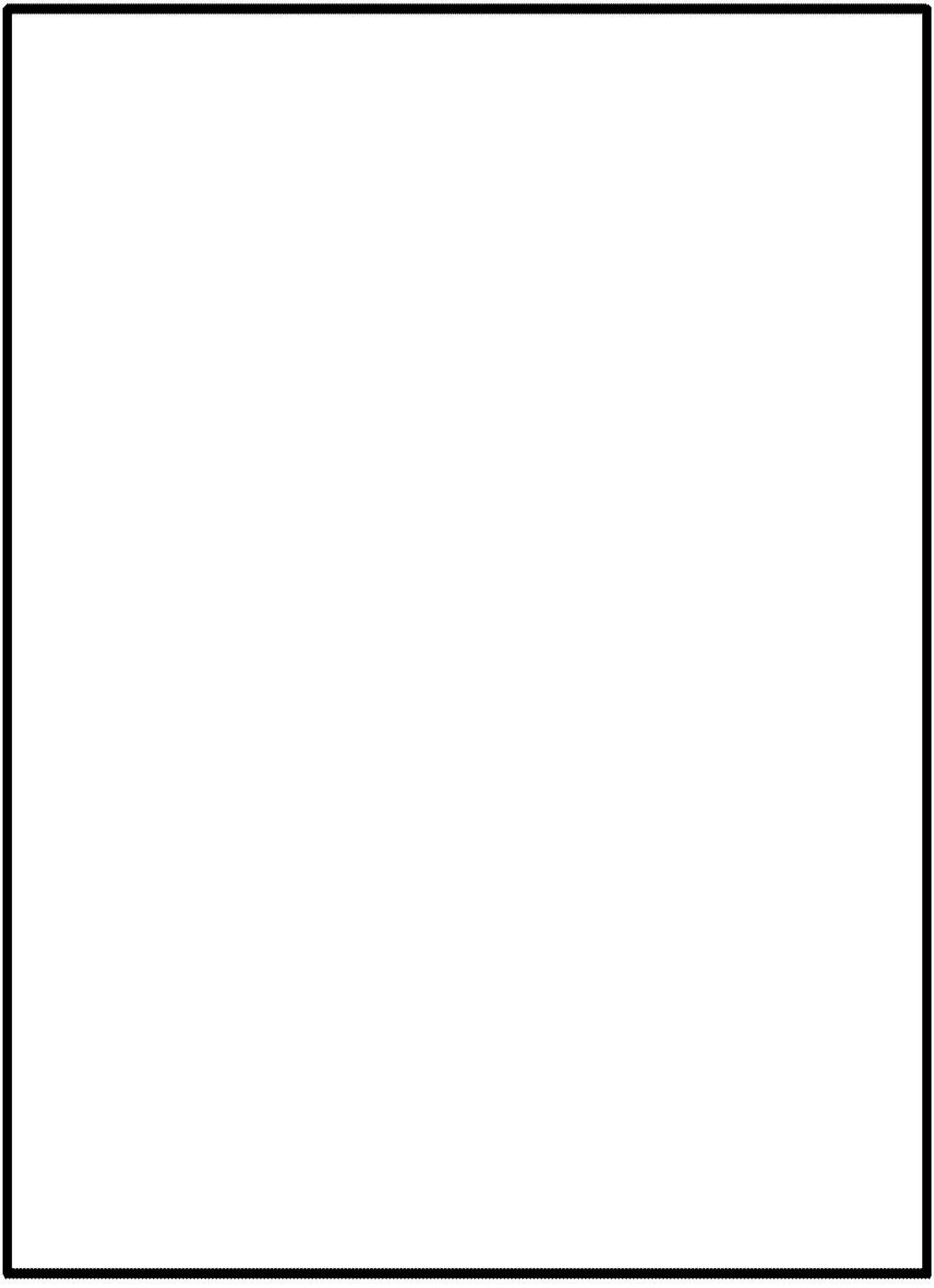

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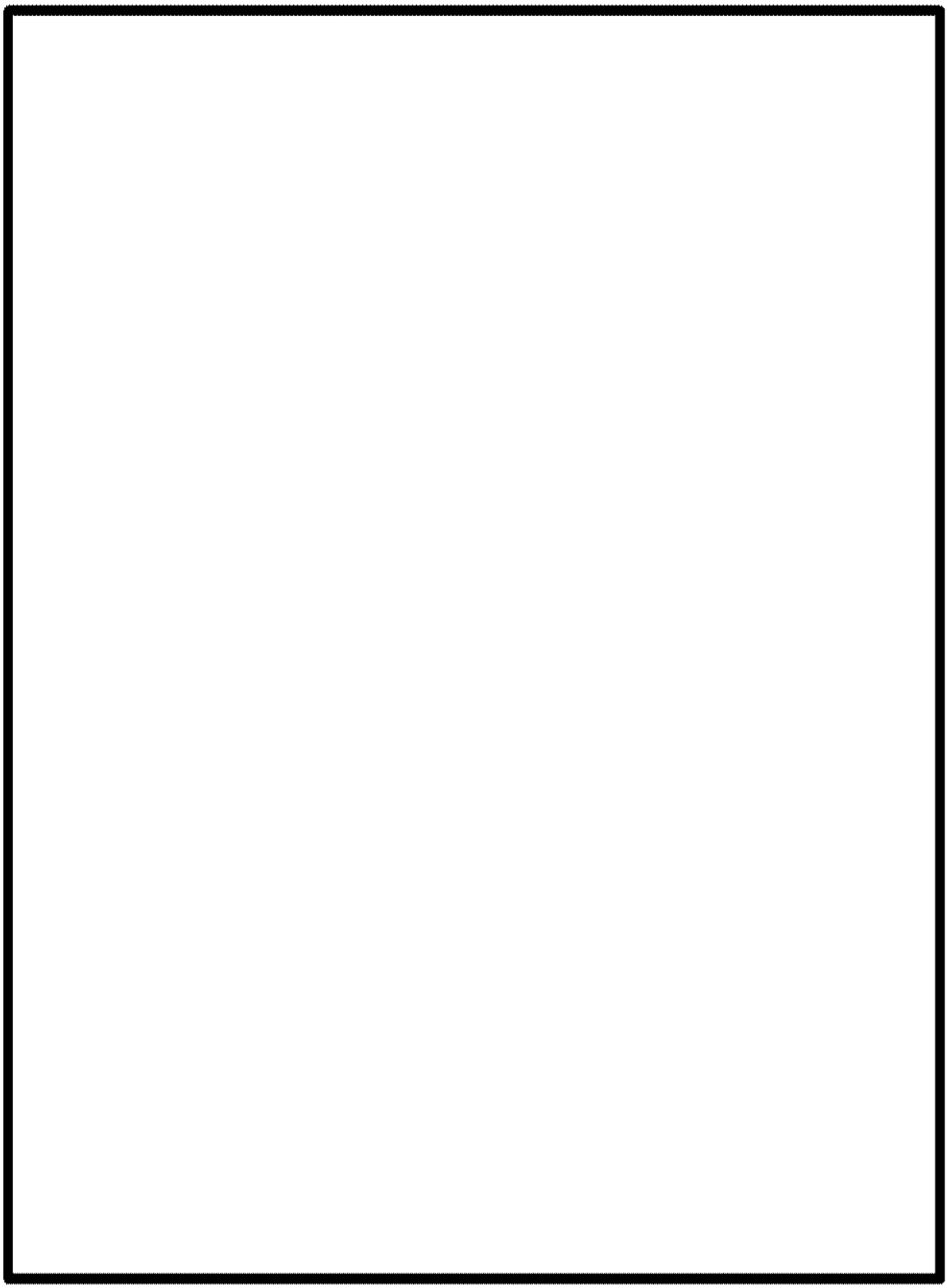

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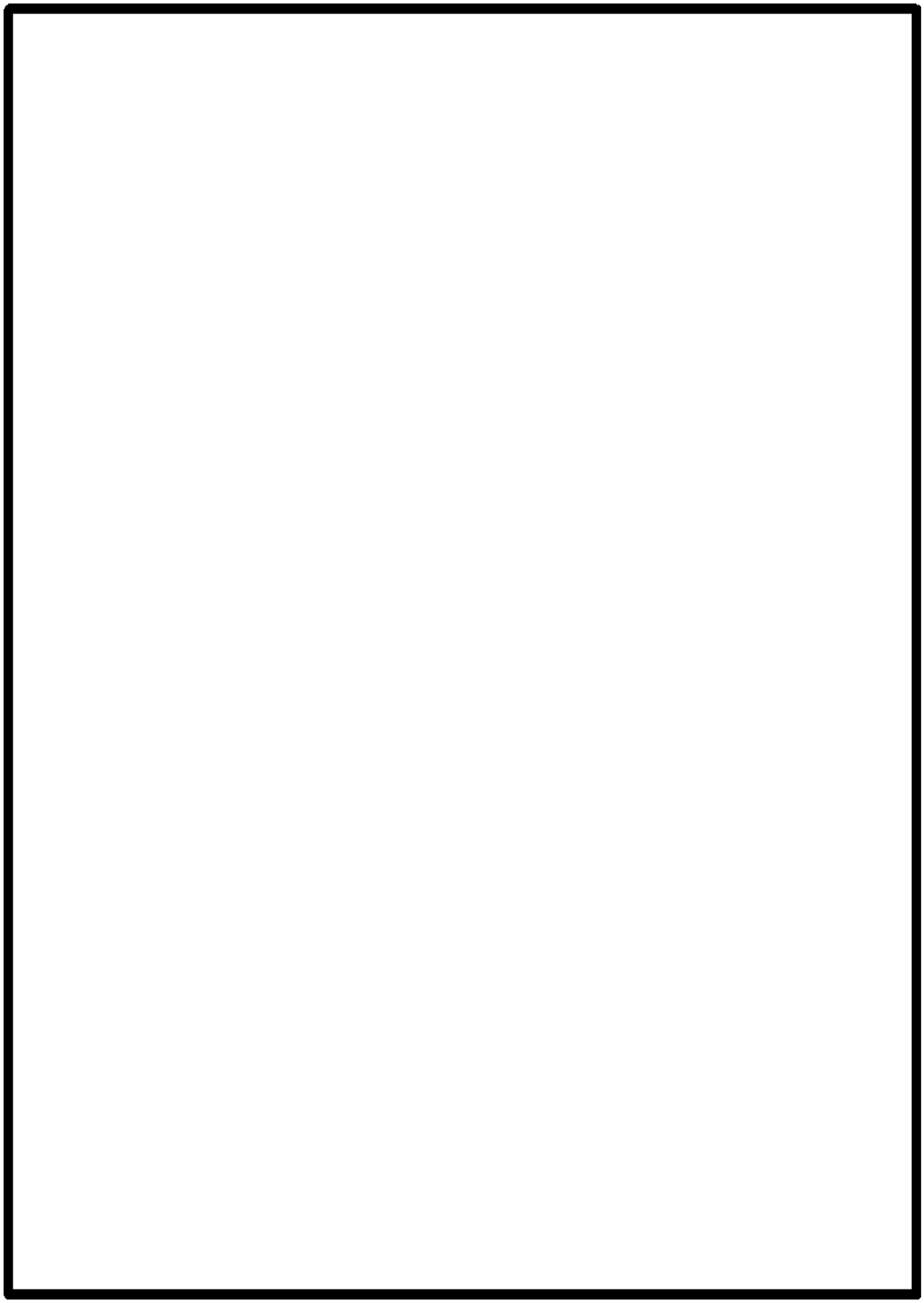

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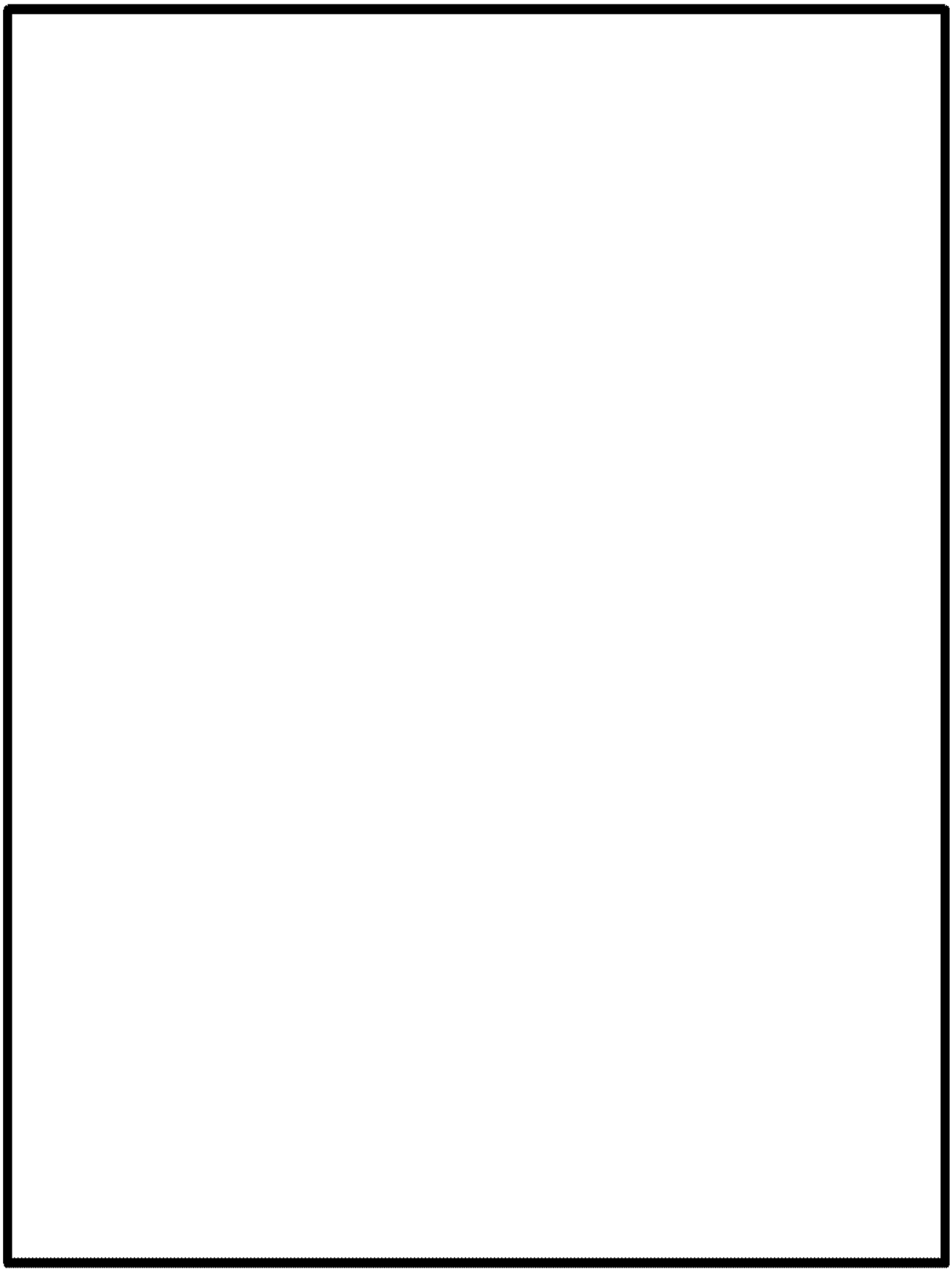

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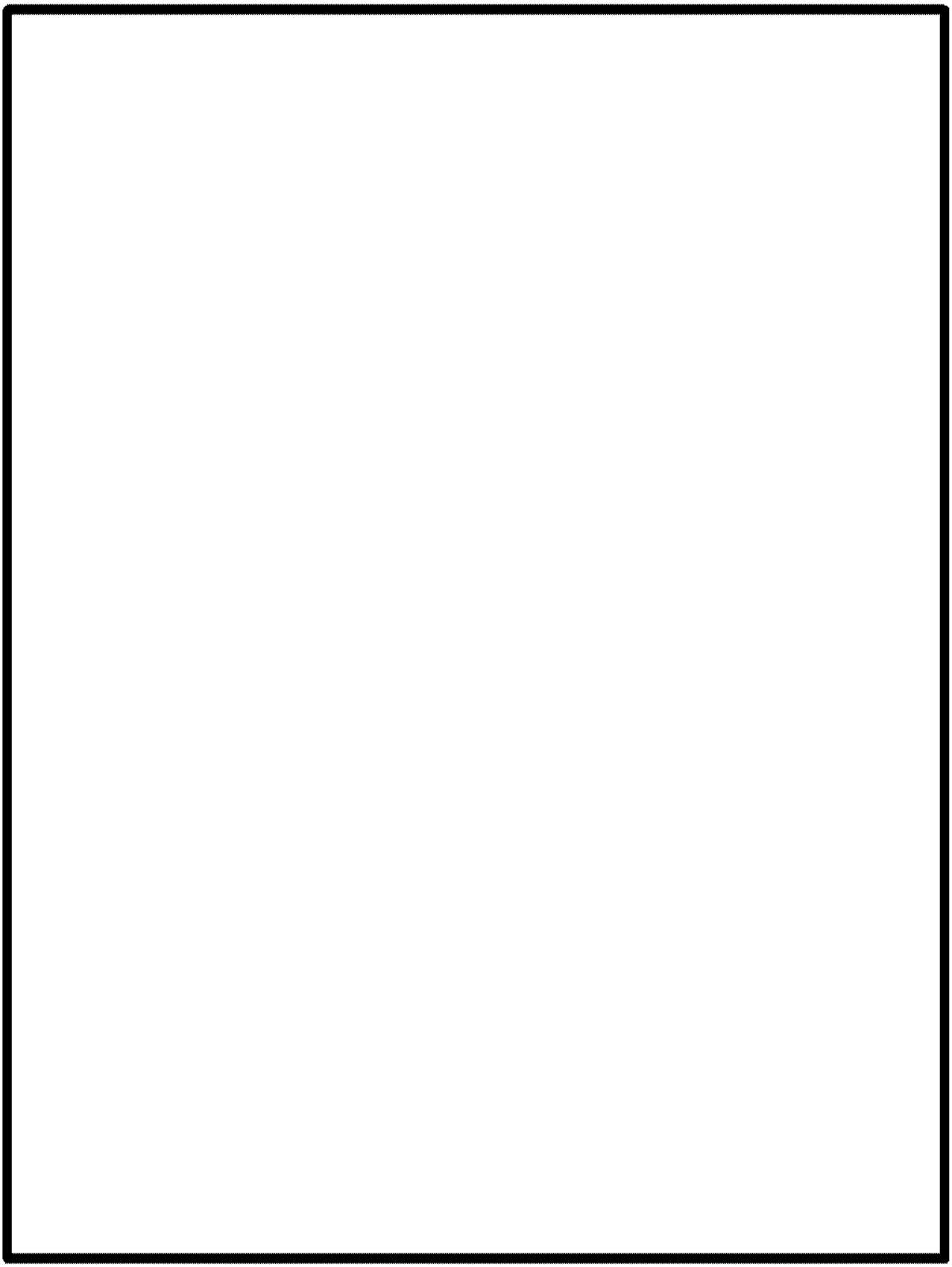

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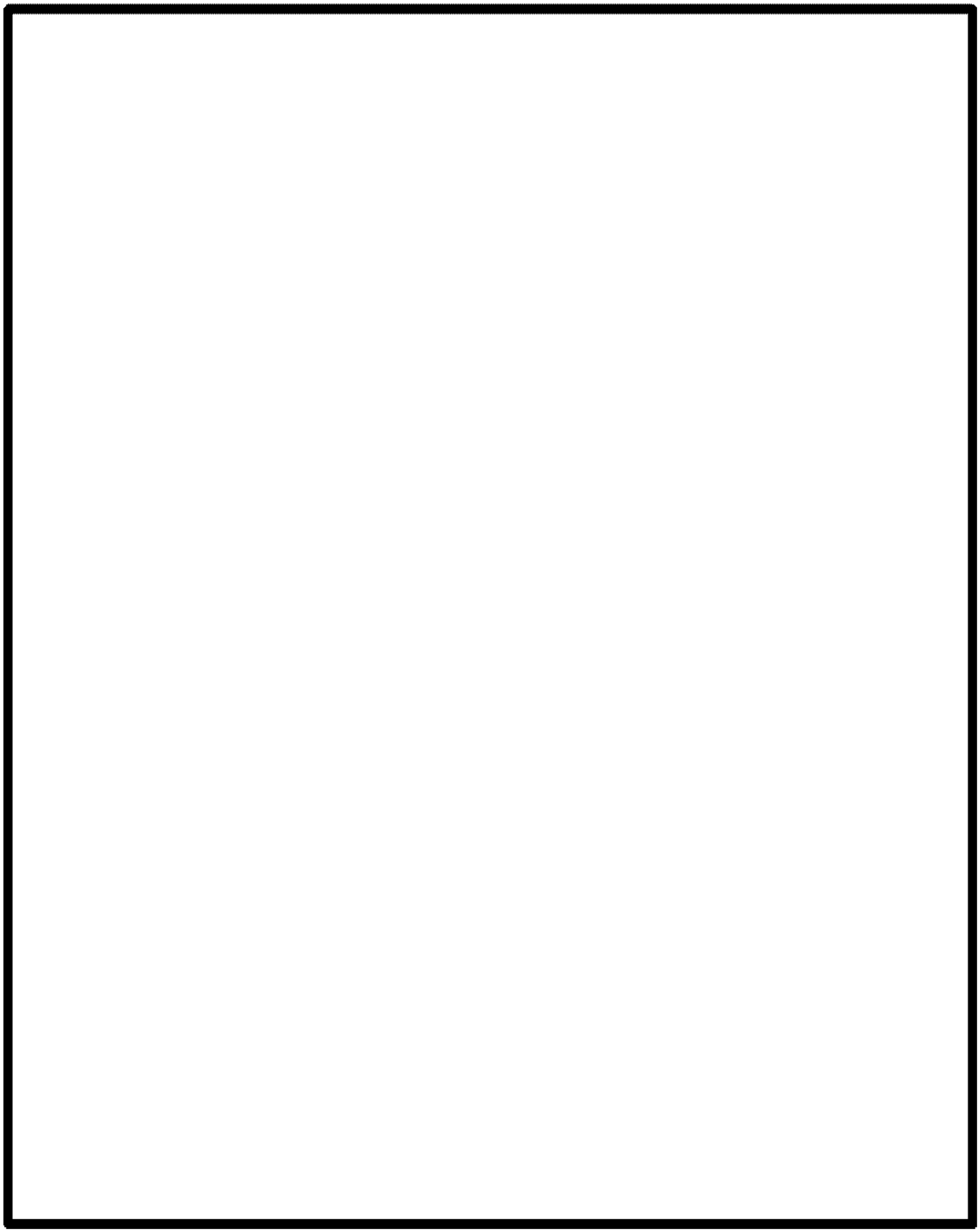

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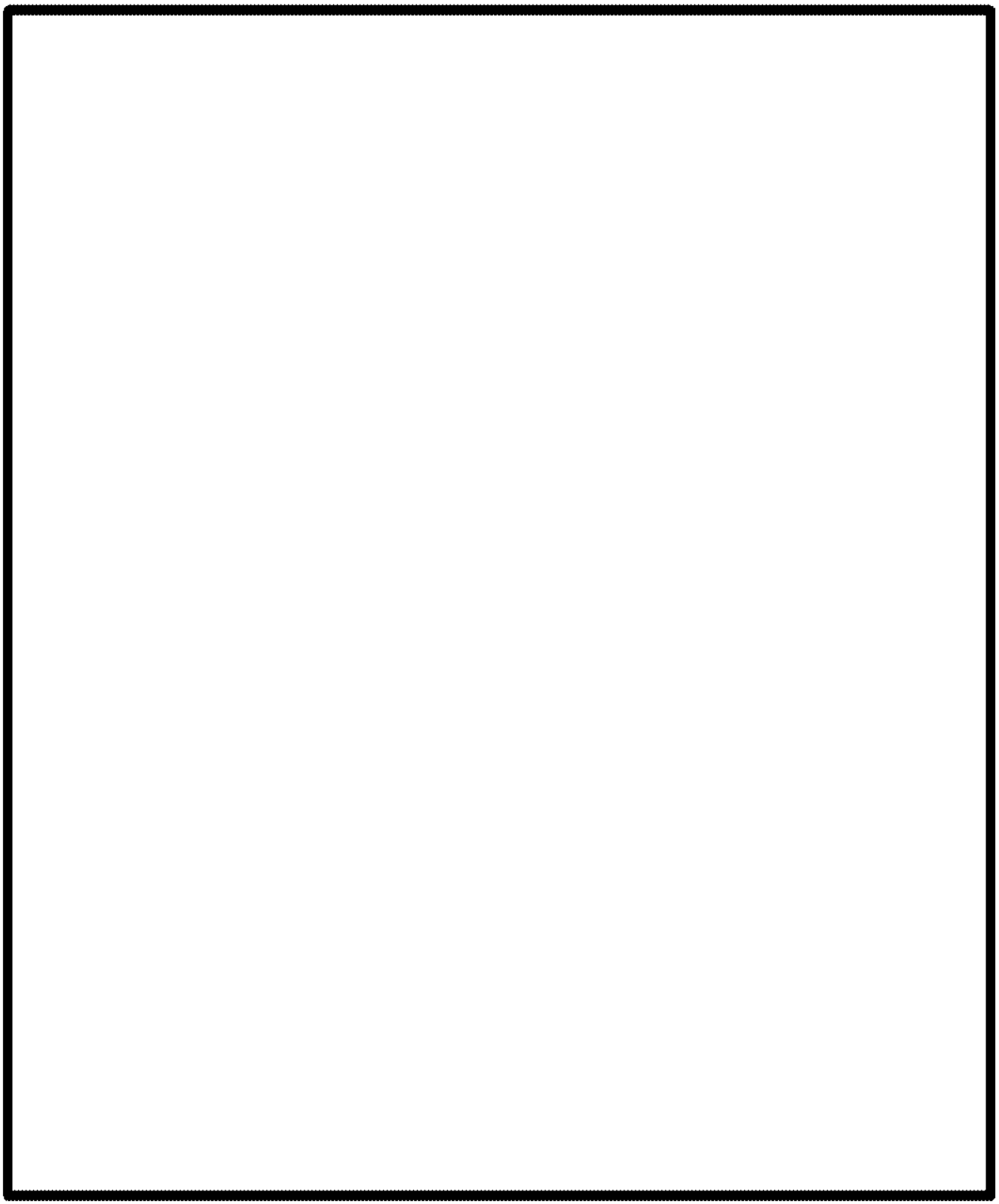

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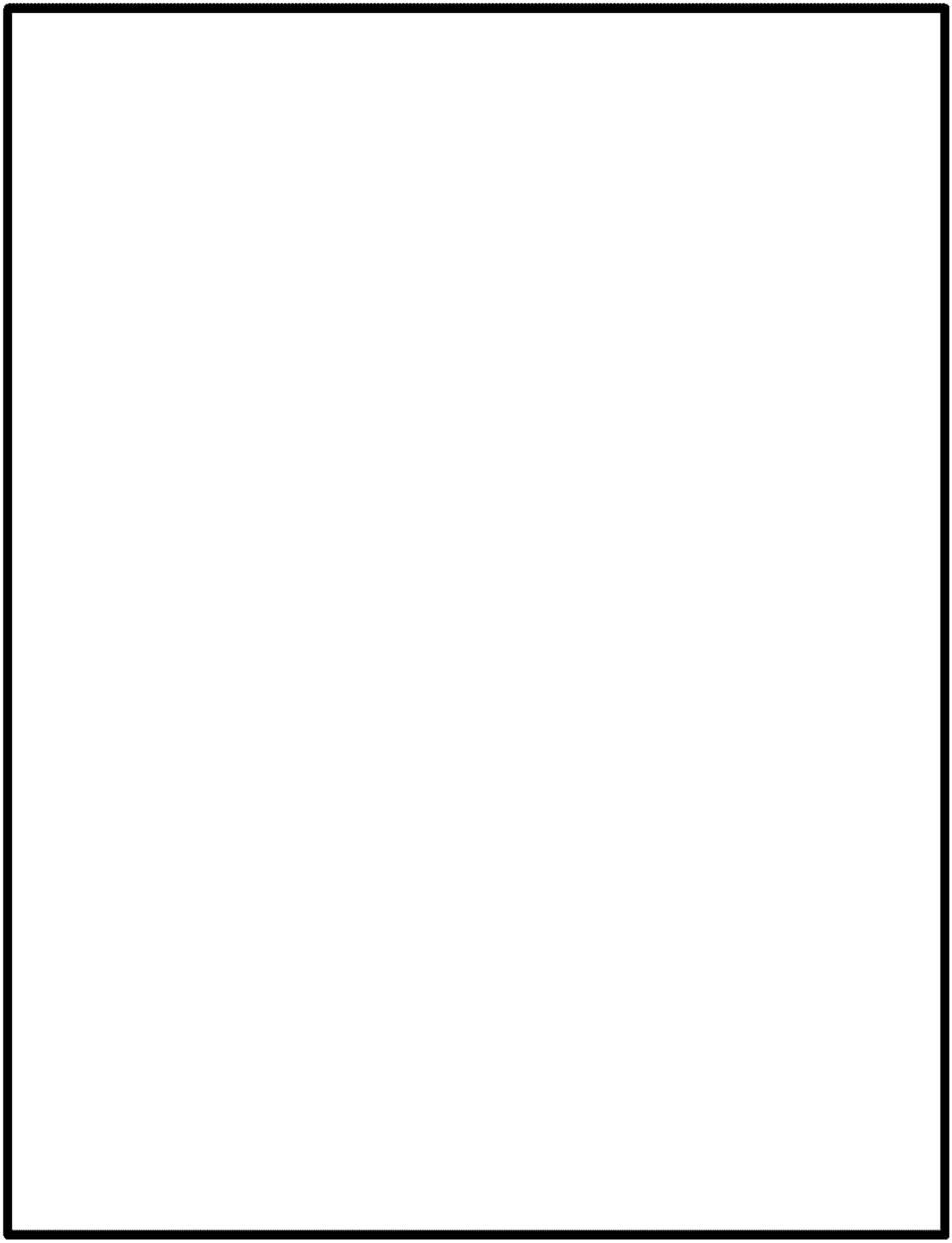

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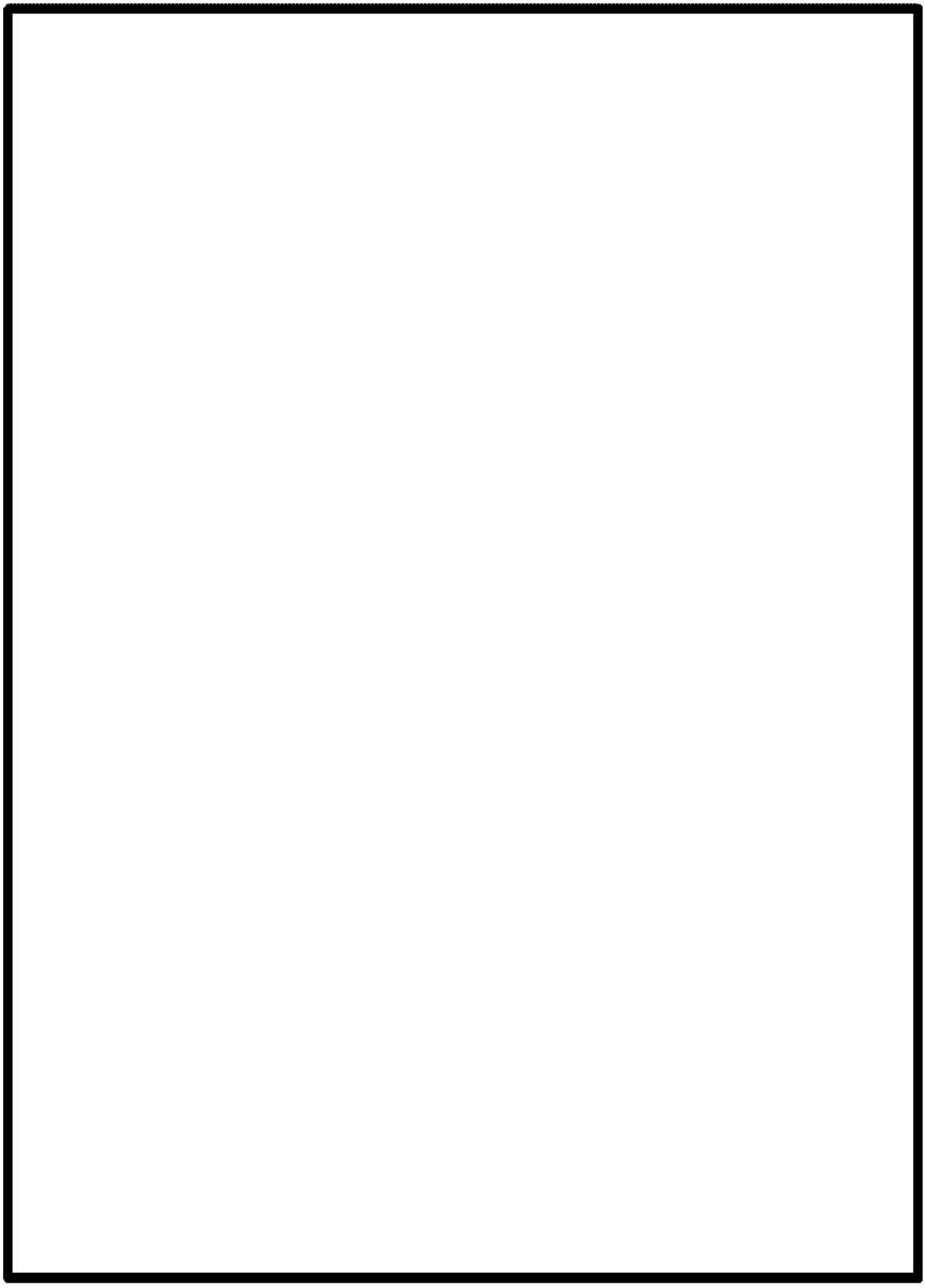

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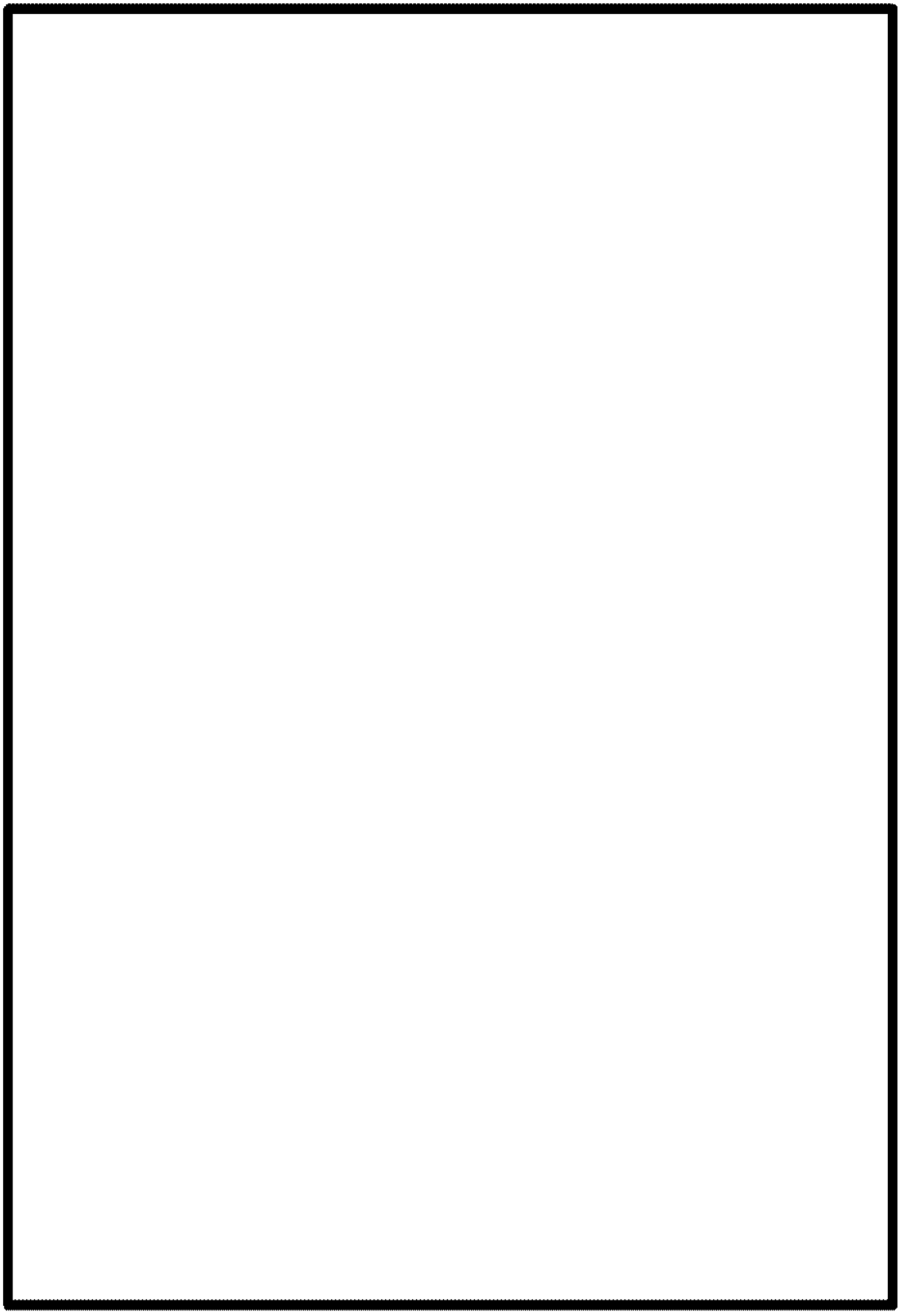

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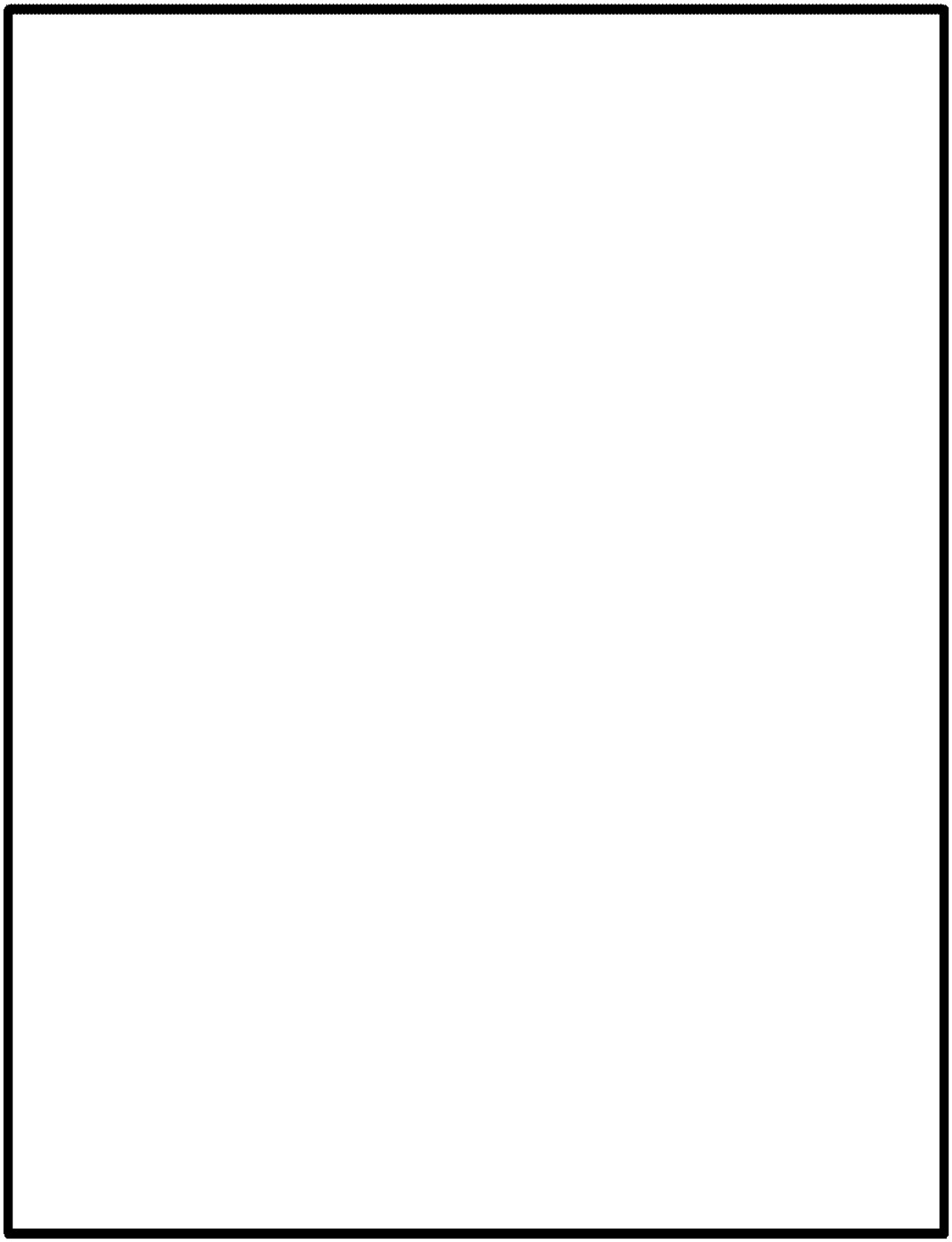

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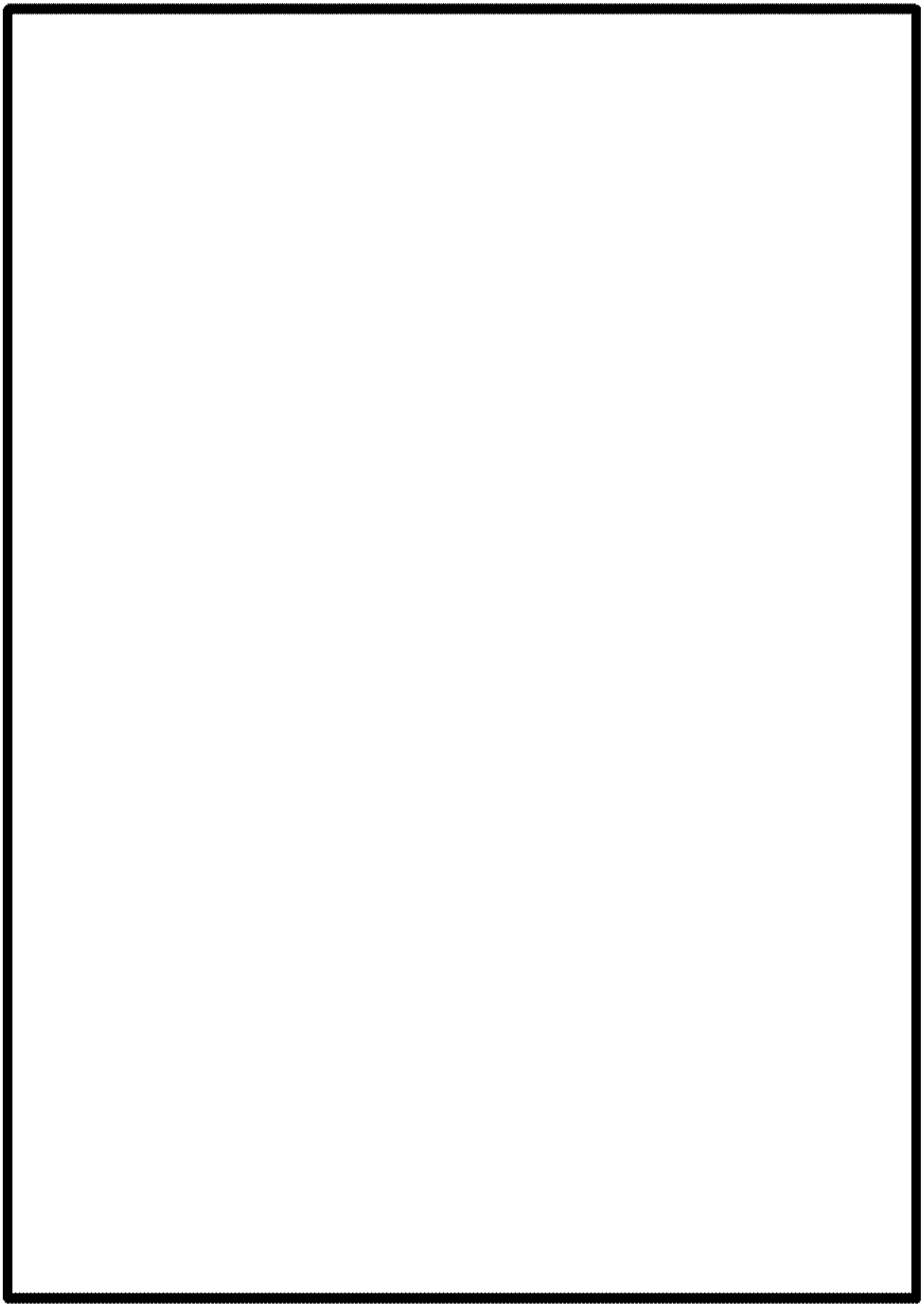

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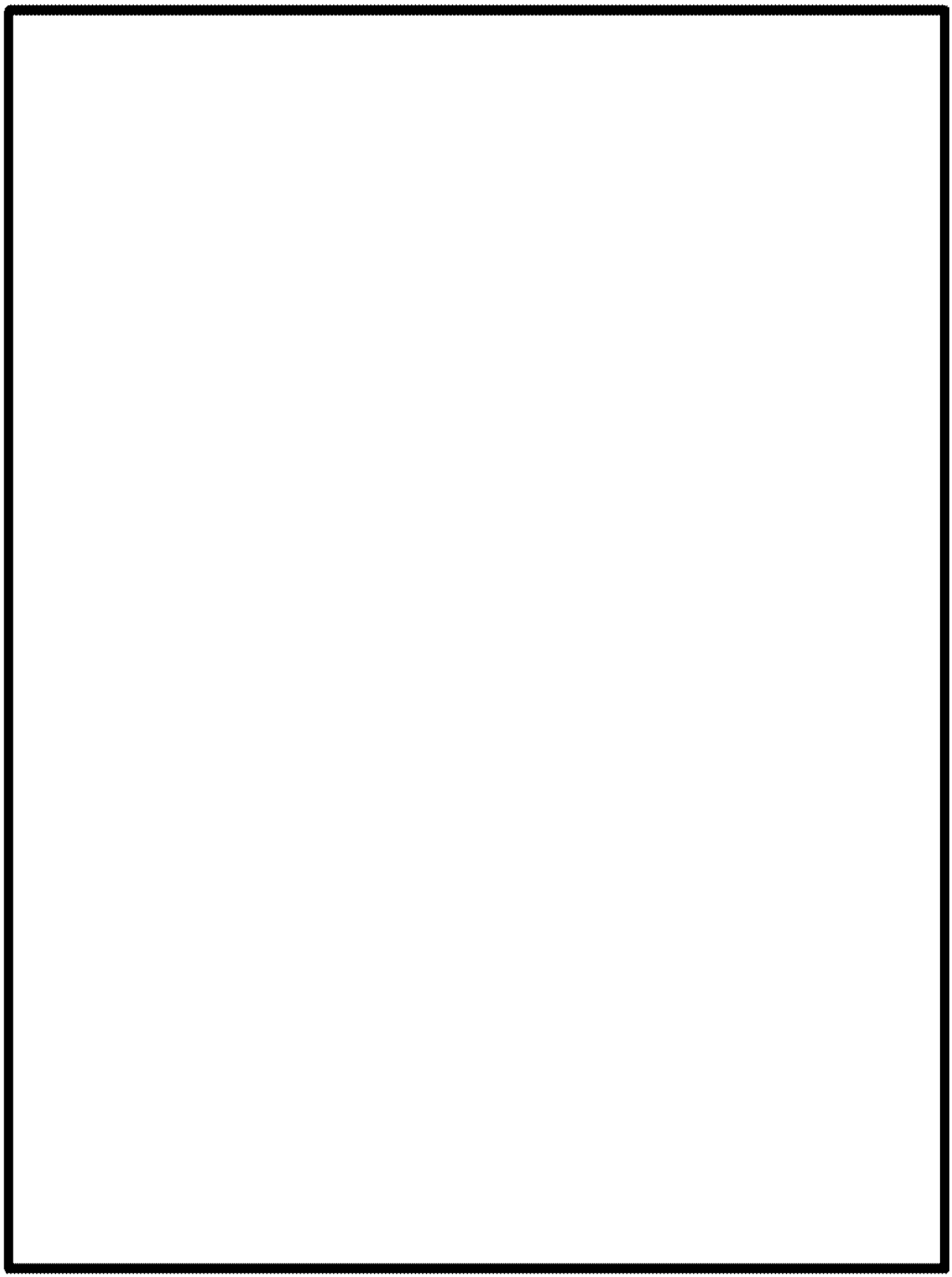

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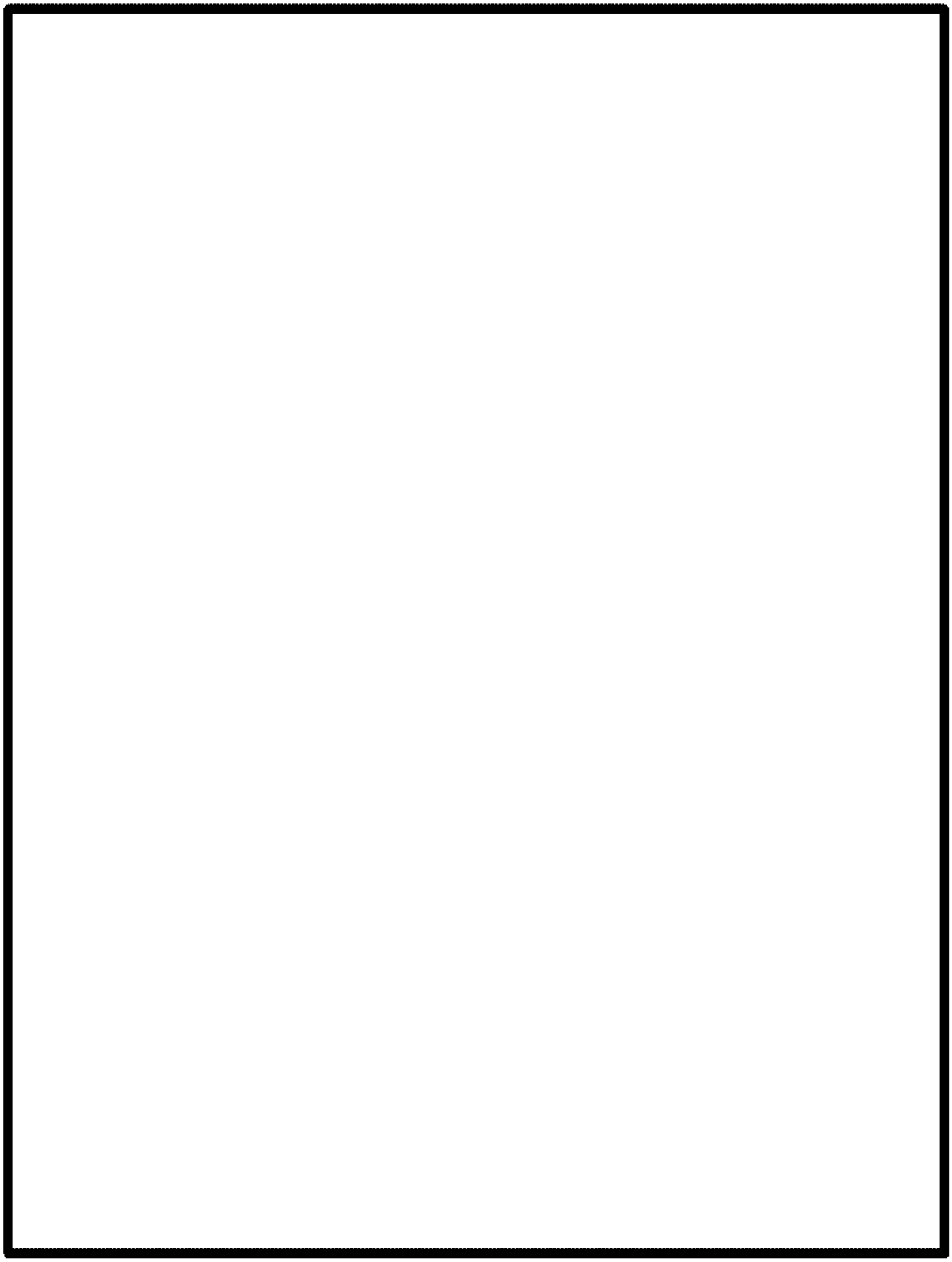

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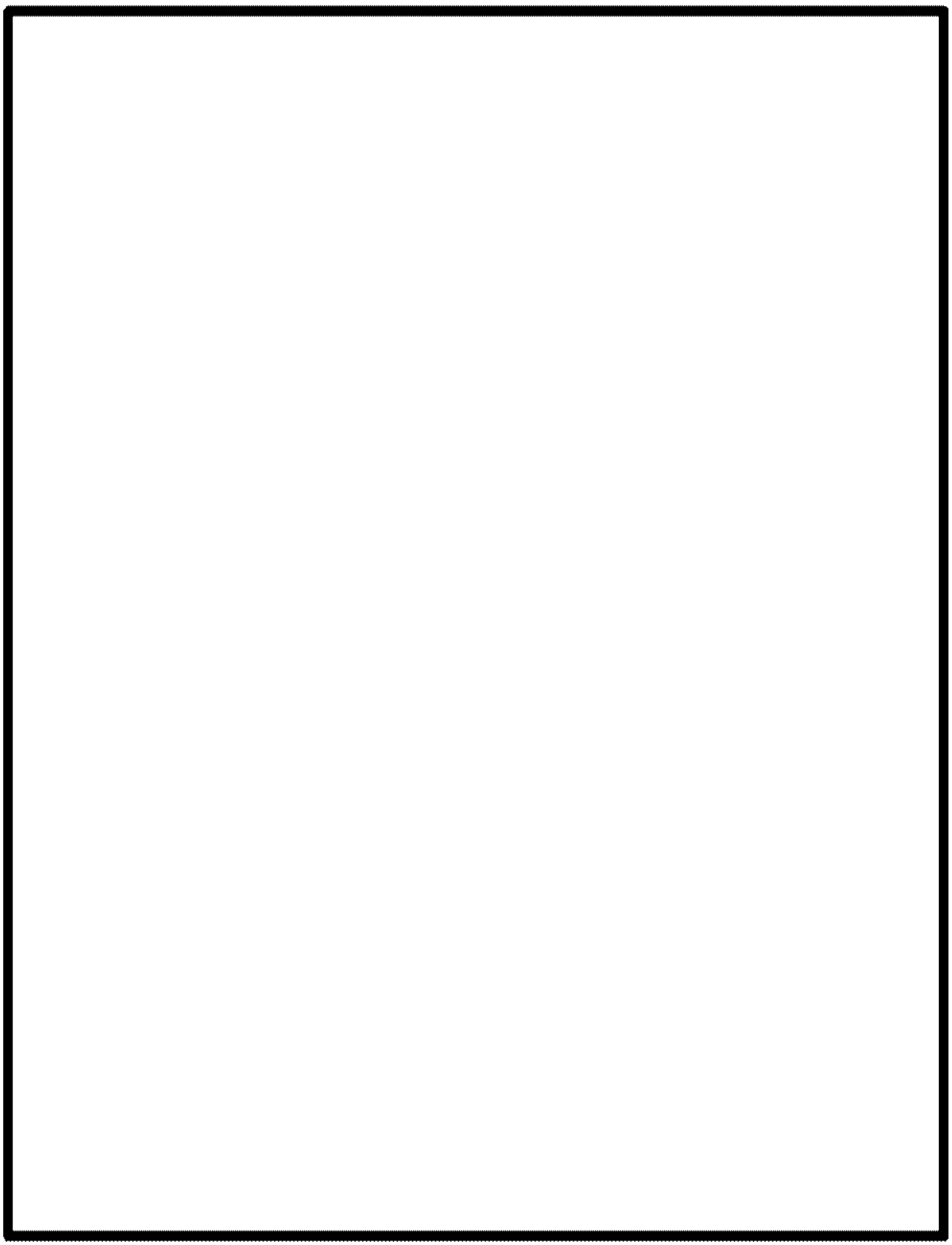

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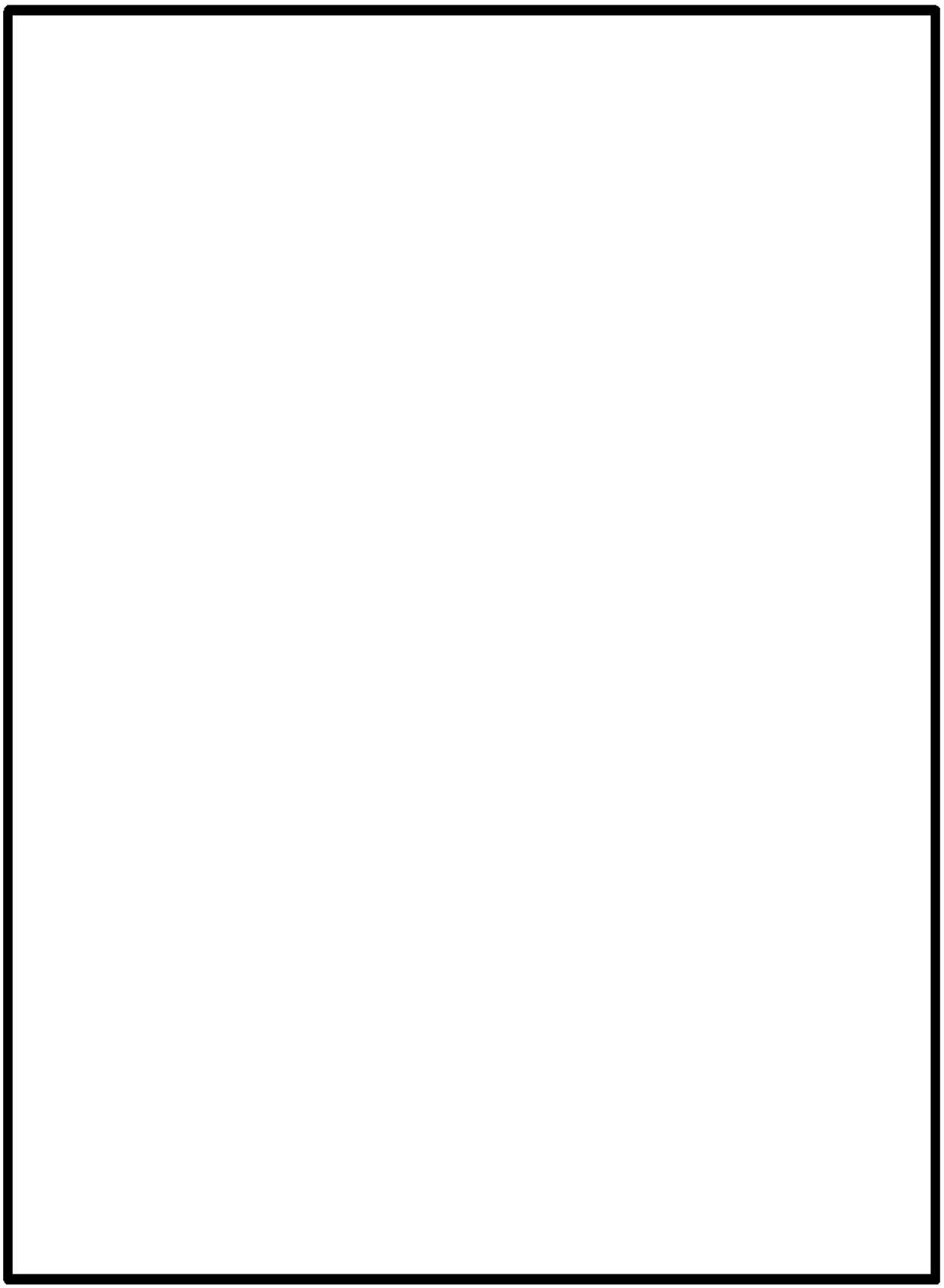

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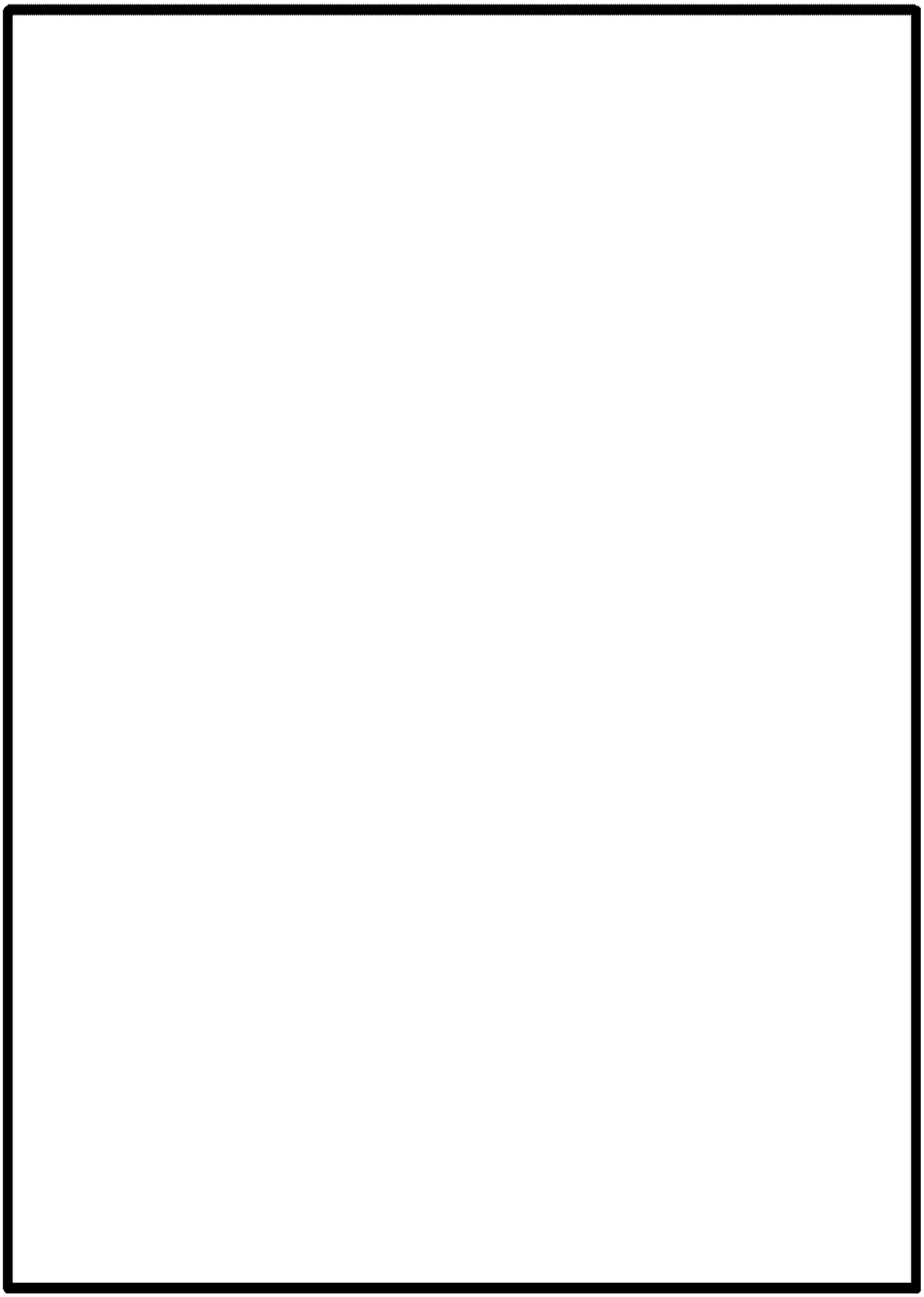

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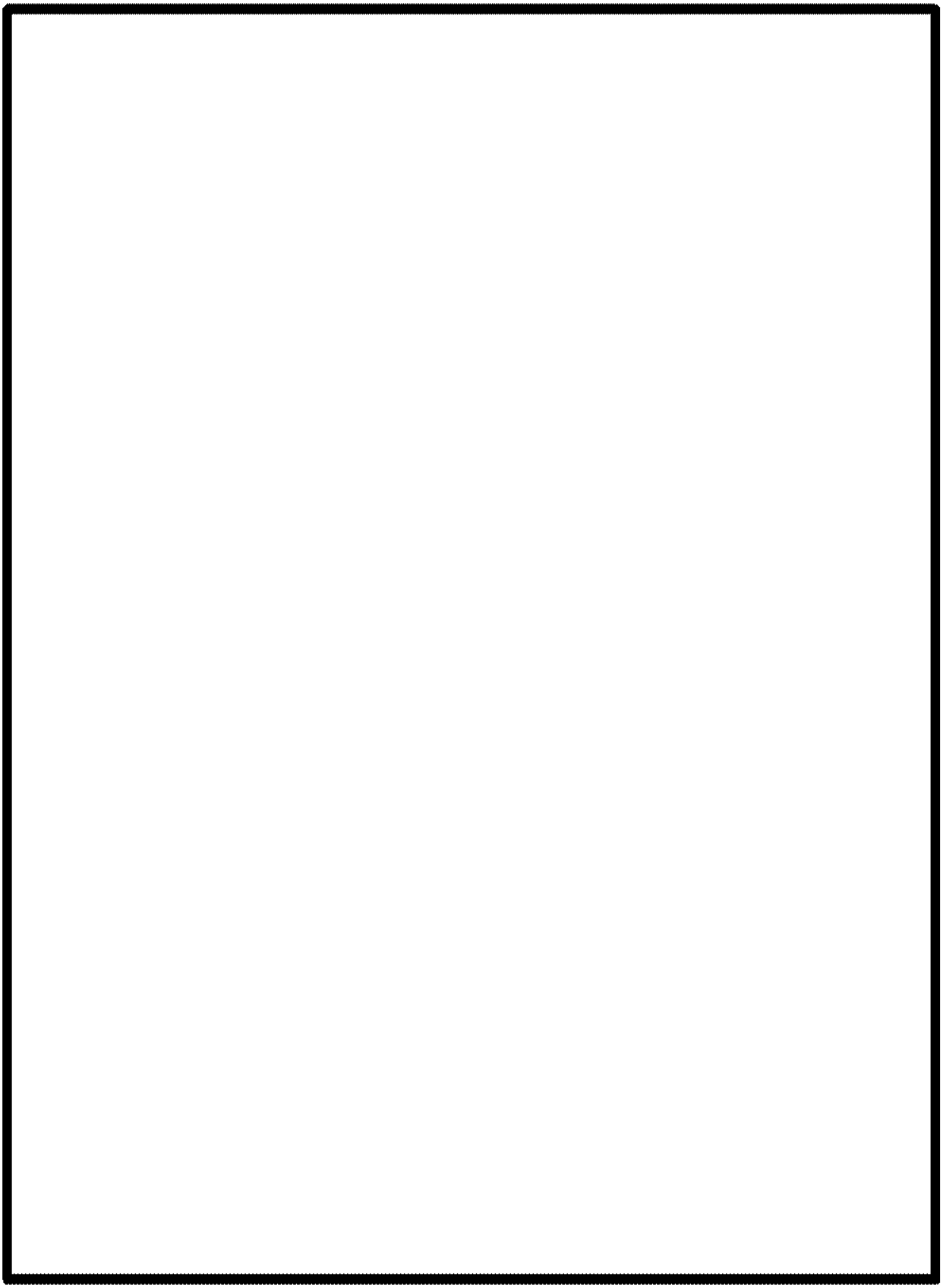

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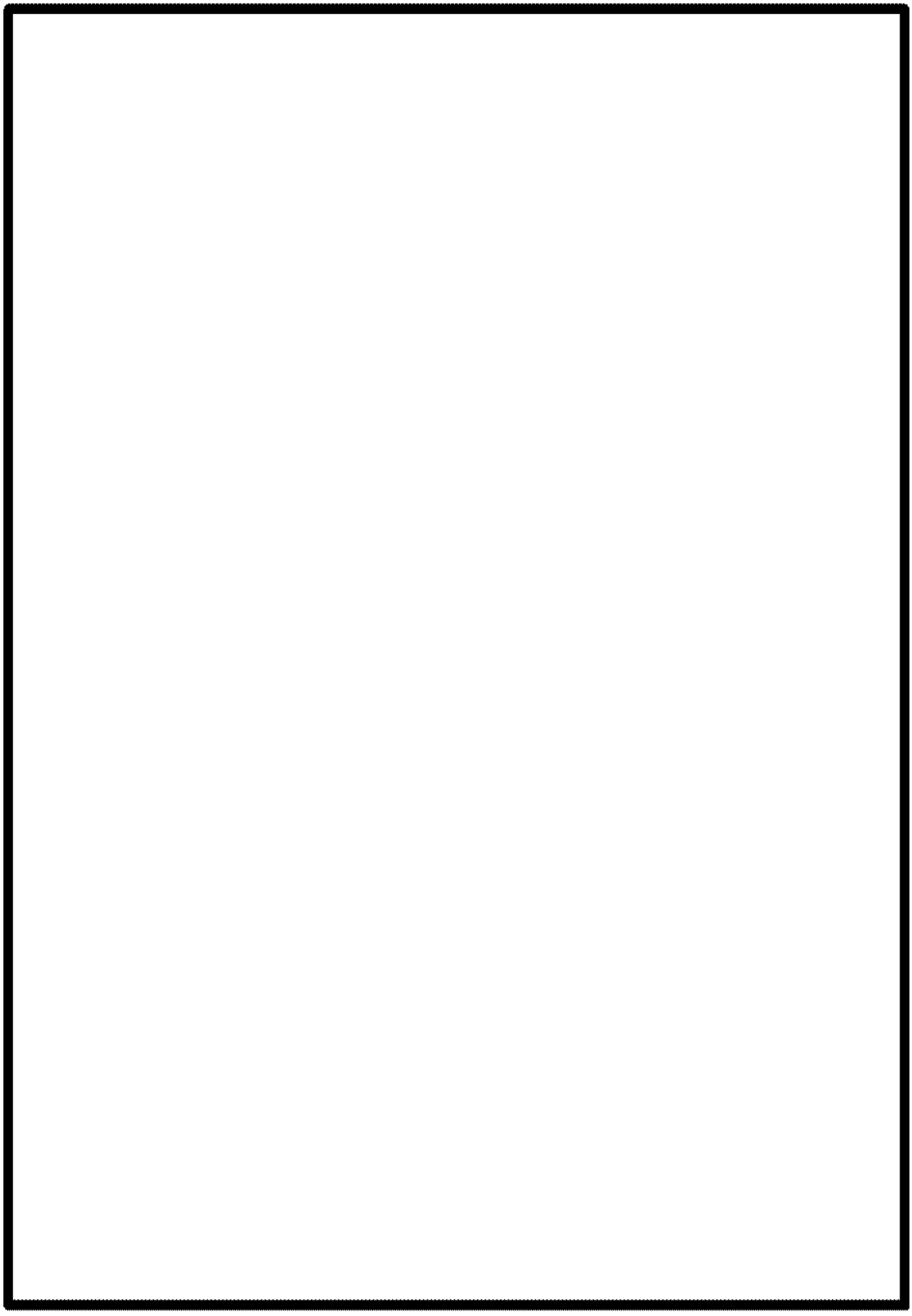

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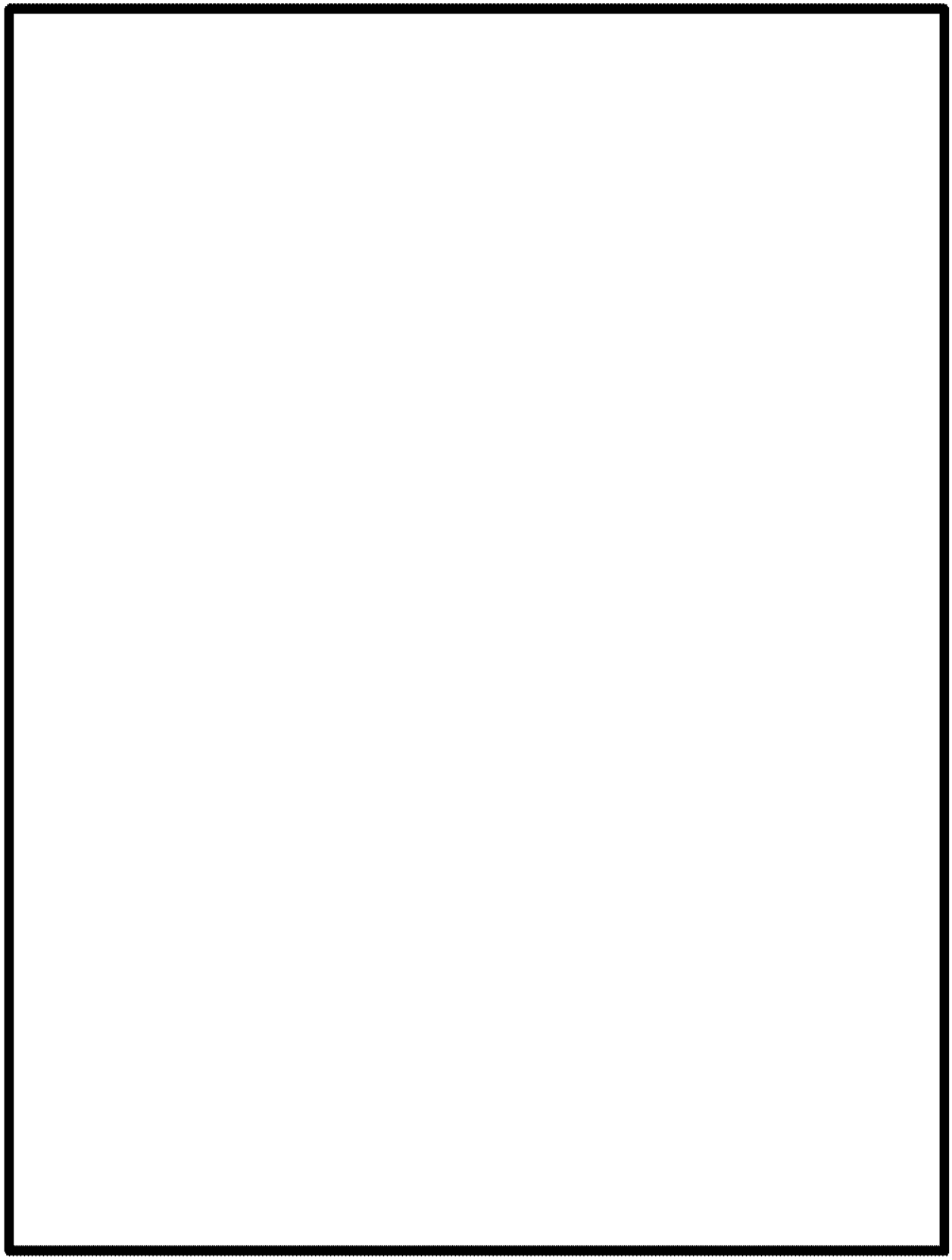

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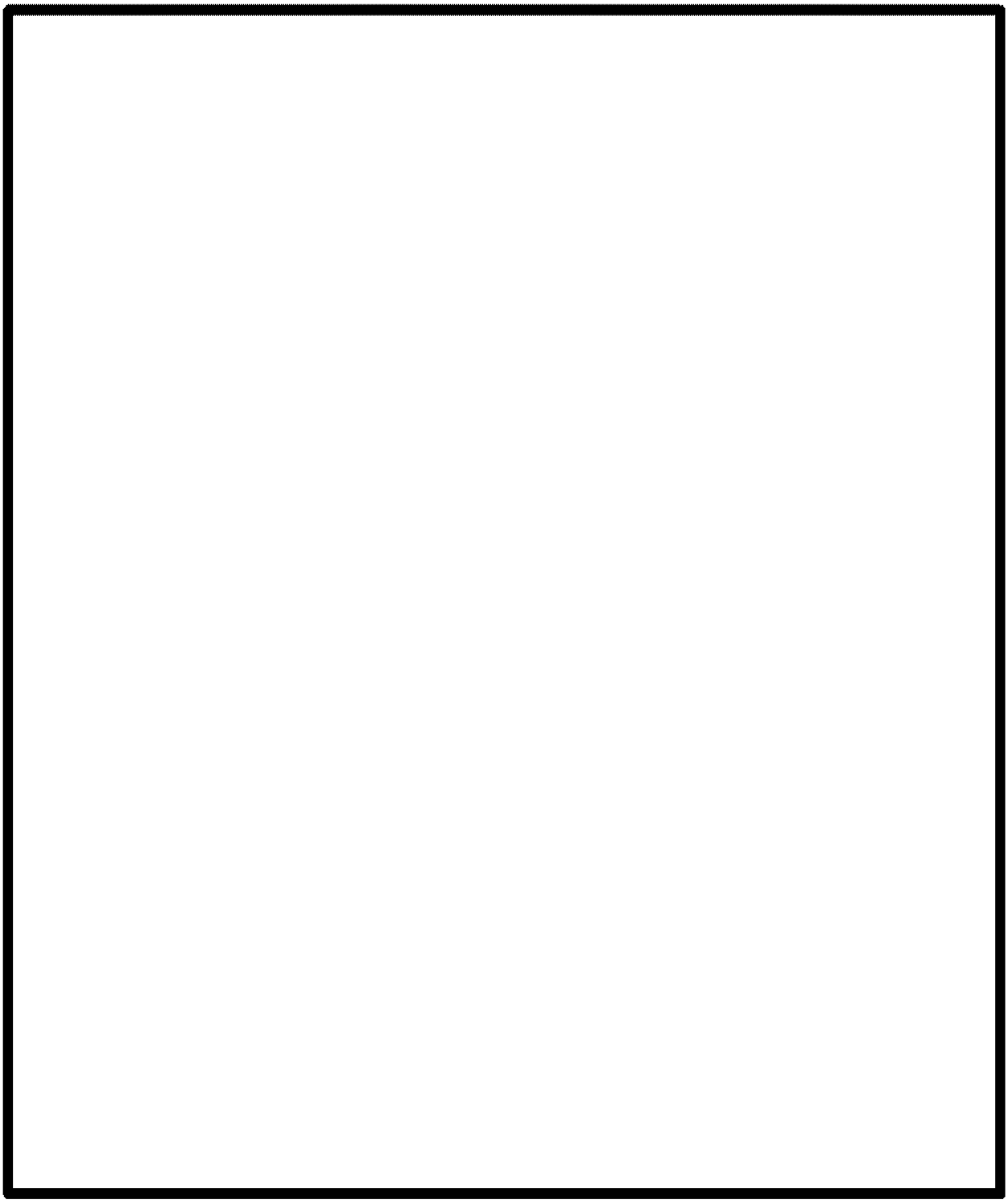

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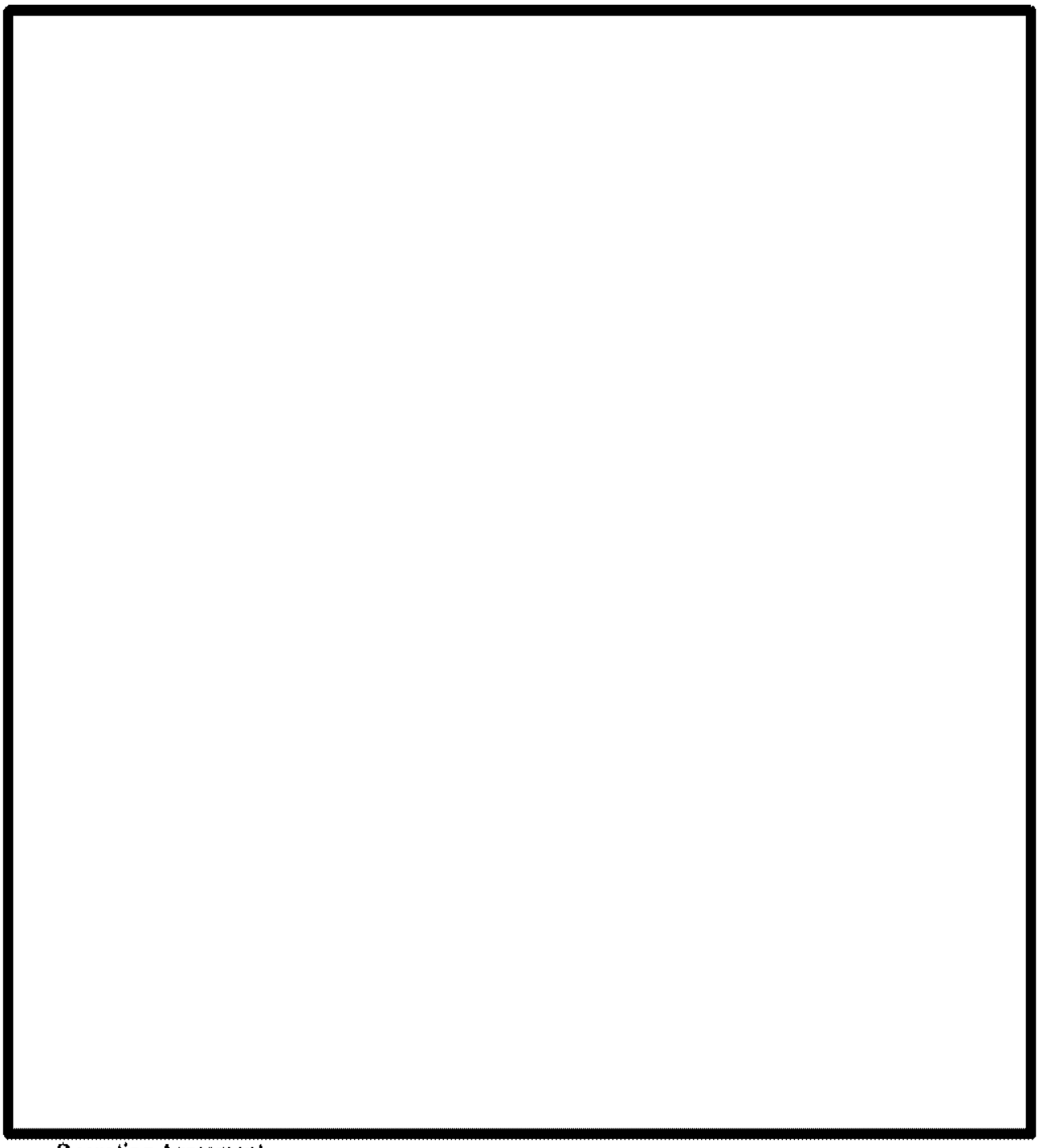

Operating Agreement

[OPERATING AGREEMENT SUMMARY]

Capitalization.

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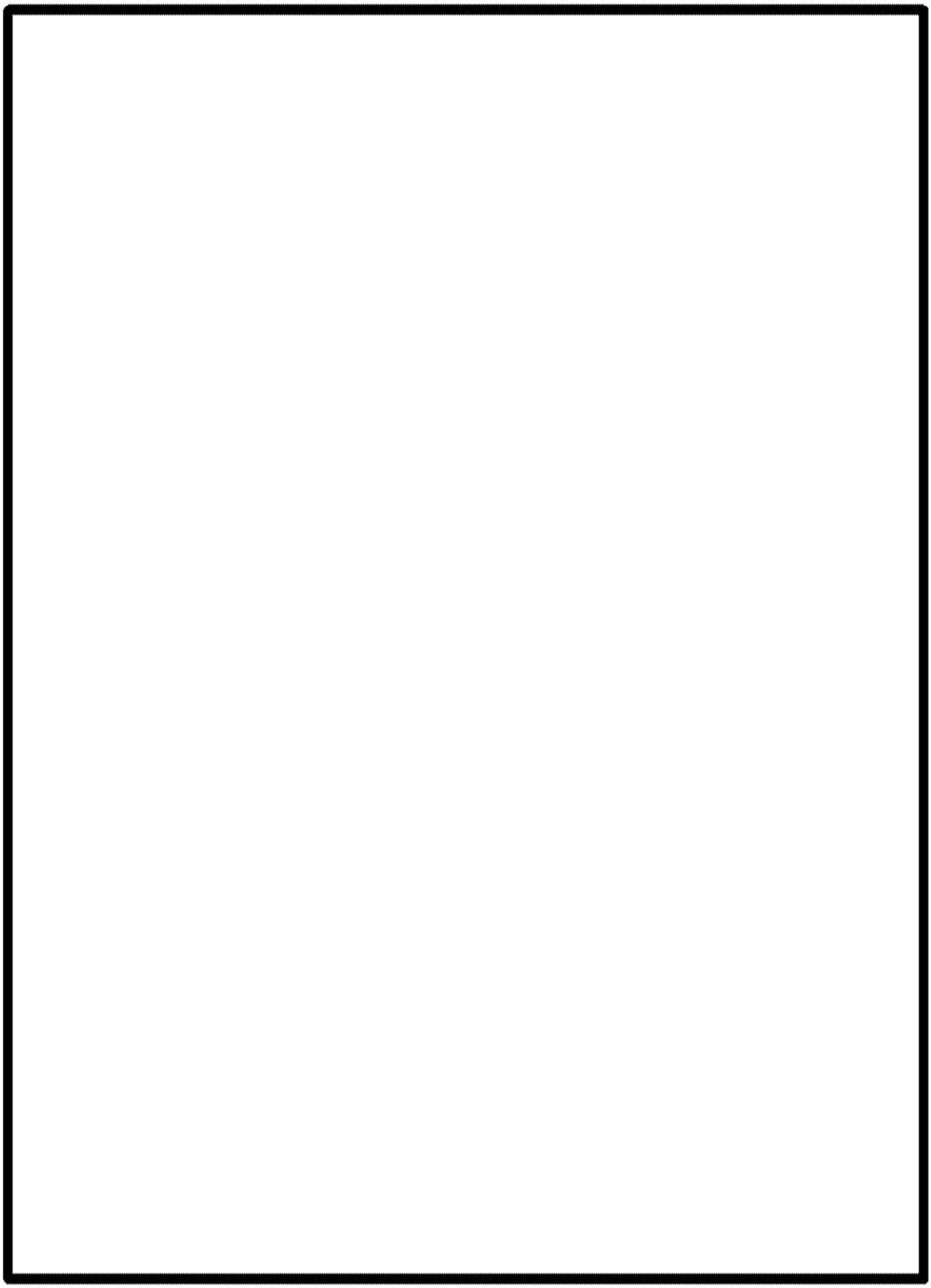

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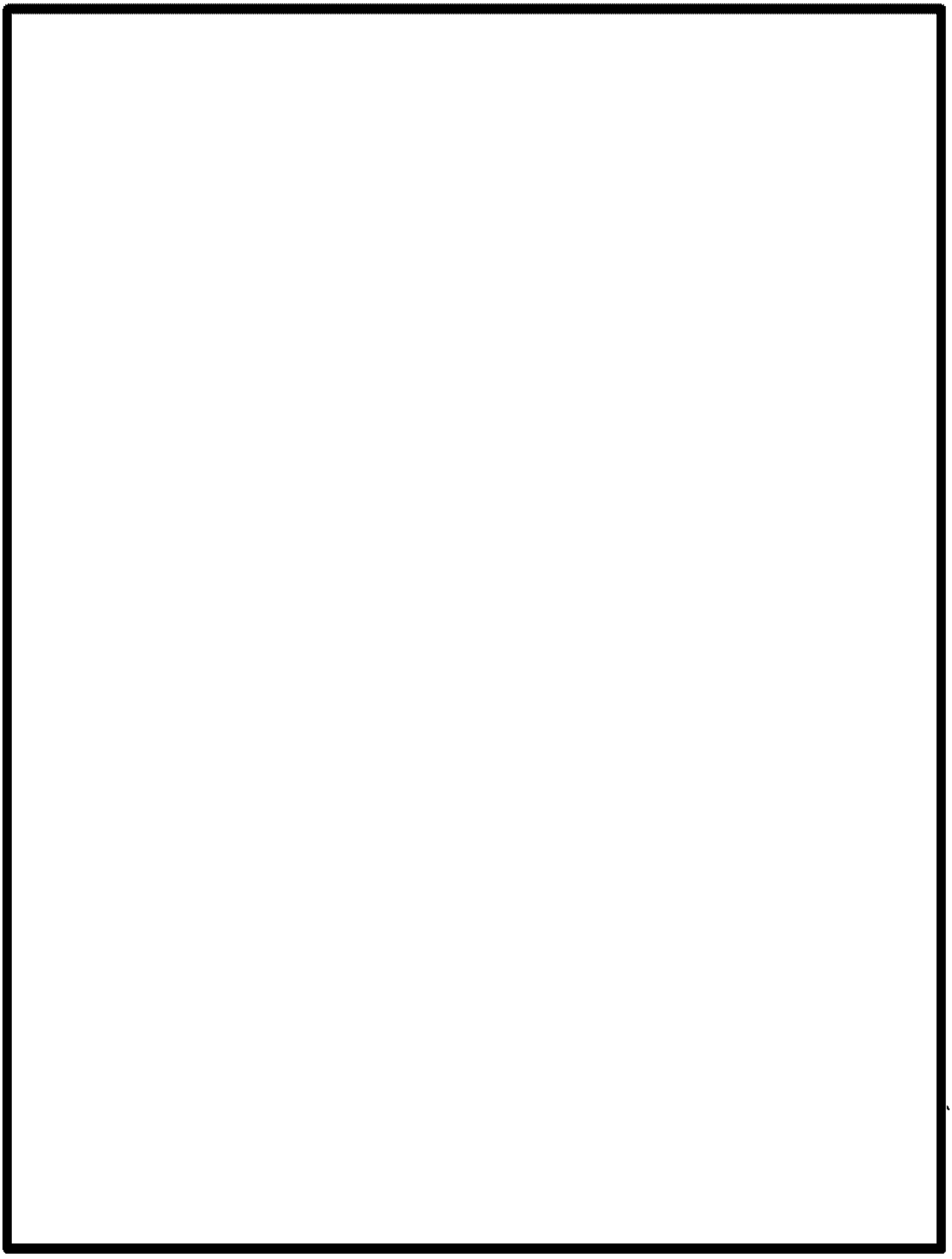

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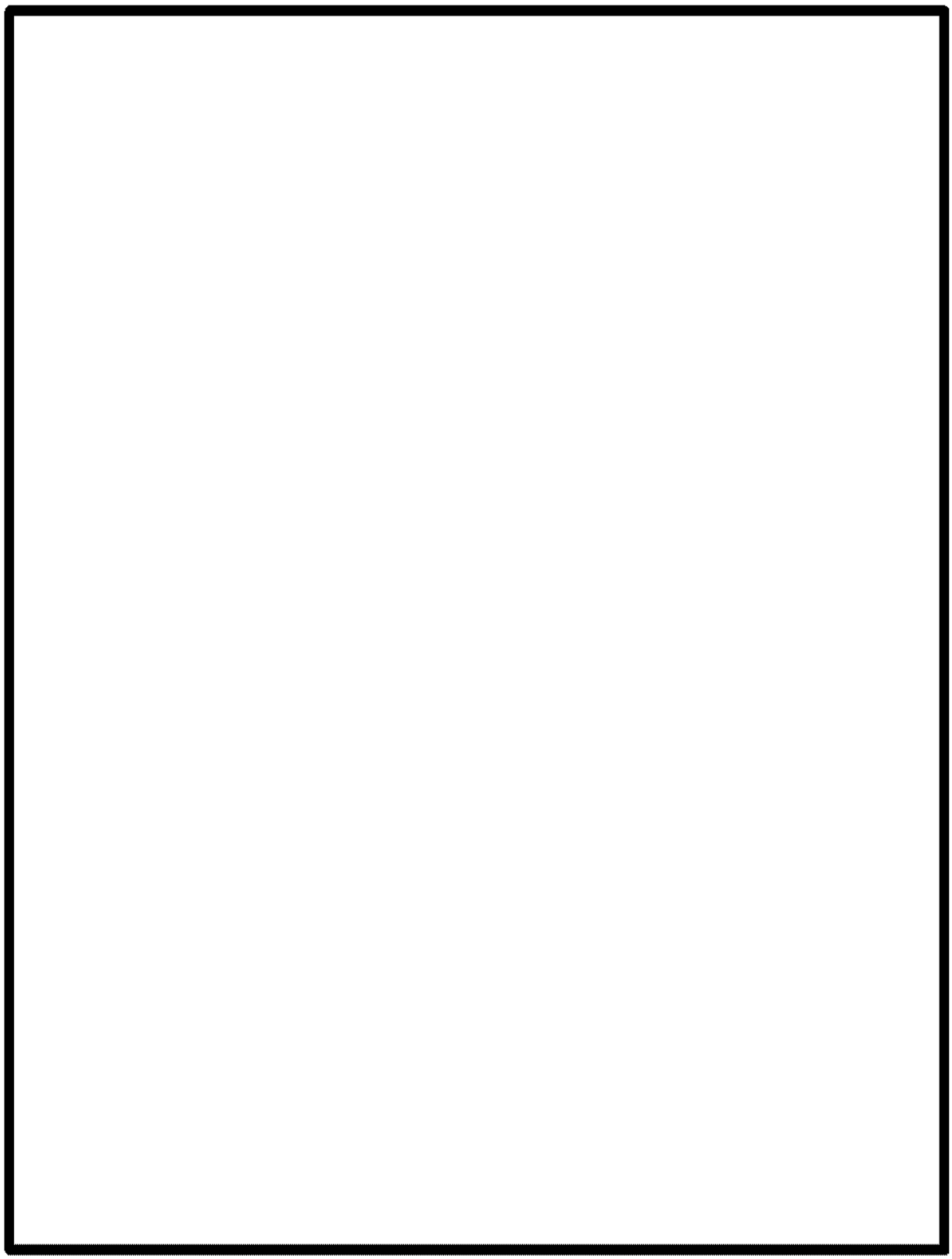

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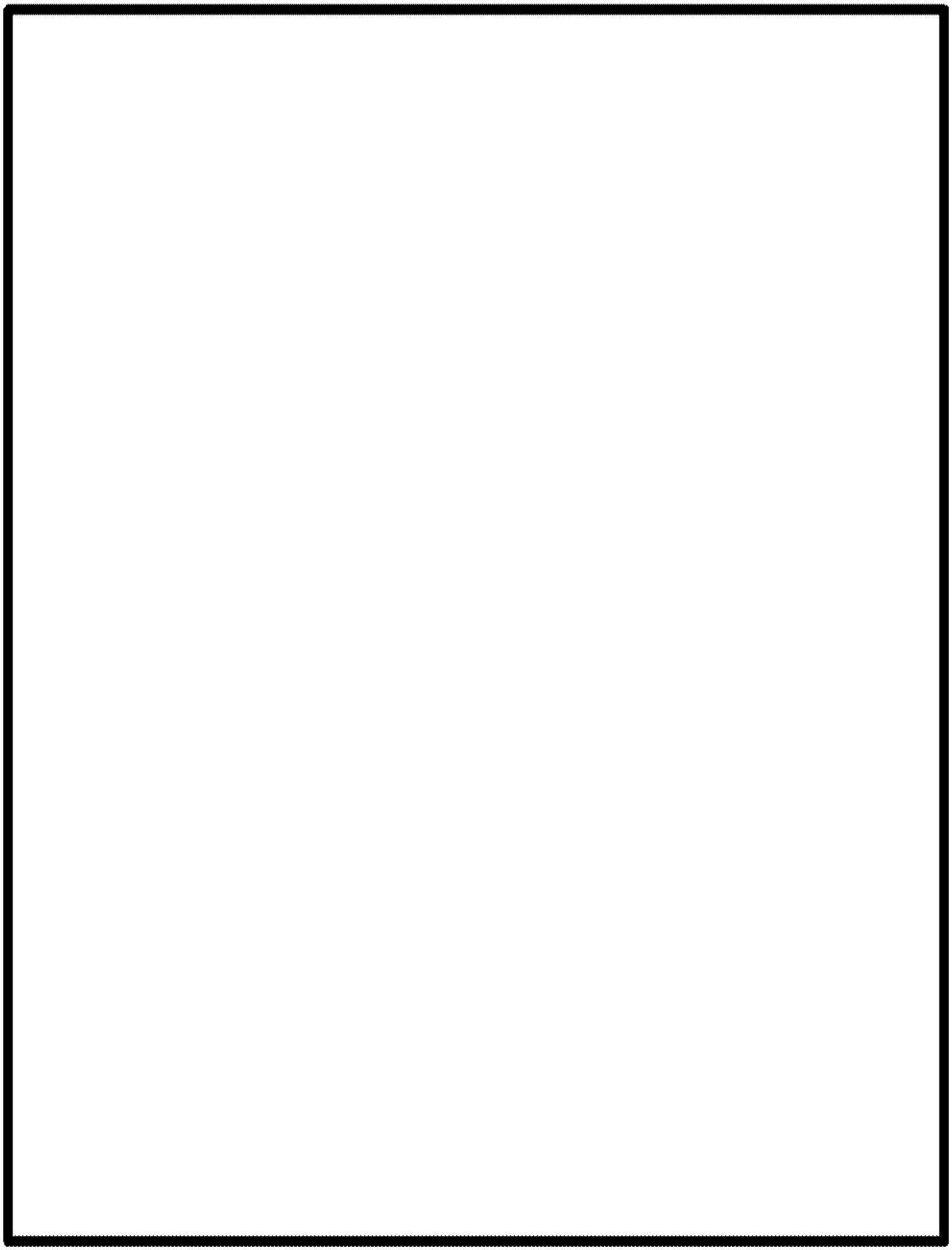

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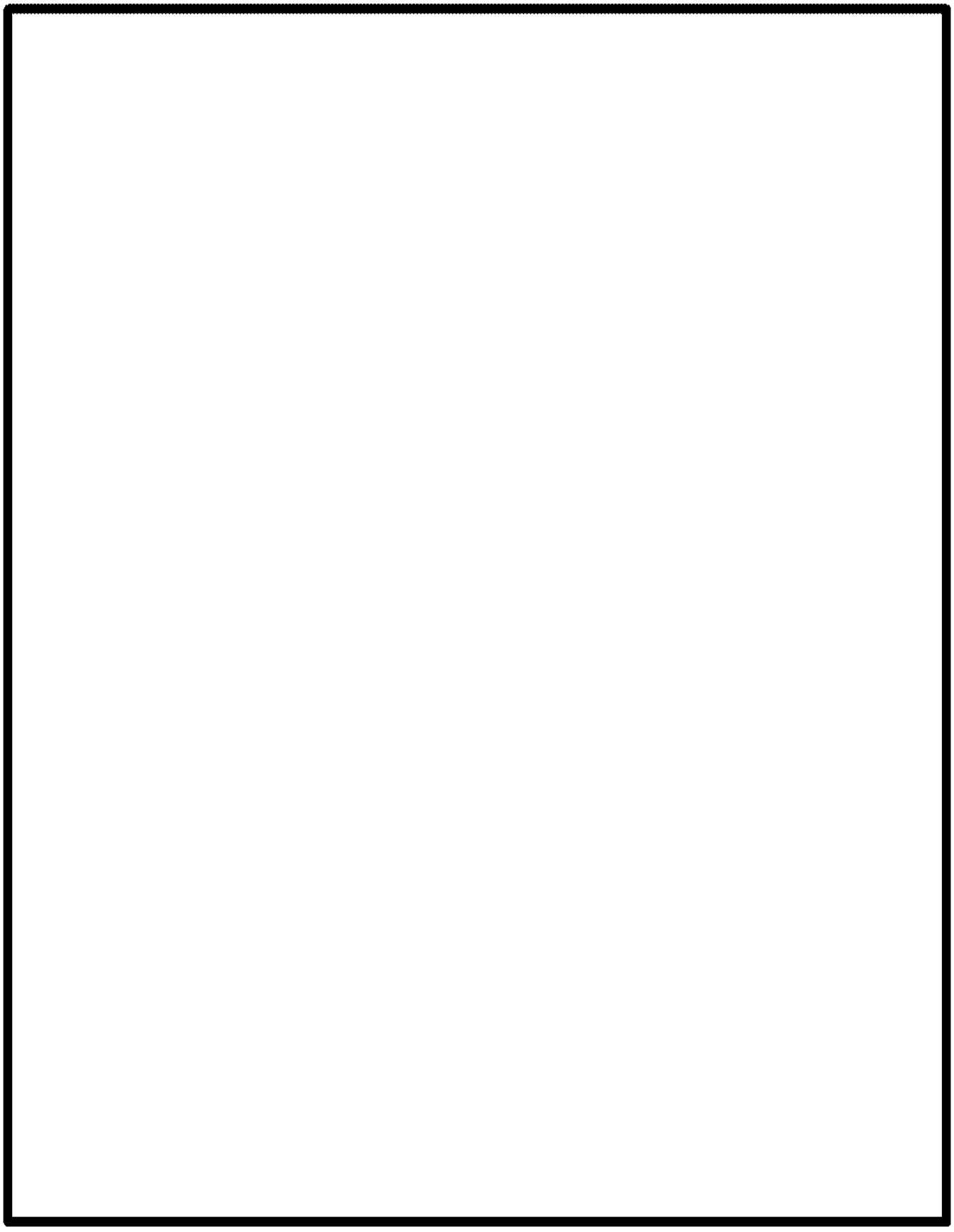

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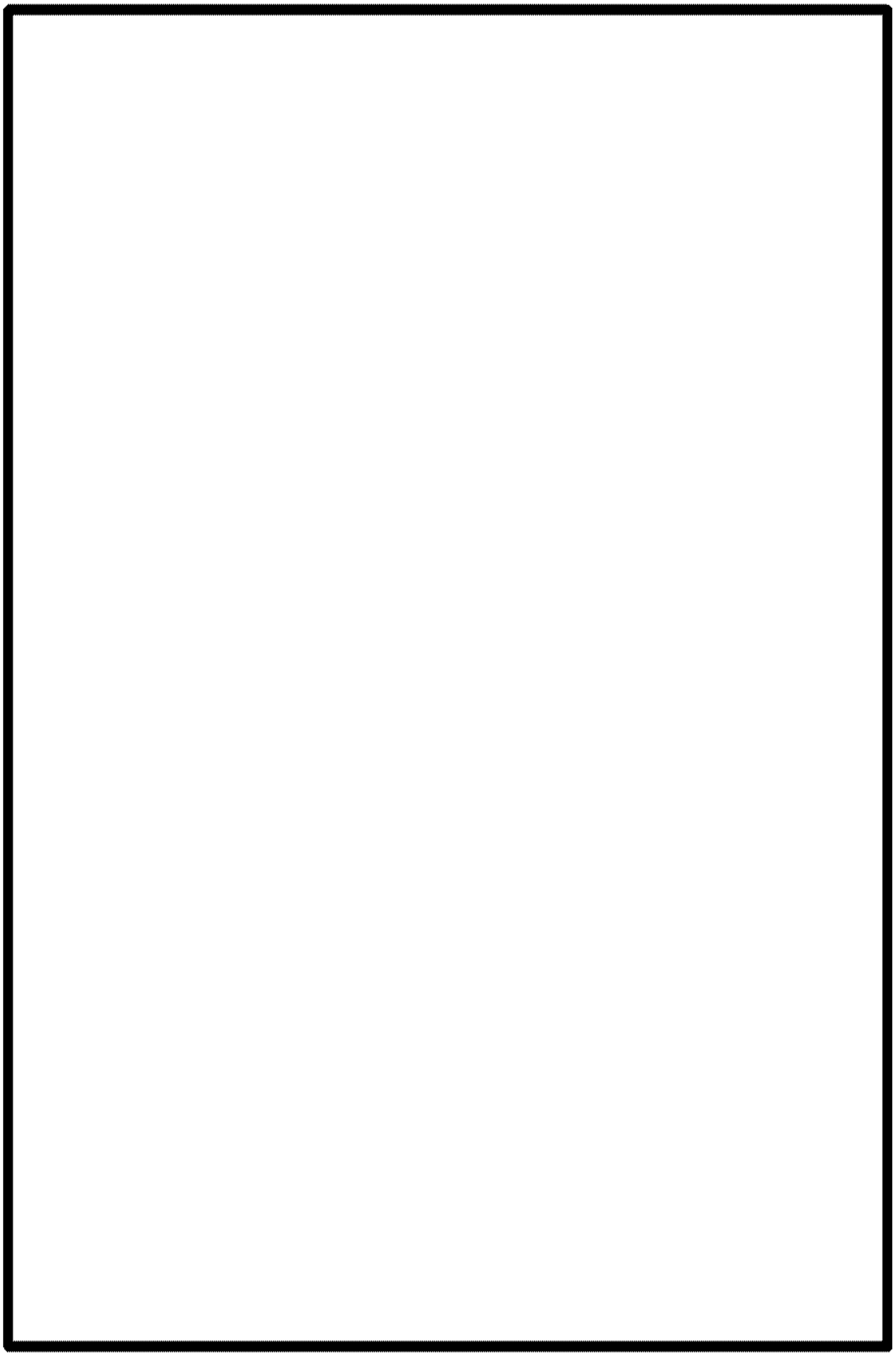

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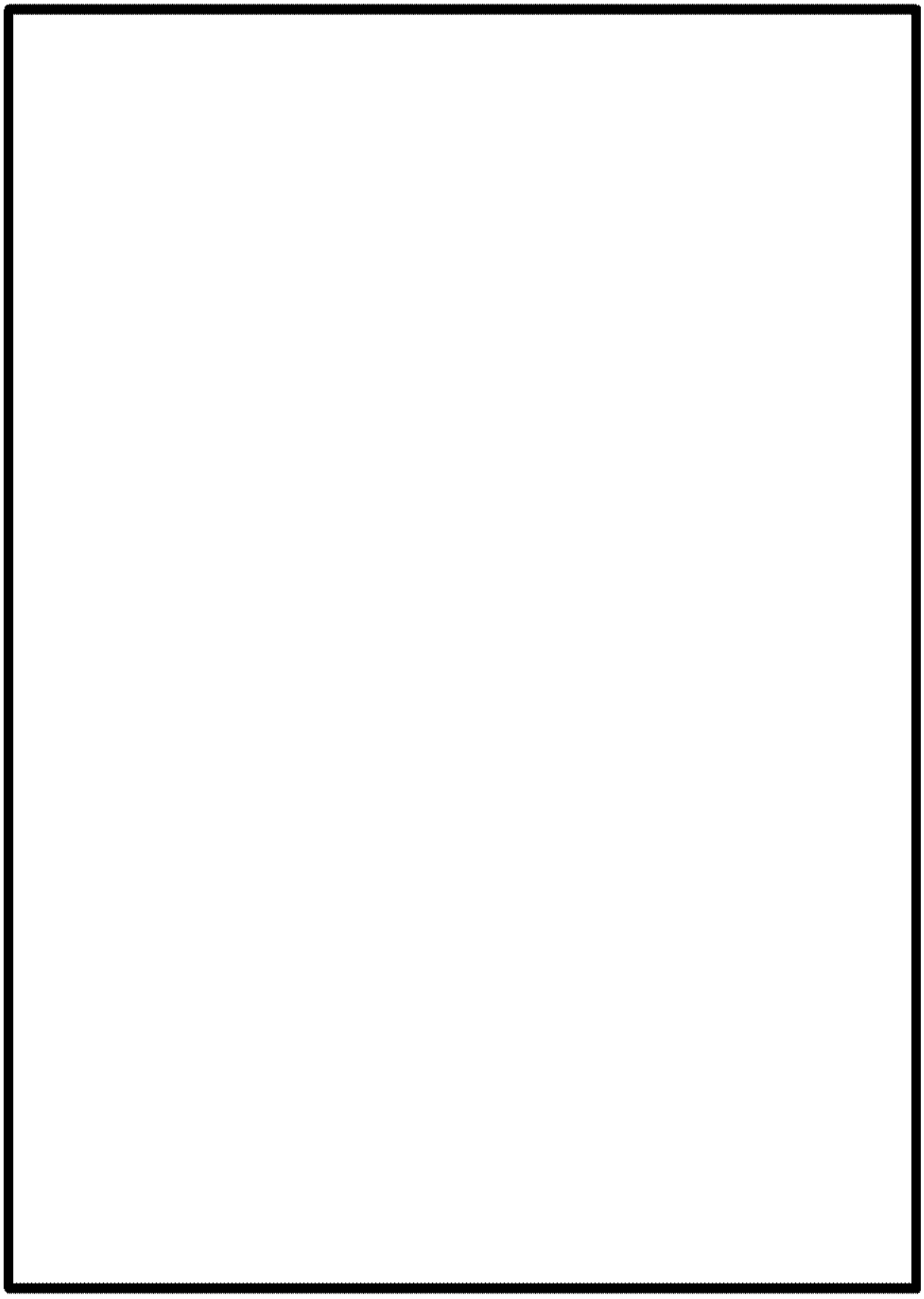

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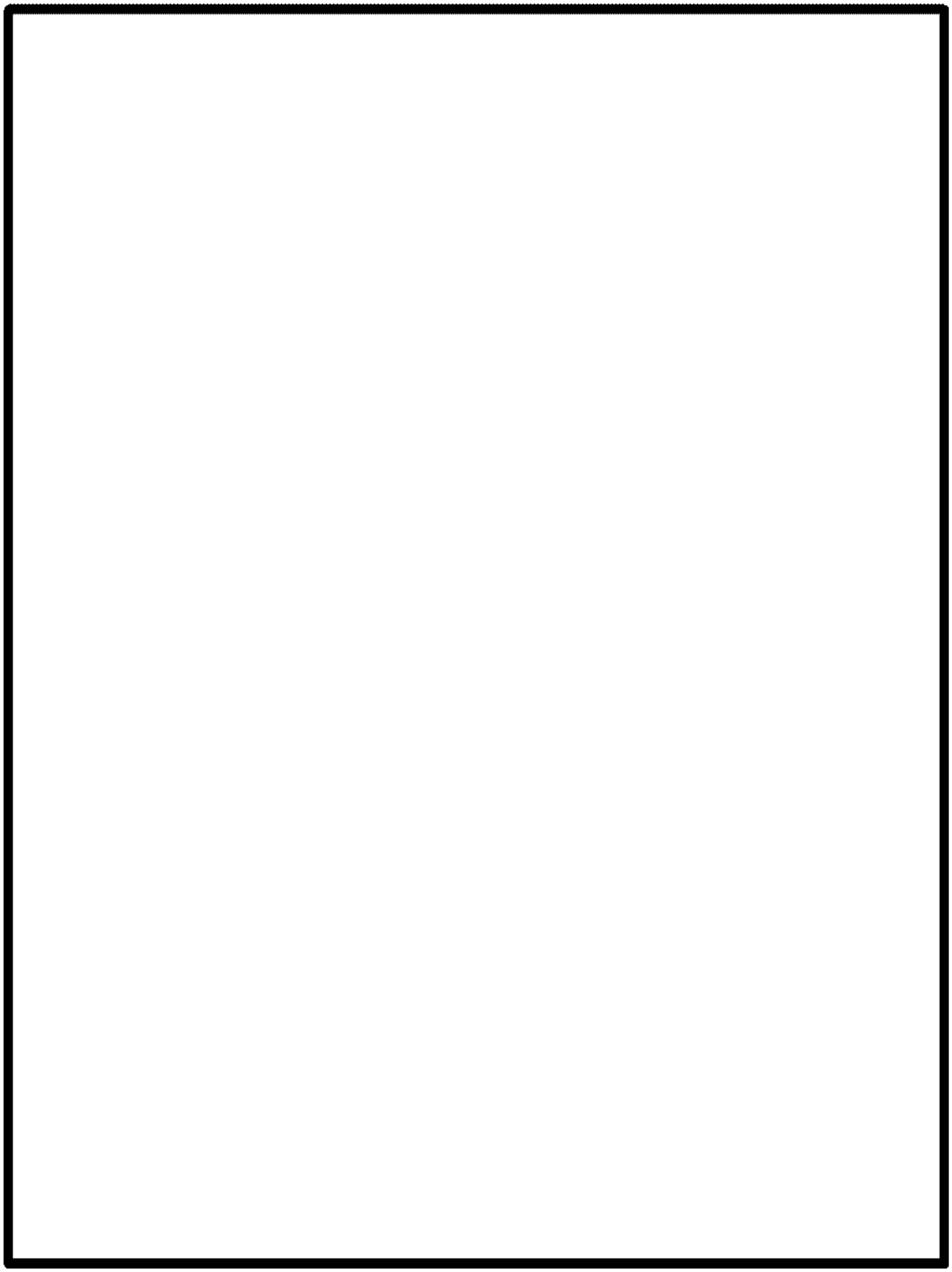

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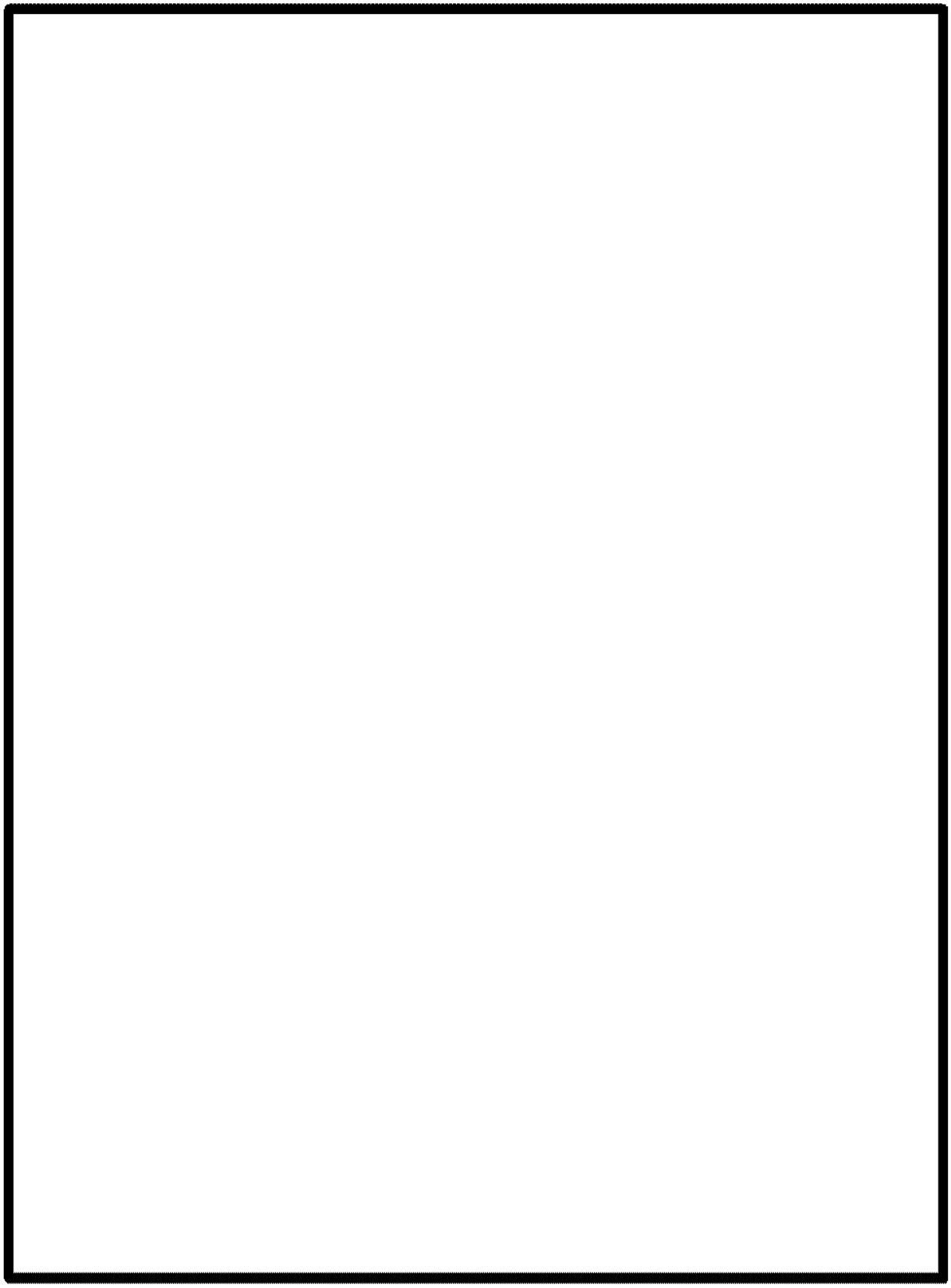

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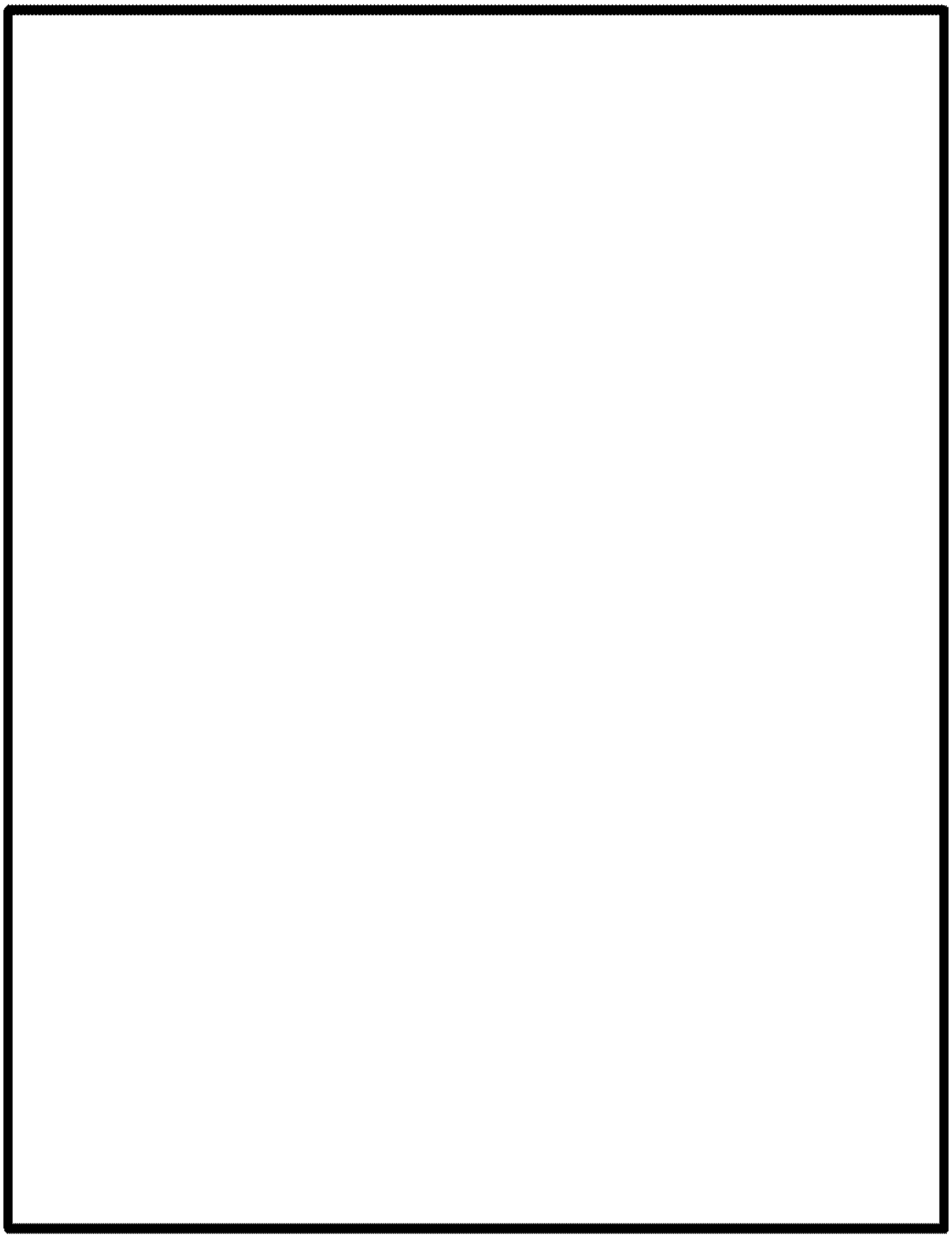

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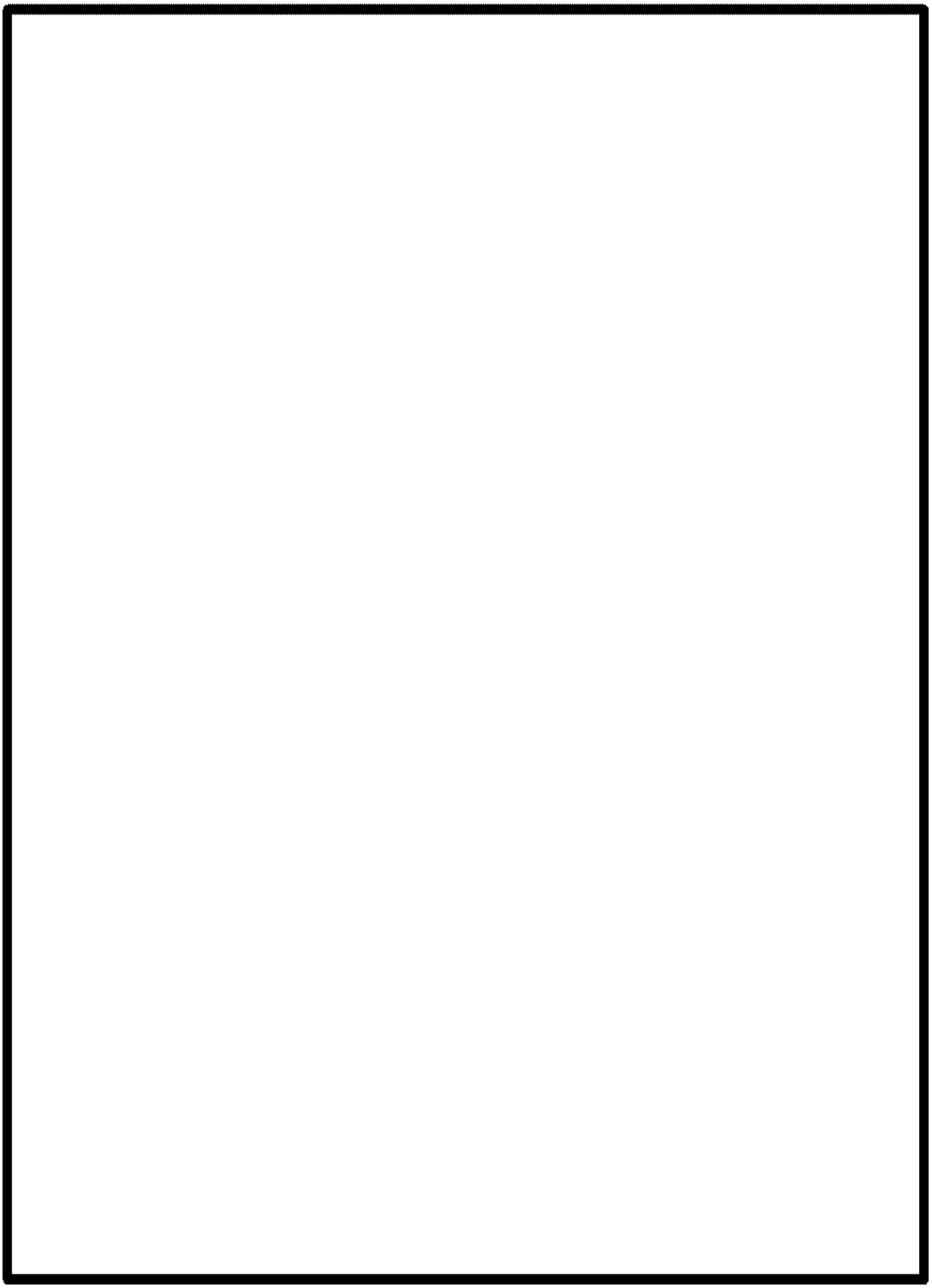

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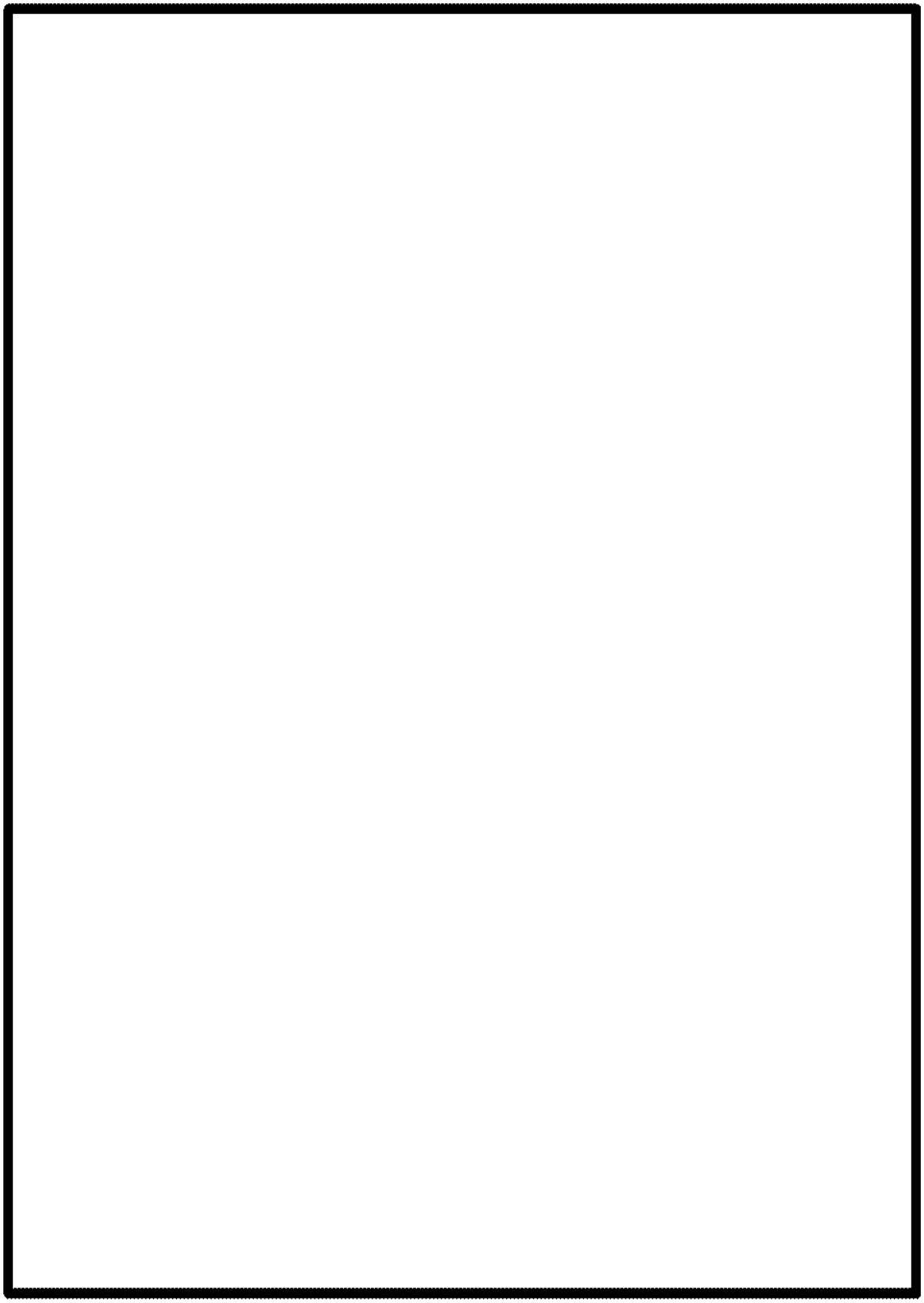

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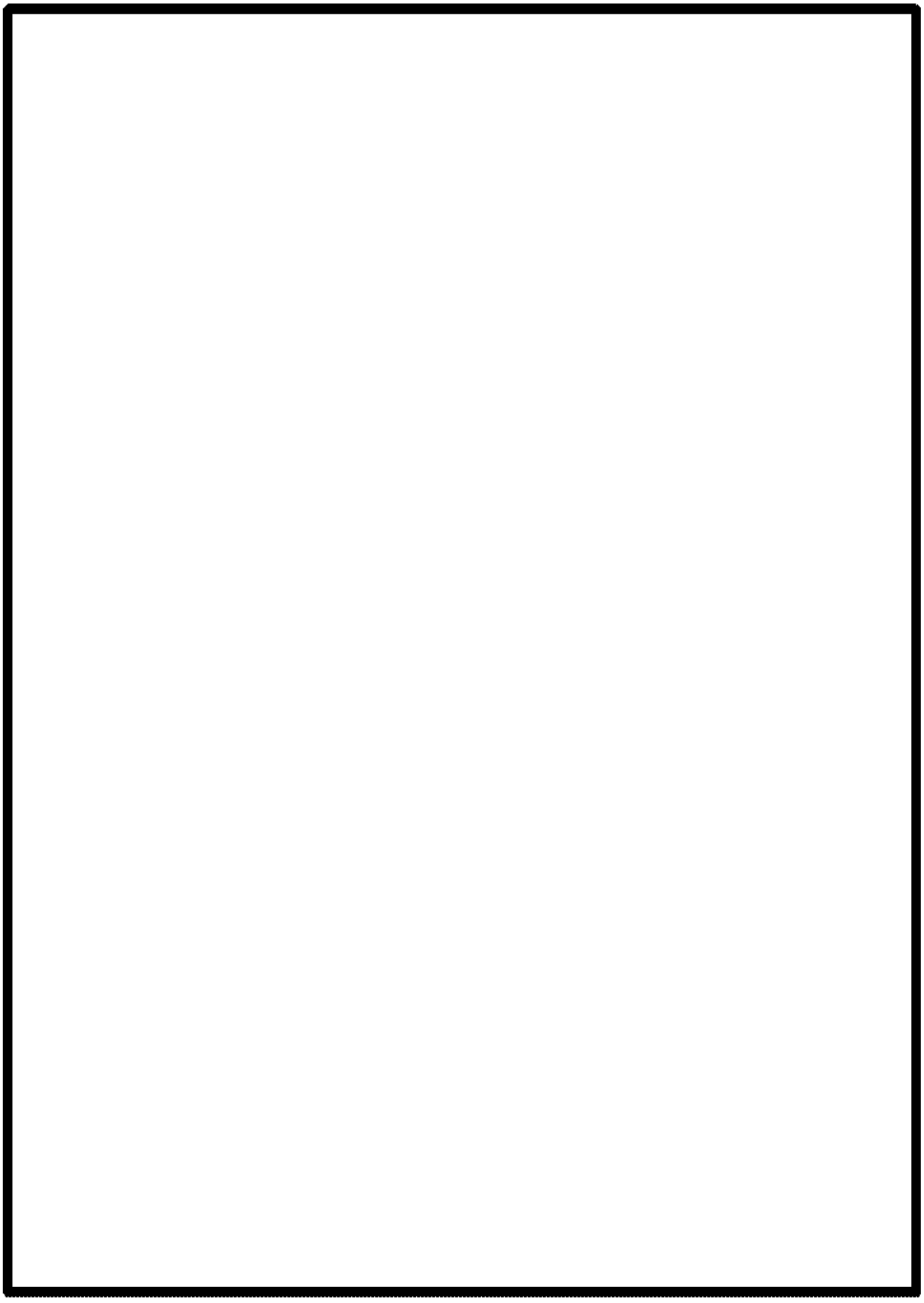

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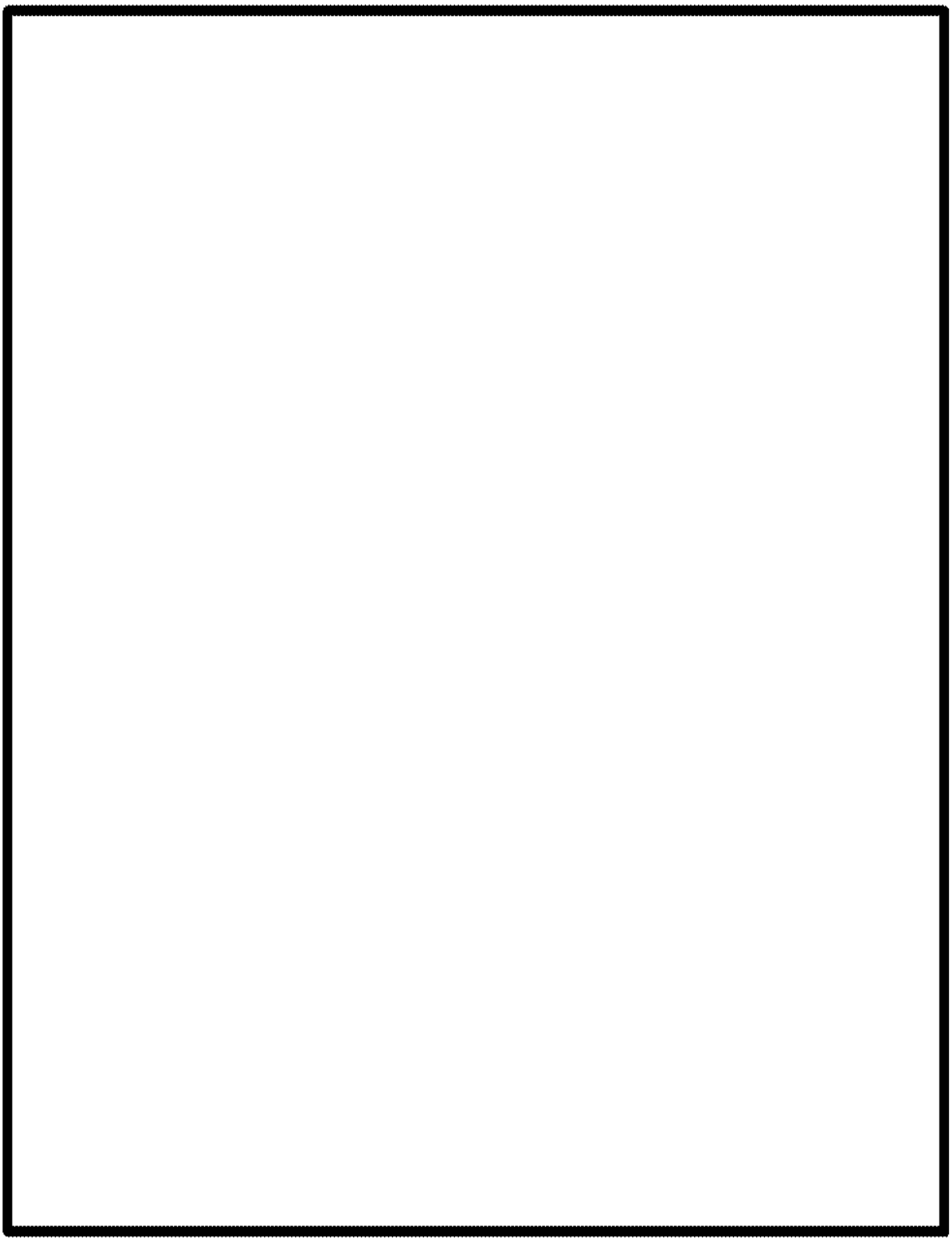

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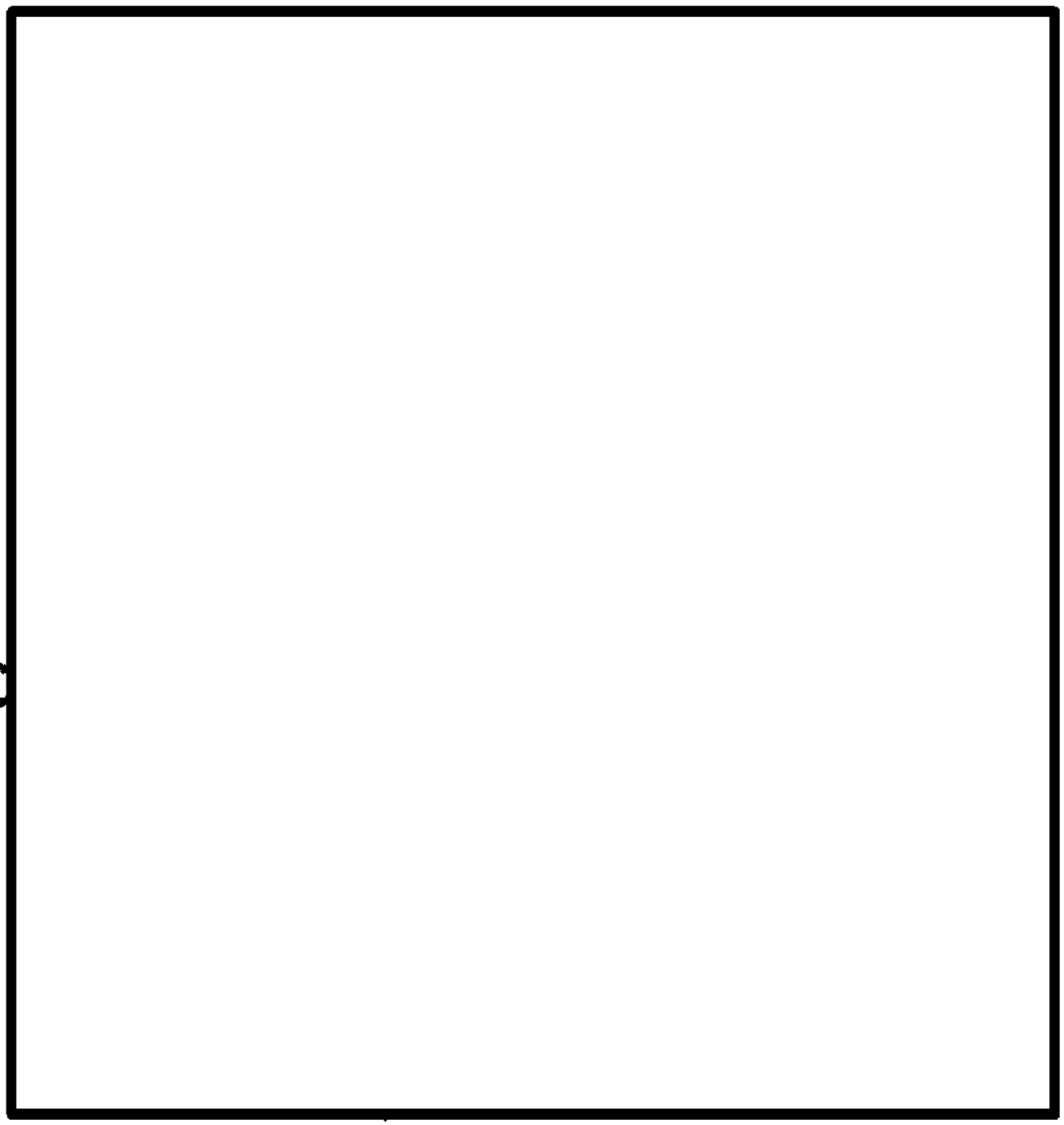

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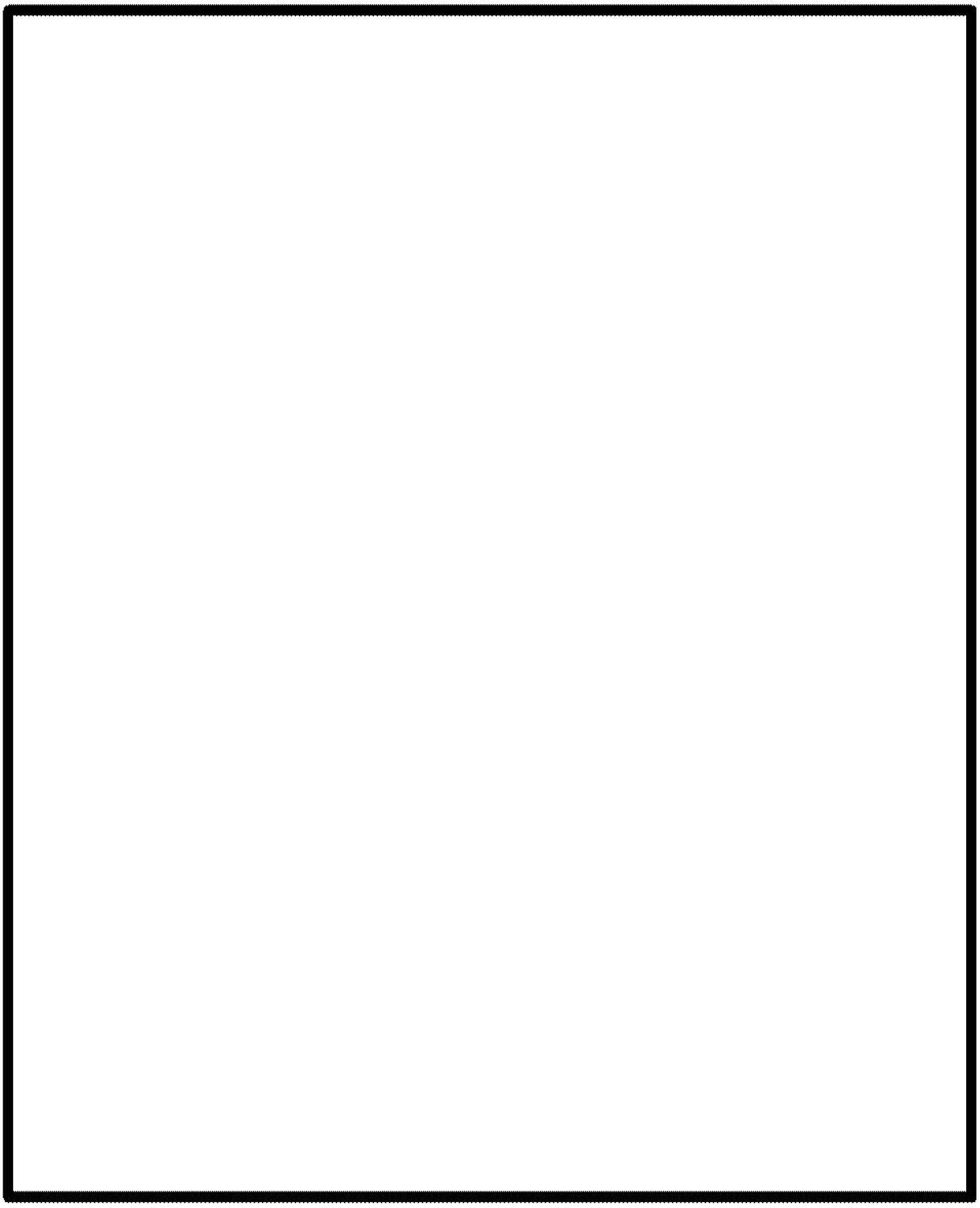

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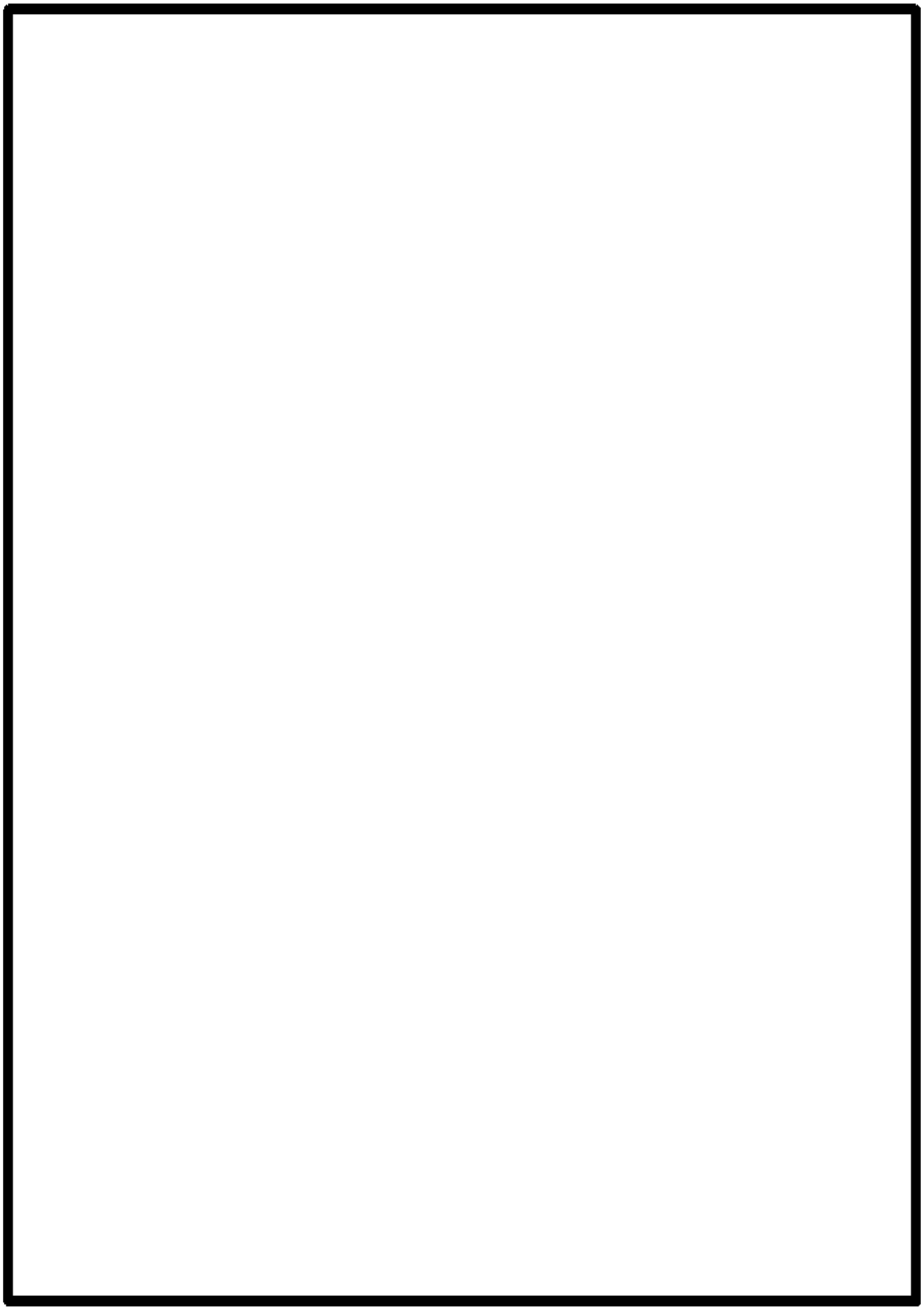

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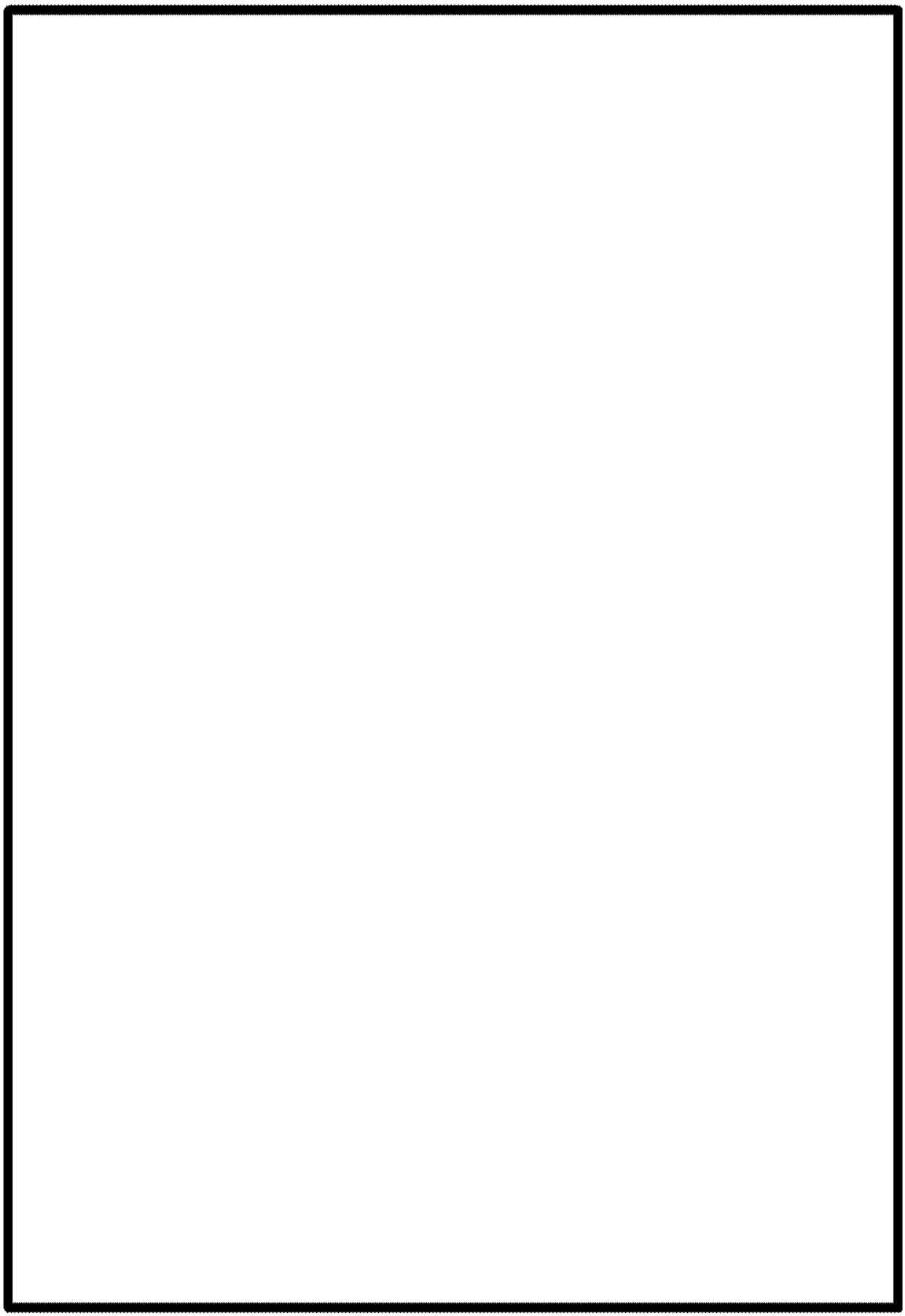

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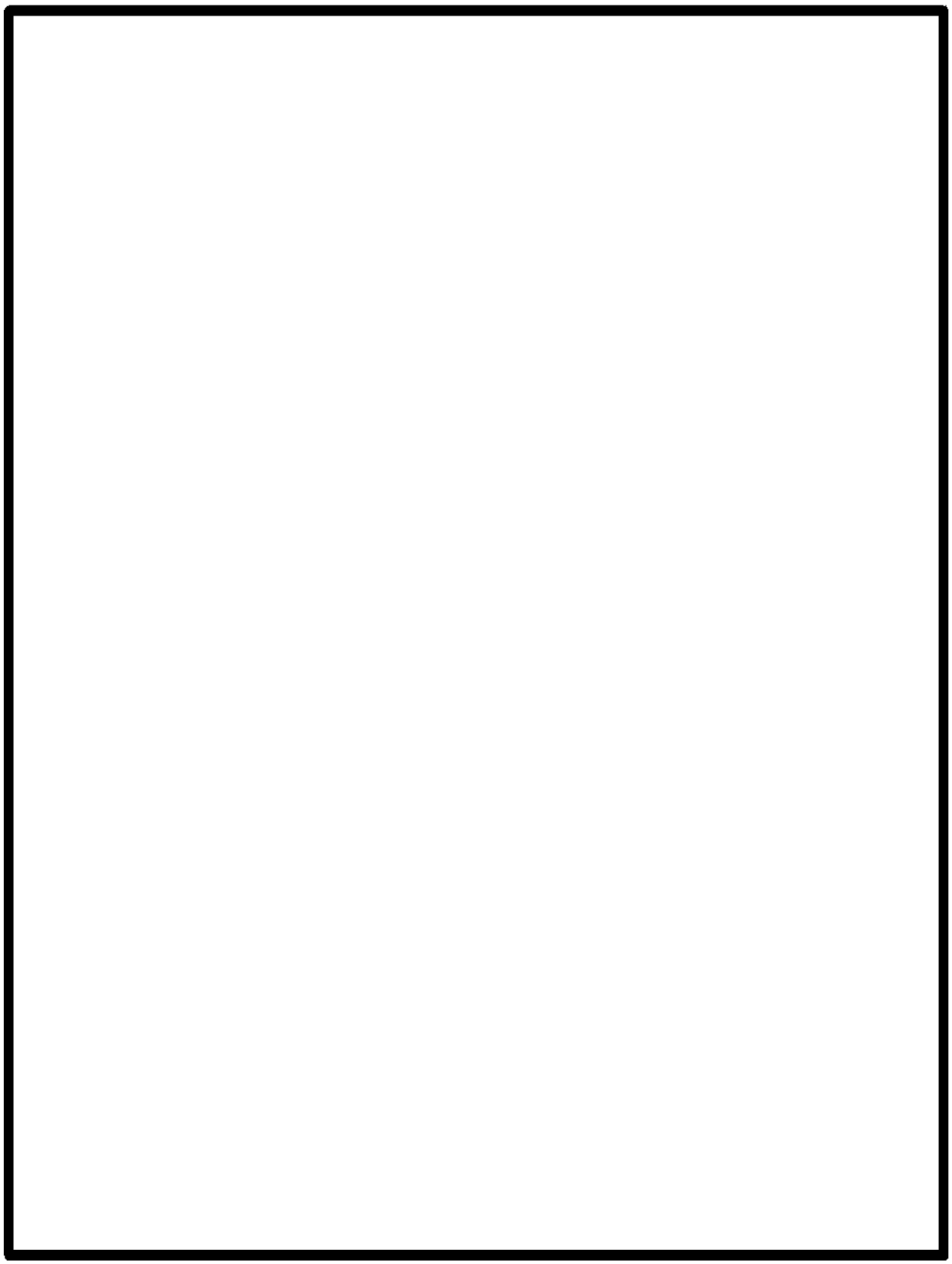

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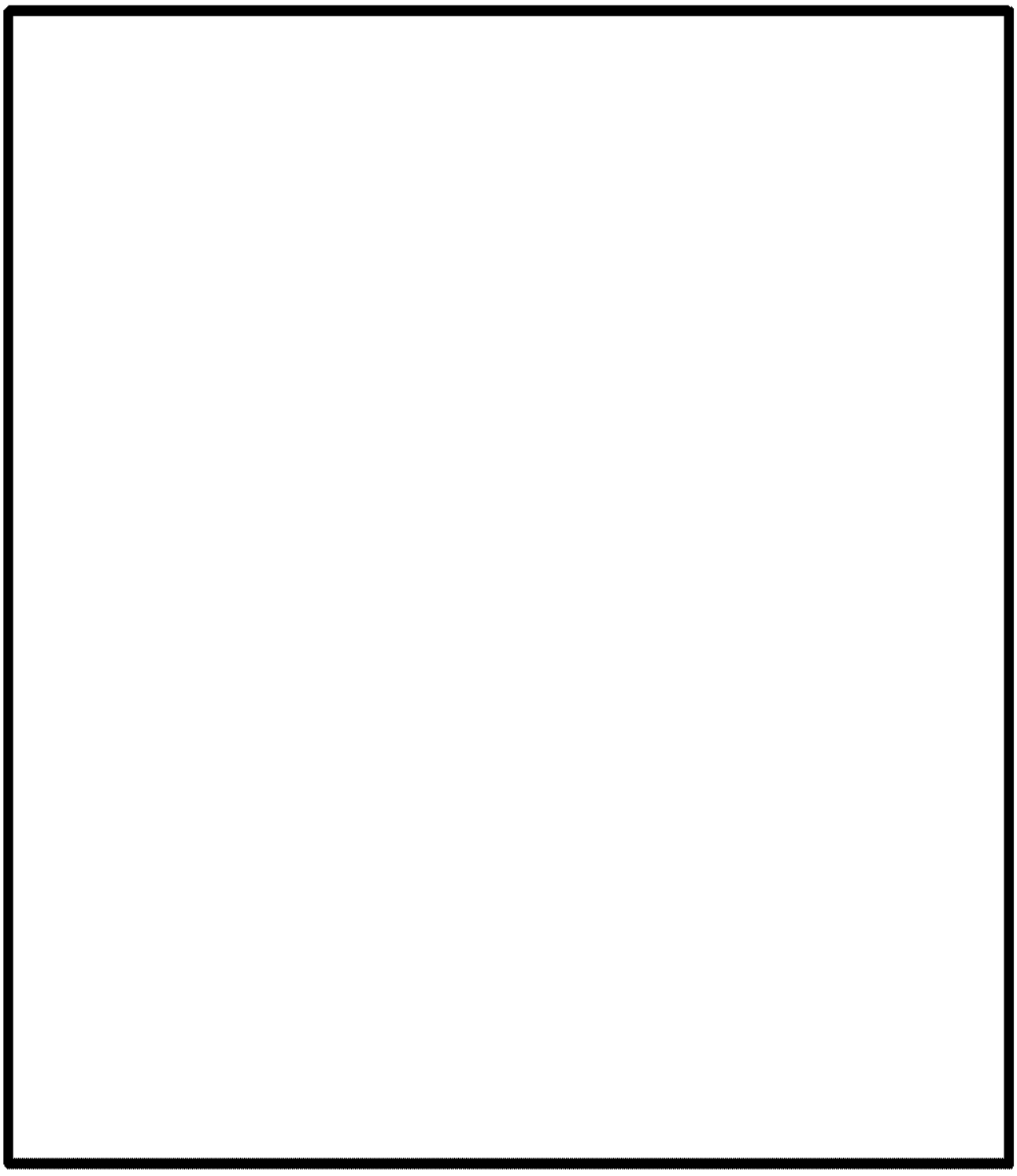

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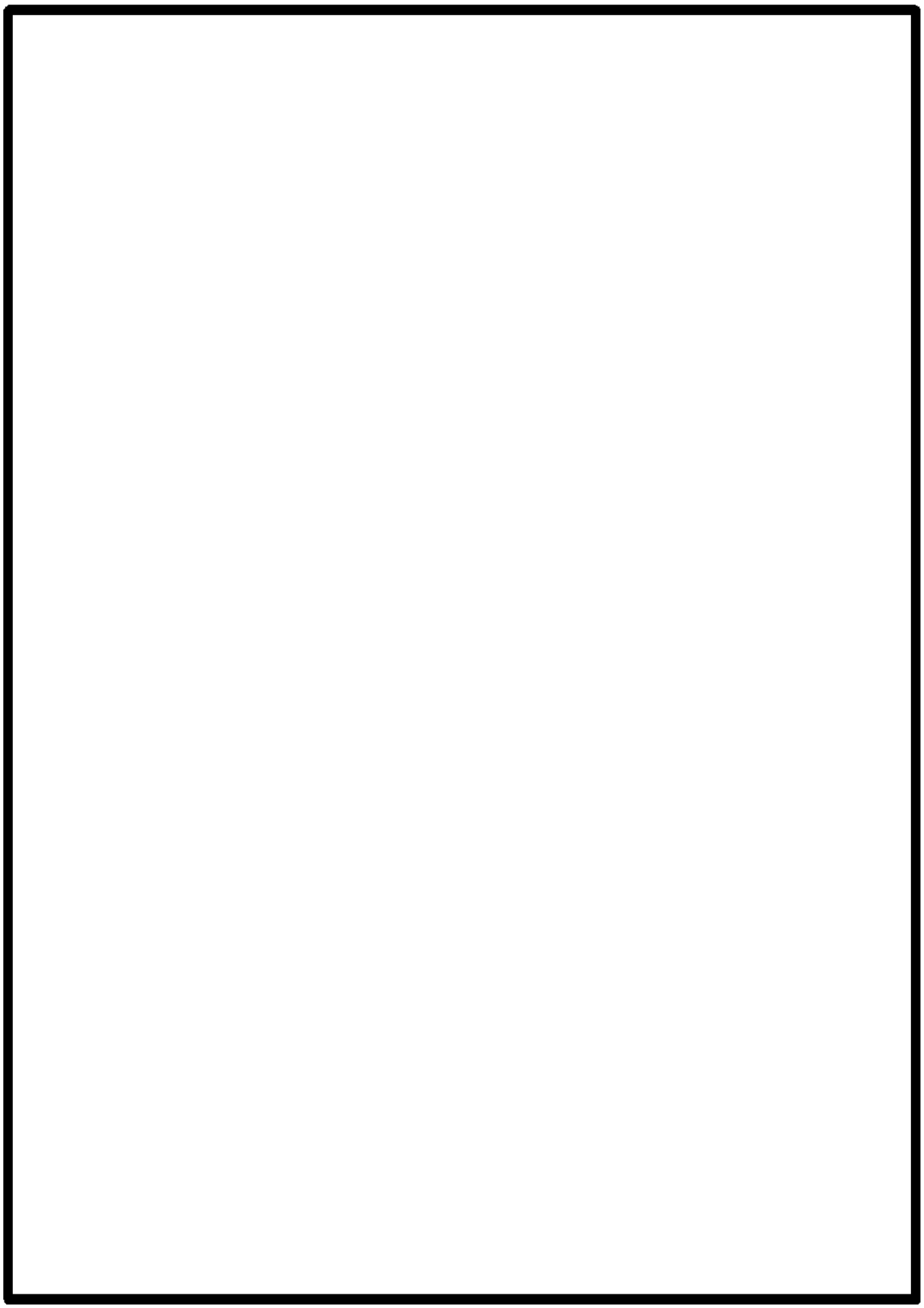

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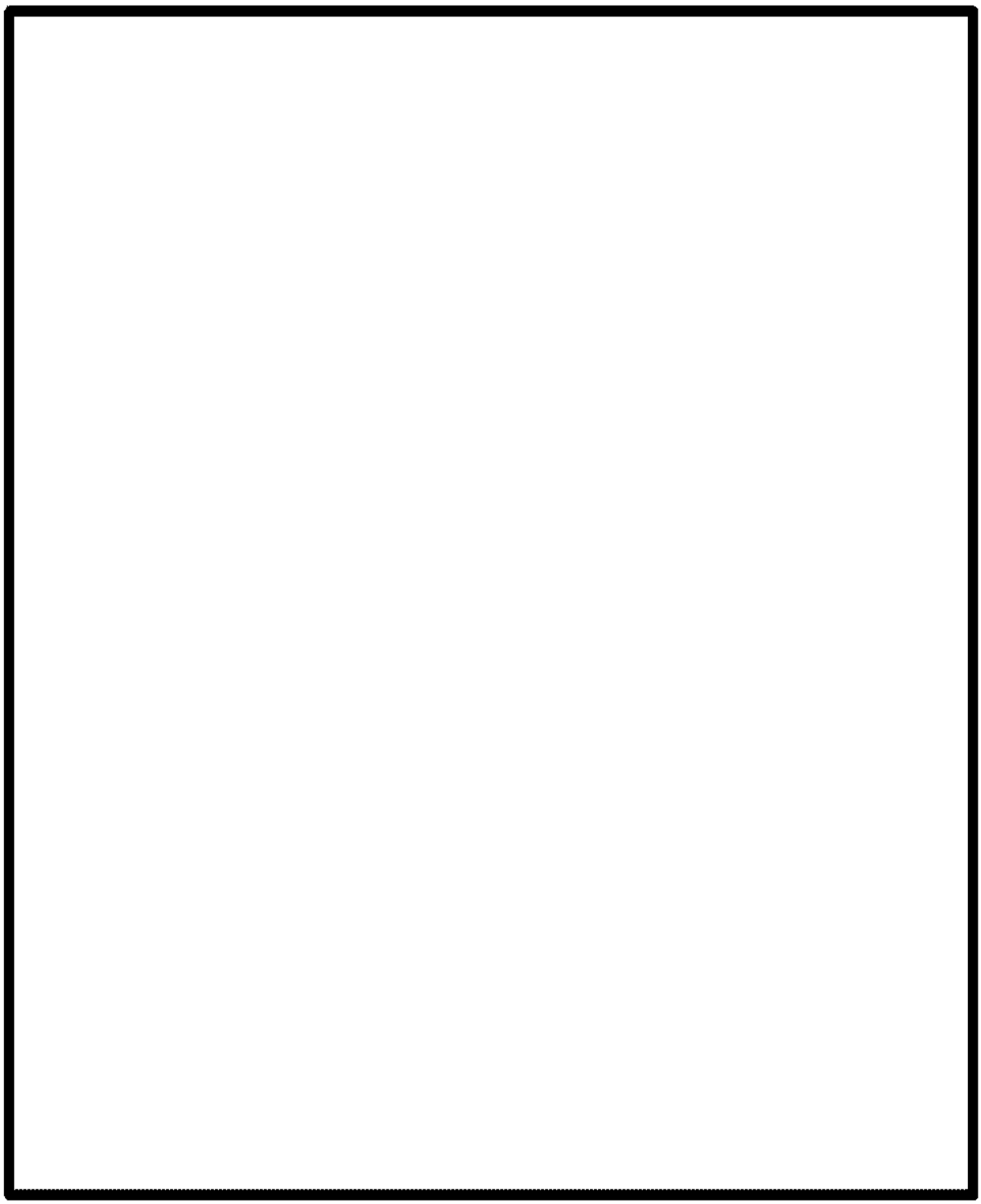

APPENDIX A

SUBSCRIPTION DOCUMENTS

[TO COME]

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APPENDIX B

EB-5 FORMS AND INFORMATION

See forms below:

1) I-526, Immigration Petition by Alien Entrepreneur;

2) I-829, Petition by Entrepreneur to Remove Conditions;

3) I-485, Application to Register Permanent Residence or Adjust Status; and

4) DS-230, Application for Immigrant Visa and Alien Registration.

DRAFT

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No. 1615-0026; Exp. 05/31/2013

Form I-526, Immigrant Petition by Alien Entrepreneur

Do Not Write in This Block - For USCIS Use Only (Except G-28 Block Below)		
Classification	Action Block	Fee Receipt
Priority Date		To be completed by Attorney or Representative, if any ☐ G-28 is attached Attorney's State License No.
Remarks:		

START HERE - Type or print in black ink.

Part 1. Information About You

Family Name | Given Name | Middle Name

In care of Street Number and Name:

Address: | Apt. Number

City | State or Province | Country | Zip/Postal Code

Date of Birth (mm/dd/yyyy) | Country of Birth | Social Security # (if any) | A # (if any)

If you are in the United States, provide the following information: Date of Arrival (mm/dd/yyyy) | I-94 #

Current Nonimmigrant Status | Date Current Status Expires (mm/dd/yyyy) | Daytime Phone # with Area Code

Part 2. Application Type *(Check one)*

a. ☐ This petition is based on an investment in a commercial enterprise in a targeted employment area for which the required amount of capital invested has been adjusted downward.

b. ☐ This petition is based on an investment in a commercial enterprise in an area for which the required amount of capital invested has been adjusted upward.

c. ☐ This petition is based on an investment in a commercial enterprise that is not in either a targeted area or in an upward adjustment area.

Part 3. Information About Your Investment

Name of commercial enterprise in which funds are invested
(Required Field - Do Not Leave Blank)

Street Address

Phone # with Area Code | Business organized as (corporation, partnership, etc.)

Kind of business (e.g. furniture manufacturer) | Date established (mm/dd/yyyy) | IRS Tax #

RECEIVED: _____ RESUBMITTED: _____ RELOCATED: SENT _____ RECD _____

Form I-526 (05/10/12) Y

4813-9884-3155.2

Part 3. Information About Your Investment *(Continued)*

Date of your initial investment (mm/dd/yyyy)		Amount of your initial investment $	
Your total capital investment in the enterprise to date $		Percentage of the enterprise you own	

If you are not the sole investor in the new commercial enterprise, list on separate paper the names of all other parties (natural and non-natural) who hold a percentage share of ownership of the new enterprise and indicate whether any of these parties is seeking classification as an alien entrepreneur. Include the name, percentage of ownership, and whether or not the person is seeking classification under section 203(b)(5). NOTE: A "natural" party would be an individual person, and a "non-natural" party would be an entity such as a corporation, consortium, investment group, partnership, etc.

If you indicated in Part 2 that the enterprise is in a targeted employment area or in an upward adjustment area, name the county and State: County | State

Part 4. Additional Information About the Enterprise

Type of Enterprise (check one):

- ☐ New commercial enterprise resulting from the creation of a new business.
- ☐ New commercial enterprise resulting from the purchase of an existing business.
- ☐ New commercial enterprise resulting from a capital investment in an existing business.

Composition of the Petitioner's Investment:

Total amount in U.S. bank account	$
Total value of all assets purchased for use in the enterprise	$
Total value of all property transferred from abroad to the new enterprise	$
Total of all debt financing	$
Total stock purchases	$
Other (explain on separate paper)	$
Total	$

Income:

When you made the investment	Gross	$		Net	$
Now	Gross	$		Net	$

Net worth:

When you made investment	Gross	$		Now	$

Part 5. Employment Creation Information

Number of full-time employees in the enterprise in U.S. (excluding you, your spouse, sons, and daughters)

When you made your initial investment? | Now | Difference

How many of these new jobs were created by your investment?

How many additional new jobs will be created by your additional investment?

What is your position, office, or title with the new commercial enterprise?

Briefly describe your duties, activities, and responsibilities.

What is your salary? $ What is the cost of your benefits? $

Part 6. Processing Information

Check One:

☐ The person named in Part 1 is now in the United States, and an application to adjust status to permanent resident will be filed if this petition is approved.

☐ If the petition is approved and the person named in Part 1 wishes to apply for an immigrant visa abroad, complete the following for that person:

Country of nationality:

Country of current residence or, if now in the United States, last permanent residence abroad:

If you provided a United States address in Part 1, print the person's foreign address:

If the person's native alphabet is other than Roman letters, write the foreign address in the native alphabet:

Are you in deportation or removal proceedings? ☐ Yes (Explain on separate paper) ☐ No

Have you ever worked in the United States without permission? ☐ Yes (Explain on separate paper) ☐ No

Part 7. Signature *Read the information on penalties in the instructions before completing this section.*

I certify, under penalty of perjury under the laws of the United States of America, that this petition and the evidence submitted with it is all true and correct. I authorize the release of any information from my records that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking.

Signature Date

NOTE: If you do not completely fill out this form or fail to the submit the required documents listed in the instructions, you may not be found eligible for the immigration benefit you are seeking and this petition may be denied.

Part 8. Signature of Person Preparing Form, If Other Than Above (Sign below)

I declare that I prepared this application at the request of the above person, and it is based on all information of which I have knowledge.

Signature | Print Your Name | Date

Firm Name | Daytime phone # with area code

Address

OMB No. 1615-0045; Expires 07/31/2012

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-829, Petition by Entrepreneur to Remove Conditions

Do not write in this block - For USCIS use only (Except G-28 Block Below)		
☐ Applicant interviewed	Action Block	Fee Receipt
		To be completed by Attorney or Representative, if any ☐ G-28 is attached Attorney's State License No.
Remarks:		

START HERE - Type or print in black ink.

Part 1. Information About You

A # (if any) | Form I-526 Receipt Number

Family Name | Given Name | Middle Name

Address:

In care of

Number and Street | Apt. #

City | State or Province

Country | Zip/Postal Code | Daytime Phone #

Date of Birth (mm/dd/yyyy) | Country of Birth | U.S. Social Security # (if any)

Since becoming a conditional permanent resident, have you ever been arrested, cited, charged, indicted, convicted, fined, or imprisoned for breaking or violating any law or ordinance (excluding traffic regulations), or committed any crime for which you were not arrested?

☐ Yes ☐ No (If yes, explain on separate sheet(s) of paper, including disposition, if any.)

Part 2. Basis for Petition *(Check one)*

a. ☐ My conditional permanent residence is based on an investment in a commercial enterprise.
b. ☐ Reserved.
c. ☐ Reserved.
d. ☐ I am a conditional permanent resident spouse or child of an entrepreneur, and I am unable to be included in a Petition by Entrepreneur to Remove Conditions (Form I-829) filed by my conditional resident spouse or parent.
e. ☐ I am a conditional permanent resident spouse or child of an entrepreneur who is deceased.

Part 3. Information About Your Husband or Wife

Family Name | Given Name | Middle Name

Gender ☐ Male ☐ Female | Date of Birth (mm/dd/yyyy) | Date of Marriage (mm/dd/yyyy)

Other names used (including maiden name or aliases)

A# (If any) | Current Immigration Status | Is your current immigration status based on the petitioner's current status? ☐ Yes ☐ No

RECEIVED ____ RESUBMITTED ____ RELOCATED: SENT ____ RECD ____

Part 4. Children *(List all your children. Attach another sheet(s) of paper, if necessary.)*

Family Name | Given Name | Middle Name

A# (if any) | Current Immigration Status | Date of Birth (mm/dd/yyyy) | Living with you? ☐ Yes ☐ No

Family Name | Given Name | Middle Name

A# (if any) | Current Immigration Status | Date of Birth (mm/dd/yyyy) | Living with you? ☐ Yes ☐ No

Family Name | Given Name | Middle Name

A# (if any) | Current Immigration Status | Date of Birth (mm/dd/yyyy) | Living with you? ☐ Yes ☐ No

Family Name | Given Name | Middle Name

A# (if any) | Current Immigration Status | Date of Birth (mm/dd/yyyy) | Living with you? ☐ Yes ☐ No

Family Name | Given Name | Middle Name

A# (if any) | Current Immigration Status | Date of Birth (mm/dd/yyyy) | Living with you? ☐ Yes ☐ No

Family Name | Given Name | Middle Name

A# (if any) | Current Immigration Status | Date of Birth (mm/dd/yyyy) | Living with you? ☐ Yes ☐ No

Part 5. Information About Your Commercial Enterprise

Type of Enterprise *(Check one)*:

☐ New commercial enterprise resulting from the creation of a new business.

☐ New commercial enterprise resulting from the reorganization of an existing business.

☐ New commercial enterprise resulting from a capital investment in an existing business.

Kind of Business *(Be as specific as possible)*:

Date Business Established *(mm/dd/yyyy)* | **Amount of Initial Investment**

Date of Initial Investment *(mm/dd/yyyy)* | **% of Enterprise You Own**

Number of full-time employees in enterprise in United States (excluding you, your spouse, sons, and daughters):

At the time of your initial investment: | Presently: | Difference:

How many of these new jobs were created by your investment?

Part 5. Information About Your Commercial Enterprise (continued)

Subsequent Investment in the Enterprise:

Date of Investment	Amount of Investment	Type of Investment

Provide the gross and net incomes generated annually by the commercial enterprise since your initial investment. Include all income generated up to date during the present year.

Year	Gross Income	Net Income

Has your commercial enterprise filed for bankruptcy, ceased business operations, or have any changes in its business organization or ownership occurred since the date of your initial investment? ☐ Yes (Explain on separate sheet) ☐ No

Has your commercial enterprise sold any corporate assets, shares, property, or had any capital withdrawn since the date of your initial investment? ☐ Yes (Explain on separate sheet) ☐ No

Part 6. Signature (Read the information on penalties in the instructions before completing this section.)

I certify, under penalty of perjury under the laws of the United States of America, that this petition and the evidence submitted with it is all true and correct. I further certify that the investment was made in accordance with the laws of the United States and was not for the purpose of evading United States immigration laws. I also authorize the release of any information from my records that the U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit being sought.

Signature of Applicant	Print Name	Date

NOTE: If you do not completely fill out this form or fail to submit any required documents listed in the instructions, you may not be found eligible for the requested benefit and this petition may be denied.

Part 7. Signature of Person Preparing Form, If Other Than Above

I declare that I prepared this petition at the request of the above person and it is based on all information of which I have knowledge.

Signature	Print Name	Date

Firm Name and Address (Include Telephone Number with Area Code and E-Mail Address.)

OMB No. 1615-0023

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-485, Application to Register Permanent Residence or Adjust Status

START HERE - Type or Print (Use black ink)

Part 1. Information About You

Family Name *(Last Name)* | Given Name *(First Name)* | Middle Name

Address - Street Number and Name | Apt. #

C/O *(in care of)*

City | State | Zip Code

Date of Birth *(mm/dd/yyyy)* | Country of Birth

Country of Citizenship/Nationality | U.S. Social Security # *(if any)* | A # *(if any)*

Date of Last Arrival *(mm/dd/yyyy)* | I-94 #

Current USCIS Status | Expires on *(mm/dd/yyyy)*

Part 2. Application Type *(Check one)*

I am applying for an adjustment to permanent resident status because:

a. ☐ An immigrant petition giving me an immediately available immigrant visa number that has been approved. (Attach a copy of the approval notice, or a relative, special immigrant juvenile, or special immigrant military visa petition filed with this application that will give you an immediately available visa number, if approved.)

b. ☐ My spouse or parent applied for adjustment of status or was granted lawful permanent residence in an immigrant visa category that allows derivative status for spouses and children

c. ☐ I entered as a K-1 fiancé(e) of a U.S. citizen whom I married within 90 days of entry, or I am the K-2 child of such a fiancé(e). (Attach a copy of the fiancé(e) petition approval notice and the marriage certificate.)

d. ☐ I was granted asylum or derivative asylum status as the spouse or child of a person granted asylum and am eligible for adjustment

e. ☐ I am a native or citizen of Cuba admitted or paroled into the United States after January 1, 1959, and thereafter have been physically present in the United States for at least 1 year.

f. ☐ I am the husband, wife, or minor unmarried child of a Cuban described above in (e), and I am residing with that person, and was admitted or paroled into the United States after January 1, 1959, and thereafter have been physically present in the United States for at least 1 year.

g. ☐ I have continuously resided in the United States since before January 1, 1972.

h. ☐ Other basis of eligibility; Explain (for example, I was admitted as a refugee, my status has not been terminated, and I have been physically present in the United States for 1 year after admission). If additional space is needed, see Page 2 of the instructions. _____

I am already a permanent resident and am applying to have the date I was granted permanent residence adjusted to the date I originally arrived in the United States as a nonimmigrant or parolee, or as of May 2, 1964, whichever date is later, and:
(Check one)

i. ☐ I am a native or citizen of Cuba and meet the description in (e) above.

j. ☐ I am the husband, wife, or minor unmarried child of a Cuban and meet the description in (f) above.

For USCIS Use Only

Returned	Receipt
Resubmitted	
Reloc Sent	
Reloc Rec'd	
Applicant Interviewed	

Section of Law
- ☐ Sec. 209(a), INA
- ☐ Sec. 209(b), INA
- ☐ Sec. 13, Act of 9/11/57
- ☐ Sec. 245, INA
- ☐ Sec. 249, INA
- ☐ Sec. 1 Act of 11/2/66
- ☐ Sec. 2 Act of 11/2/66
- ☐ Other _____

Country Chargeable

Eligibility Under Sec. 245
- ☐ Approved Visa Petition
- ☐ Dependent of Principal Alien
- ☐ Special Immigrant
- ☐ Other

Preference

Action Block

To be Completed by *Attorney or Representative*, if any
☐ Fill in box if Form G-28 is attached to represent the applicant.
VOLAG #
ATTY State License #

Form I-485 (Rev. 01/10/11) Y

4813-9884-3155.2

Part 3. Processing Information

A. City/Town/Village of Birth

Current Occupation

Your Mother's First Name

Your Father's First Name

Give your name exactly as it appears on your Form I-94, Arrival-Departure Record

Place of Last Entry Into the United States *(City/State)*

In what status did you last enter? *(Visitor, student, exchange visitor, crewman, temporary worker, without inspection, etc.)*

Were you inspected by a U.S. Immigration Officer? Yes ☐ No ☐

Nonimmigrant Visa Number

Consulate Where Visa Was Issued

Date Visa Issued *(mm/dd/yyyy)*

Gender ☐ Male ☐ Female

Marital Status ☐ Married ☐ Single ☐ Divorced ☐ Widowed

Have you ever applied for permanent resident status in the U.S.? ☐ Yes *(If "Yes" give date and place of filing and final disposition.)* ☐ No

B. List your present spouse and all of your children (include adult sons and daughters). (If you have none, write "None." If additional space is needed, see Page 2 of the instructions.)

Family Name *(Last Name)*	Given Name *(First Name)*	Middle Initial	Date of Birth *(mm/dd/yyyy)*
Country of Birth	Relationship	A # *(if any)*	Applying with you? Yes ☐ No ☐
Family Name *(Last Name)*	Given Name *(First Name)*	Middle Initial	Date of Birth *(mm/dd/yyyy)*
Country of Birth	Relationship	A # *(if any)*	Applying with you? Yes ☐ No ☐
Family Name *(Last Name)*	Given Name *(First Name)*	Middle Initial	Date of Birth *(mm/dd/yyyy)*
Country of Birth	Relationship	A # *(if any)*	Applying with you? Yes ☐ No ☐
Family Name *(Last Name)*	Given Name *(First Name)*	Middle Initial	Date of Birth *(mm/dd/yyyy)*
Country of Birth	Relationship	A # *(if any)*	Applying with you? Yes ☐ No ☐
Family Name *(Last Name)*	Given Name *(First Name)*	Middle Initial	Date of Birth *(mm/dd/yyyy)*
Country of Birth	Relationship	A # *(if any)*	Applying with you? Yes ☐ No ☐

Part 3. Processing Information *(Continued)*

C. List your present and past membership in or affiliation with every organization, association, fund, foundation, party, club, society, or similar group in the United States or in other places since your 16th birthday. Include any military service in this part. If none, write "None." Include the name of each organization, location, nature, and dates of membership. If additional space is needed, attach a separate sheet of paper. Continuation pages must be submitted according to the guidelines provided on Page 2 of the instructions under "What Are the General Filing Instructions?"

Name of Organization	Location and Nature	Date of Membership From	Date of Membership To

Answer the following questions. (If your answer is "Yes" to any question, explain on a separate piece of paper. Continuation pages must be submitted according to the guidelines provided on Page 2 of the instructions under "What Are the General Filing Instructions?" Information about documentation that must be include with your application is also provide in this section.) Answering "Yes" does not necessarily mean that you are not entitled to adjust status or register for permanent residence.

1. Have you EVER, in or outside the United States:
   a. Knowingly committed any crime of moral turpitude or a drug-related offense for which you have not been arrested? Yes☐ No☐
   b. Been arrested, cited, charged, indicted, convicted, fined, or imprisoned for breaking or violating any law or ordinance, excluding traffic violations? Yes☐ No☐
   c. Been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency, or similar action? Yes☐ No☐
   d. Exercised diplomatic immunity to avoid prosecution for a criminal offense in the United States? Yes☐ No☐
2. Have you received public assistance in the United States from any source, including the U.S. Government or any State, county, city, or municipality (other than emergency medical treatment), or are you likely to receive public assistance in the future? Yes☐ No☐
3. Have you EVER:
   a. Within the past 10 years been a prostitute or procured anyone for prostitution, or intend to engage in such activities in the future? Yes☐ No☐
   b. Engaged in any unlawful commercialized vice, including, but not limited to, illegal gambling? Yes☐ No☐
   c. Knowingly encouraged, induced, assisted, abetted, or aided any alien to try to enter the United States illegally? Yes☐ No☐
   d. Illicitly trafficked in any controlled substance, or knowingly assisted, abetted, or colluded in the illicit trafficking of any controlled substance? Yes☐ No☐
4. Have you EVER engaged in, conspired to engage in, or do you intend to engage in, or have you ever solicited membership or funds for, or have you through any means ever assisted or provided any type of material support to any person or organization that has ever engaged or conspired to engage in sabotage, kidnapping, political assassination, hijacking, or any other form of terrorist activity? Yes☐ No☐

Part 3. Processing Information *(Continued)*

5. Do you intend to engage in the United States in:
   a. Espionage? Yes☐ No☐
   b. Any activity a purpose of which is opposition to, or the control or overthrow of, the Government of the United States, by force, violence, or other unlawful means? Yes☐ No☐
   c. Any activity to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information? Yes☐ No☐

6. Have you EVER been a member of, or in any way affiliated with, the Communist Party or any other totalitarian party? Yes☐ No☐

7. Did you, during the period from March 23, 1933, to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, ever order, incite, assist, or otherwise participate in the persecution of any person because of race, religion, national origin, or political opinion? Yes☐ No☐

8. Have you EVER been deported from the United States, or removed from the United States at government expense, excluded within the past year, or are you now in exclusion, deportation, removal, or rescission proceedings? Yes☐ No☐

9. Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States, or any immigration benefit? Yes☐ No☐

10. Have you EVER left the United States to avoid being drafted into the U.S. Armed Forces? Yes☐ No☐

11. Have you EVER been a J nonimmigrant exchange visitor who was subject to the 2-year foreign residence requirement and have not yet complied with that requirement or obtained a waiver? Yes☐ No☐

12. Are you now withholding custody of a U.S. citizen child outside the United States from a person granted custody of the child? Yes☐ No☐

13. Do you plan to practice polygamy in the United States? Yes☐ No☐

14. Have you EVER ordered, incited, called for, committed, assisted, helped with, or otherwise participated in any of the following:
   a. Acts involving torture or genocide? Yes☐ No☐
   b. Killing any person? Yes☐ No☐
   c. Intentionally and severely injuring any person? Yes☐ No☐
   d. Engaging in any kind of sexual contact or relations with any person who was being forced or threatened? Yes☐ No☐
   e. Limiting or denying any person's ability to exercise religious beliefs? Yes☐ No☐

15. Have you EVER:
   a. Served in, been a member of, assisted in, or participated in any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerrilla group, militia, or insurgent organization? Yes☐ No☐
   b. Served in any prison, jail, prison camp, detention facility, labor camp, or any other situation that involved detaining persons? Yes☐ No☐

16. Have you EVER been a member of, assisted in, or participated in any group, unit, or organization of any kind in which you or other persons used any type of weapon against any person or threatened to do so? Yes☐ No☐

Part 3. Processing Information *(Continued)*

17. Have you EVER assisted or participated in selling or providing weapons to any person who to your knowledge used them against another person, or in transporting weapons to any person who to your knowledge used them against another person? Yes☐ No☐

18. Have you EVER received any type of military, paramilitary, or weapons training? Yes☐ No☐

Part 4. Accommodations for Individuals With Disabilities and/or Impairments *(See Page 10 of the instructions before completing this section.)*

Are you requesting an accommodation because of your disability(ies) and/or impairment(s)? Yes☐ No☐

If you answered "Yes," check any applicable box:

☐ a. I am deaf or hard of hearing and request the following accommodation(s) (if requesting a sign-language interpreter, indicate which language (e.g., American Sign Language)):

☐ b. I am blind or sight-impaired and request the following accommodation(s):

☐ c. I have another type of disability and/or impairment (describe the nature of your disability(ies) and/or impairment(s) and accommodation(s) you are requesting):

Part 5. Signature *(Read the information on penalties on Page 10 of the instructions before completing this section. You must file this application while in the United States.)*

Your Registration With U.S. Citizenship and Immigration Services

"I understand and acknowledge that, under section 262 of the Immigration and Nationality Act (INA), as an alien who has been or will be in the United States for more than 30 days, I am required to register with U.S. Citizenship and Immigration Services (USCIS). I understand and acknowledge that, under section 265 of the INA, I am required to provide USCIS with my current address and written notice of any change of address within 10 days of the change. I understand and acknowledge that USCIS will use the most recent address that I provide to USCIS, on any form containing these acknowledgements, for all purposes, including the service of a Notice to Appear should it be necessary for USCIS to initiate removal proceedings against me. I understand and acknowledge that if I change my address without providing written notice to USCIS, I will be held responsible for any communications sent to me at the most recent address that I provided to USCIS. I further understand and acknowledge that, if removal proceedings are initiated against me and I fail to attend any hearing, including an initial hearing based on service of the Notice to Appear at the most recent address that I provided to USCIS or as otherwise provided by law, I may be ordered removed in my absence, arrested, and removed from the United States."

Selective Service Registration

The following applies to you if you are a male at least 18 years of age, but not yet 26 years of age, who is required to register with the Selective Service System: "I understand that my filing Form I-485 with U.S. Citizenship and Immigration Services (USCIS) authorizes USCIS to provide certain registration information to the Selective Service System in accordance with the Military Selective Service Act. Upon USCIS acceptance of my application, I authorize USCIS to transmit to the Selective Service System my name, current address, Social Security Number, date of birth, and the date I filed the application for the purpose of recording my Selective Service registration as of the filing date. If, however, USCIS does not accept my application, I further understand that, if so required, I am responsible for registering with the Selective Service by other means, provided I have not yet reached 26 years of age."

Part 5. Signature *(Continued)*

Applicant's Statement *(Check one)*

☐ I can read and understand English, and I have read and understand each and every question and instruction on this form, as well as my answer to each question.

☐ Each and every question and instruction on this form, as well as my answer to each question, has been read to me in the _____ language, a language in which I am fluent, by the person named in Interpreter's Statement and Signature. I understand each and every question and instruction on this form, as well as my answer to each question.

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this application is all true and correct. I certify also that I have not withheld any information that would affect the outcome of this application.

I authorize the release of any information from my records that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.

Signature *(Applicant)*	Print Your Full Name	Date *(mm/dd/yyyy)*	Daytime Phone Number *(include area code)*

NOTE: *If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the requested benefit, and this application may be denied.*

Interpreter's Statement and Signature

I certify that I am fluent in English and the below-mentioned language.

Language Used *(language in which applicant is fluent)*

I further certify that I have read each and every question and instruction on this form, as well as the answer to each question, to this applicant in the above-mentioned language, and the applicant has understood each and every instruction and question on the form, as well as the answer to each question.

Signature *(Interpreter)*	Print Your Full Name	Date *(mm/dd/yyyy)*	Phone Number *(include area code)*

Part 6. Signature of Person Preparing Form, If Other Than Above

I declare that I prepared this application at the request of the above applicant, and it is based on all information of which I have knowledge.

Signature	Print Your Full Name	Date *(mm/dd/yyyy)*	Phone Number *(include area code)*

Firm Name and Address	E-Mail Address *(if any)*

U.S. Department of State

APPLICATION FOR IMMIGRANT VISA AND ALIEN REGISTRATION

OMB APPROVAL NO. 1405-0015
EXPIRES: 09/30/2015
ESTIMATED BURDEN: 1 HOUR
(See Page 3)

PART I - BIOGRAPHIC DATA

Instructions: Complete one copy of this form for yourself and each member of your family, regardless of age, who will immigrate with you. Please print or type your answers to all questions. Mark questions that are Not Applicable with "N/A". If there is insufficient room on the form, answer on a separate sheet using the same numbers that appear on the form. Attach any additional sheets to this form.

Warning: Any false statement or concealment of a material fact may result in your permanent exclusion from the United States.
This form (DS-230 Part I) is the first of two parts. This part, together with Form DS-230 Part II, constitutes the complete Application for Immigrant Visa and Alien Registration.

1. Family Name	First Name	Middle Name

2. Other Names Used or Aliases *(If married women, give maiden name)*

3. Full Name in Native Alphabet *(If Roman letters not used)*

4. Date of Birth *(mm-dd-yyyy)*	5. Age	6. Place of Birth *(City or Town)*	*(Province)*	*(Country)*

7. Nationality *(If dual national, give both.)*	8. Gender	9. Marital Status
	☐ Female ☐ Male	☐ Single *(Never Married)* ☐ Married ☐ Widowed ☐ Divorced ☐ Separated Including my present marriage, I have been married _____ times.

10. Permanent address in the United States where you intend to live, if known *(street address including ZIP code)*. Include the name of a person who currently lives there.	11. Address in the United States where you want your Permanent Resident Card *(Green Card)* mailed, if different from address in item #10 *(Include the name of a person who currently lives there)*.
Telephone number	Telephone number

12. Present Occupation	13. Present Address *(Street Address)* *(City or Town)* *(Province)* *(Country)*		
	Telephone Number *(Home)*	Telephone Number *(Office)*	E-mail Address

14. Spouse's Maiden or Family Name	First Name	Middle Name

15. Date *(mm-dd-yyyy)* and Place of Birth of Spouse

16. Address of Spouse *(If different from your own)*	17. Spouse's Occupation 18. Date of Marriage *(mm-dd-yyyy)*

19. Father's Family Name	First Name	Middle Name

20. Father's Date of Birth *(mm-dd-yyyy)*	21. Place of Birth	22. Current Address	23. If Deceased, Give Year of Death

24. Mother's Family Name at Birth	First Name	Middle Name

25. Mother's Date of Birth *(mm-dd-yyyy)*	26. Place of Birth	27. Current Address	28. If Deceased, Give Year of Death

29. List Names, Dates and Places of Birth, and Addresses of ALL Children.

Name	Date (mm-dd-yyyy)	Place of Birth	Address (if different from your own)

30. List below all places you have lived for at least six months since reaching the age of 16, including places in your country of nationality. Begin with your present residence.

City or Town	Province	Country	From/To (mm-yyyy) or "Present"

31a. Person(s) named in 14 and 29 who will accompany you to the United States now.

31b. Person(s) named in 14 and 29 who will follow you to the United States at a later date.

32. List below all employment for the last ten years.

Employer	Location	Job Title	From/To (mm-yyyy) or "Present"

In what occupation do you intend to work in the United States? _____

33. List below all educational institutions attended.

School and Location	From/To (mm-yyyy)	Course of Study	Degree or Diploma

Languages spoken or read _____

Professional associations to which you belong _____

34. Previous Military Service ☐ Yes ☐ No

Branch _____ Dates of Service (mm-dd-yyyy) _____

Rank/Position _____ Military Specialty/Occupation _____

35. List dates of all previous visits to or residence in the United States. (If never, write "never") Give type of visa status, if known. Give DHS "A" number if any.

From/To (mm-yyyy)	Location	Type of Visa	"A" Number (if known)

Signature of Applicant _____ Date (mm-dd-yyyy) _____

Privacy Act and Paperwork Reduction Act Statements

The information asked for on this form is requested pursuant to Section 222 of the Immigration and Nationality Act. The U.S. Department of State uses the facts you provide on this form primarily to determine your classification and eligibility for a U.S. immigrant visa. Individuals who fail to submit the form or who do not provide all the requested information may be denied a U.S. immigrant visa. If you are issued an immigrant visa and are subsequently admitted to the United States as an immigrant, the Department of Homeland Security will use the information on this form to issue you a Permanent Resident Card, and, if you so indicate, the Social Security Administration will use the information to issue you a social security number and card.

*Public reporting burden for this collection of information is estimated to average 1 hour per response, including time required for searching existing data sources, gathering the necessary documentation, providing the information and/or comments required, and reviewing the final collection. You do not have to supply the information unless this collection displays a currently valid OMB control number. If you have comments on the accuracy of this burden estimate and/or recommendations for reducing it, please send them to: A/GIS/OIR, Room 2400 SA-22, U.S. Department of State, Washington, DC 20522-2202. Please do not send Visa Applications to the address. Send Visa Applications to your nearest U.S Embassy or Consulate for processing.

U.S. Department of State

APPLICATION FOR IMMIGRANT VISA AND ALIEN REGISTRATION

OMB APPROVAL NO. 1405-0015
EXPIRES: 06/30/2015
ESTIMATED BURDEN: 1 HOUR*

PART II - SWORN STATEMENT

Instructions: Complete one copy of this form for yourself and each member of your family, regardless of age, who will immigrate with you. Please print or type your answers to all questions. Mark questions that are Not Applicable with "N/A". If there is insufficient room on the form, answer on a separate sheet using the same numbers that appear on the form. Attach any additional sheets to this form. The fee should be paid in United States dollars or local currency equivalent, or by bank draft.

Warning: Any false statement or concealment of a material fact may result in your permanent exclusion from the United States. Even if you are issued an immigrant visa and are subsequently admitted to the United States, providing false information on this form could be grounds for your prosecution and/or deportation.

This form (DS-230 Part II), together with Form DS-230 Part I, constitutes the complete Application for Immigrant Visa and Alien Registration.

36. Family Name	First Name	Middle Name

37. Other Names Used or Aliases *(If married women, give maiden name)*

38. Full Name in Native Alphabet *(If Roman letters not used)*

39. Name and Address of Petitioner	Telephone number
	E-mail Address

40. United States laws governing the issuance of visas require each applicant to state whether or not he or she is a member of any class of individuals excluded from admission into the United States. The excludable classes are described below in general terms. You should read carefully the following list and answer Yes or No to each category. The answers you give will assist the consular officer to reach a decision on your eligibility to receive a visa.

Except as Otherwise Provided by Law, Aliens Within the Following Classifications are Ineligible to Receive a Visa. Do Any of the Following Classes Apply to You?

a. An alien who has a communicable disease of public health significance; who has failed to present documentation of having received vaccinations in accordance with U.S. law; who has or has had a physical or mental disorder that poses or is likely to pose a threat to the safety or welfare of the alien or others; or who is a drug abuser or addict. ☐ Yes ☐ No

b. An alien convicted of, or who admits having committed, a crime involving moral turpitude or violation of any law relating to a controlled substance or who is the spouse, son or daughter of such a trafficker who knowingly has benefited from the trafficking activities in the past five years; who has been convicted of 2 or more offenses for which the aggregate sentences were 5 years or more; who is coming to the United States to engage in prostitution or commercialized vice or who has engaged in prostitution or procuring within the past 10 years; who is or has been an illicit trafficker in any controlled substance; who has committed a serious criminal offense in the United States and who has asserted immunity from prosecution; who, while serving as a foreign government official, was responsible for or directly carried out particularly severe violations of religious freedom; or whom the President has identified as a person who plays a significant role in a severe form of trafficking in persons, who otherwise has knowingly aided, abetted, assisted or colluded with such a trafficker in severe forms of trafficking in persons, or who is the spouse, son or daughter of such a trafficker who knowingly has benefited from the trafficking activities within the past five years. ☐ Yes ☐ No

c. An alien who seeks to enter the United States to engage in espionage, sabotage, export control violations, terrorist activities, the overthrow of the Government of the United States or other unlawful activity; who is a member of or affiliated with the Communist or other totalitarian party; who participated, engaged or ordered genocide, torture, or extrajudicial killings; or who is a member or representative of a terrorist organization as currently designated by the U.S. Secretary of State. ☐ Yes ☐ No

d. An alien who is likely to become a public charge. ☐ Yes ☐ No

e. An alien who seeks to enter for the purpose of performing skilled or unskilled labor who has not been certified by the Secretary of Labor; who is a graduate of a foreign medical school seeking to perform medical services who has not passed the NBME exam or its equivalent; or who is a health care worker seeking to perform such work without a certificate from the CGFNS or from an equivalent approved independent credentialing organization. ☐ Yes ☐ No

f. An alien who failed to attend a hearing on deportation or inadmissibility within the last 5 years; who seeks or has sought a visa, entry into the United States, or any immigration benefit by fraud or misrepresentation; who knowingly assisted any other alien to enter or try to enter the United States in violation of law; who, after November 30, 1998, attended in student (F) visa status a U.S. public elementary school or who attended a U.S. public secondary school without reimbursing the school; or who is subject to a civil penalty under INA 274C. ☐ Yes ☐ No

Privacy Act and Paperwork Reduction Act Statements

The information asked for on this form is requested pursuant to Section 222 of the Immigration and Nationality Act. The U.S. Department of State uses the facts you provide on this form primarily to determine your classification and eligibility for a U.S. immigrant visa. Individuals who fail to submit this form or who do not provide all the requested information may be denied a U.S. immigrant visa. If you are issued an immigrant visa and are subsequently admitted to the United States as an immigrant, the Department of Homeland Security will use the information on this form to issue you a Permanent Resident Card, and, if you so indicate, the Social Security Administration will use the information to issue you a social security number and card.

Public reporting burden for the collection of information is estimated to average 1 hour per response, including time required for searching existing data sources, gathering the necessary documentation, providing the information and/or documents required, and reviewing the final collection. You do not have to supply this information unless the collection displays a currently valid OMB control number. If you have comments on the accuracy of this burden estimate and/or recommendations for reducing it, please send them to: A/GIS/DIR, Room 2400 SA-22, U.S. Department of State, Washington, DC 20522-2202. Please do not send Visa Applications to this address. Send Visa Applications to your nearest U.S. Embassy or Consulate for processing.

g. An alien who is permanently ineligible for U.S. citizenship; or who departed the United States to evade military service in time of war. ☐ Yes ☐ No

h. An alien who was previously ordered removed within the last 5 years or ordered removed a second time within the last 20 years; who was previously unlawfully present and ordered removed within the last 10 years or ordered removed a second time within the last 20 years; who was convicted of an aggravated felony and ordered removed; who was previously unlawfully present in the United States for more than 180 days but less than one year who voluntarily departed within the last 3 years; or who was unlawfully present for more than one year or an aggregate of one year within the last 10 years. ☐ Yes ☐ No

i. An alien who is coming to the United States to practice polygamy; who withholds custody of a U.S. citizen child outside the United States from a person granted legal custody by a U.S. court or intentionally assists another person to do so; who has voted in the United States in violation of any law or regulation; or who renounced U.S. citizenship to avoid taxation. ☐ Yes ☐ No

j. An alien who is a former exchange visitor who has not fulfilled the 2-year foreign residence requirement. ☐ Yes ☐ No

k. An alien determined by the Attorney General to have knowingly made a frivolous application for asylum. ☐ Yes ☐ No

l. An alien who has ordered, carried out or materially assisted in extrajudicial and political killings and other acts of violence against the Haitian people; who has directly or indirectly assisted or supported any of the groups in Colombia known as FARC, ELN, or AUC; who through abuse of a governmental or political position has converted for personal gain, confiscated or expropriated property in Cuba, a claim to which is owned by a national of the United States, has trafficked in such property or has been complicit in such conversion, has committed similar acts in another country, or is the spouse, minor child or agent of an alien who has committed such acts; who has been directly involved in the establishment or enforcement of population controls forcing a woman to undergo an abortion against her free choice or a man or a woman to undergo sterilization against his or her free choice; or who has disclosed or trafficked in confidential U.S. business information obtained in connection with U.S. participation in the Chemical Weapons Convention or is the spouse, minor child or agent of such a person; or who has ever engaged in the recruitment of or the use of child soldiers. ☐ Yes ☐ No

41. Have you ever been charged, arrested or convicted of any offense or crime? *(If answer is Yes, please explain)* ☐ Yes ☐ No

42. Have you ever been refused admission to the United States at a port-of-entry? *(If answer is Yes, please explain)* ☐ Yes ☐ No

43a. Have you ever applied for a Social Security Number *(SSN)*?

☐ Yes

Give the number _____

Would you like to receive a replacement card? (You must answer YES to question 43b. to receive a card.)

☐ Yes ☐ No

☐ No

Do you want the Social Security Administration to assign you a SSN and issue a card? (You must answer YES to question 43b. to receive a number and a card.)

☐ Yes ☐ No

43b. Consent to Disclosure: I authorize disclosure of information from this form to the Department of Homeland Security *(DHS)*, the Social Security Administration *(SSA)*, such other U.S. Government agencies as may be required for the purpose of assigning me an SSN and issuing me a Social Security card, and I authorize the SSA to share my SSN with the INS. ☐ Yes ☐ No

The applicant's response does not limit or restrict the Government's ability to obtain his or her SSN, or other information on this form, for enforcement or other purposes as authorized by law.

44. Were you assisted in completing this application? ☐ Yes ☐ No

(If answer is Yes, give name and address of person assisting you, indicating whether relative, friend, travel agent, attorney, or other)

DO NOT WRITE BELOW THE FOLLOWING LINE
The consular officer will assist you in answering Item 45.
DO NOT SIGN this form until instructed to do so by the consular officer

45. I claim to be:

☐ A Family-Sponsored Immigrant
☐ An Employment-Based Immigrant
☐ A Diversity Immigrant
☐ A Special Category *(Specify)* _____
(Returning resident, Hong Kong, Tibetan, Private Legislation, etc.)

☐ I derive foreign state chargeability under Sec. 202(b) through my _____

☐ Preference _____
☐ Numerical limitation *(foreign state)* _____

I understand that I am required to surrender my visa to the United States Immigration Officer at the place where I apply to enter the United States, and that the possession of a visa does not entitle me to enter the United States if at that time I am found to be inadmissible under the immigration laws.
I understand that any willfully false or misleading statement or willful concealment of a material fact made by me herein may subject me to permanent exclusion from the United States and, if I am admitted to the United States, may subject me to criminal prosecution and/or deportation.
I, the undersigned applicant for a United States immigrant visa, do solemnly swear *(or affirm)* that all statements which appear in this application, consisting of Form DS-230 Part I and Part II completed, have been made by me, including the answers to items 1 through 45 inclusive, and that they are true and complete to the best of my knowledge and belief. I do further swear *(or affirm)* that, if admitted into the United States, I will not engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of the United States; in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activities subversive to the national security; in any activity a purpose of which is the opposition to or the control, or overthrow of, the Government of the United States, by force, violence, or other unconstitutional means.
I understand that completion of this form by persons required by law to register with the Selective Service System *(males 18 through 25 years of age)* constitutes such registration in accordance with the Military Selective Service Act.
I understand all the foregoing statements, having asked for and obtained an explanation on every point which was not clear to me.

_____
Signature of Applicant

Subscribed and sworn to before me this _____ day of _____ _____ at _____

_____
Consular Officer

APPENDIX C

CERTIFICATE OF FORMATION

[TO COME]

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APPENDIX D

OPERATING AGREEMENT

[TO COME]

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SUBSCRIPTION AGREEMENT

(Offerings to Non-U.S. Subscribers)

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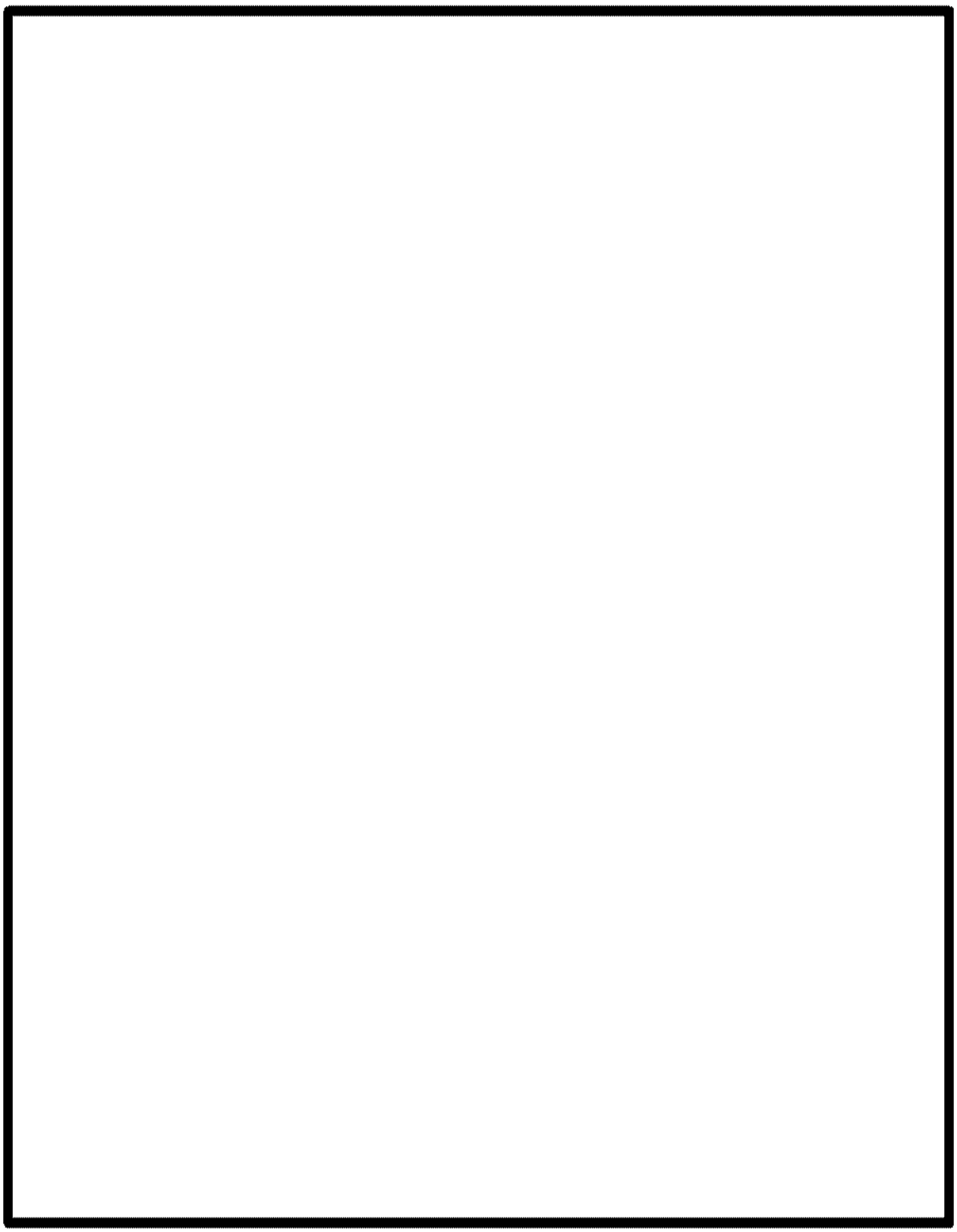

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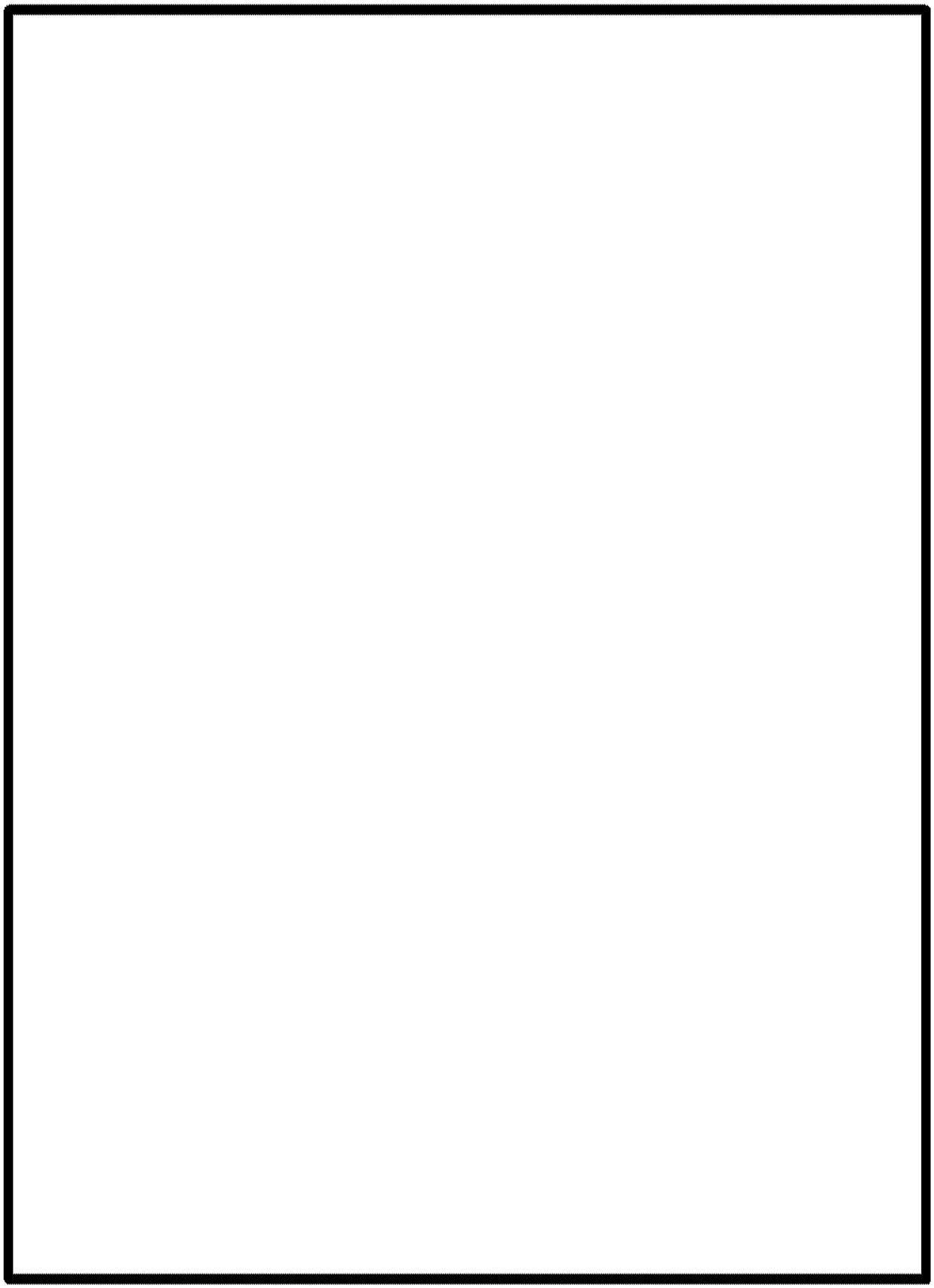

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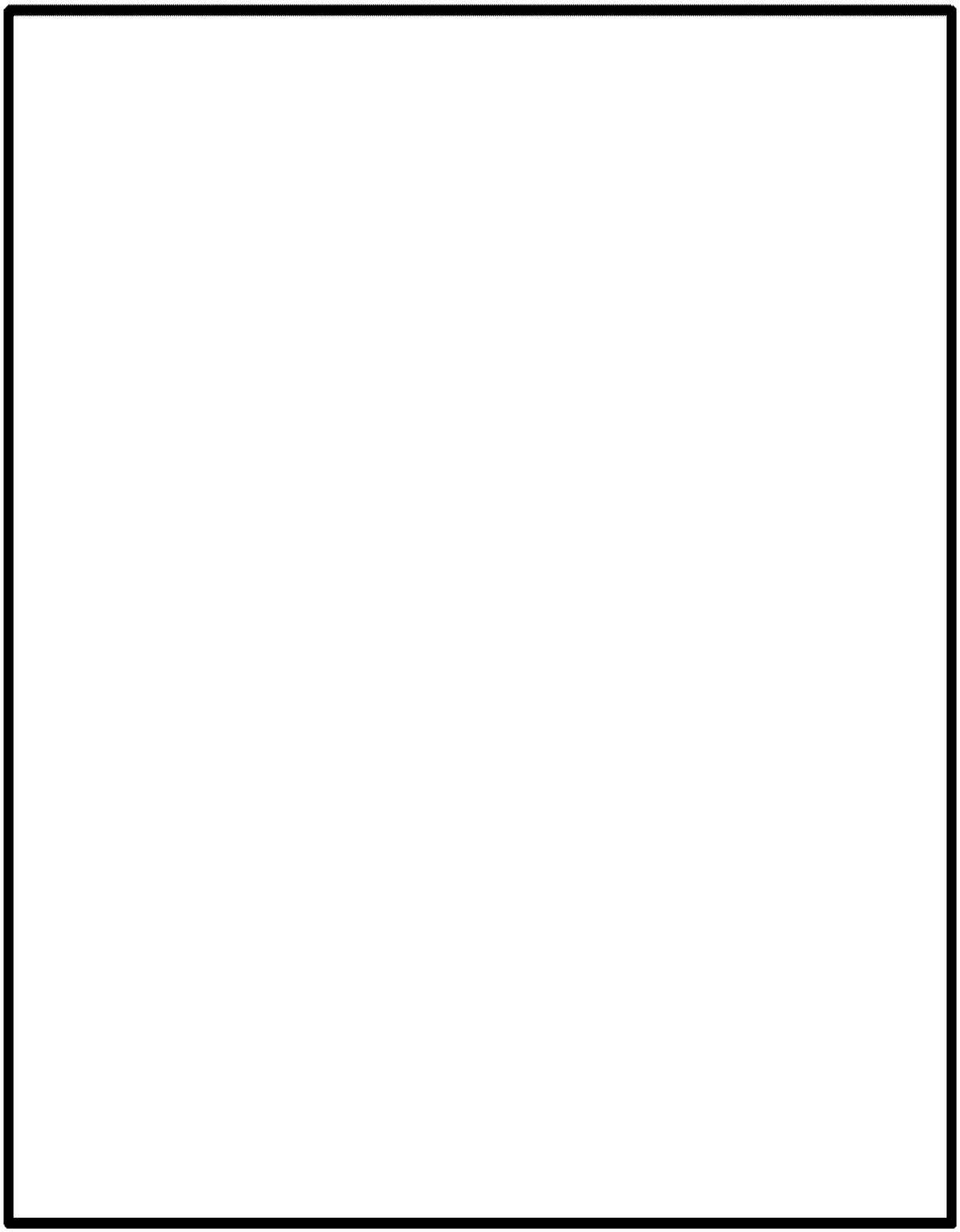

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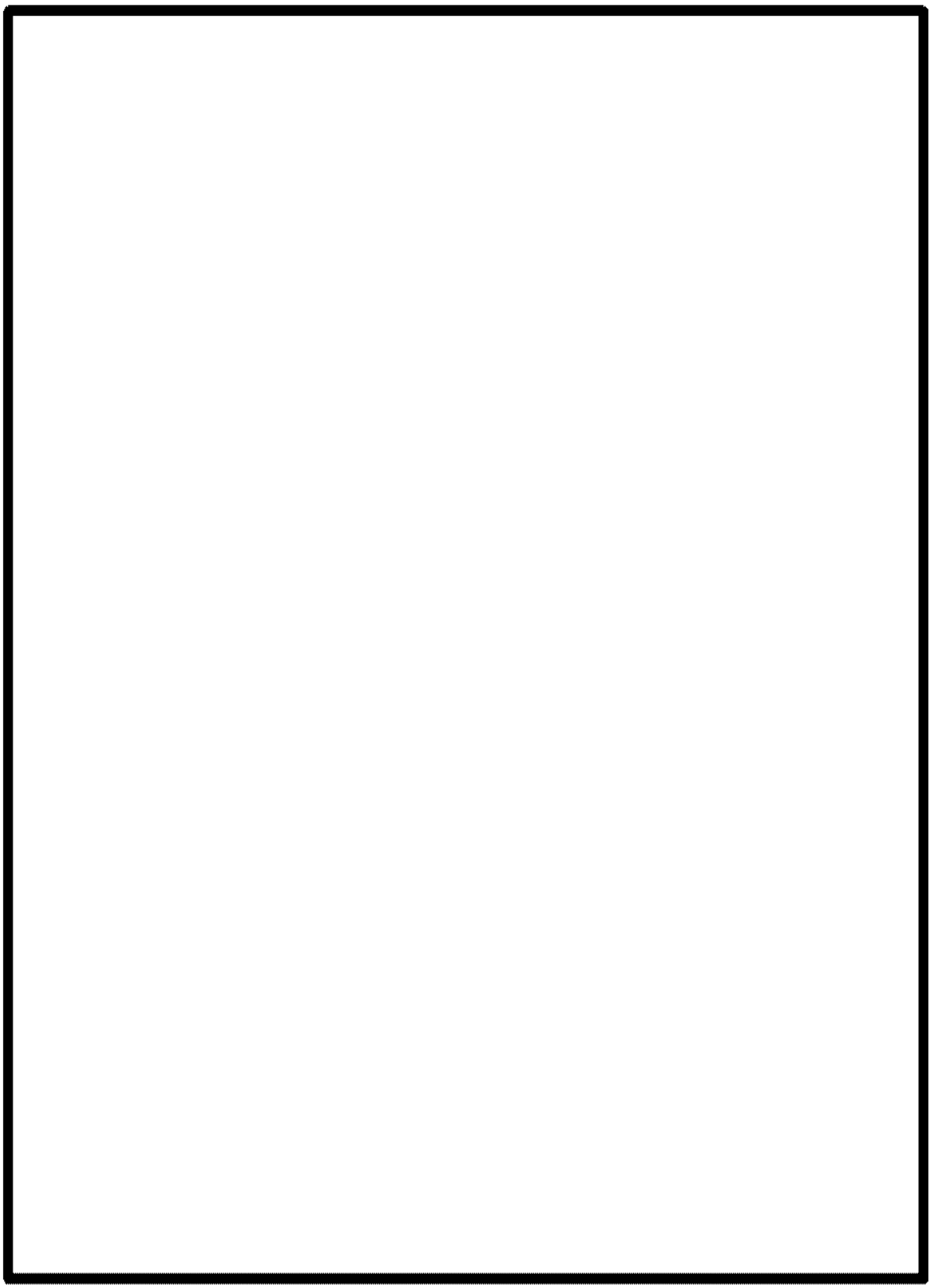

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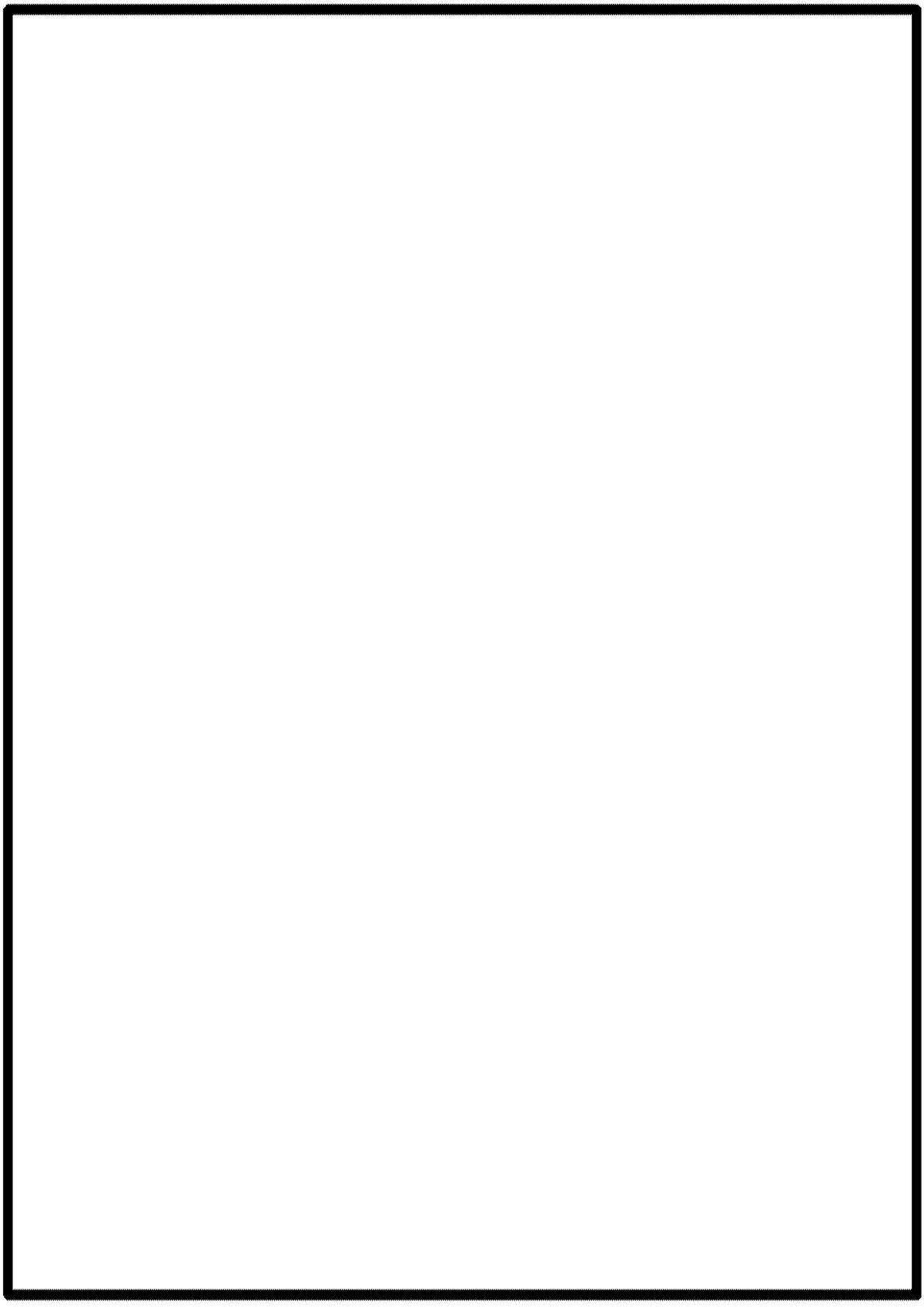

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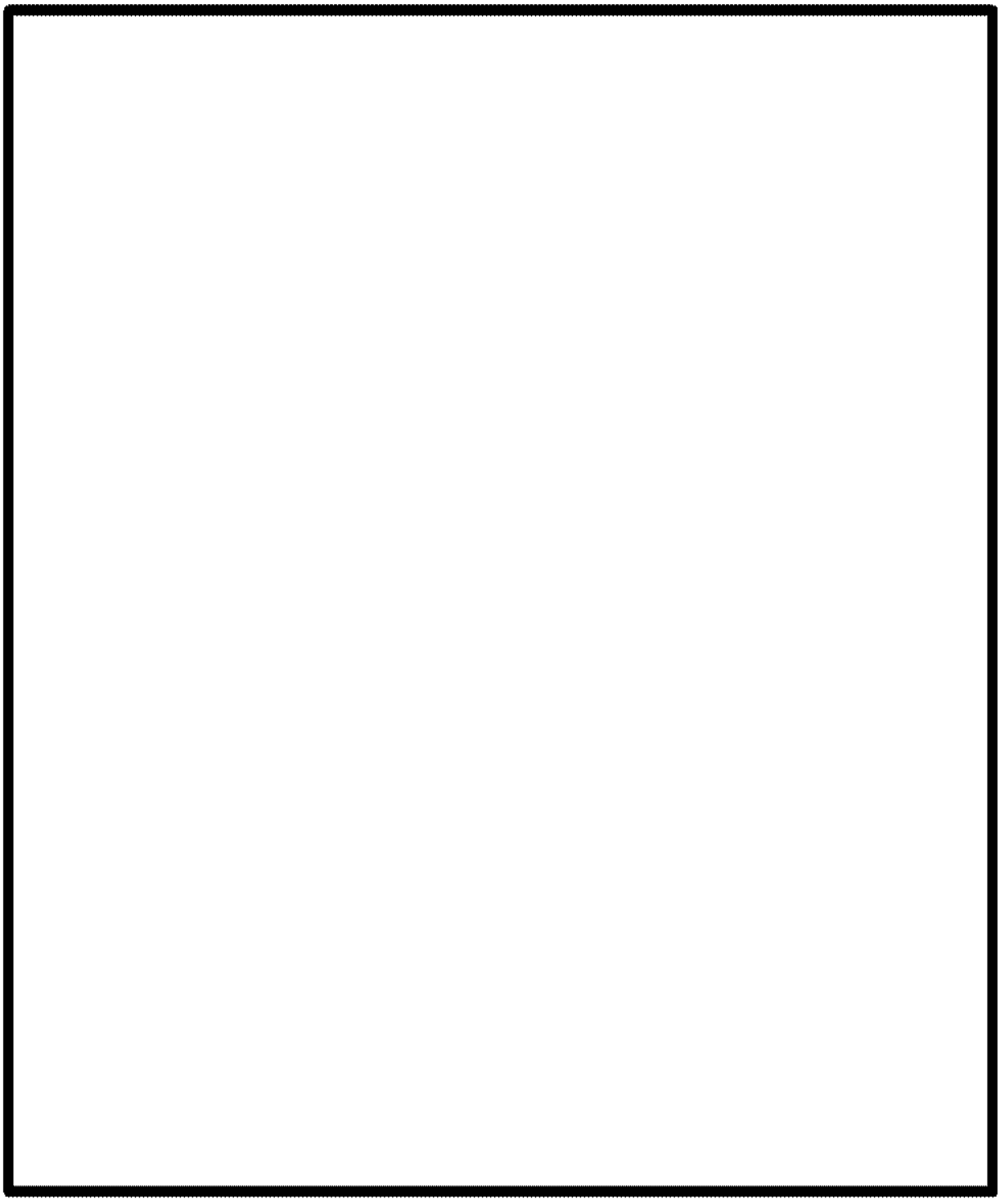

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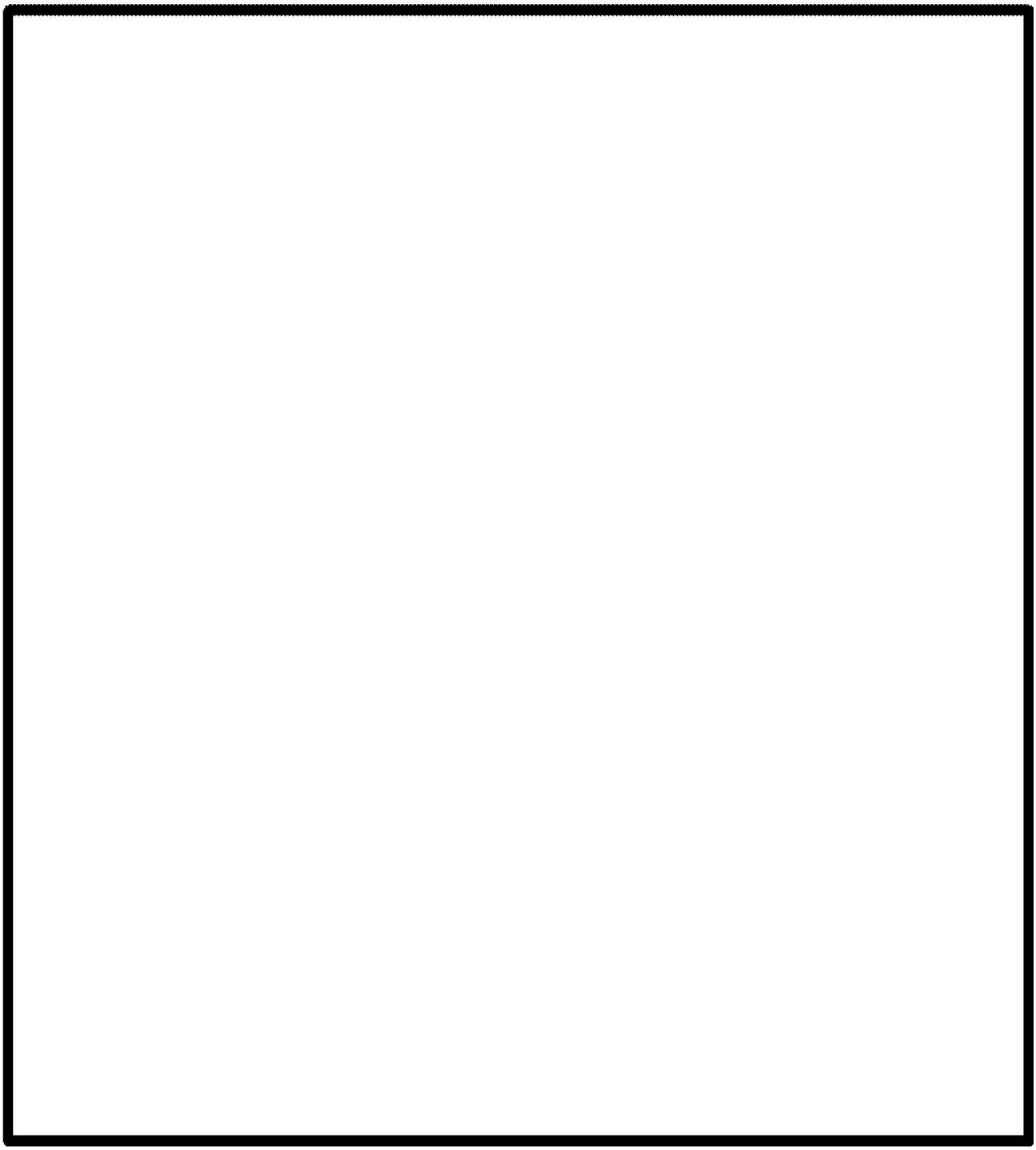

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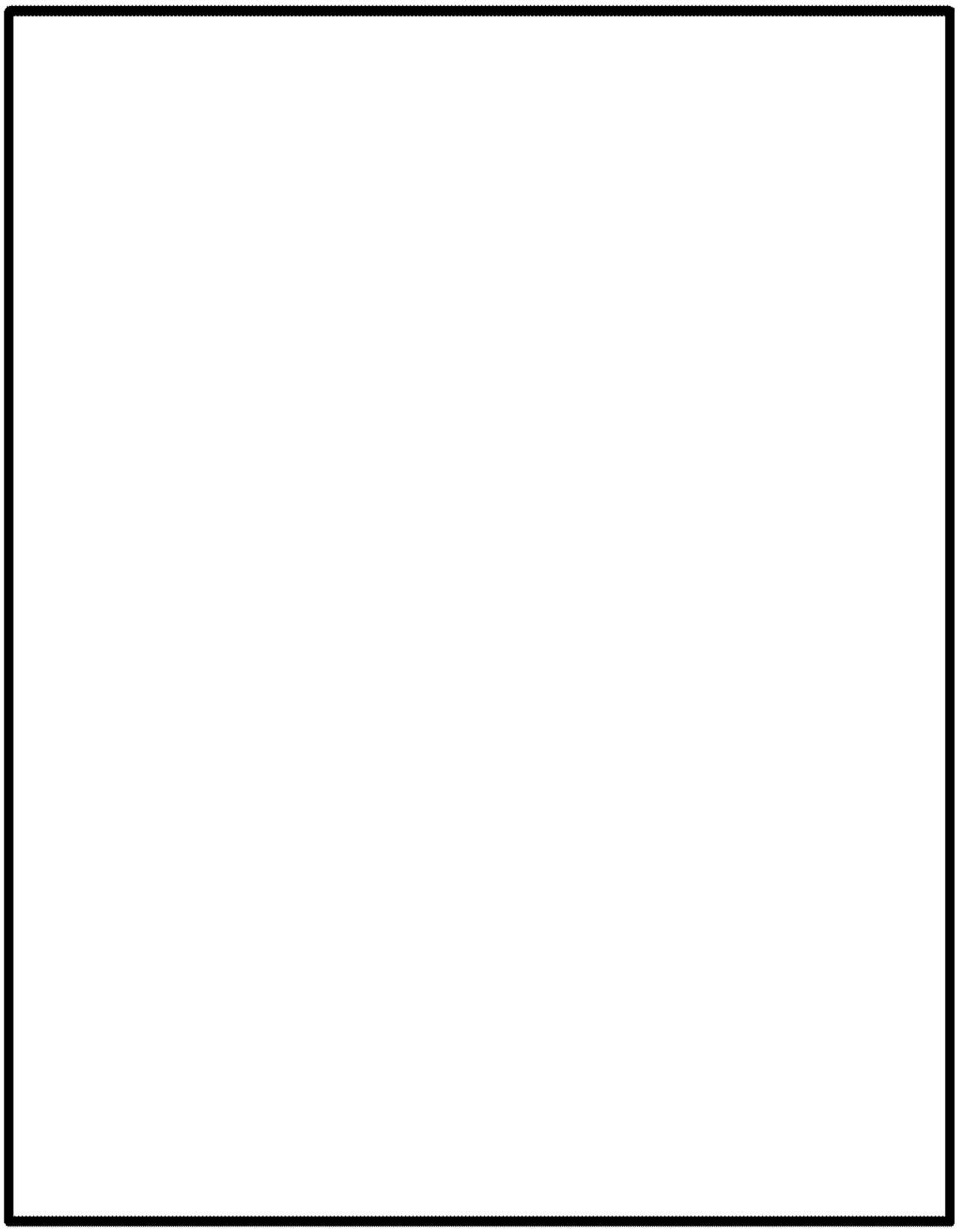
ESCROW AGREEMENT



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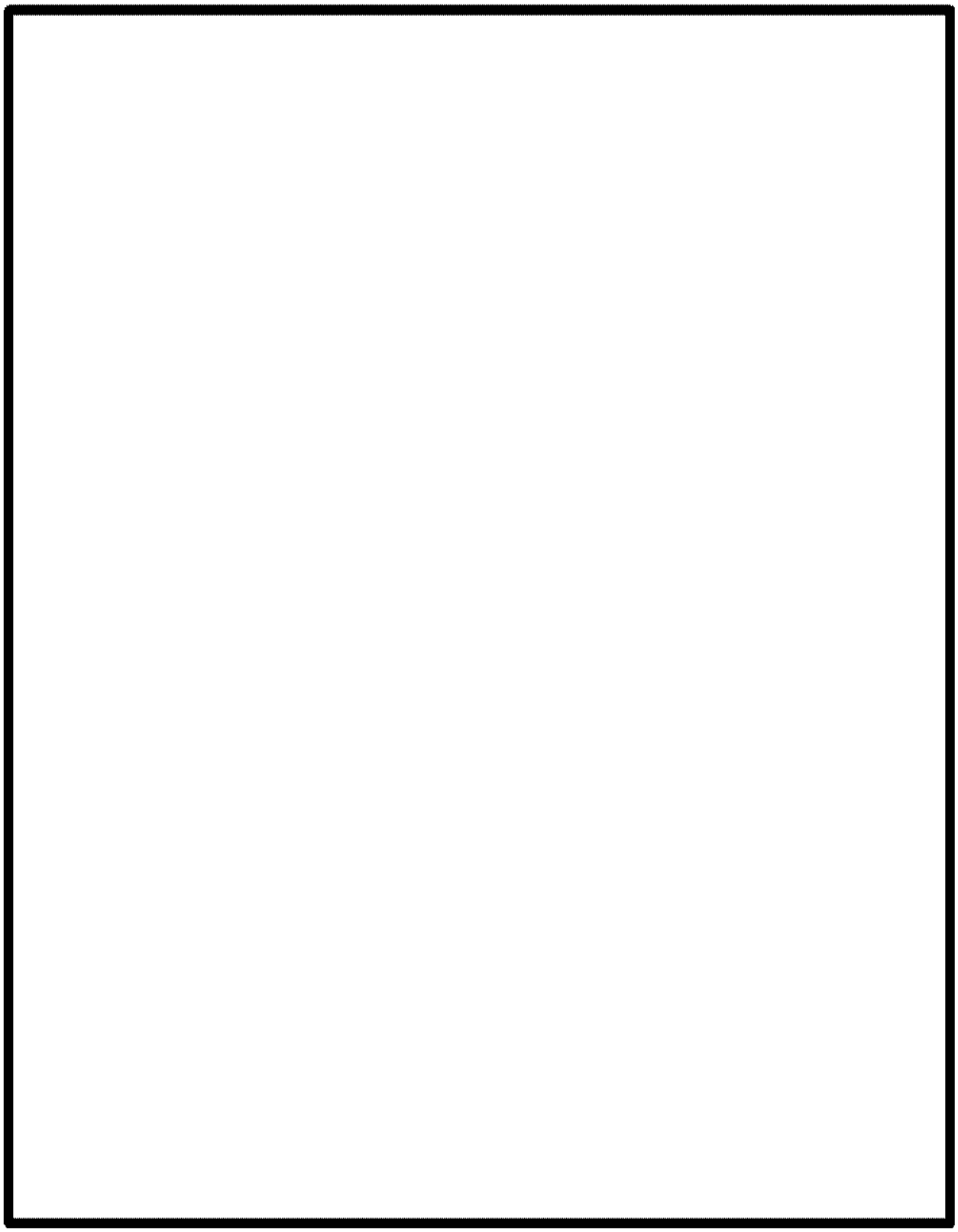

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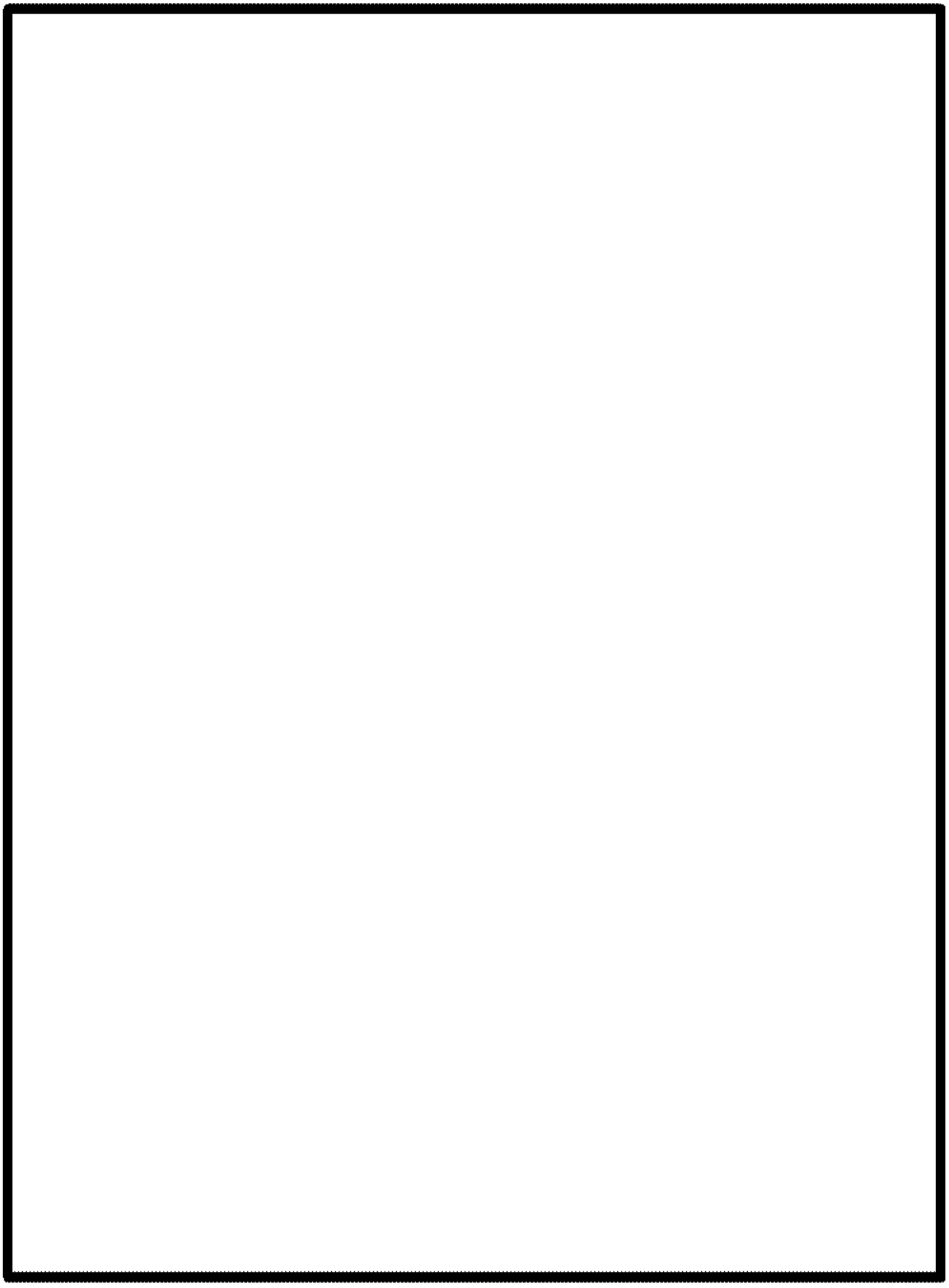

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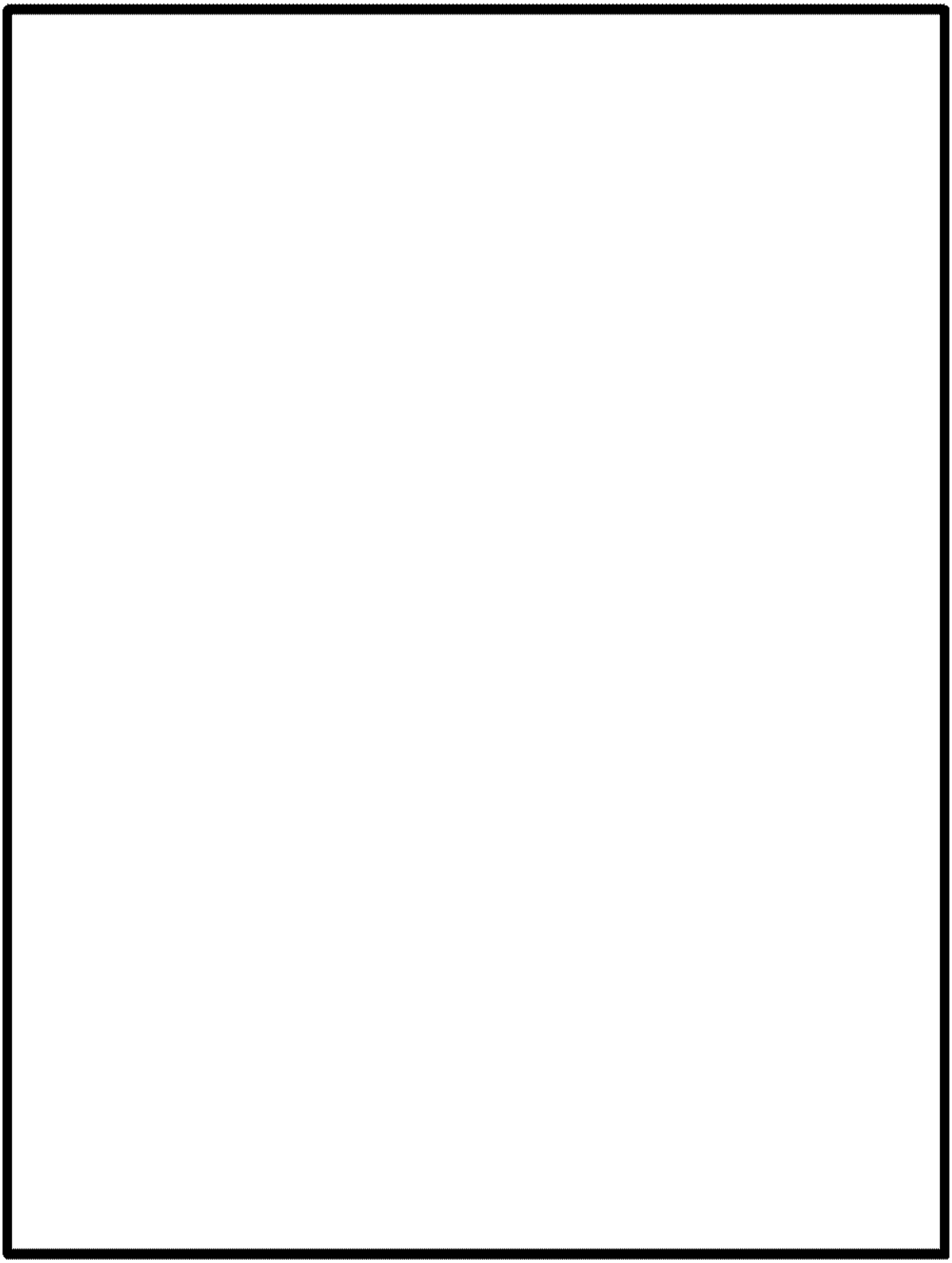

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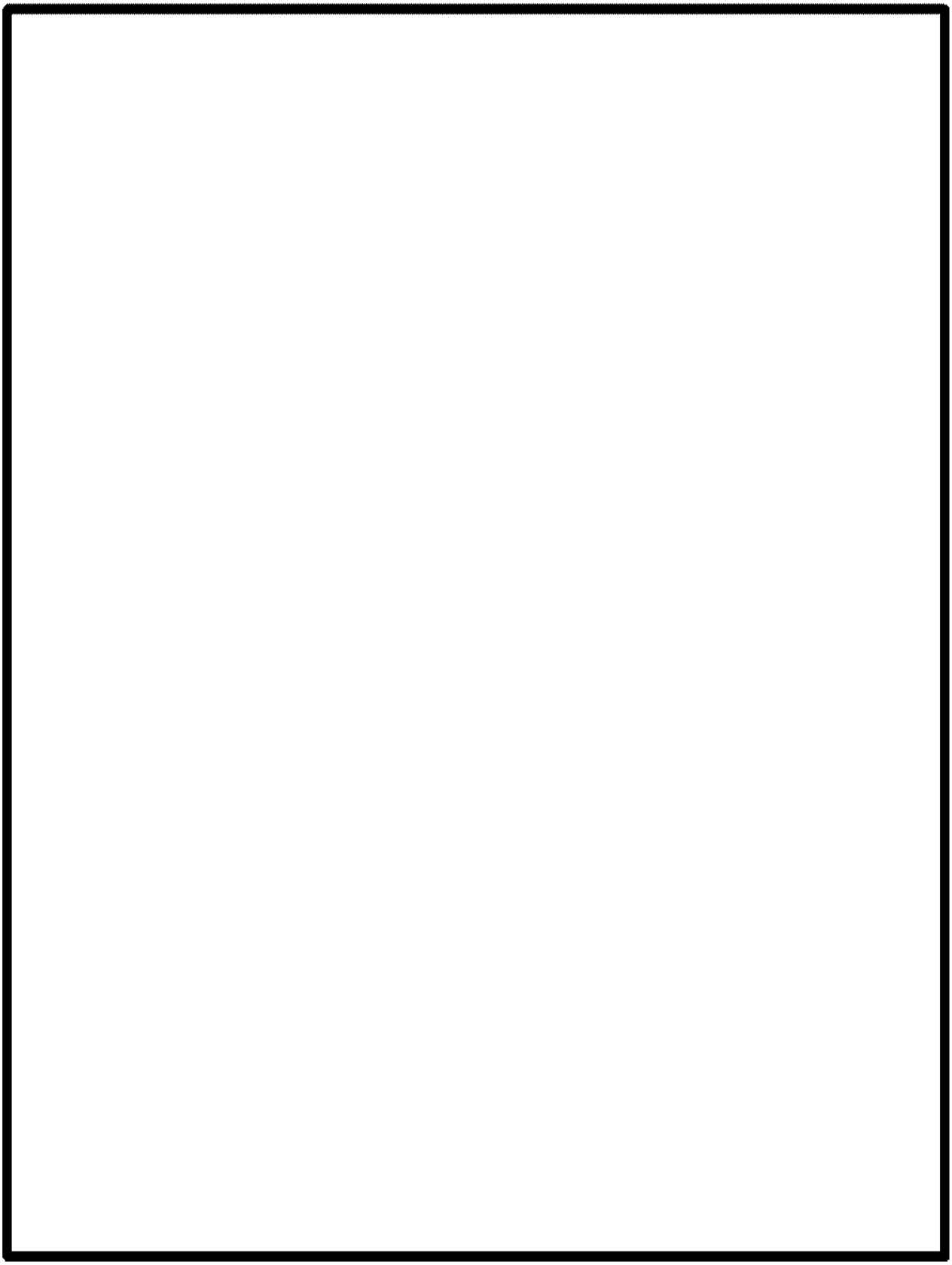

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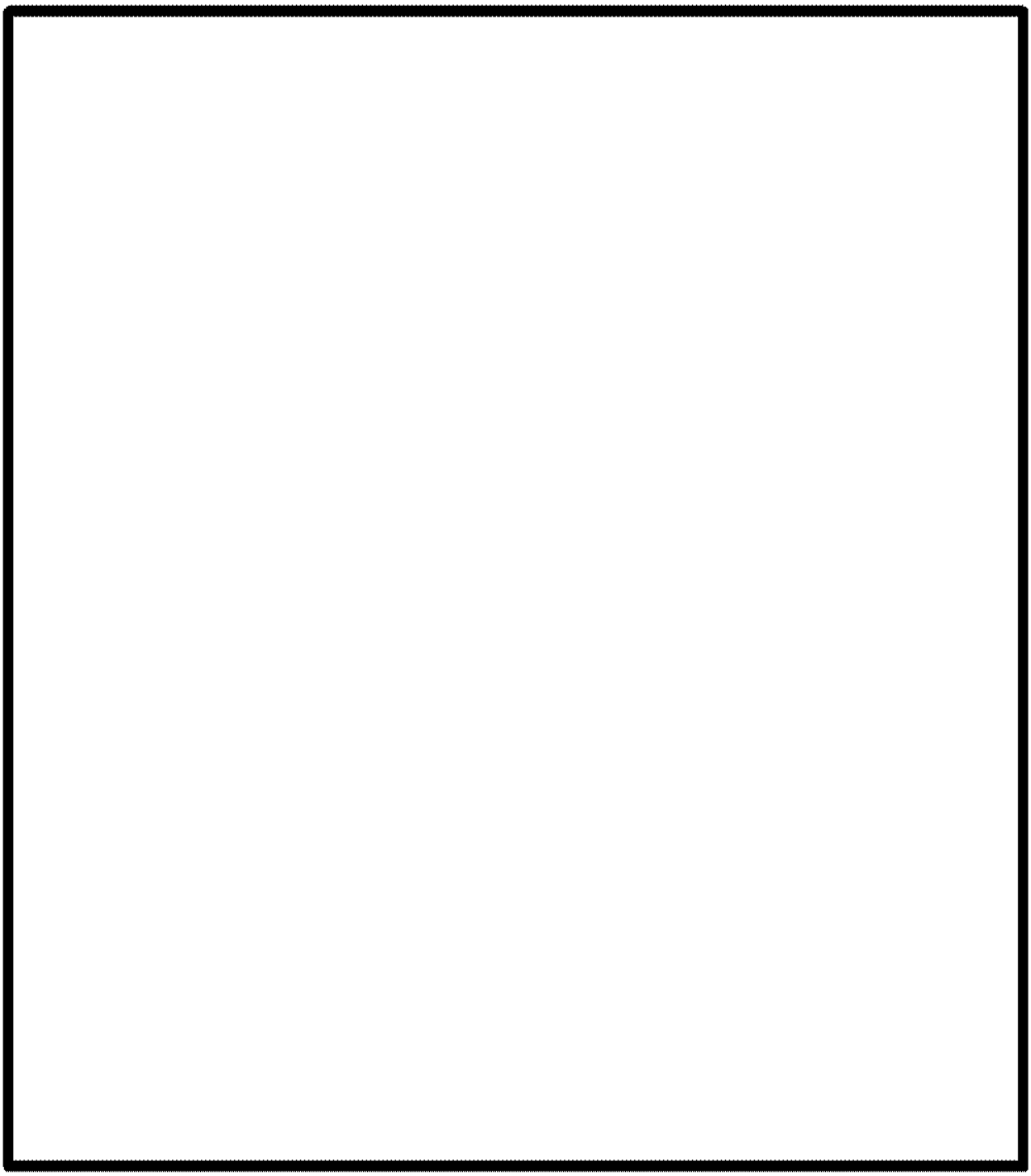

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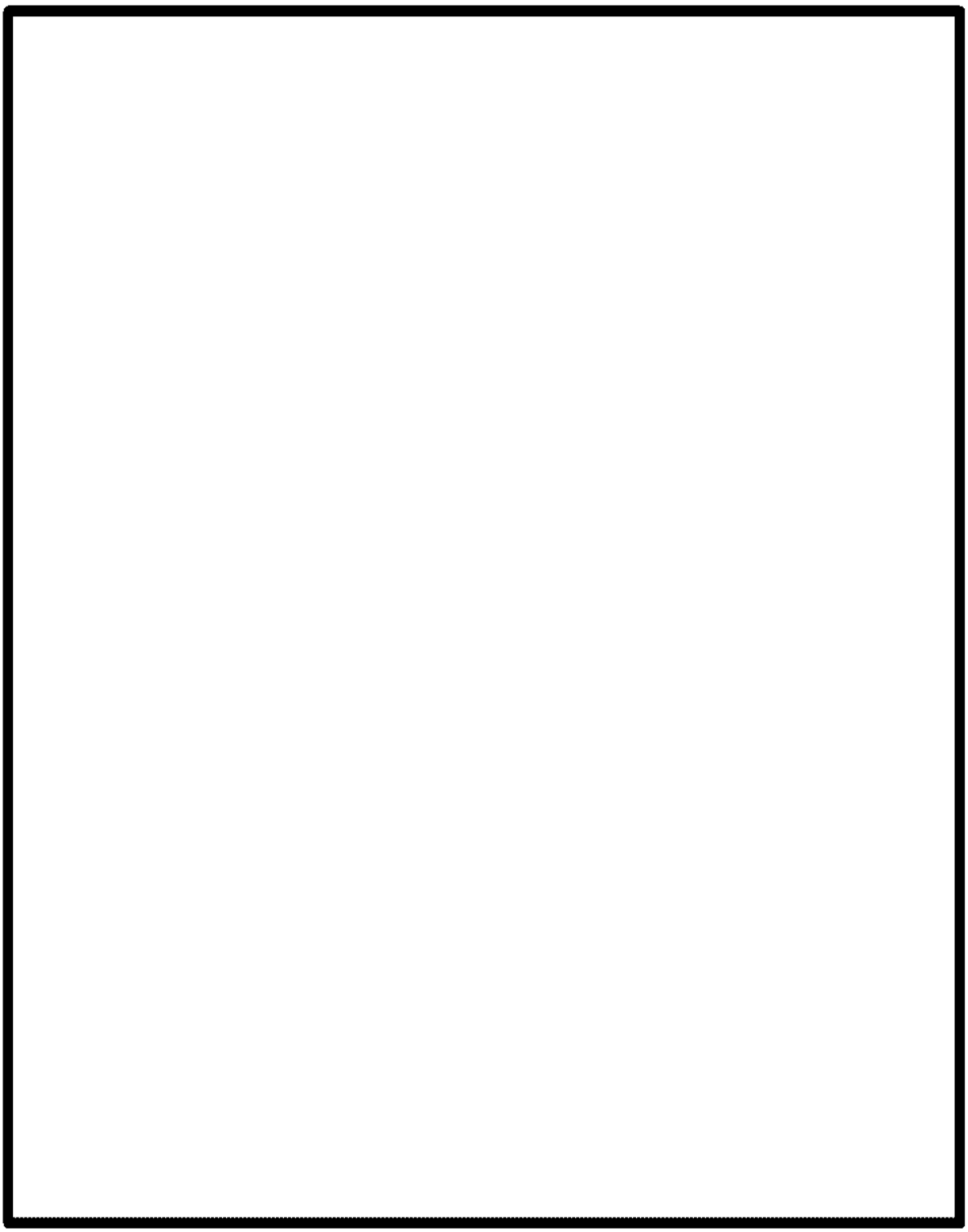

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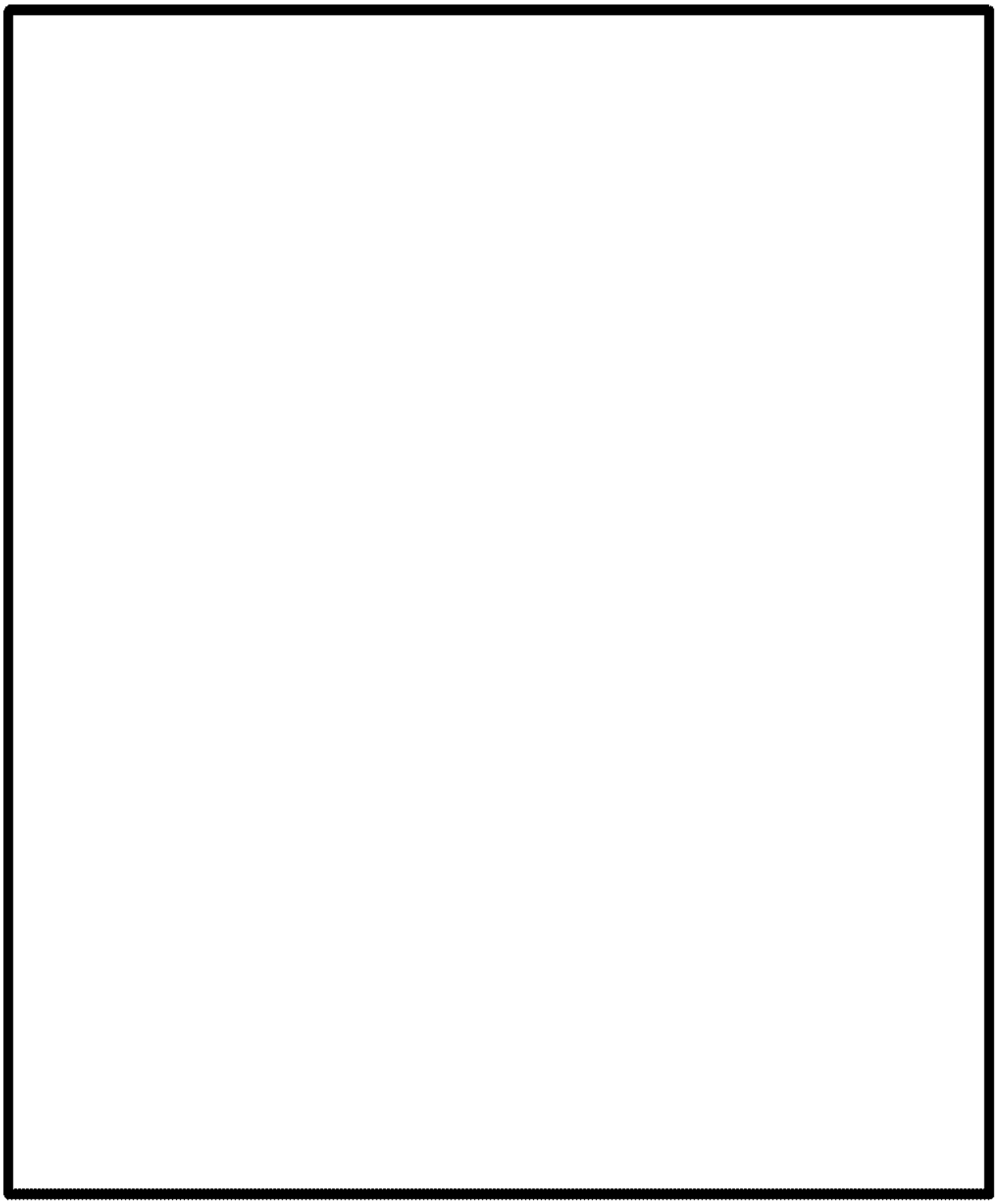
EXHIBIT A

FORM OF JOINDER AGREEMENT



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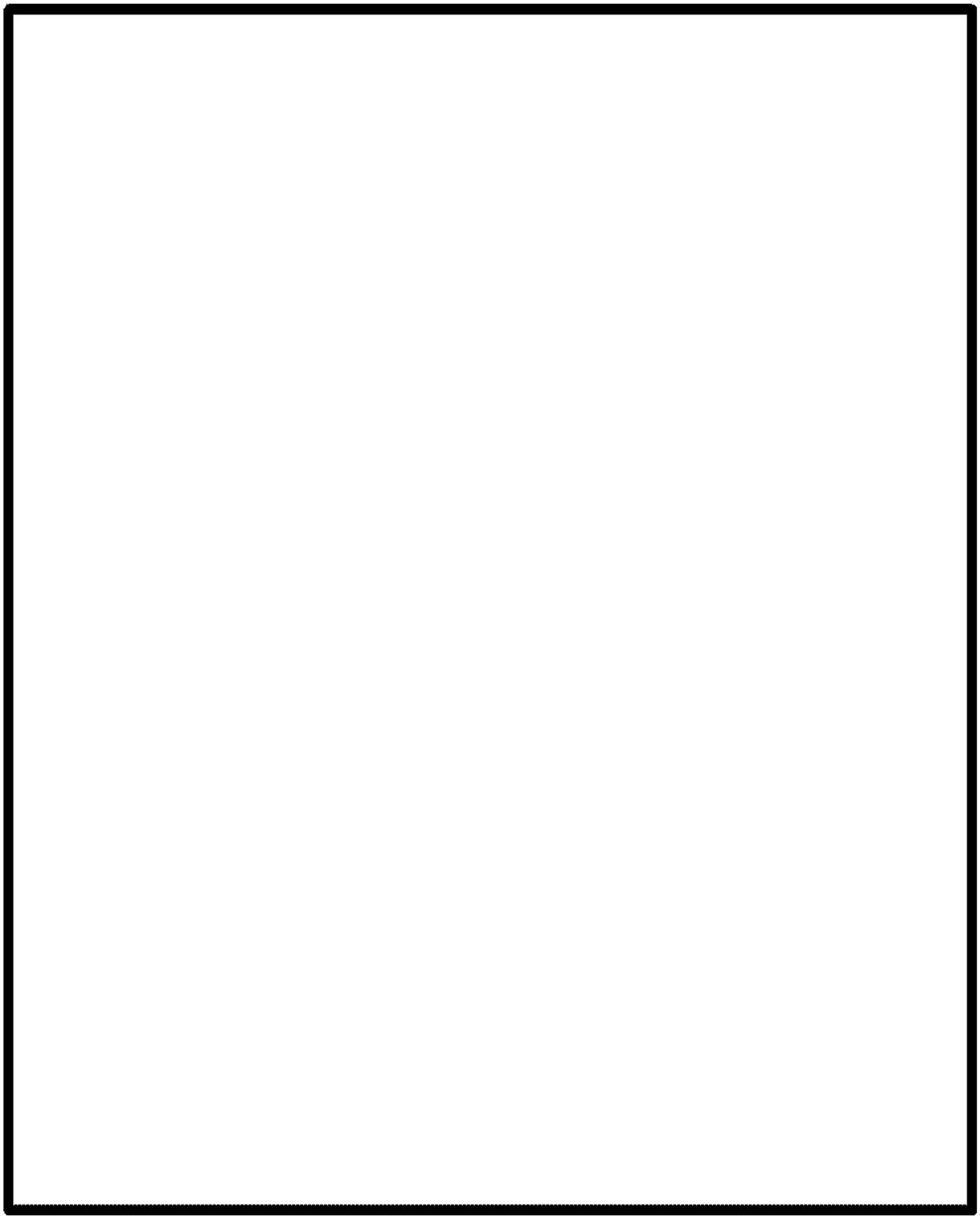

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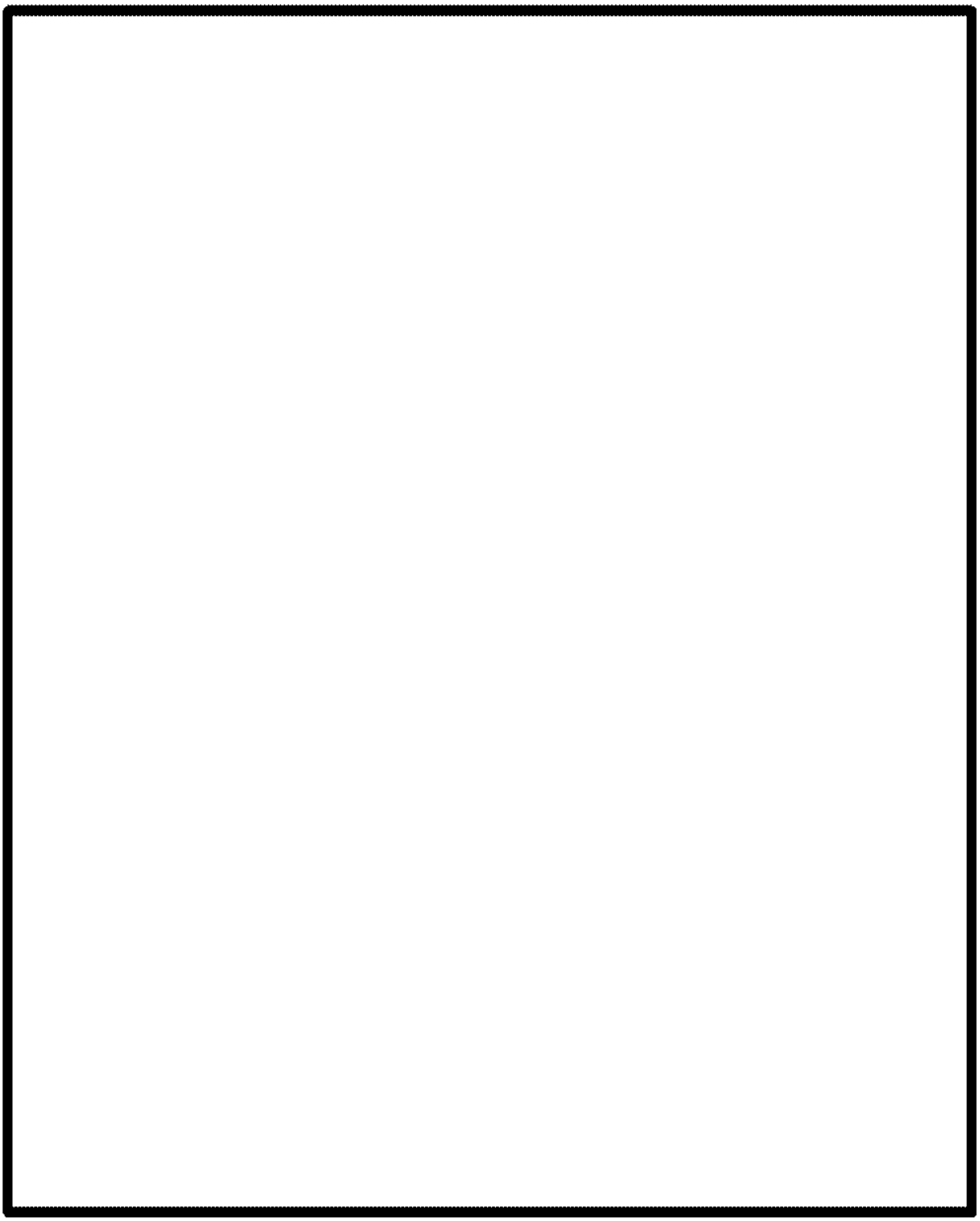

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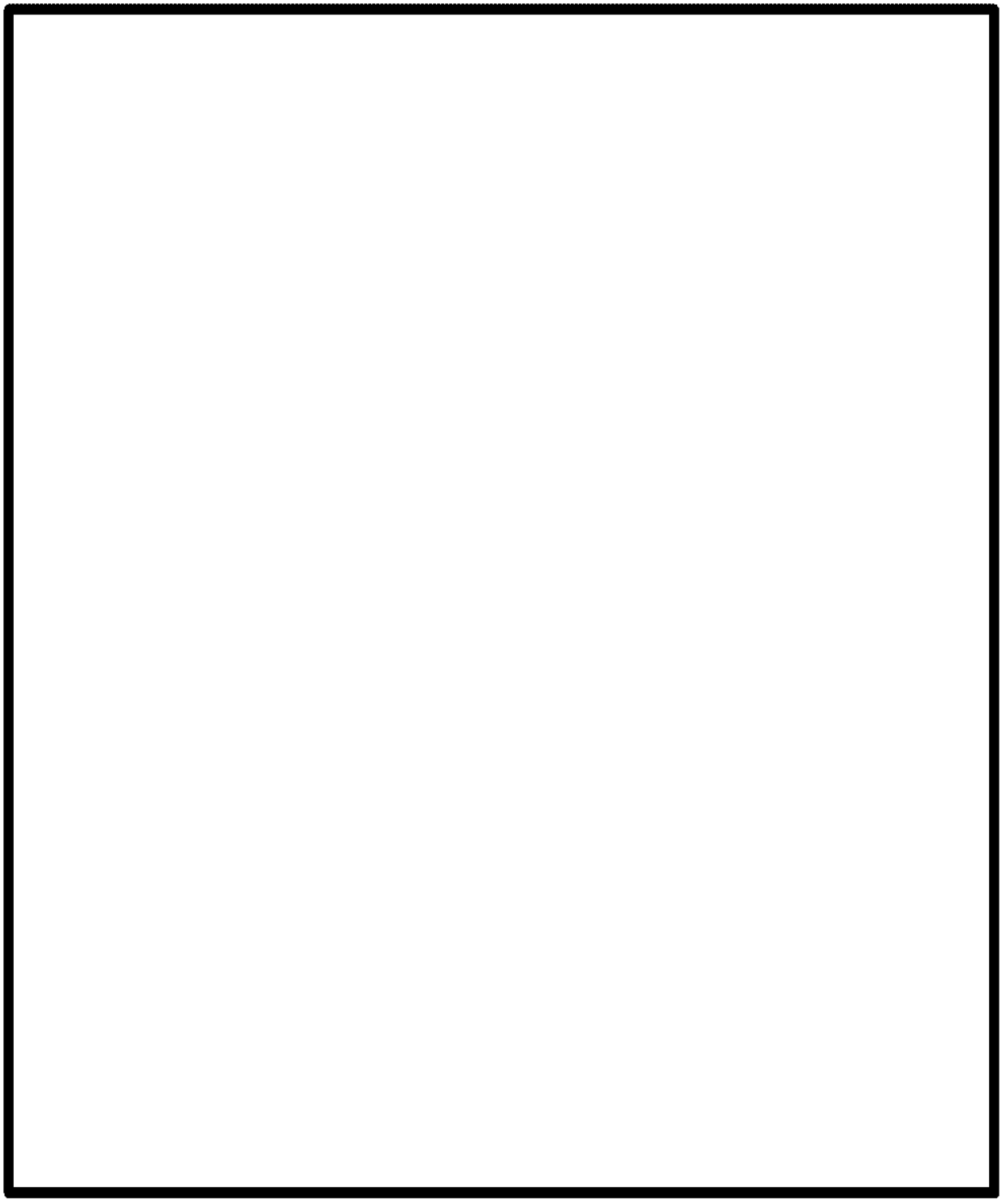

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OPERATING AGREEMENT

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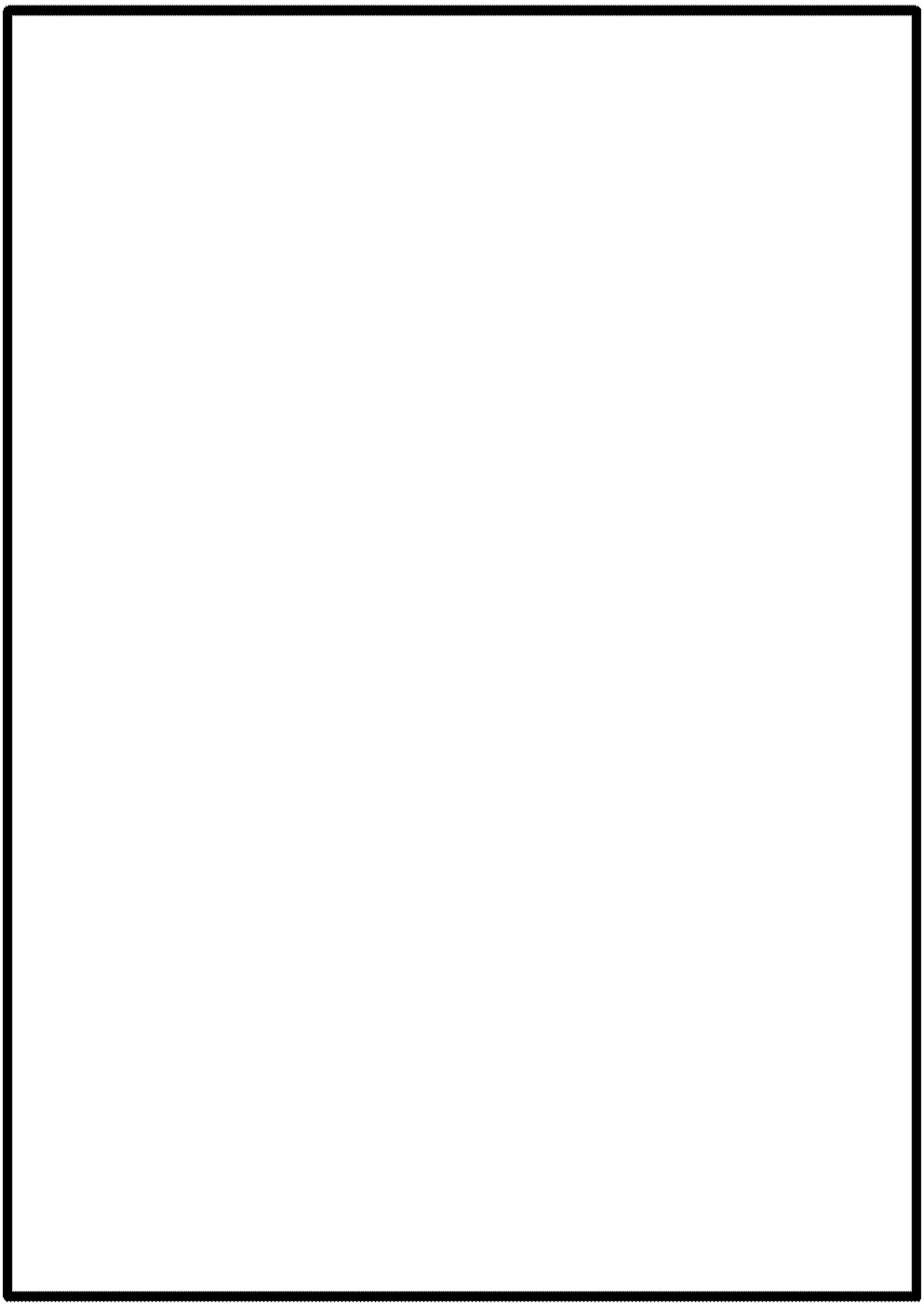

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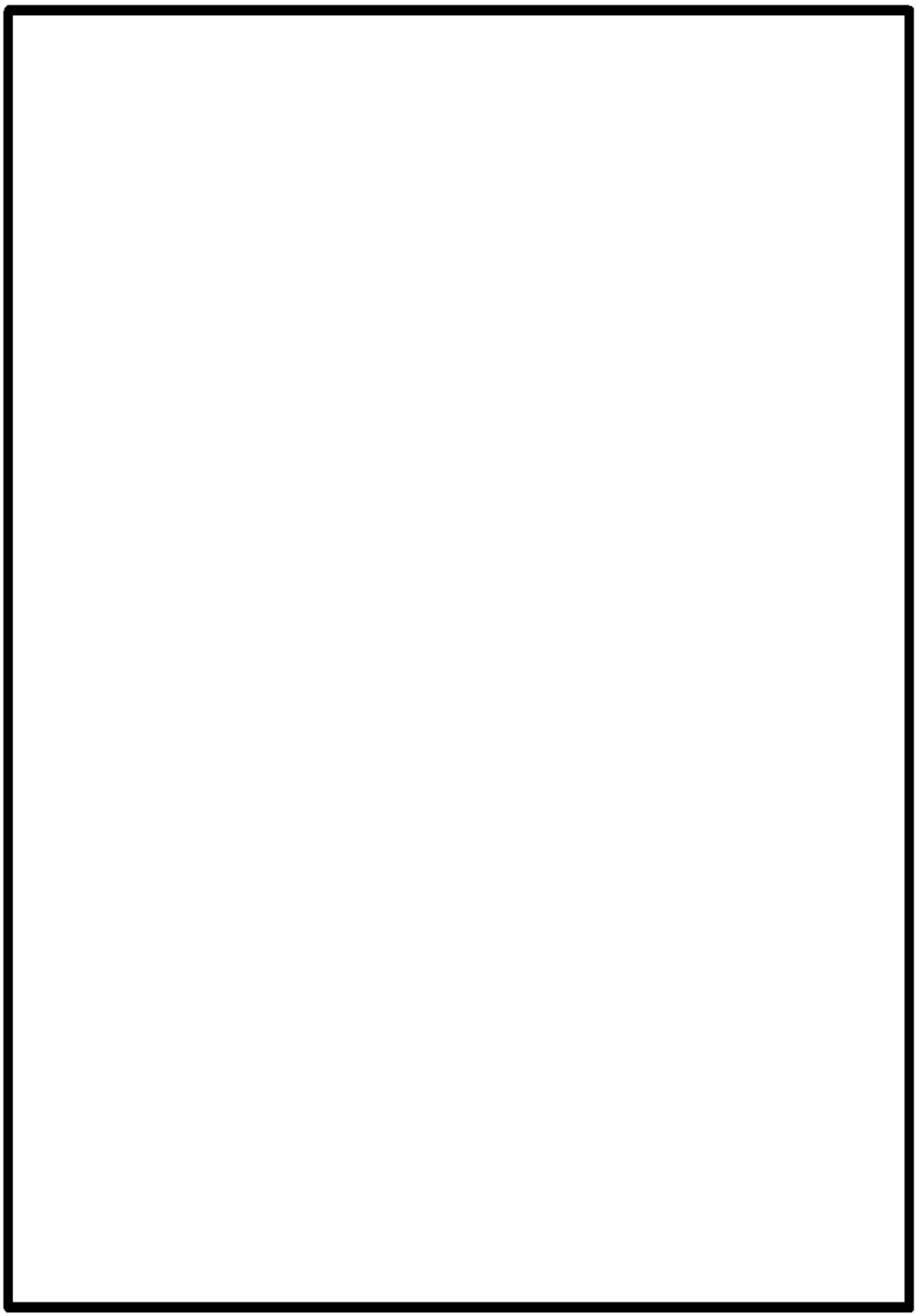

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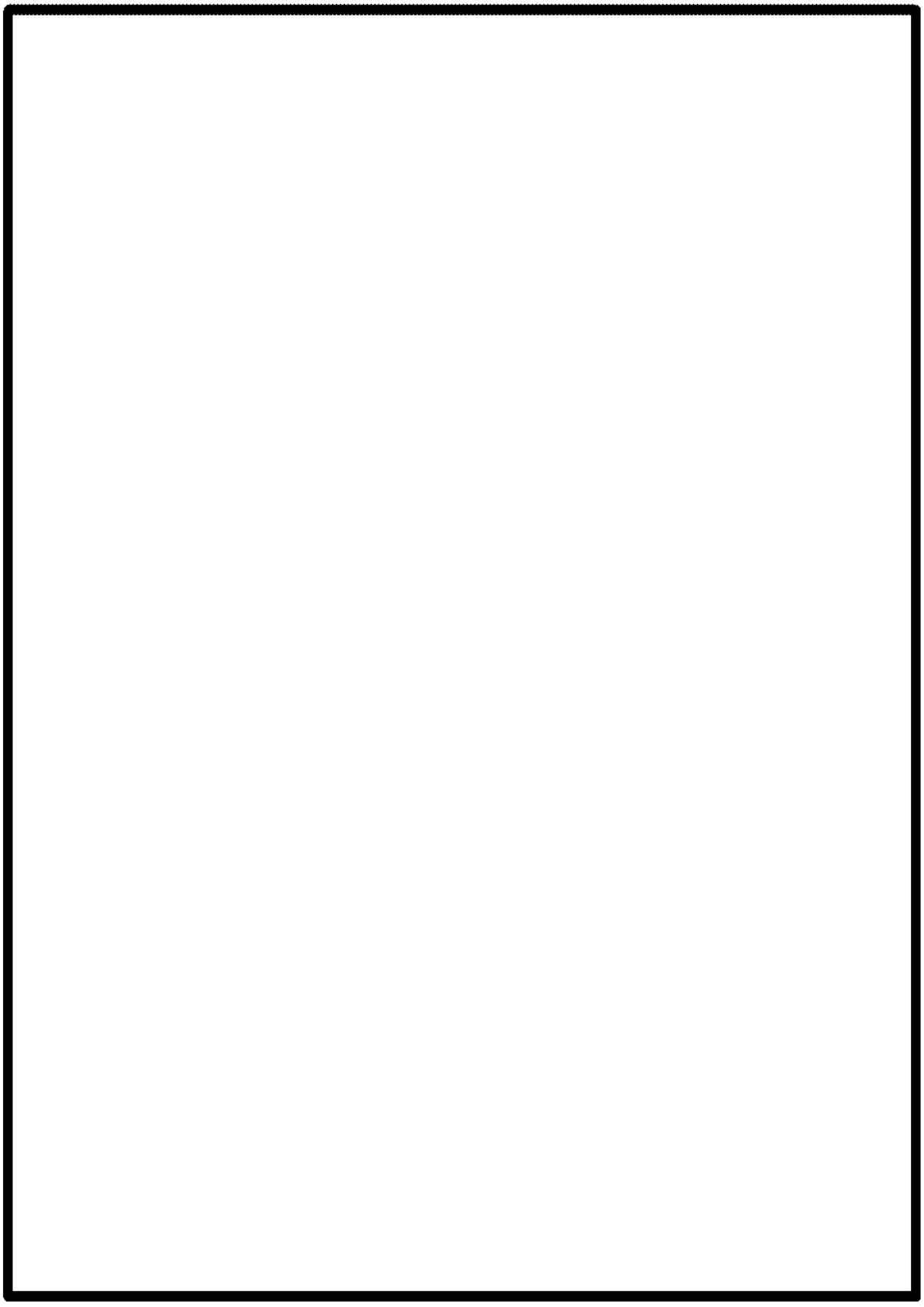

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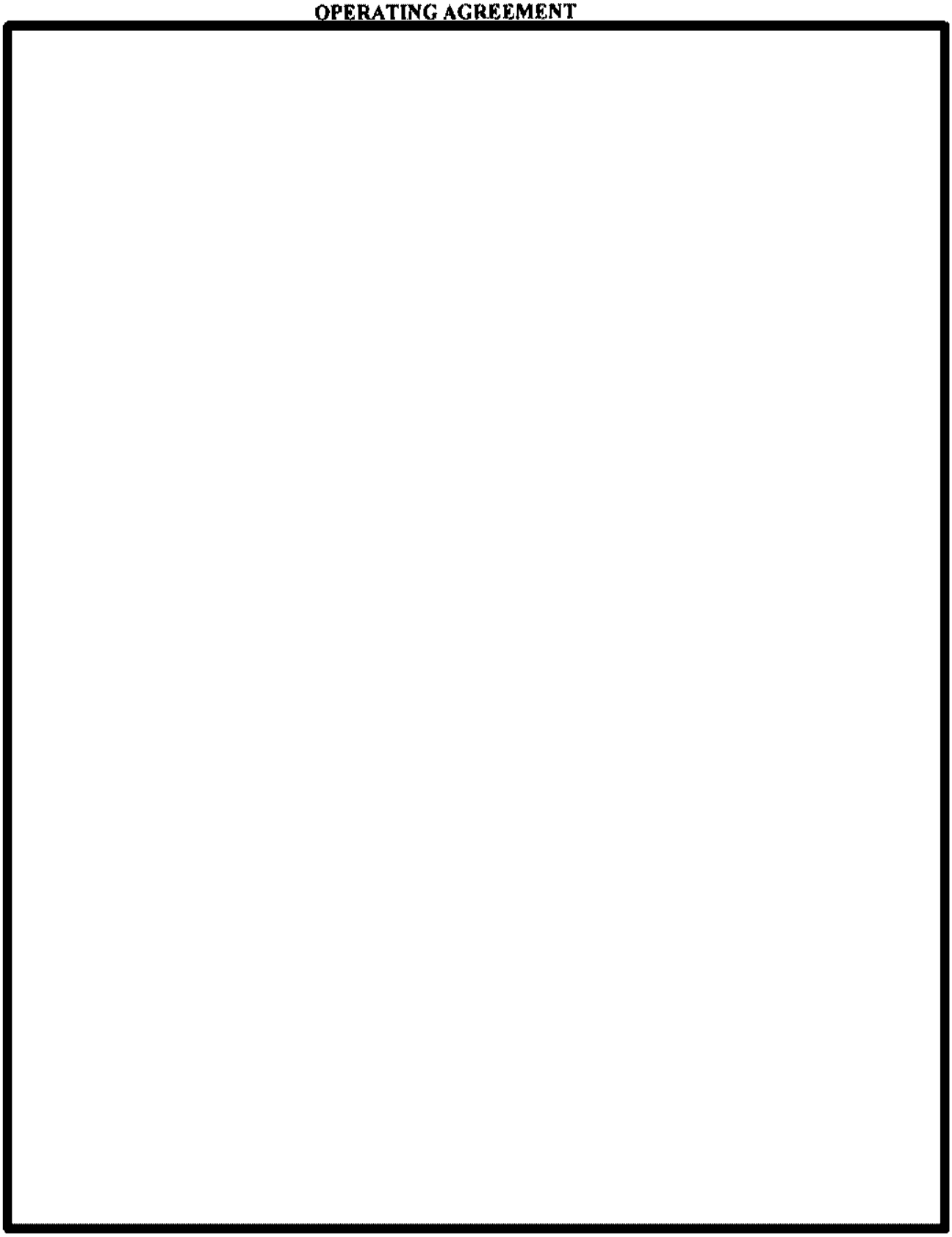
OPERATING AGREEMENT



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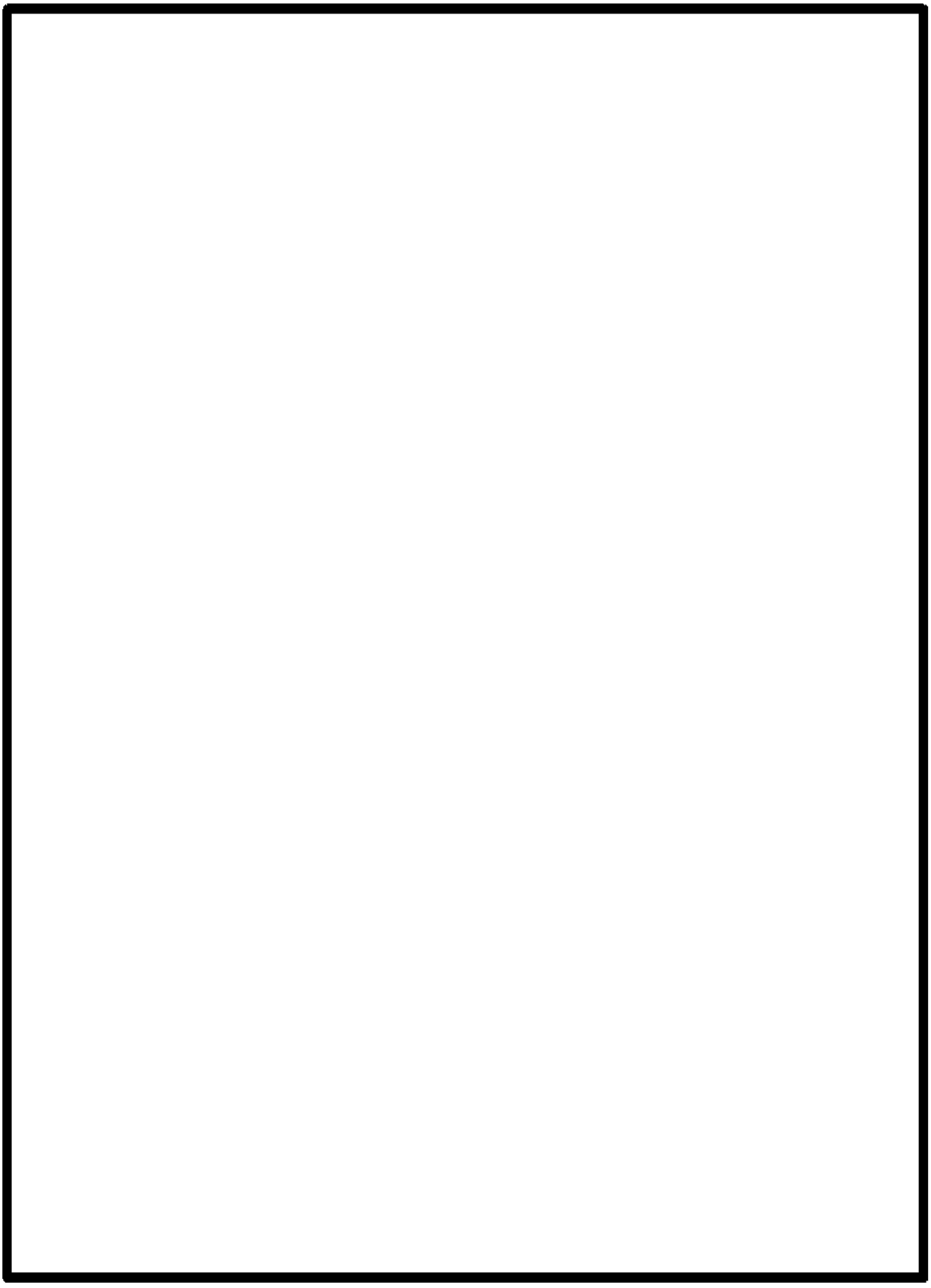

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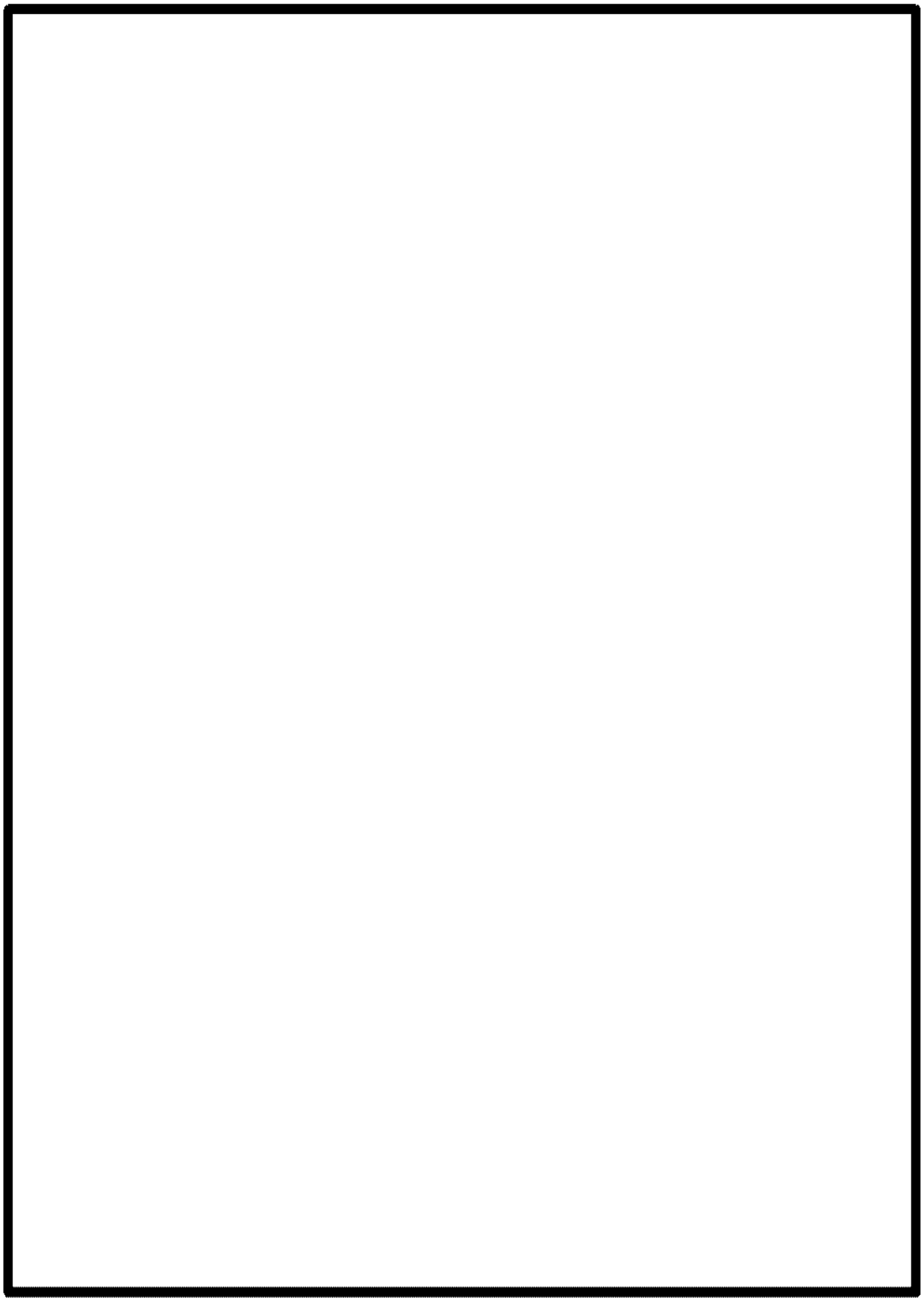

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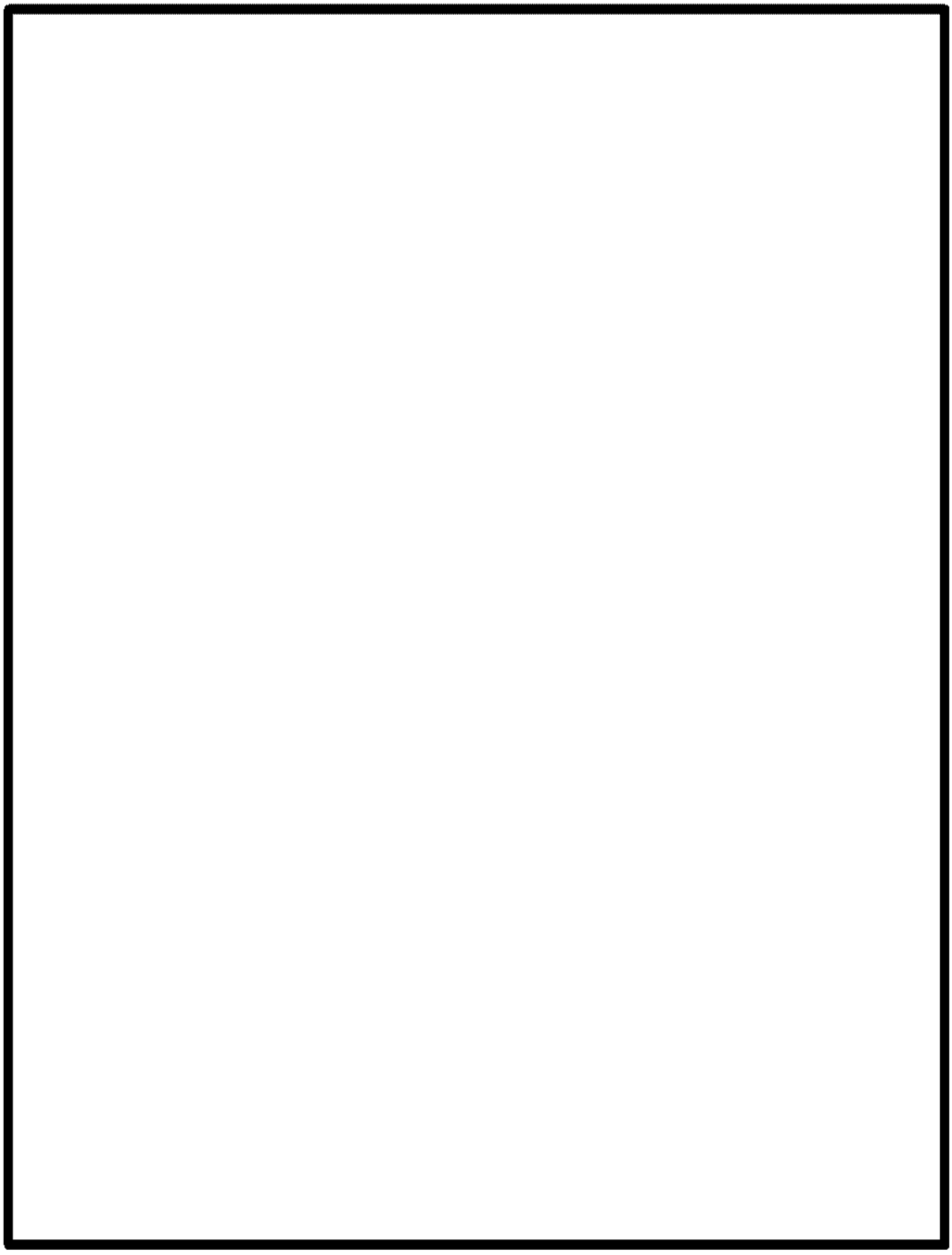

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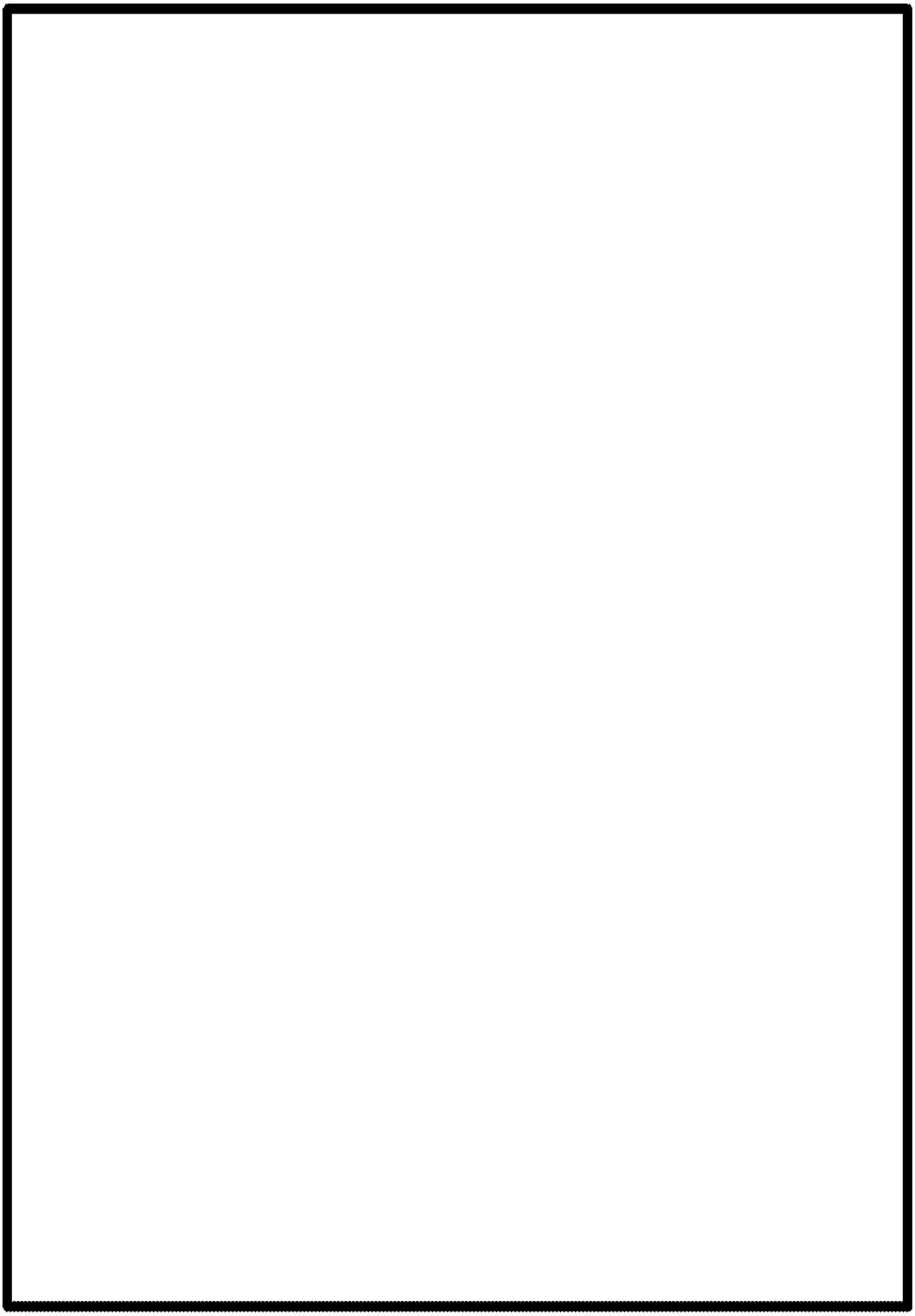

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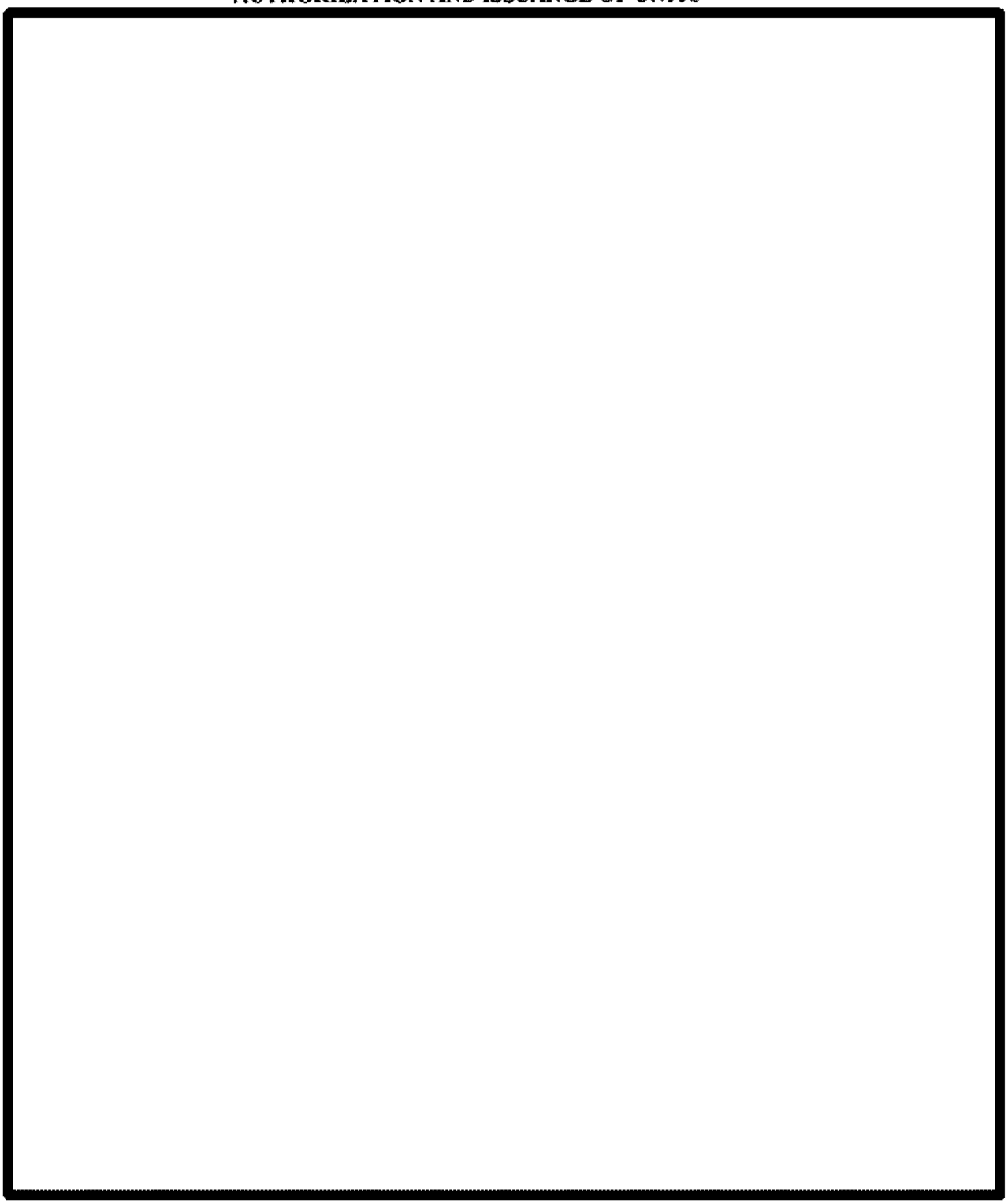
ARTICLE 3

AUTHORIZATION AND ISSUANCE OF UNITS



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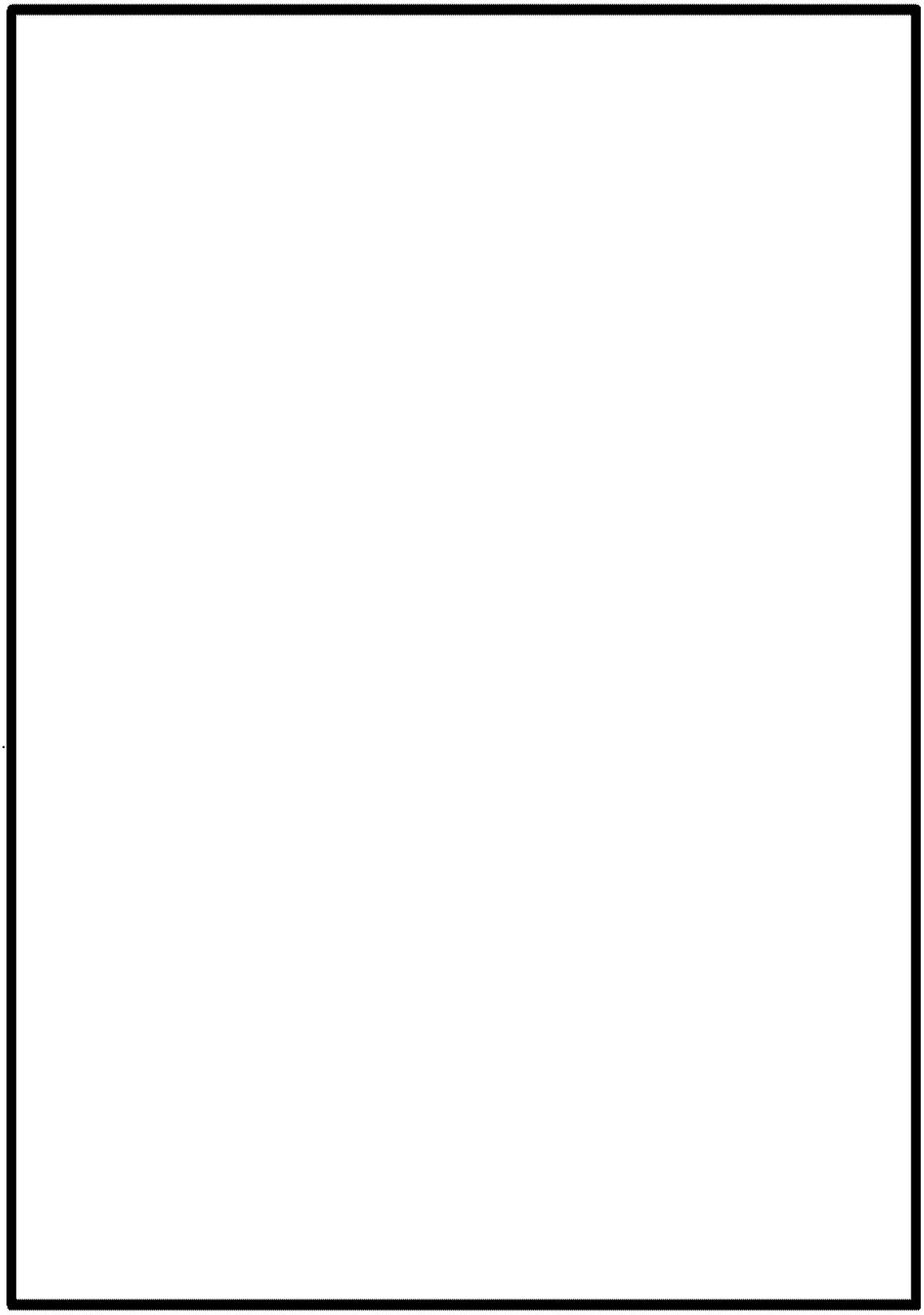

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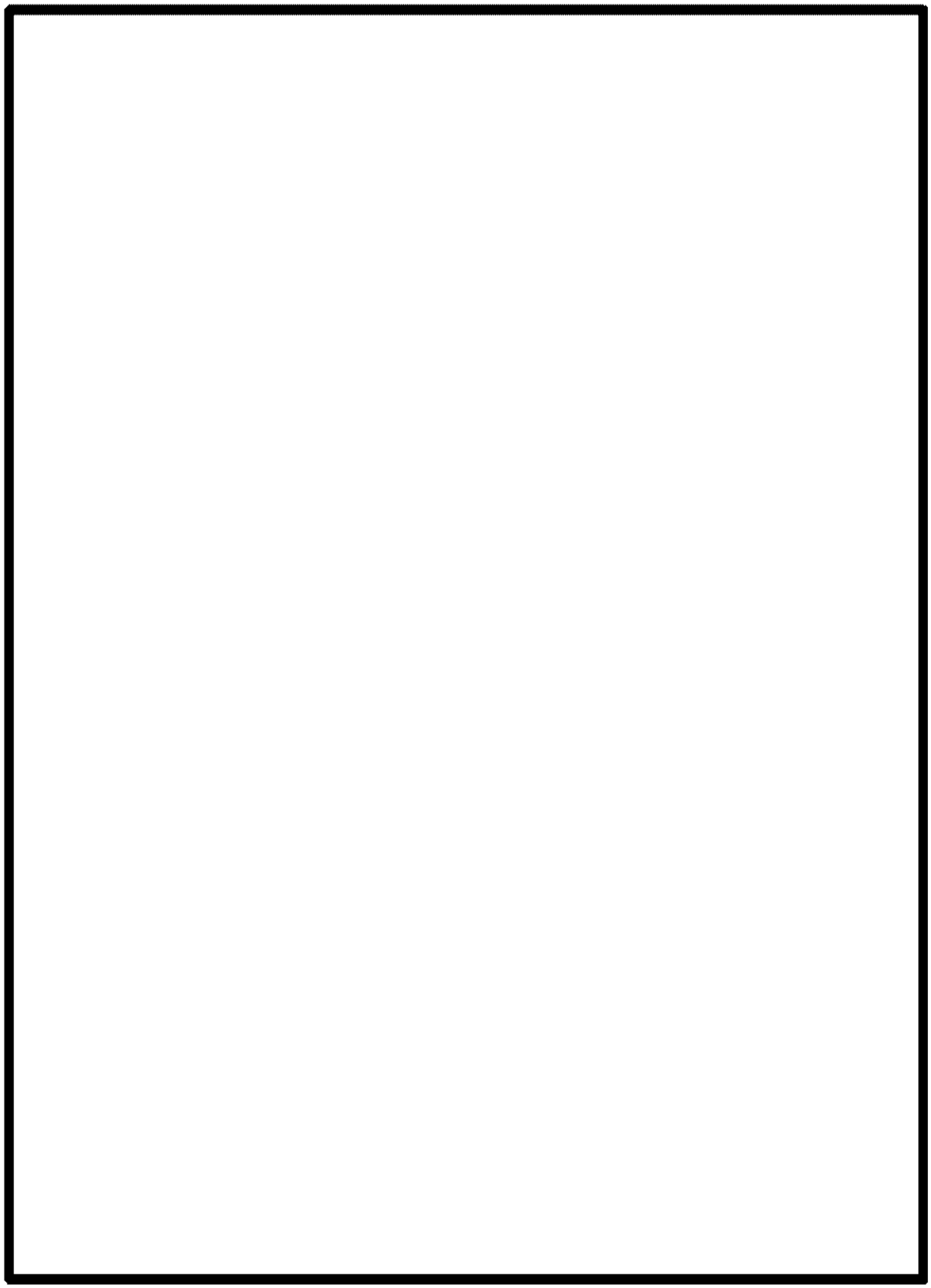

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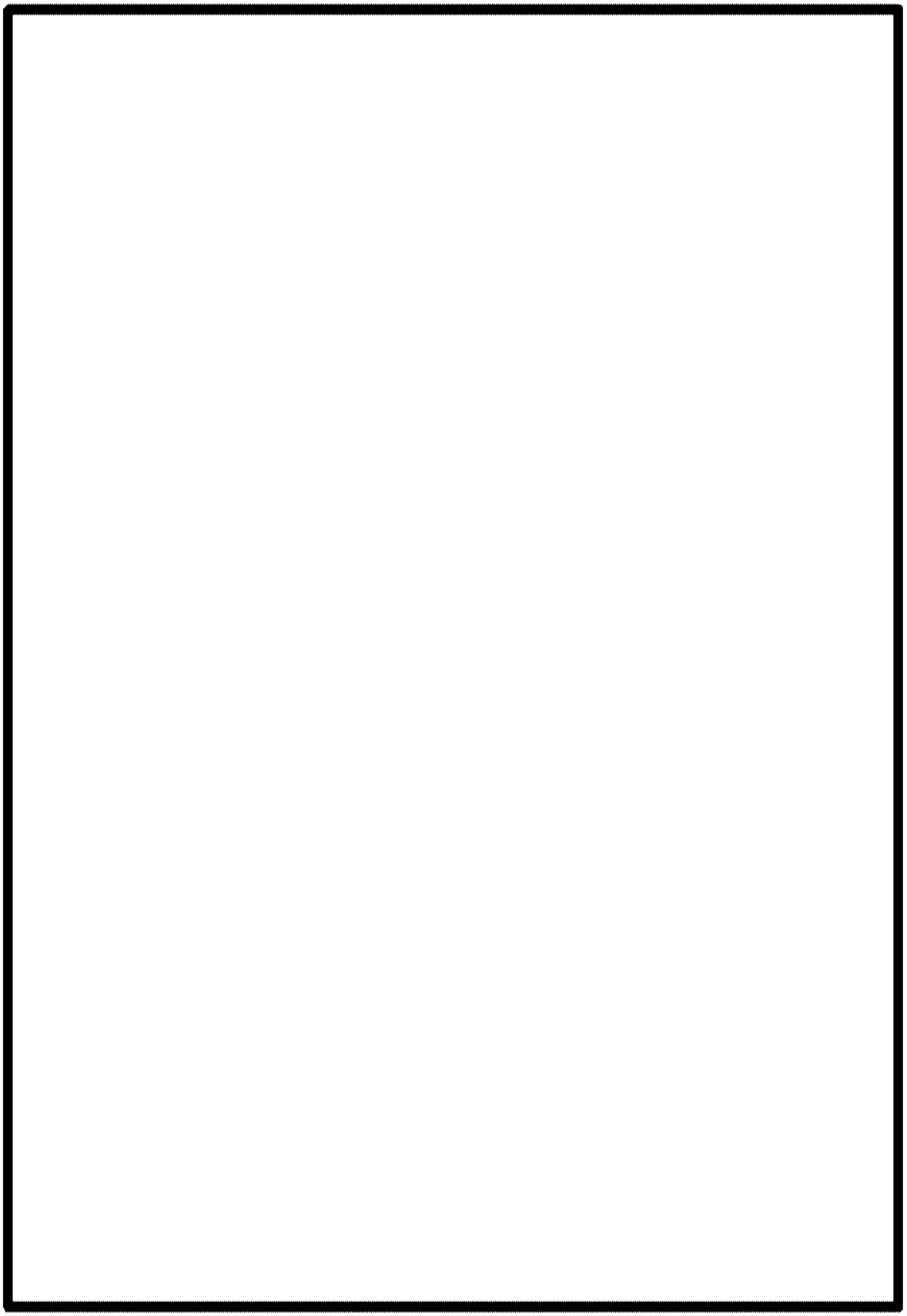

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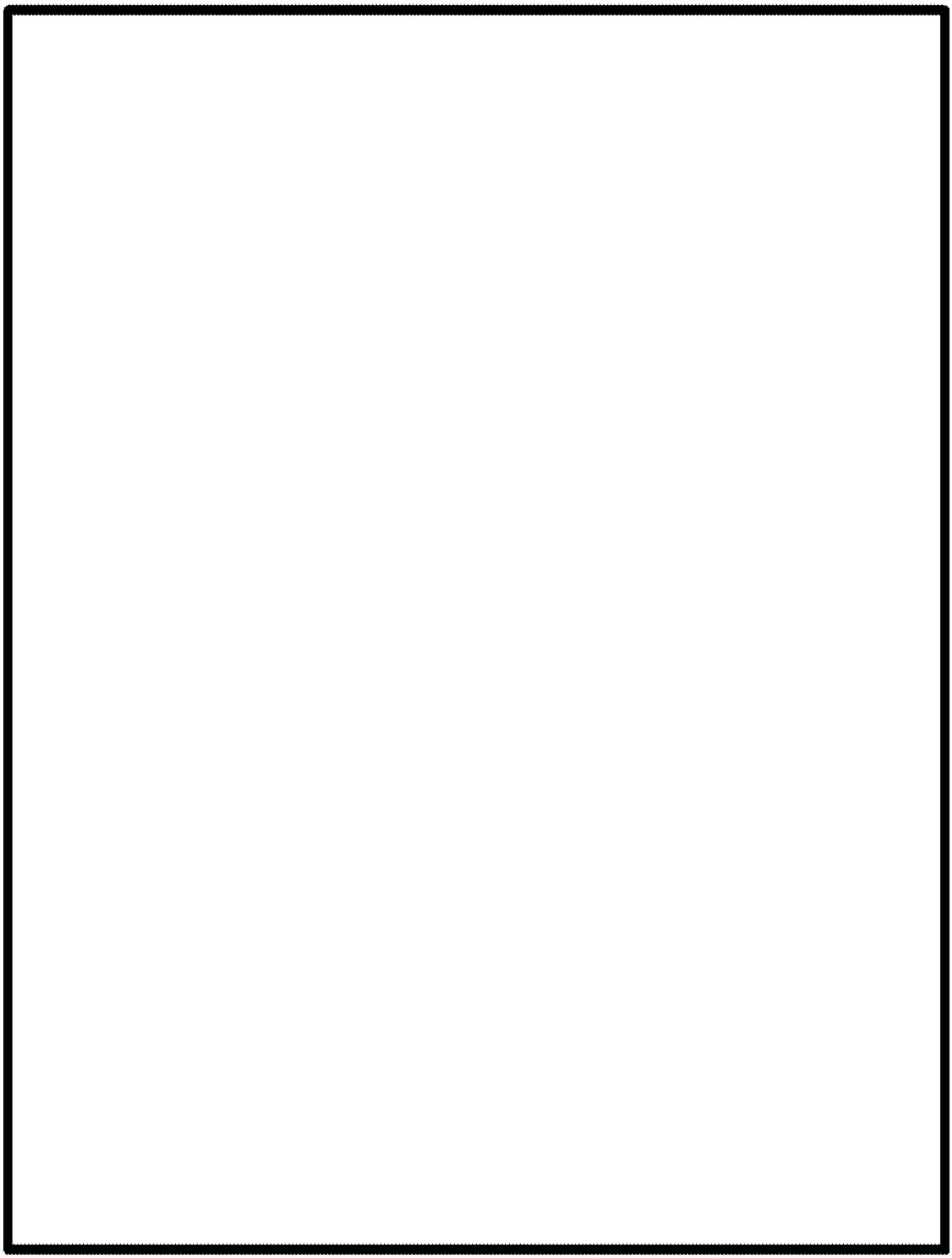

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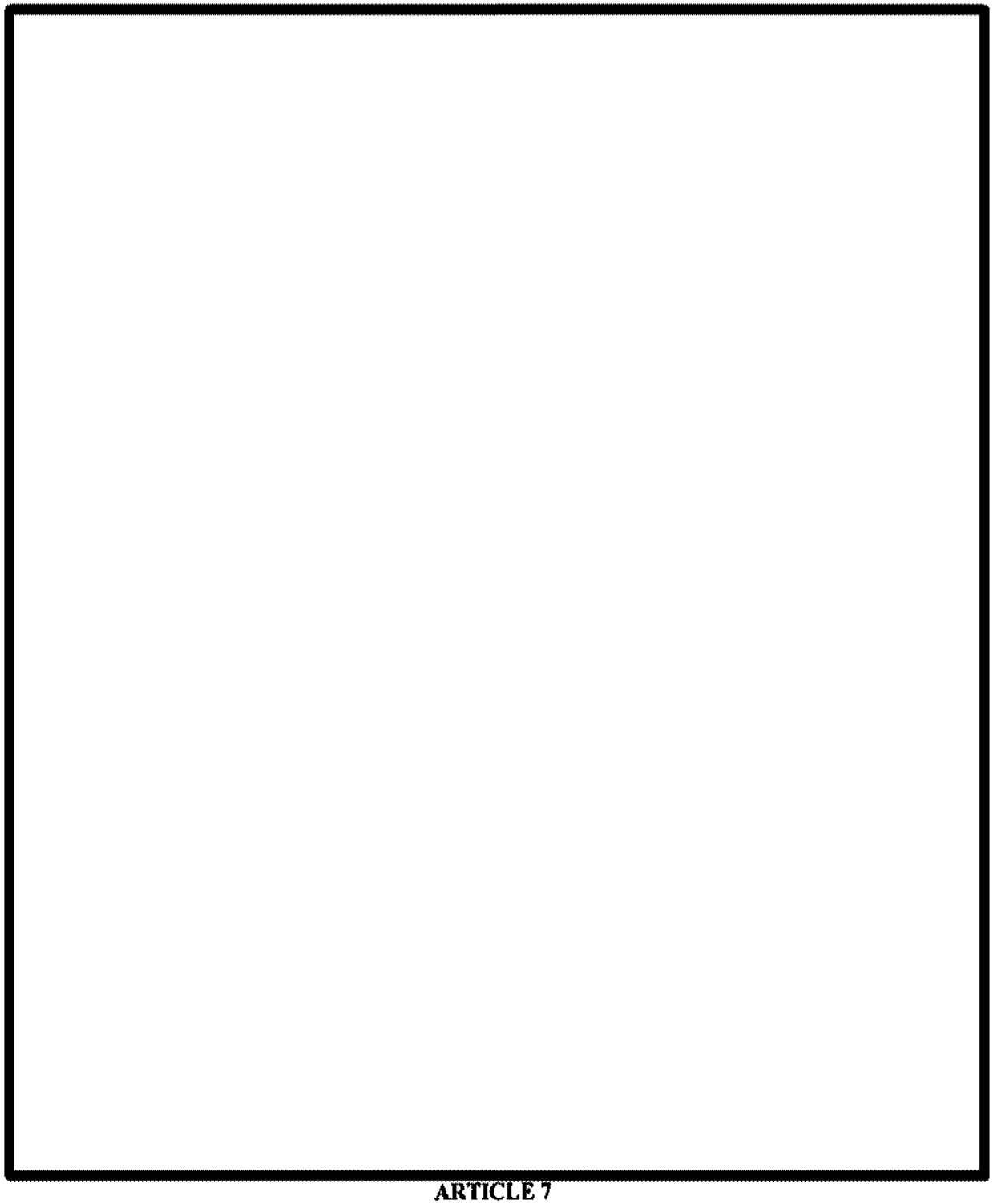

ARTICLE 7

POWER OF ATTORNEY

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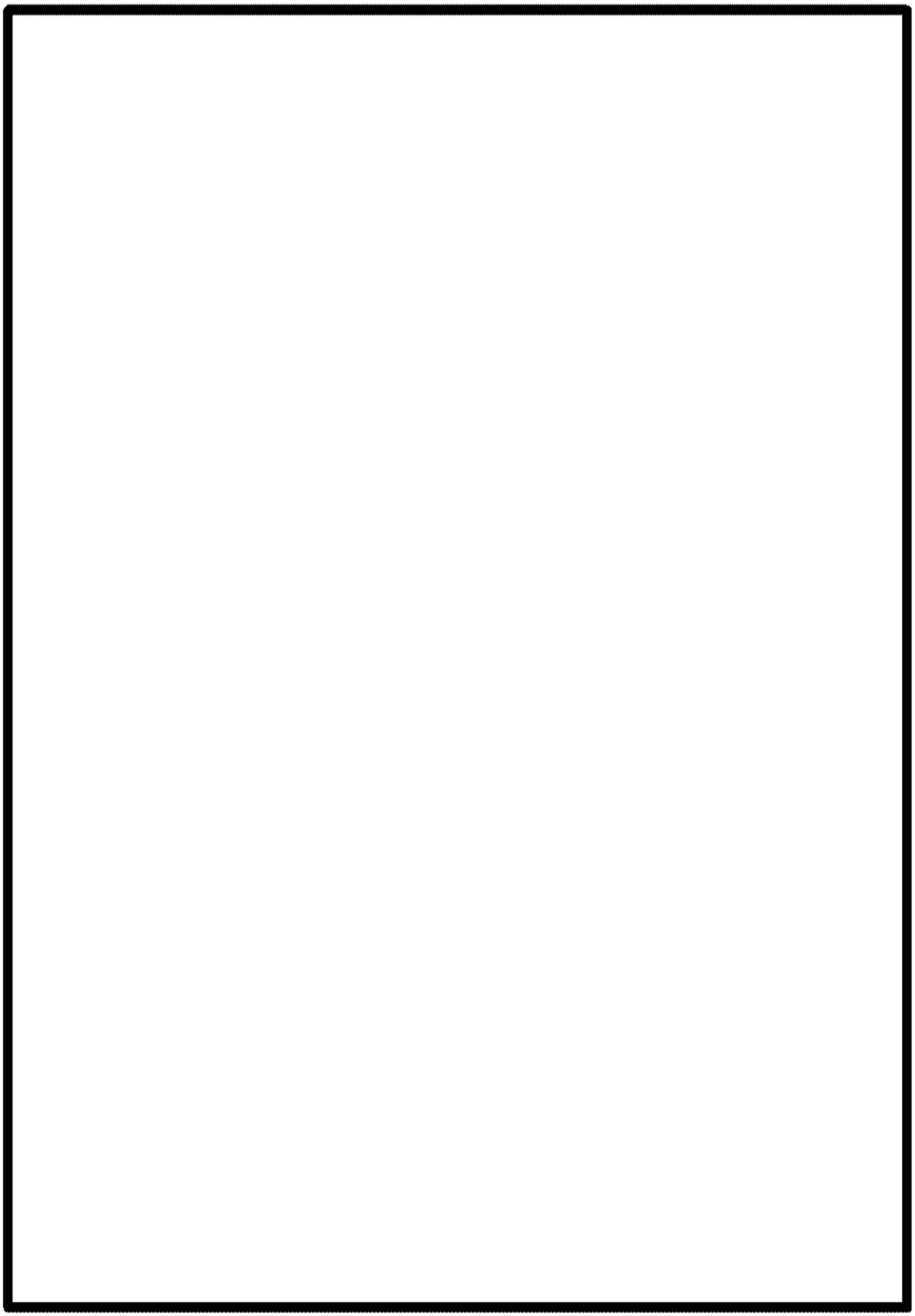

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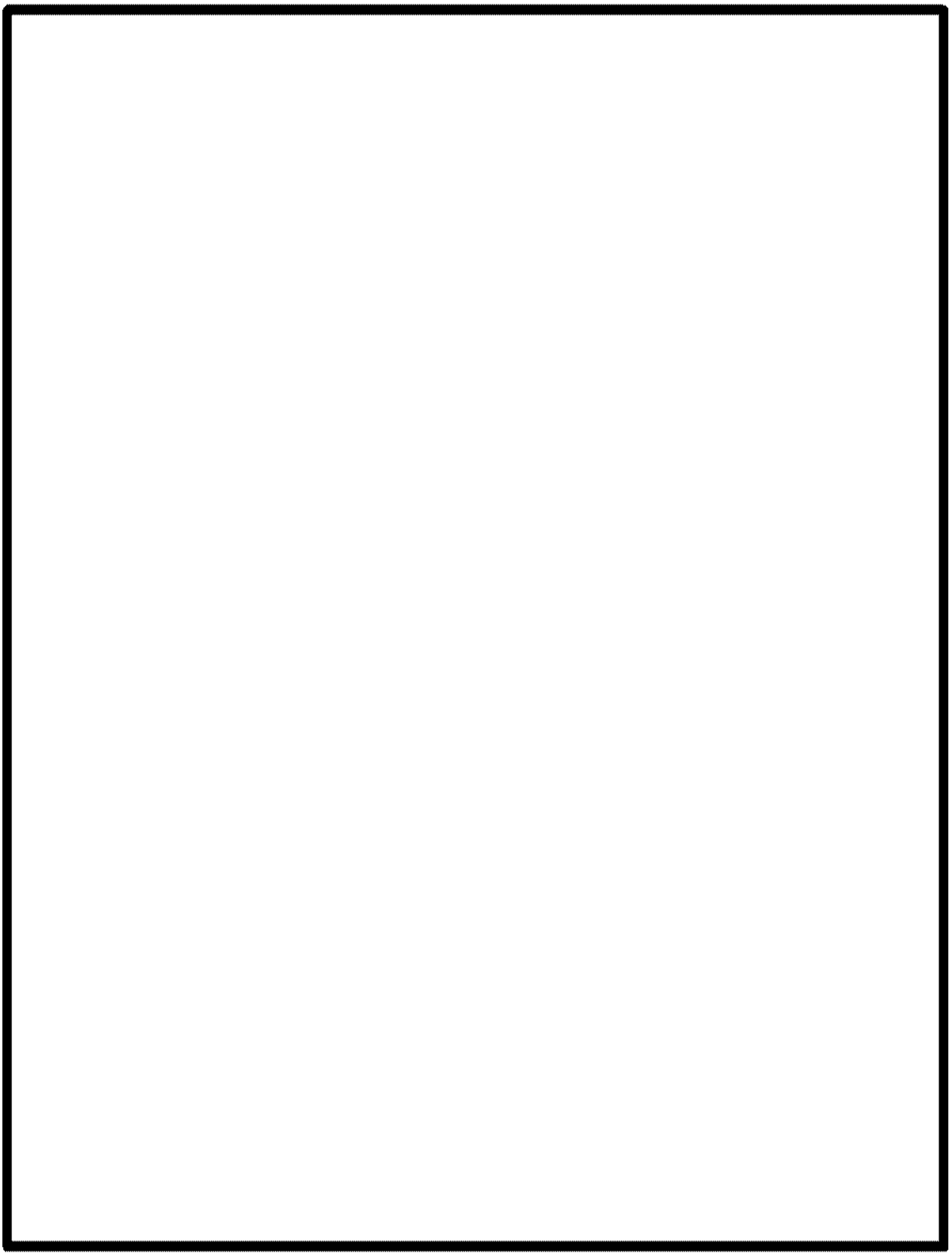

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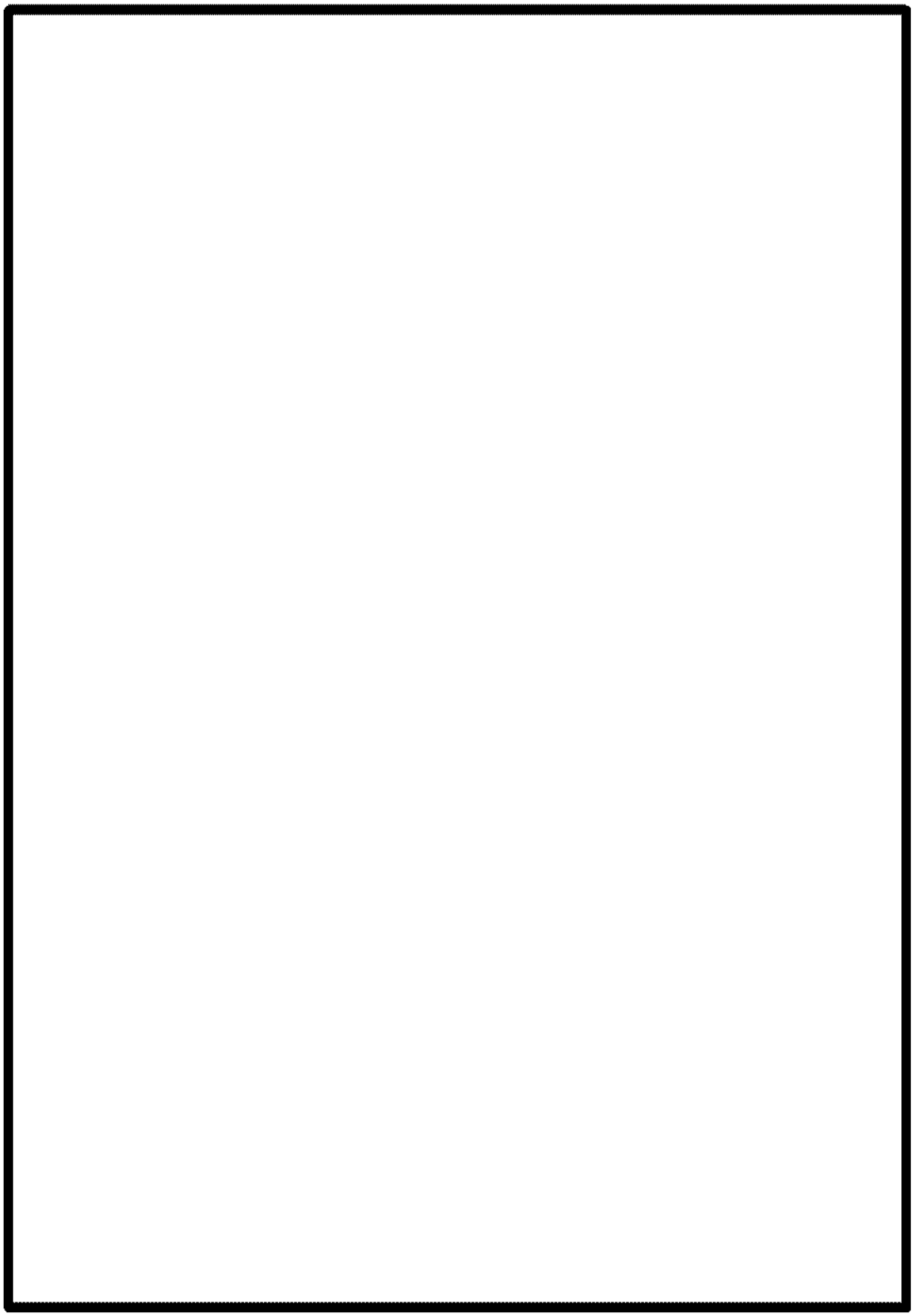

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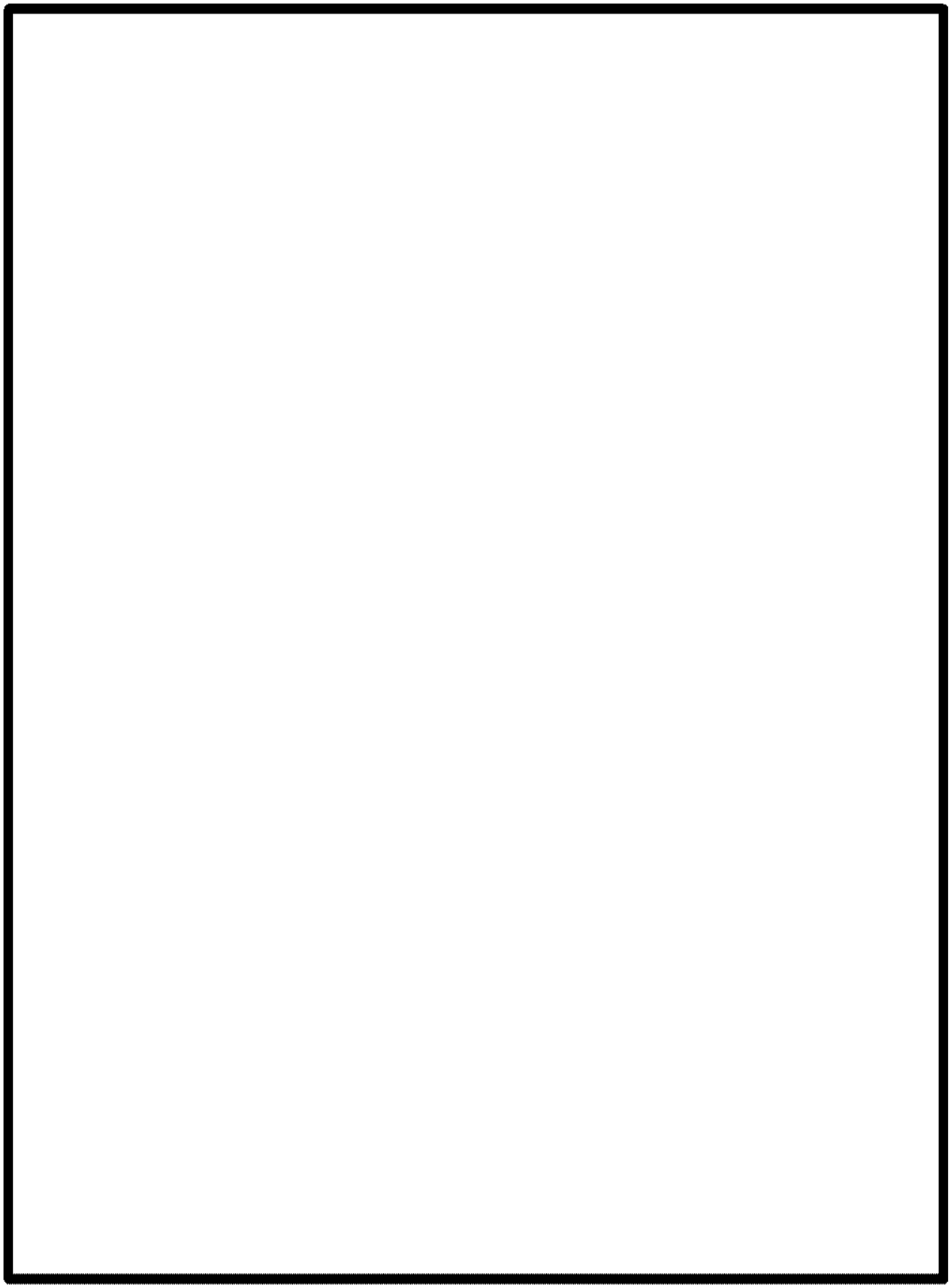

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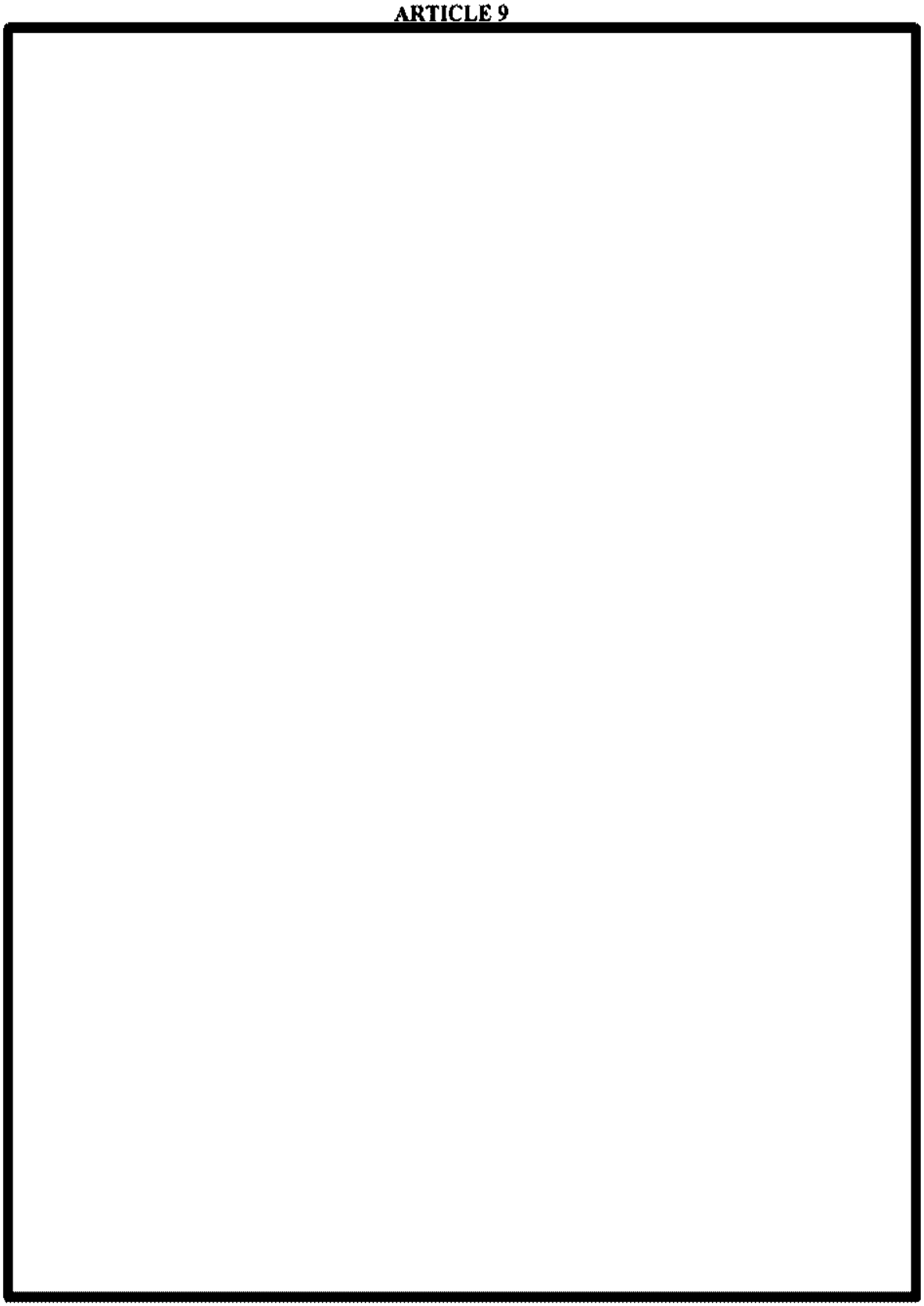
ARTICLE 9



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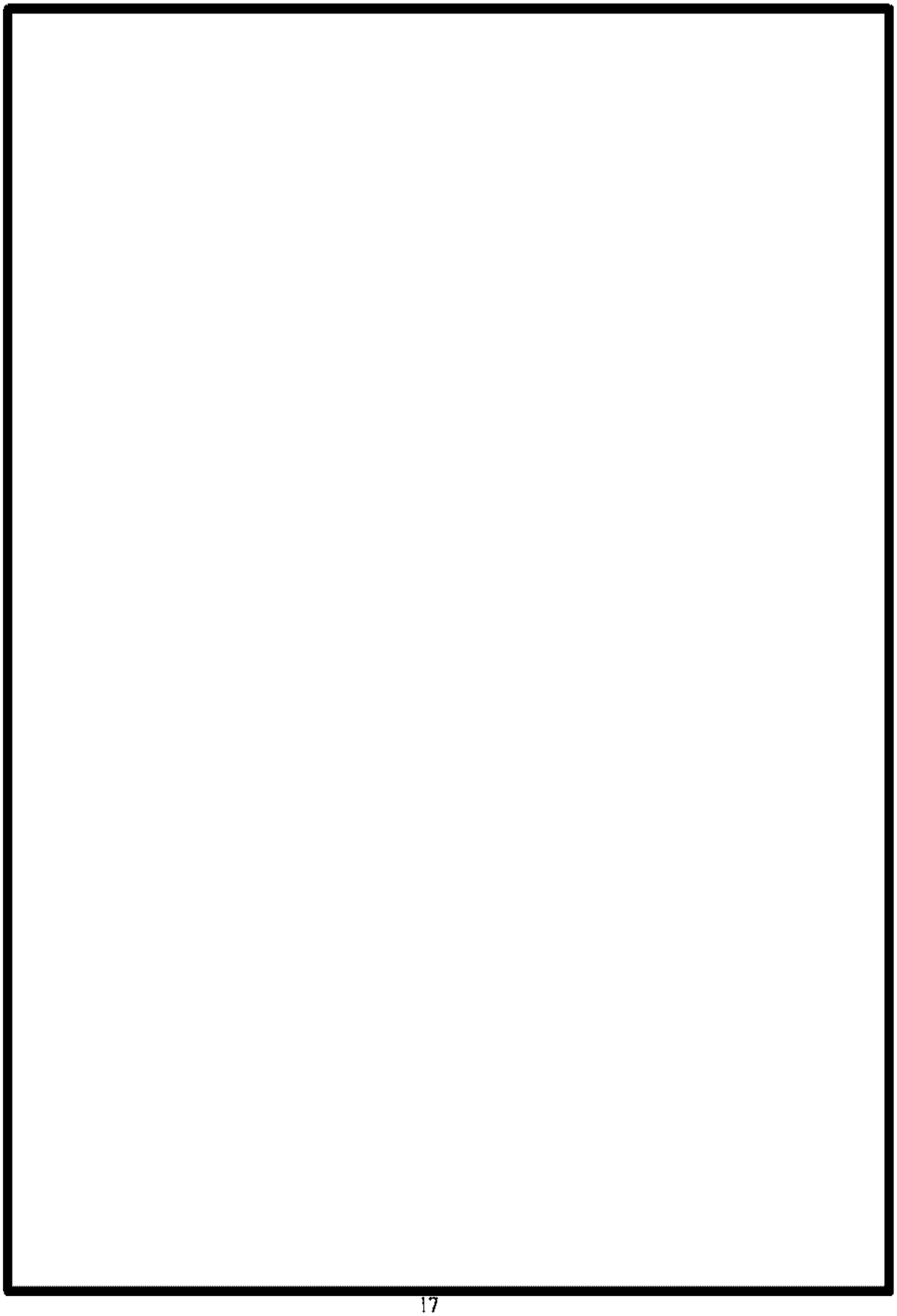

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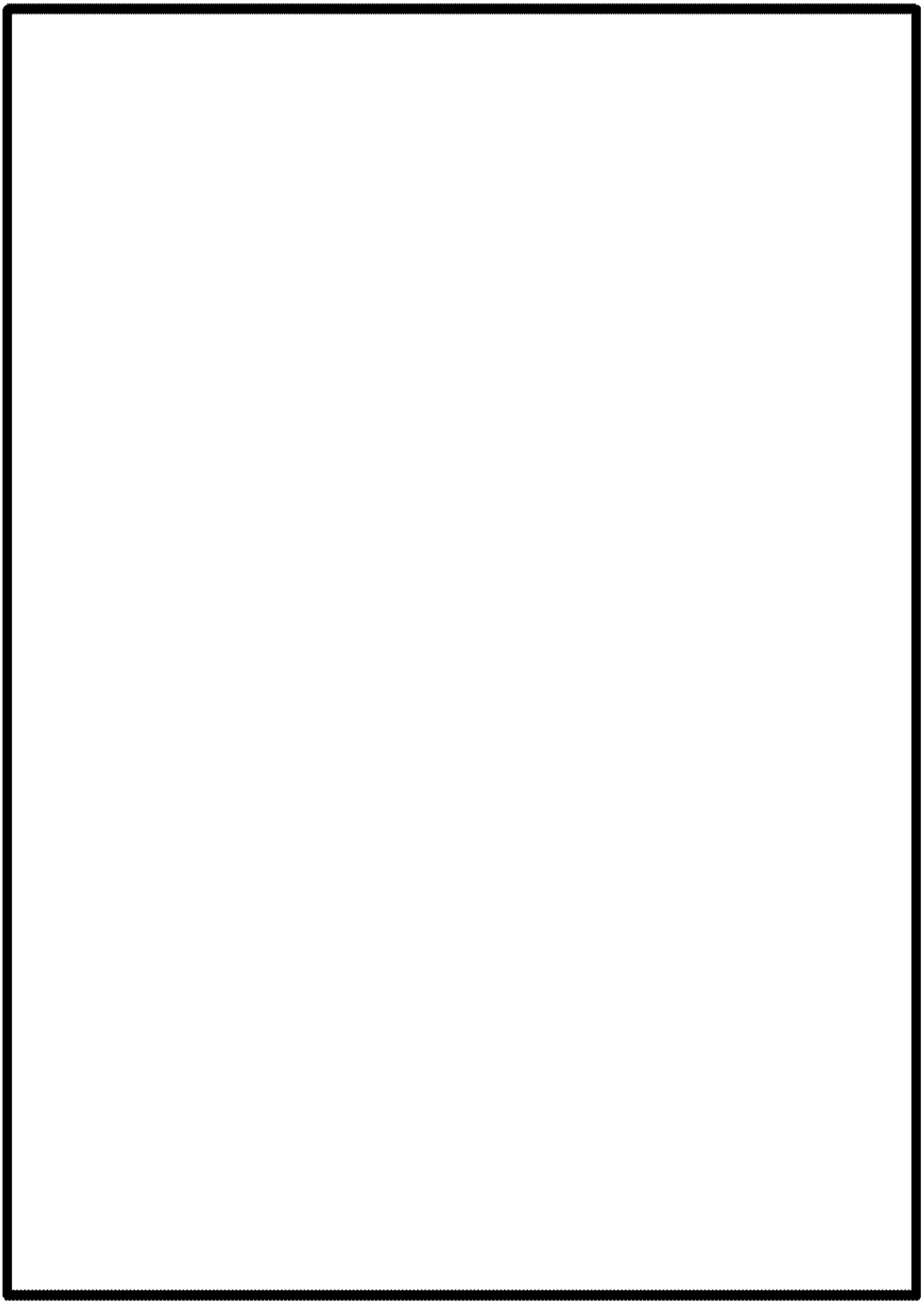

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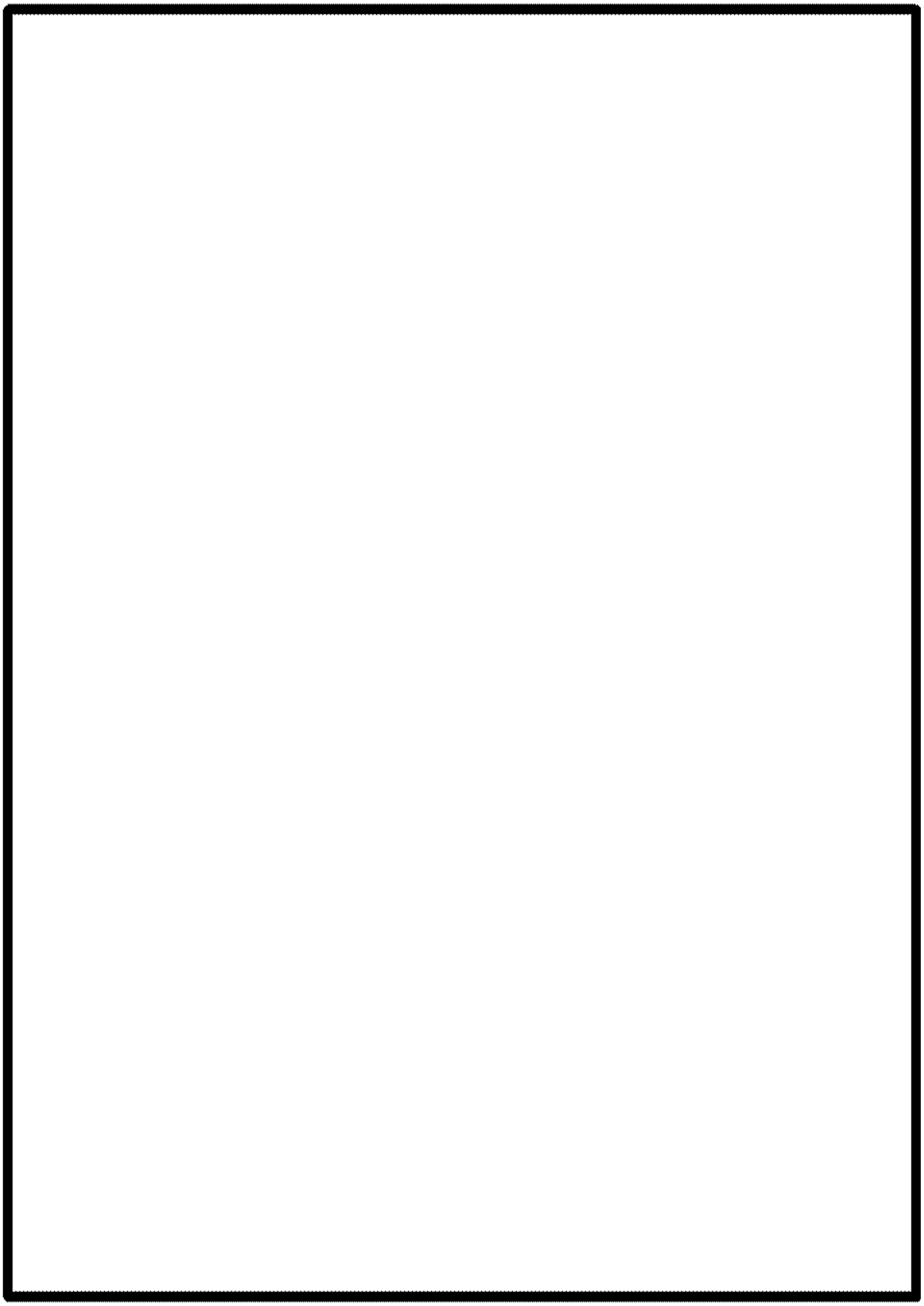

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ARTICLE 11

COMPANY RECORDS

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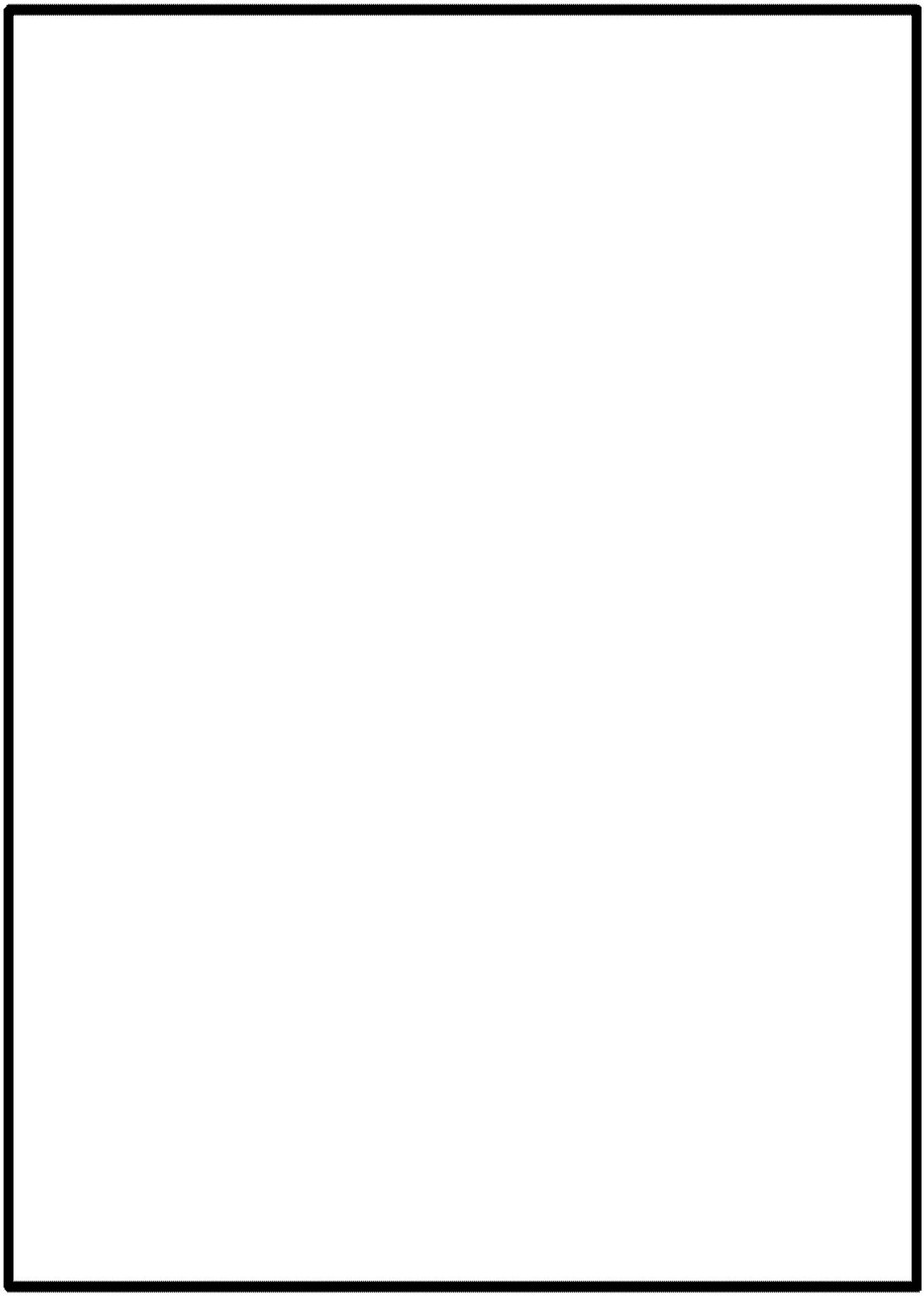

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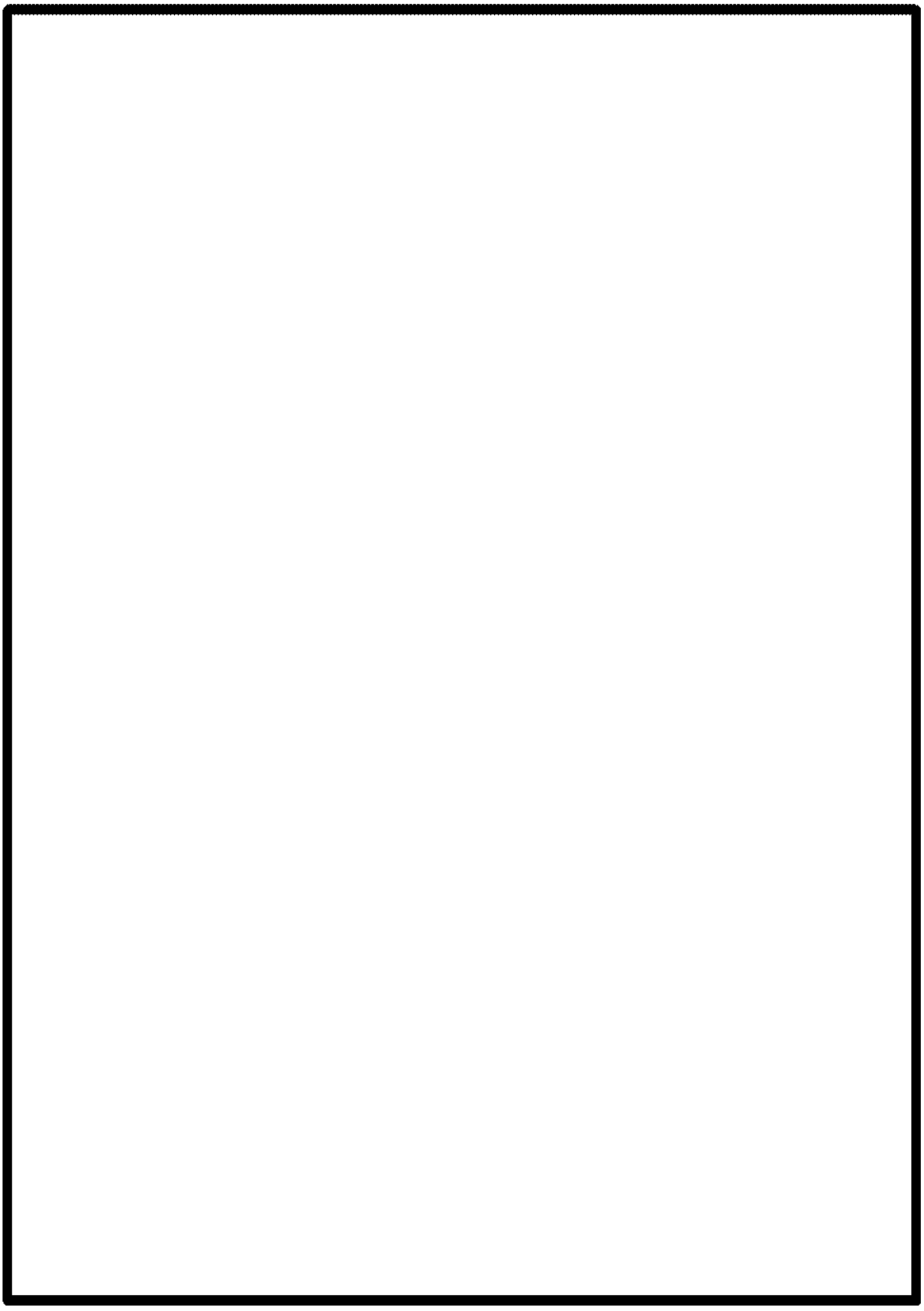

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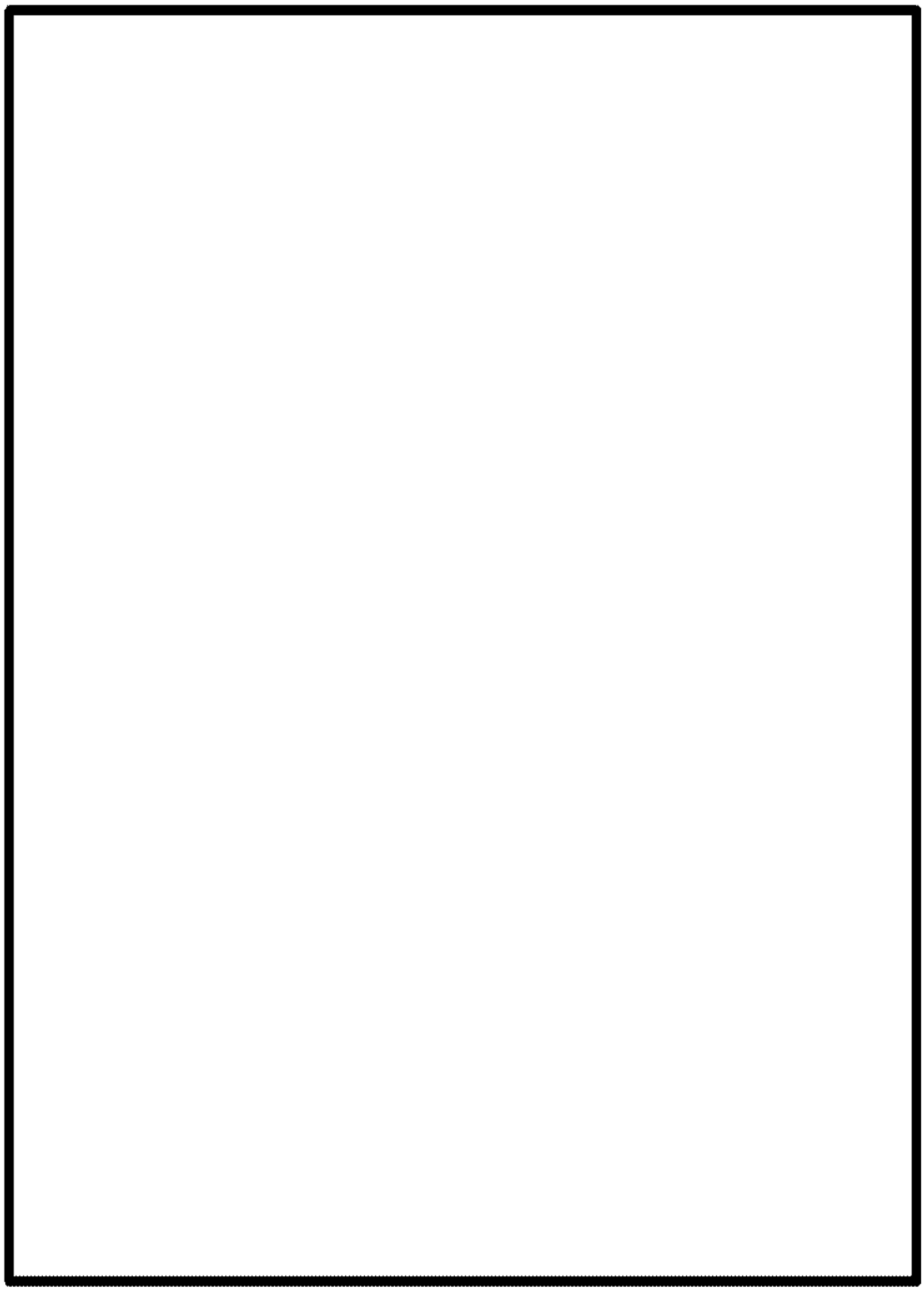

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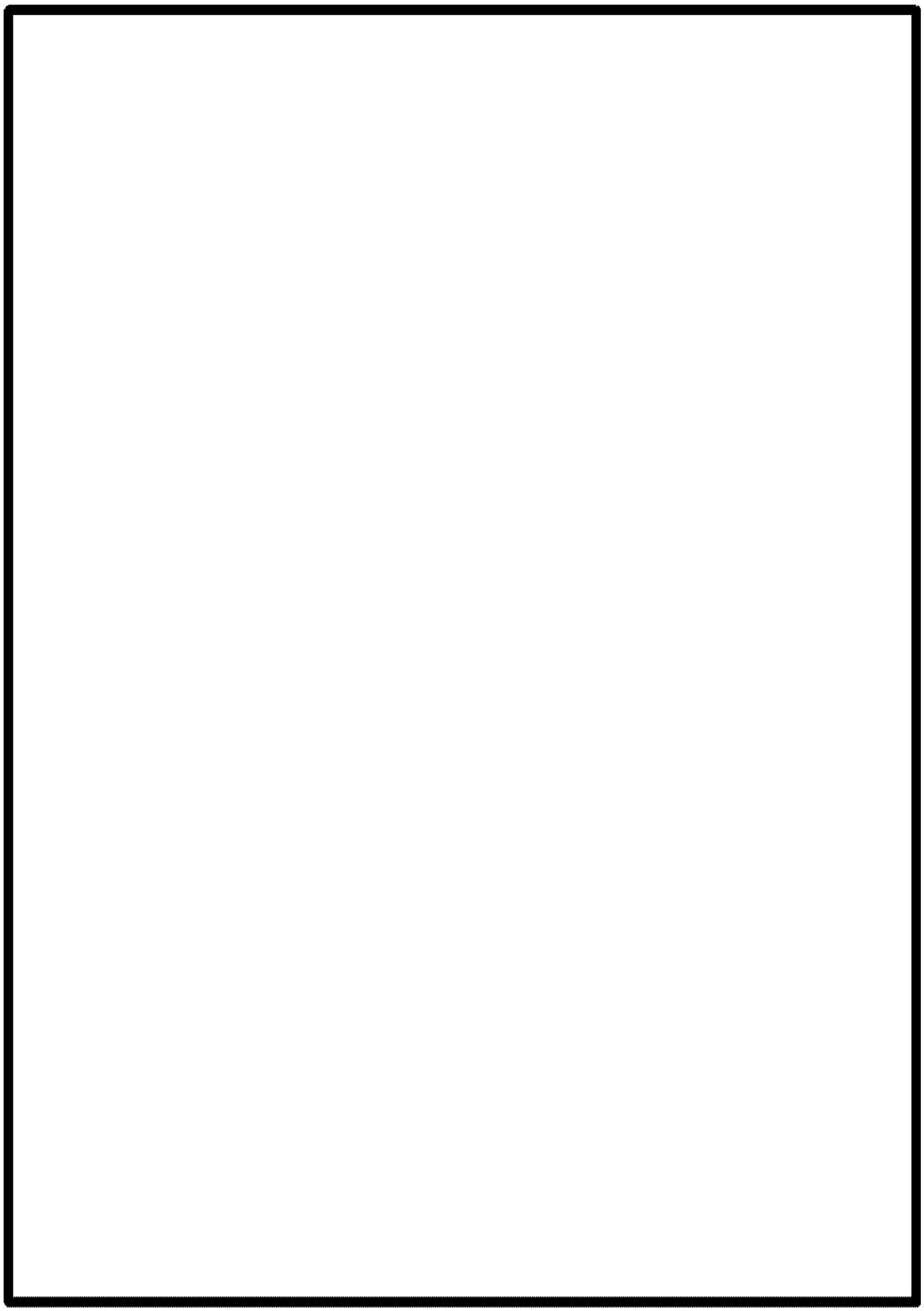

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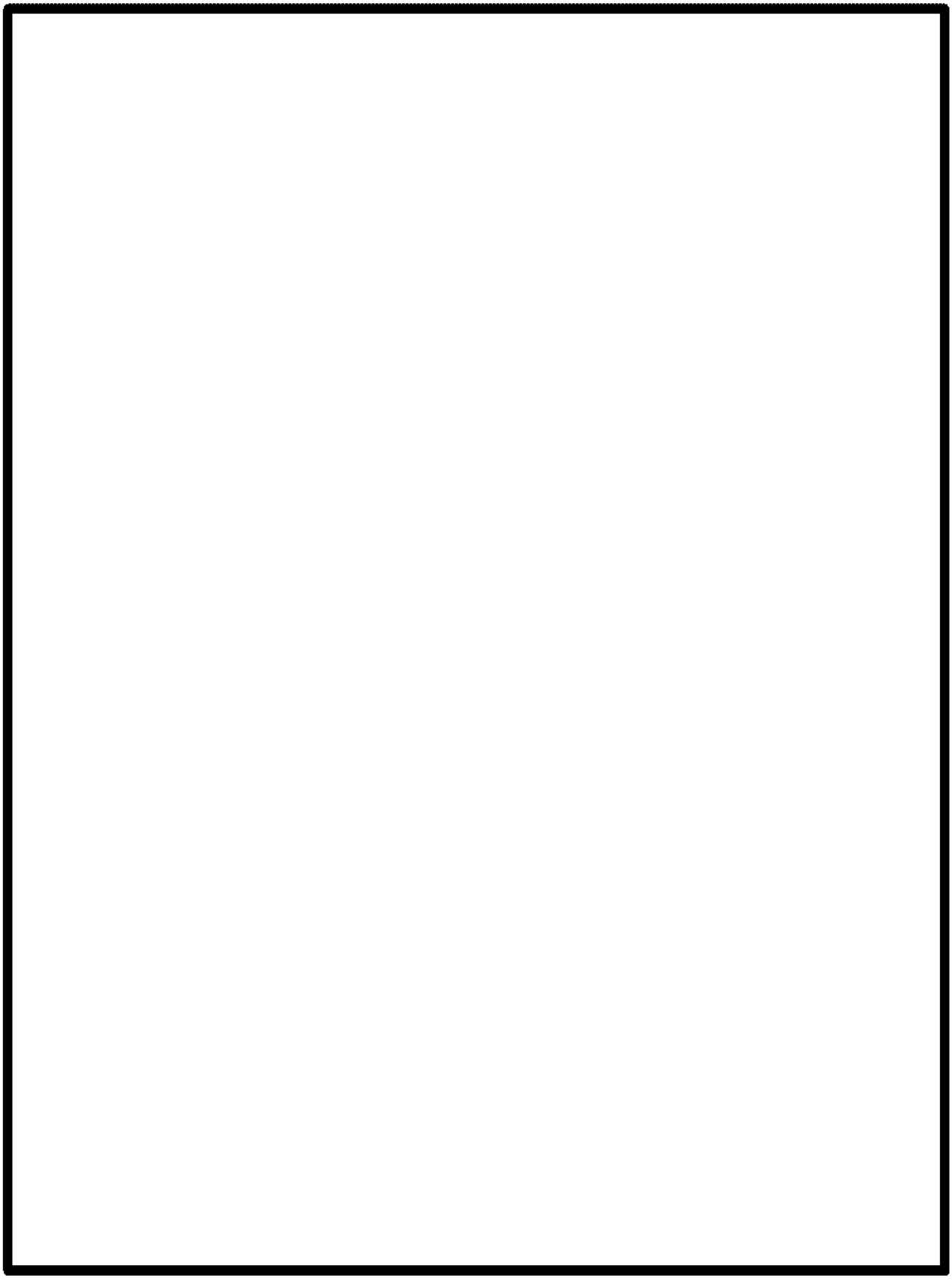

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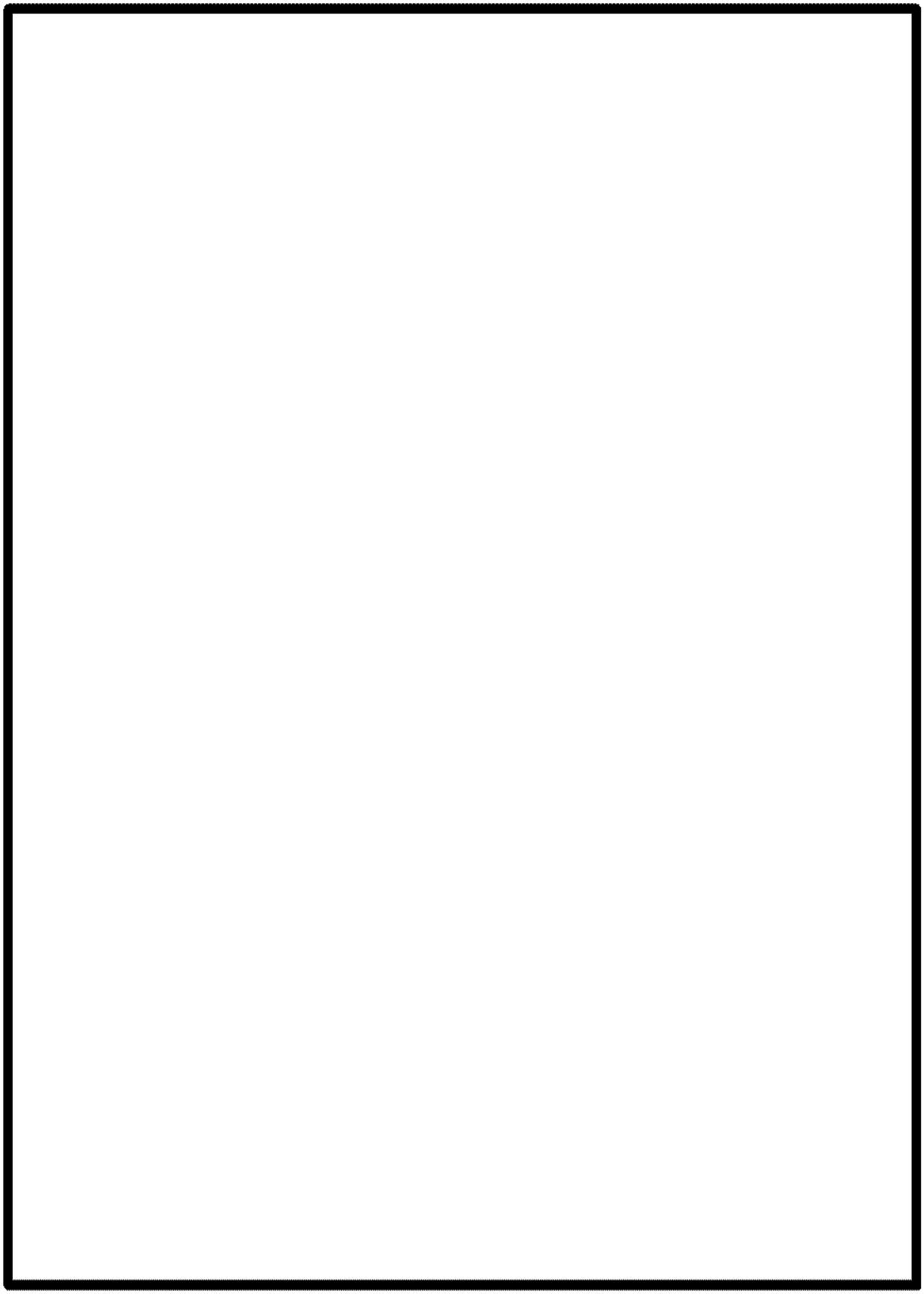

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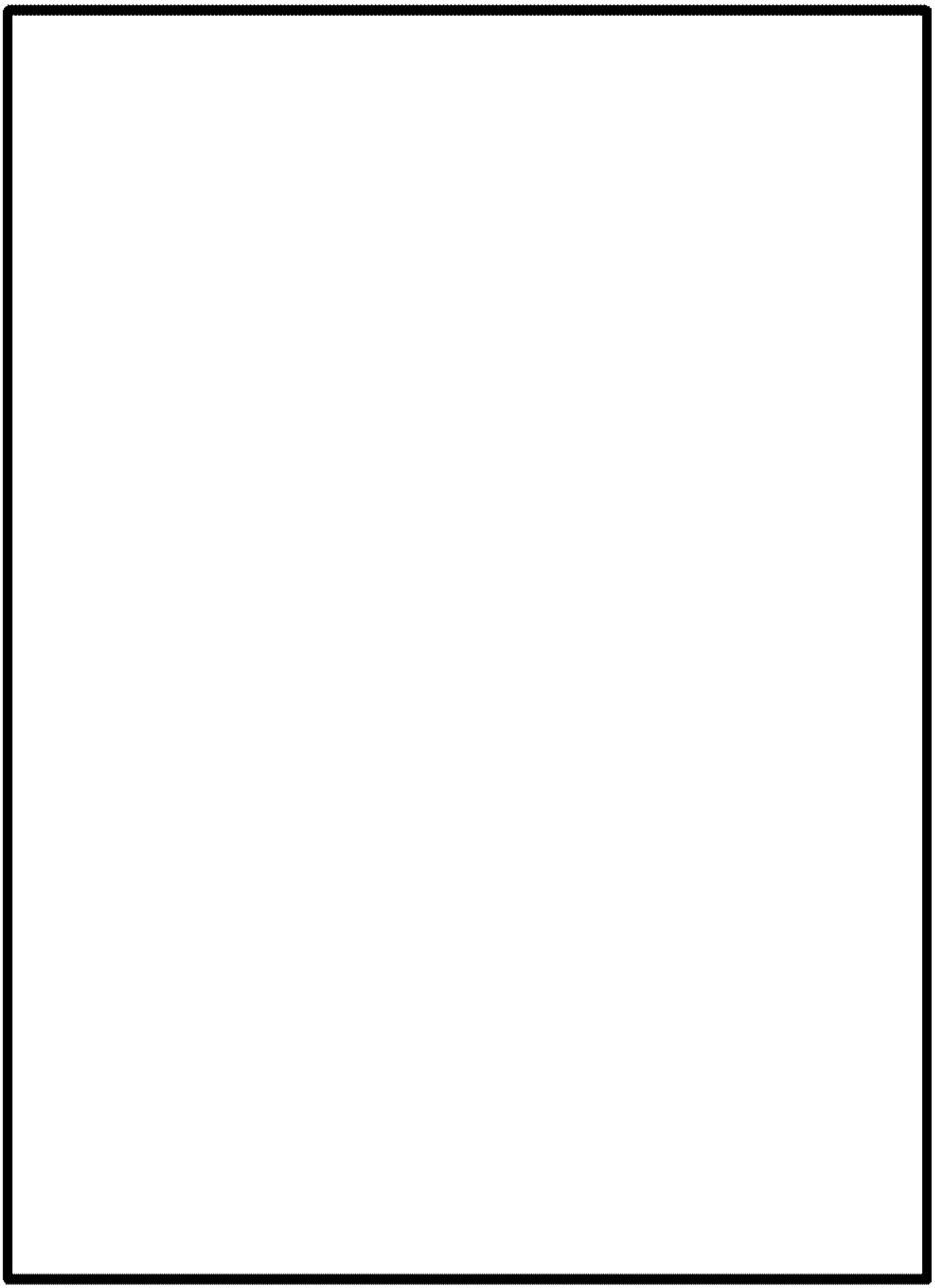

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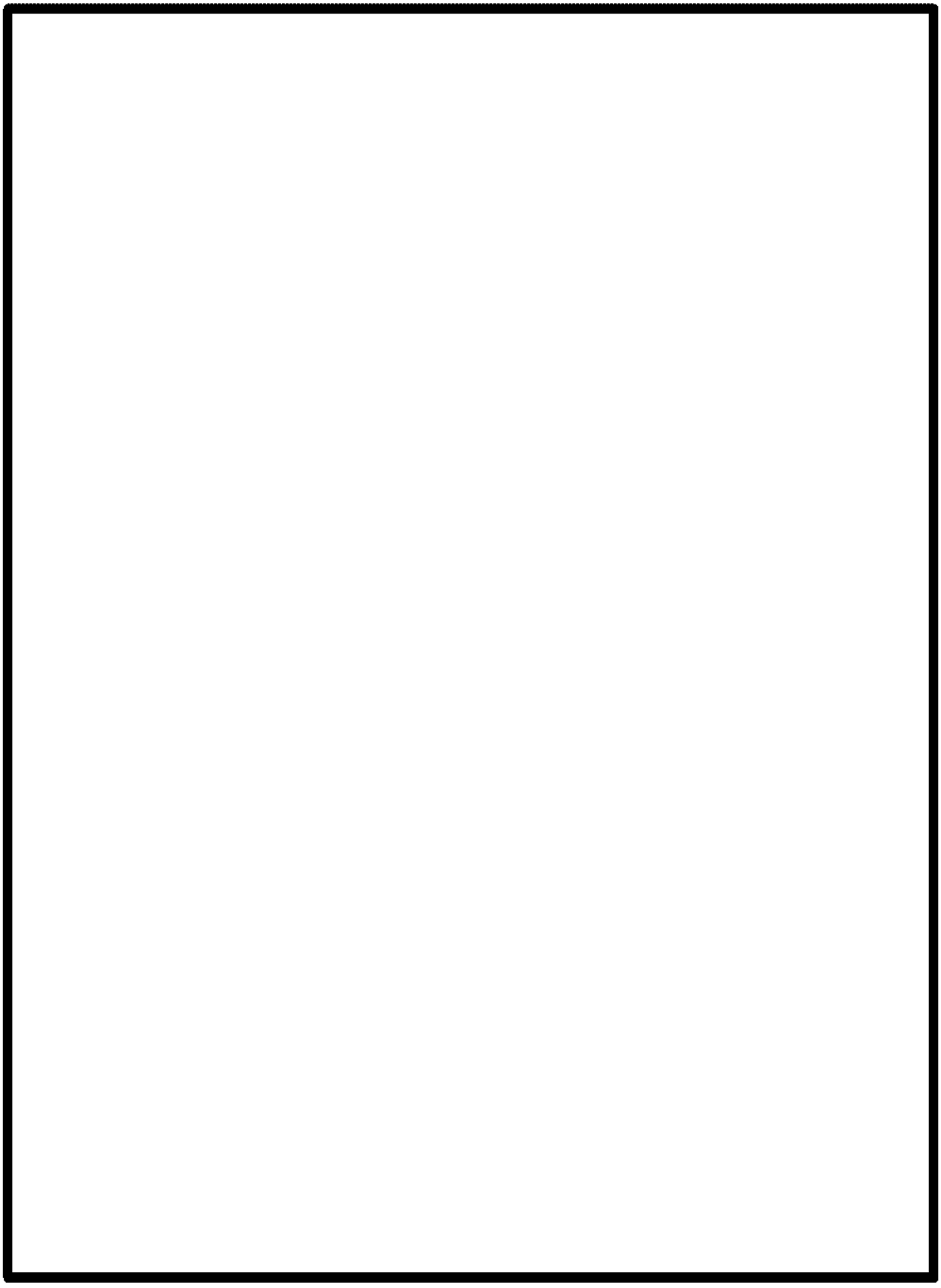

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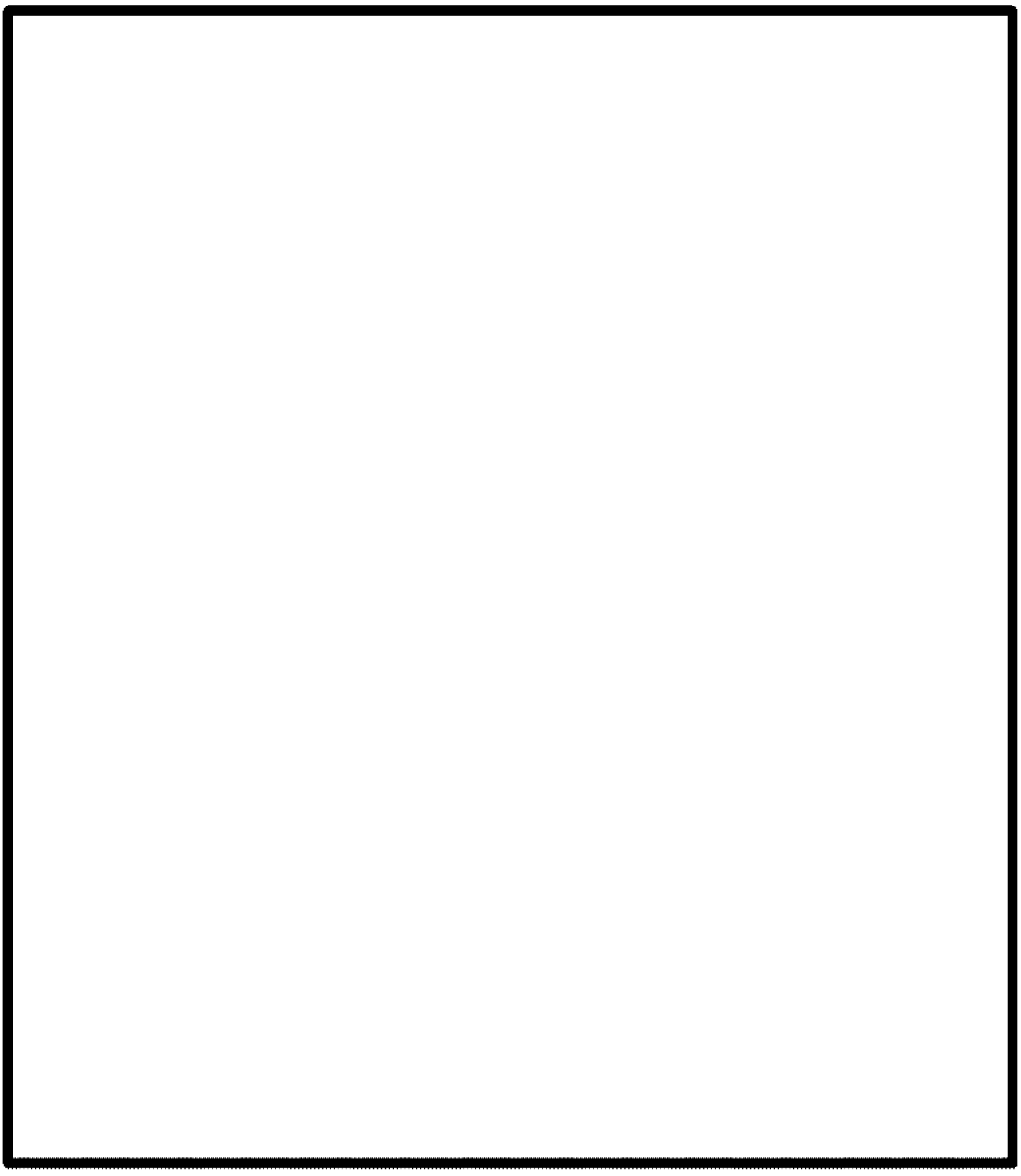

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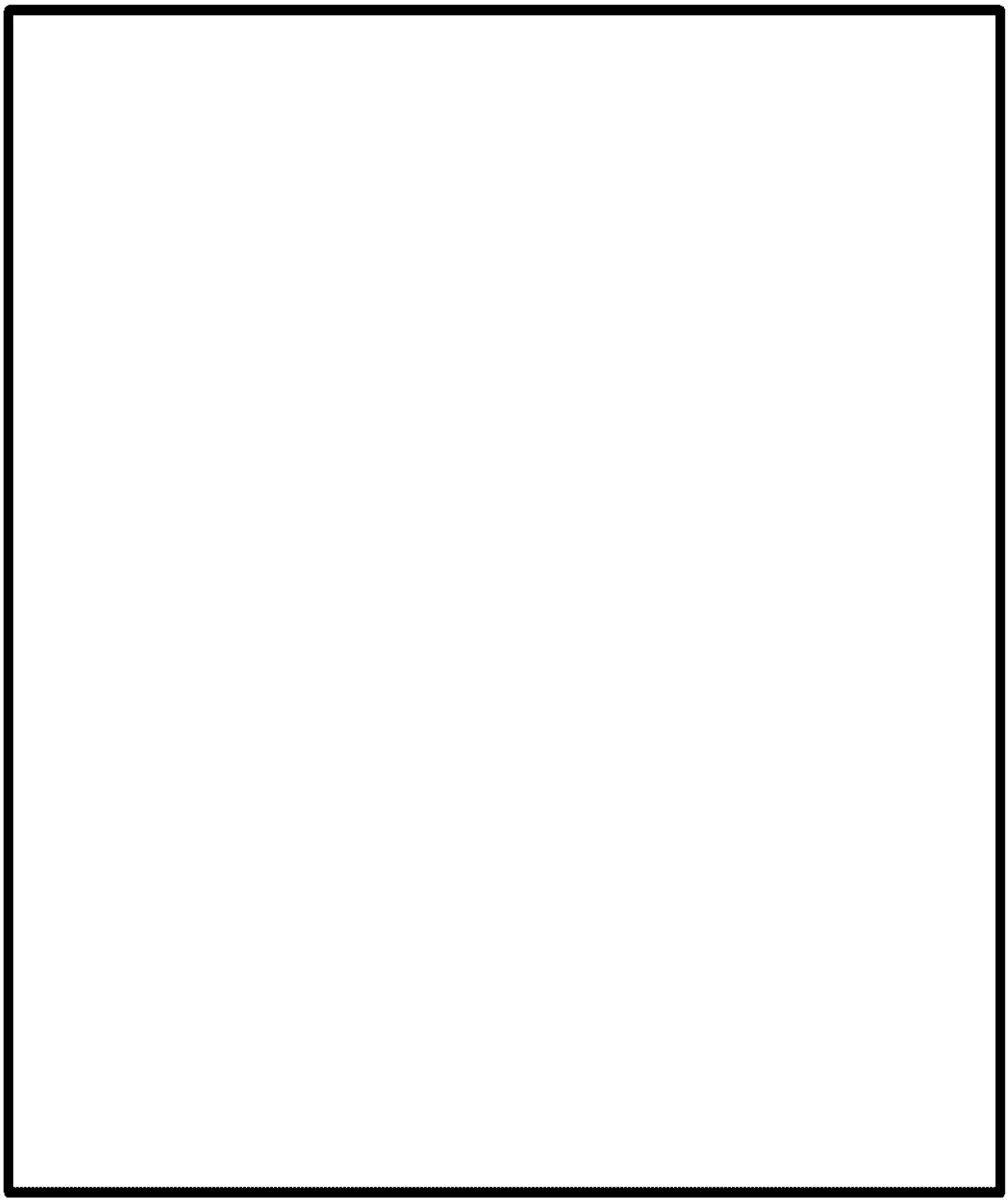

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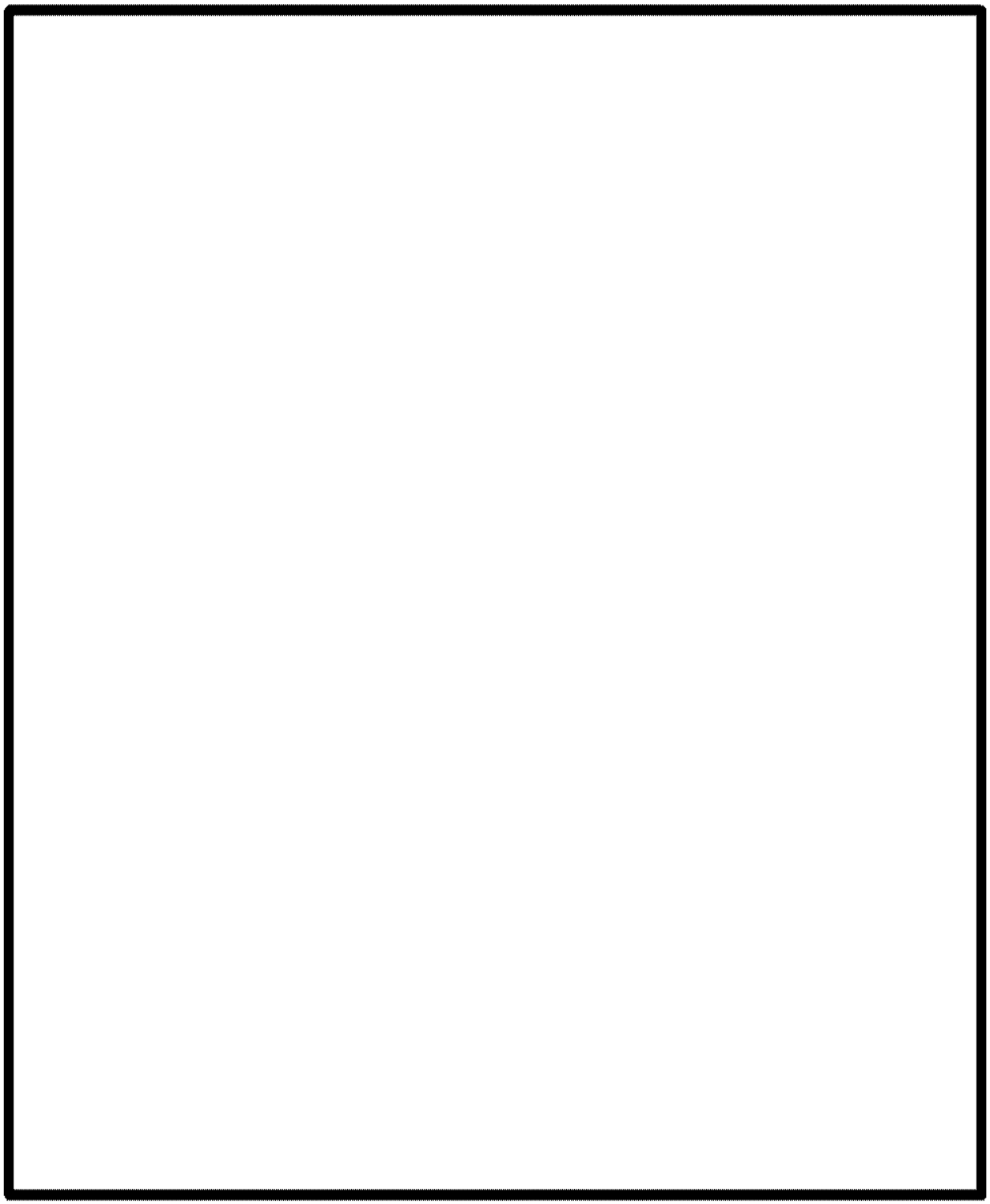
EXHIBIT A

DEFINITIONS



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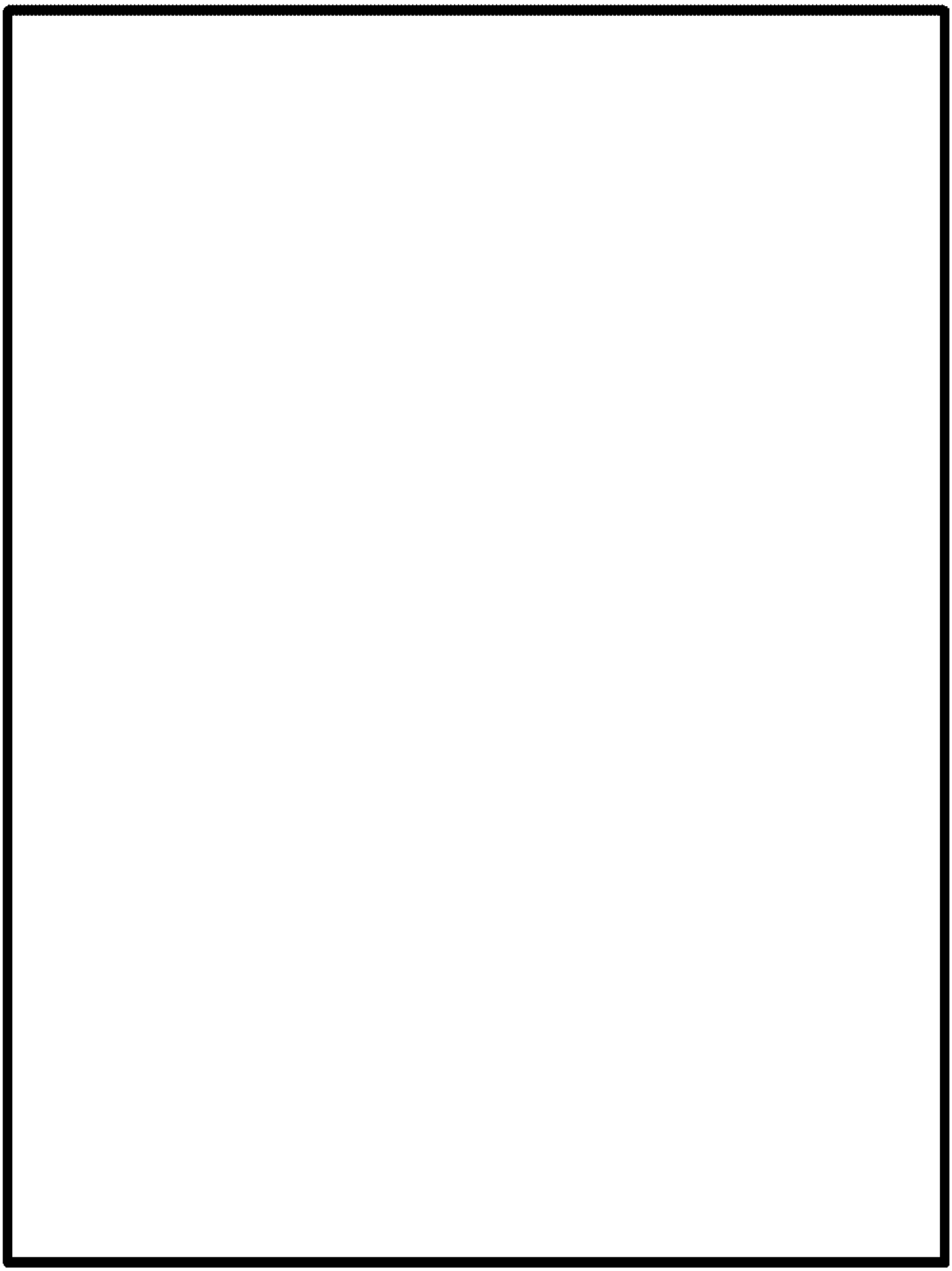

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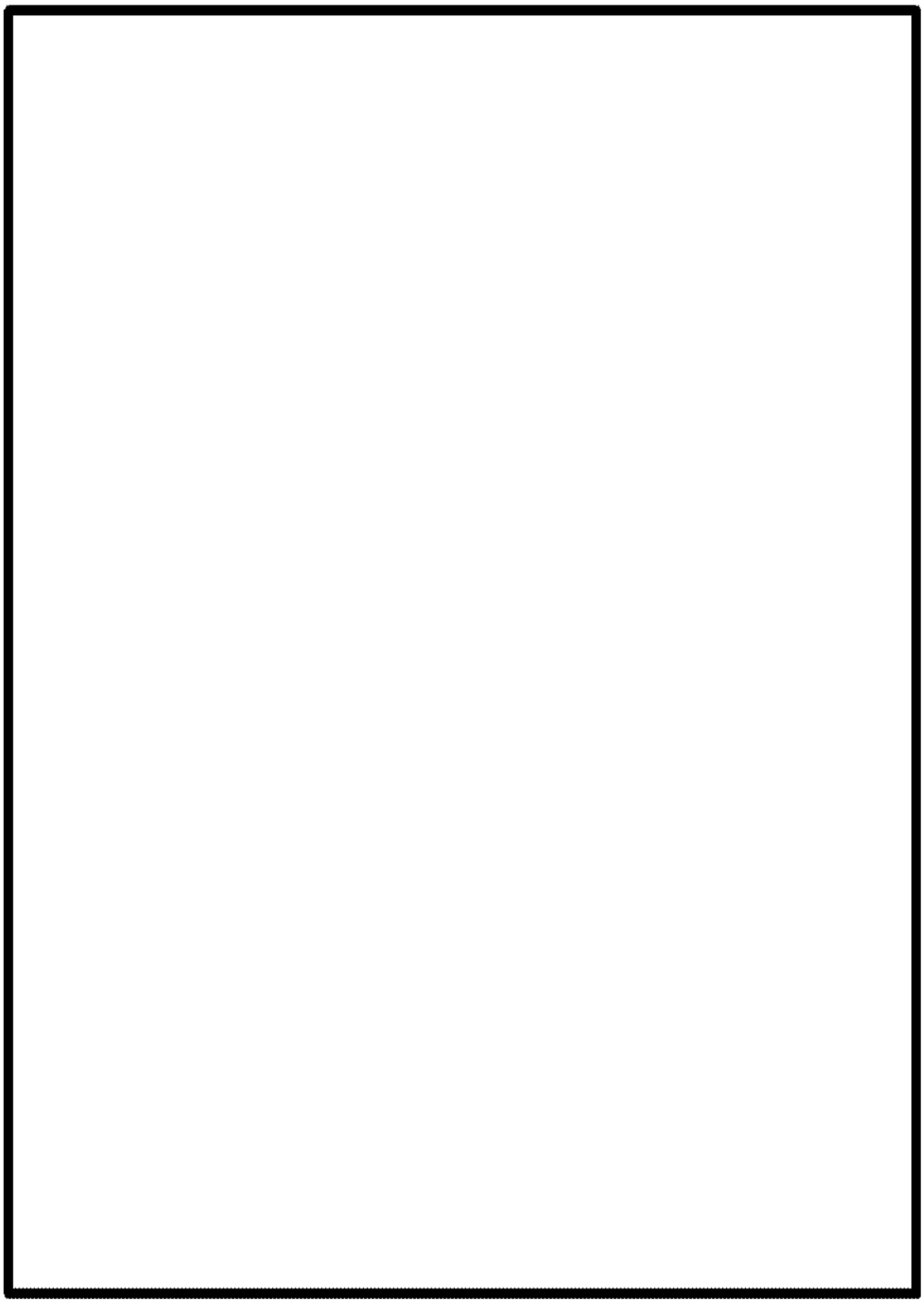

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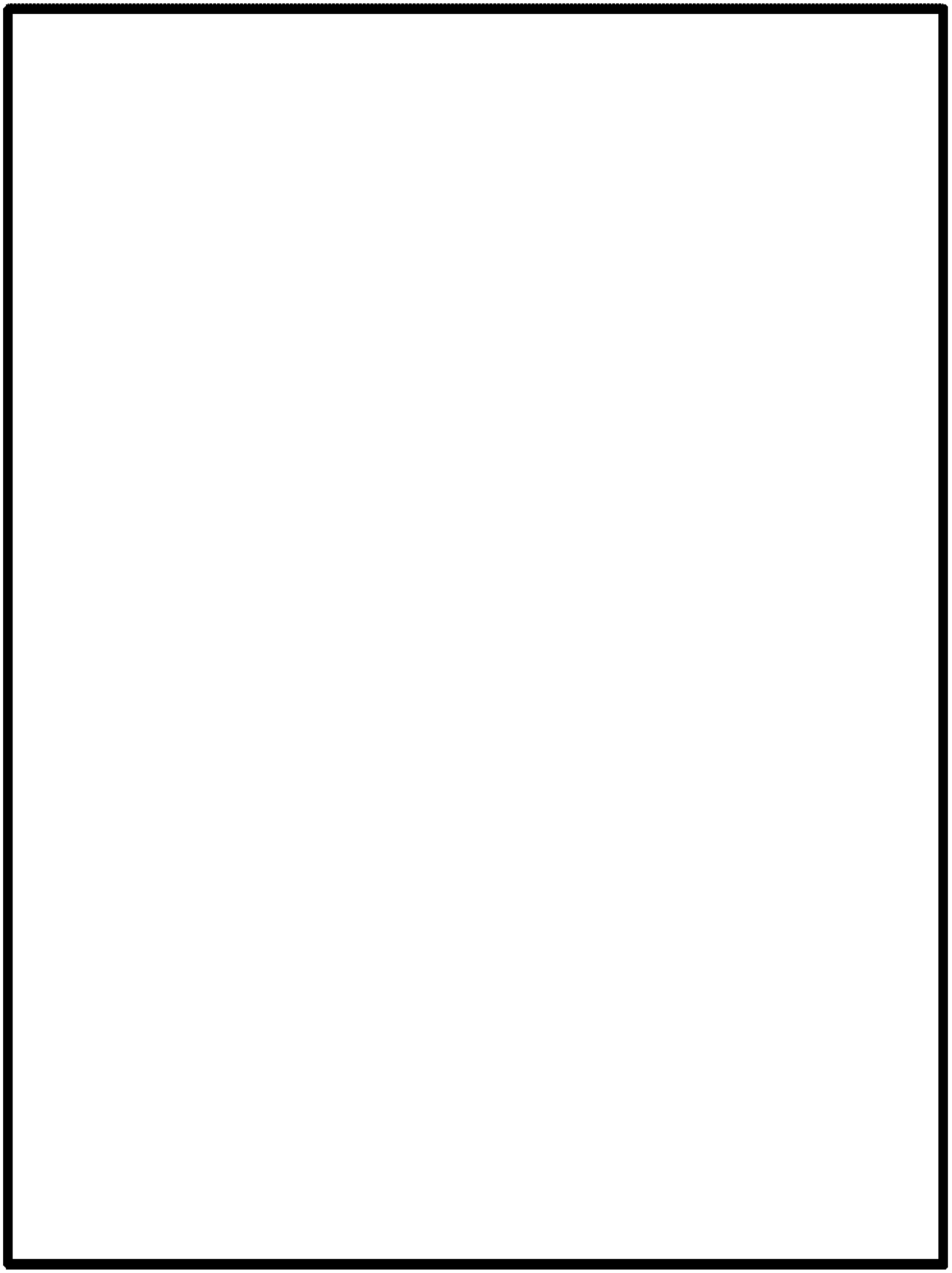

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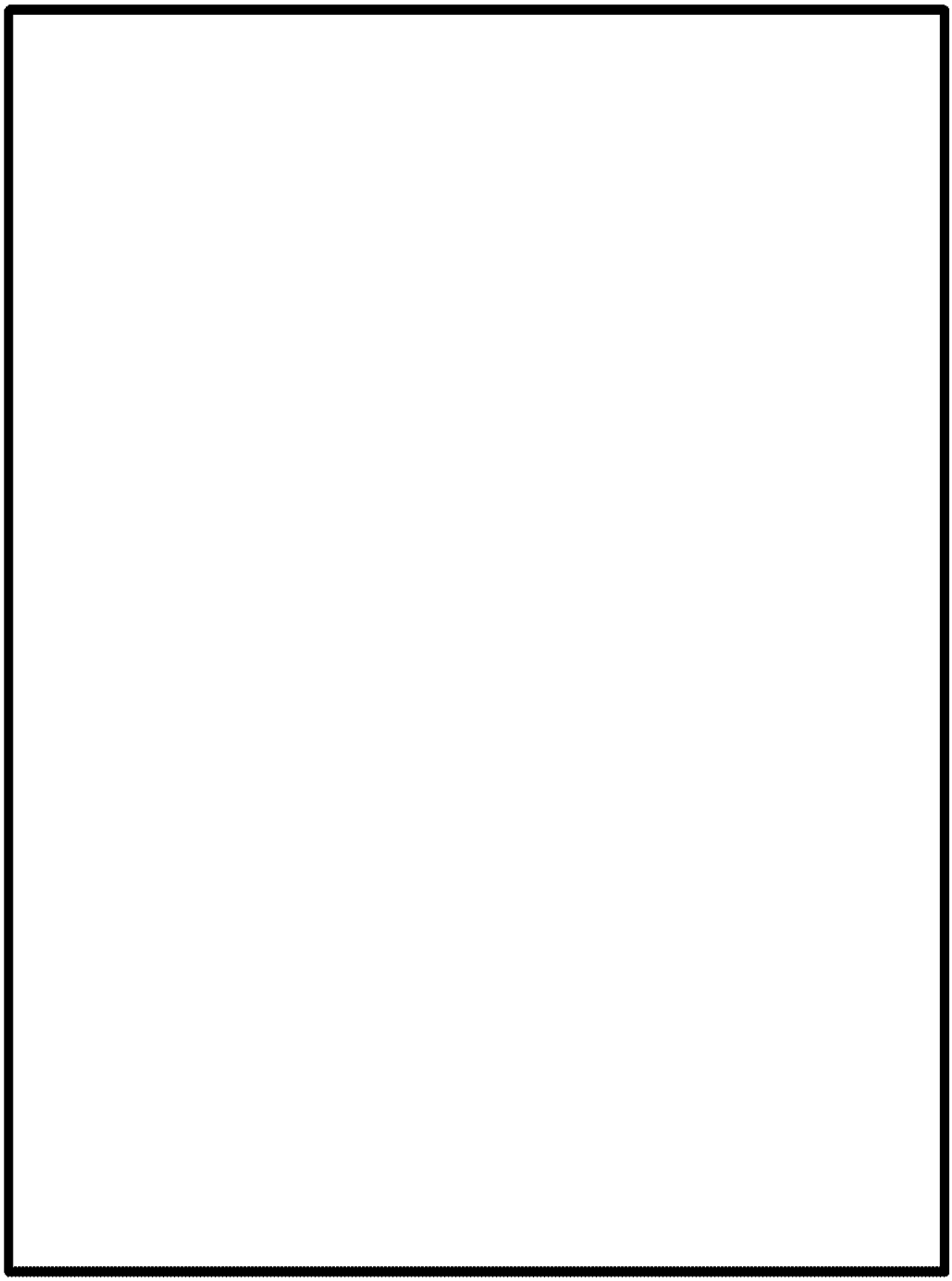

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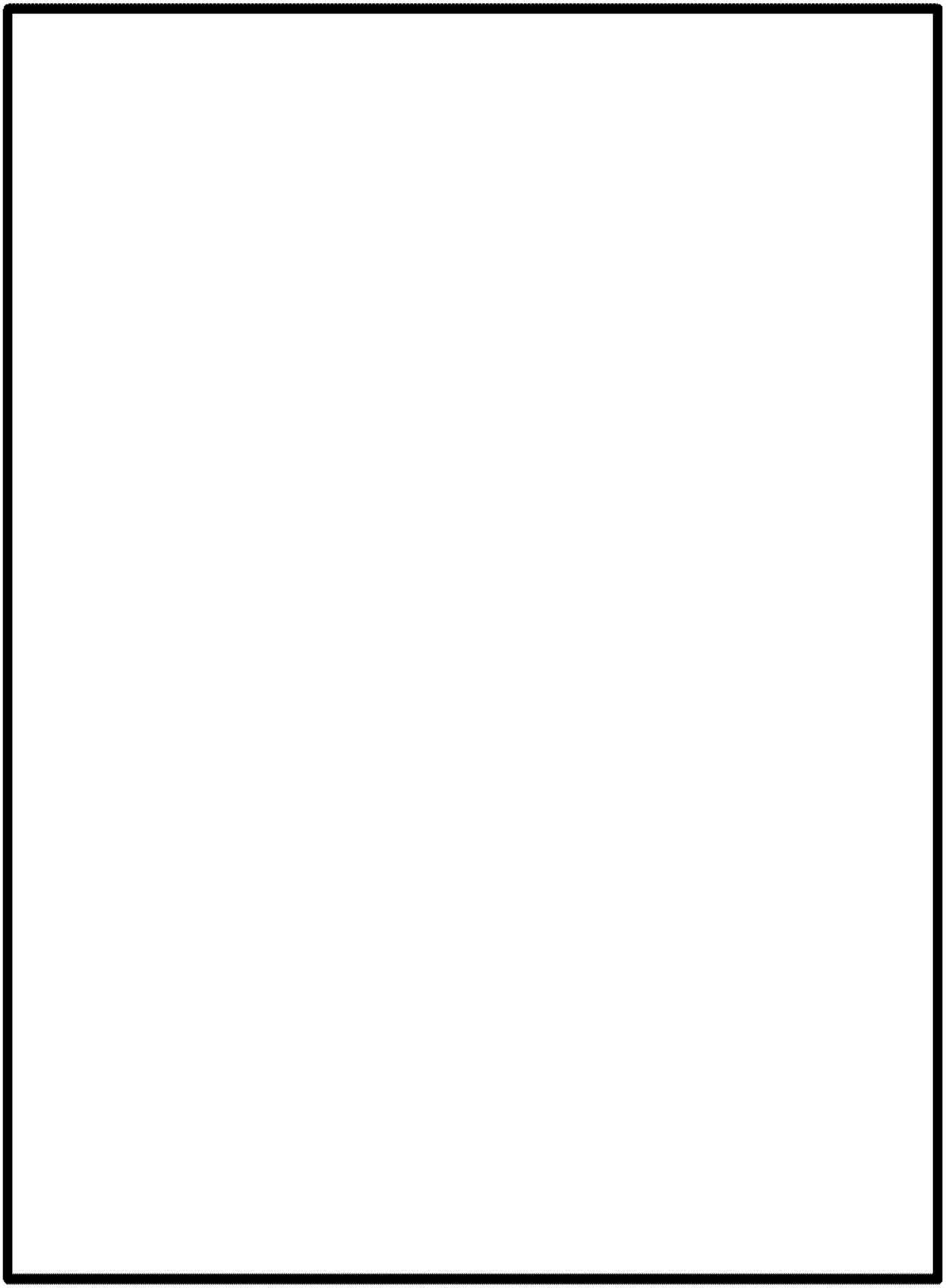

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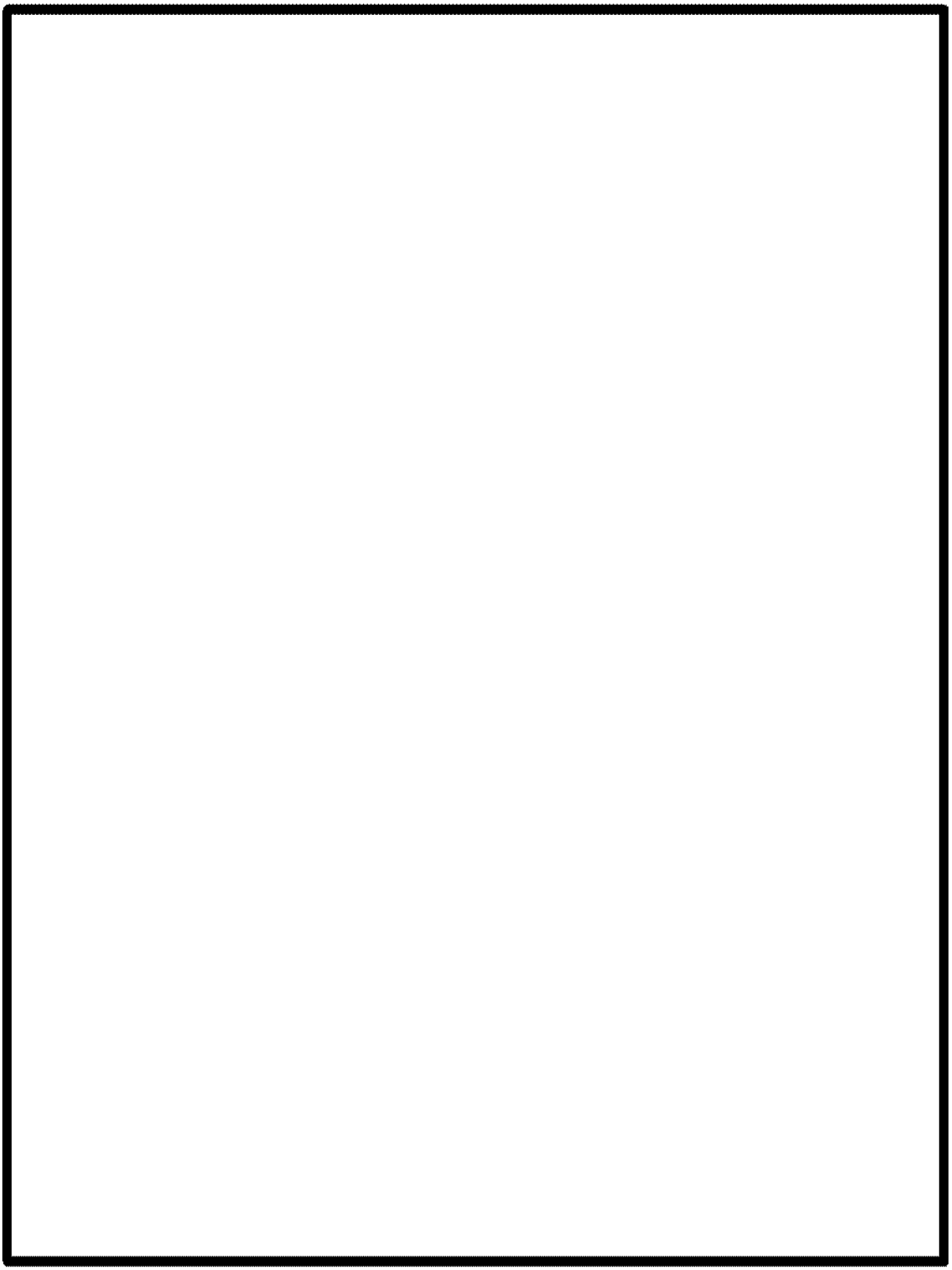

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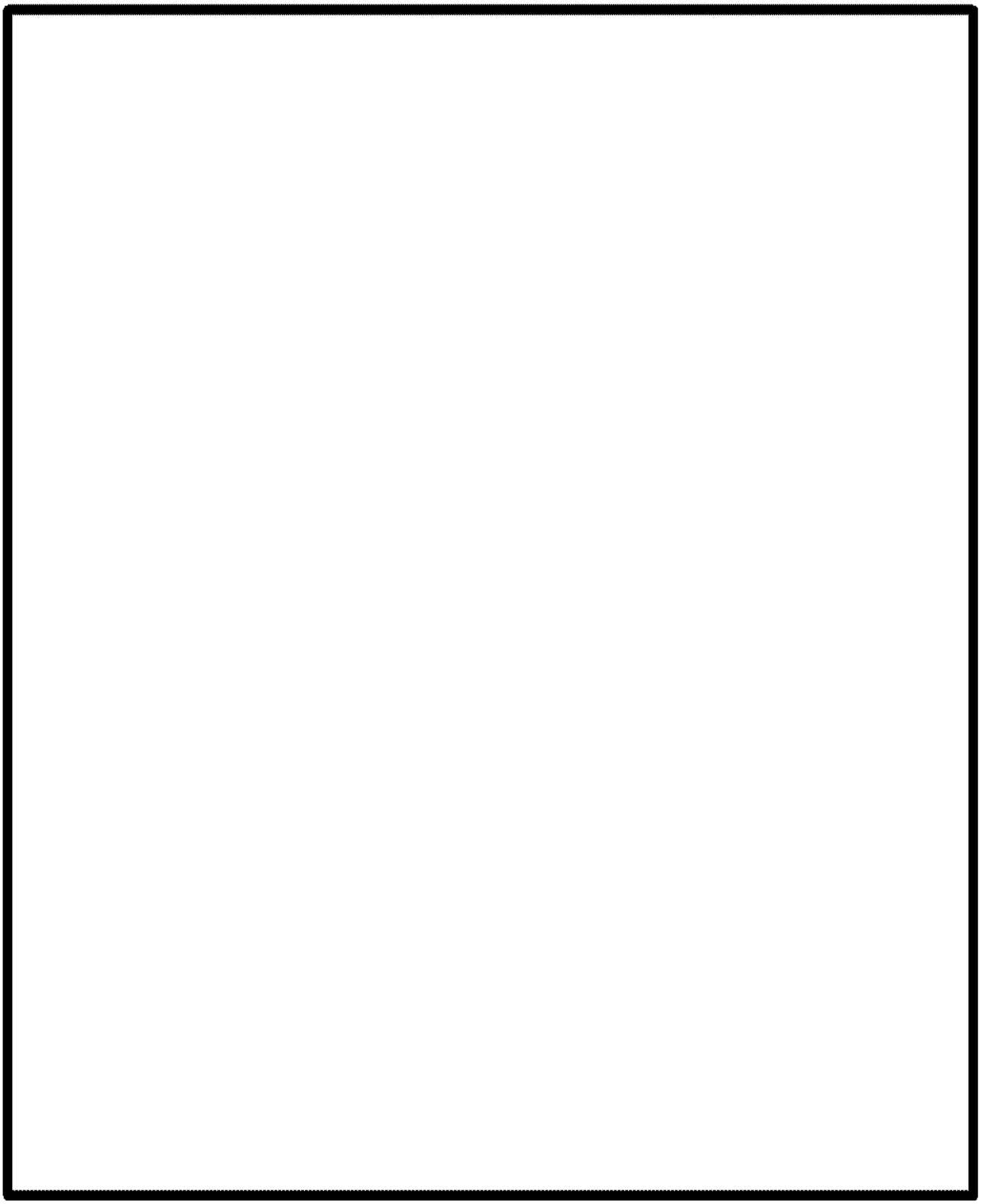
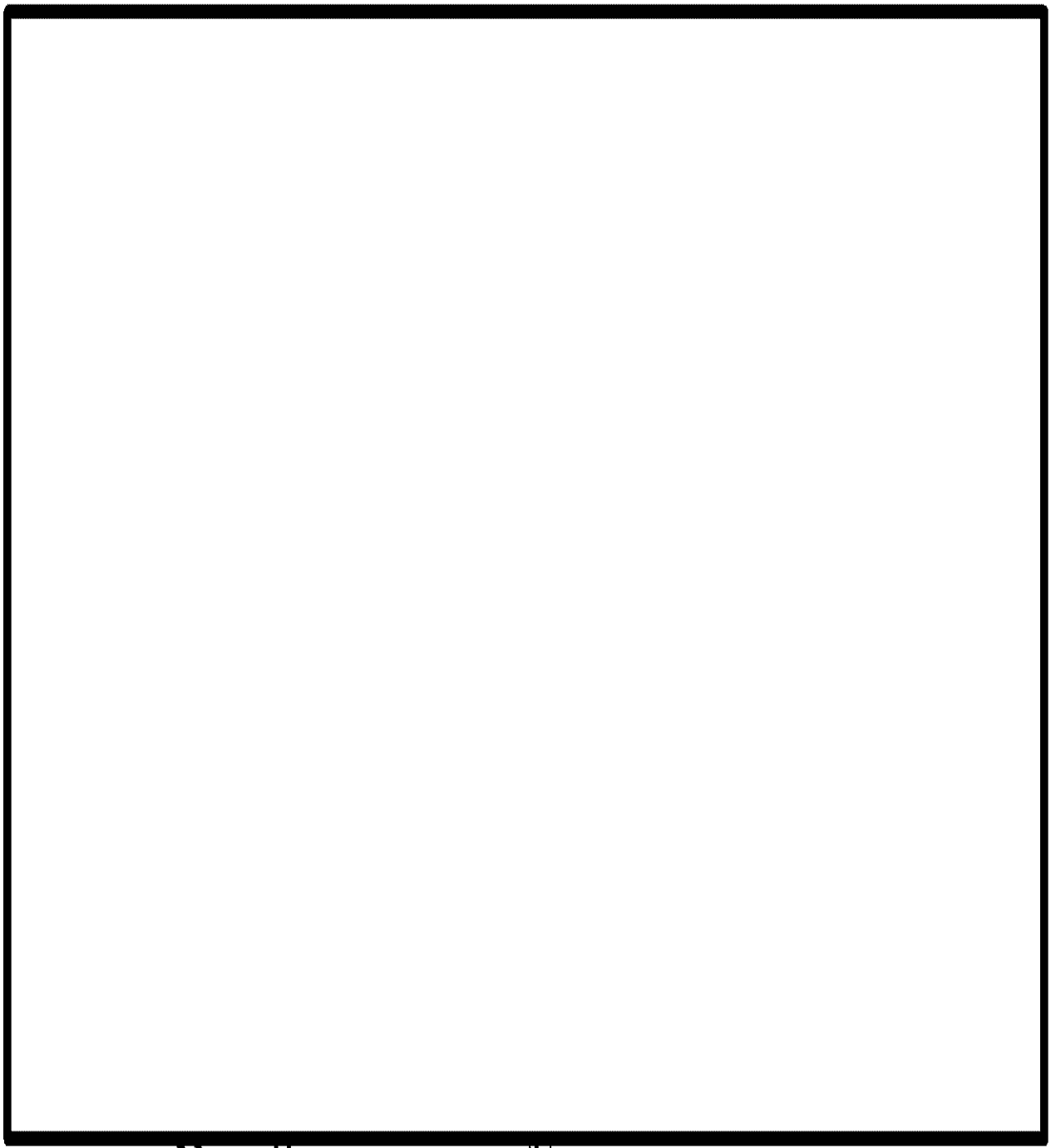


EXHIBIT B

(b)(4)

SCHEDULE OF MEMBERS, CONTRIBUTIONS, AND UNITS



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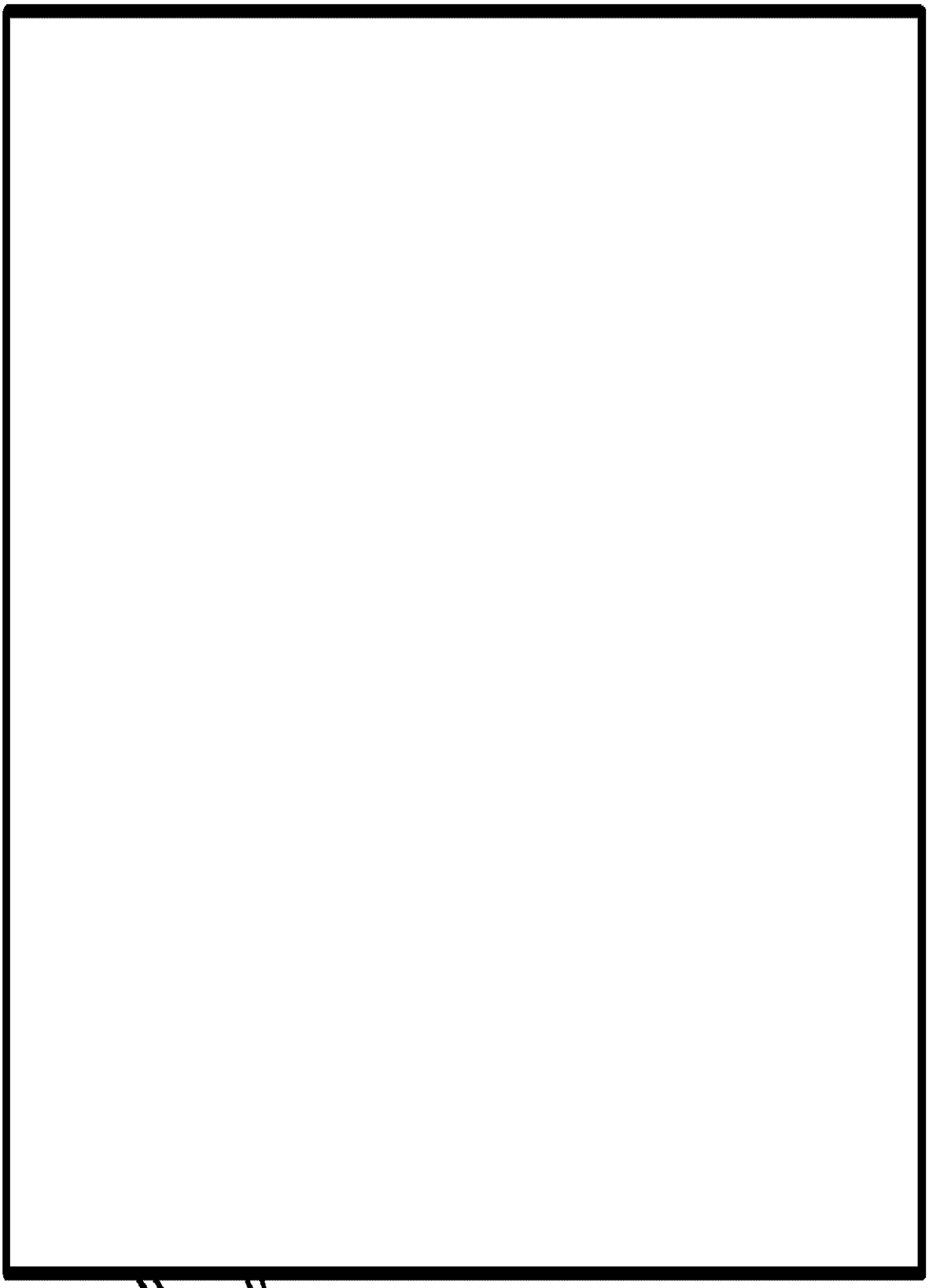

B-2

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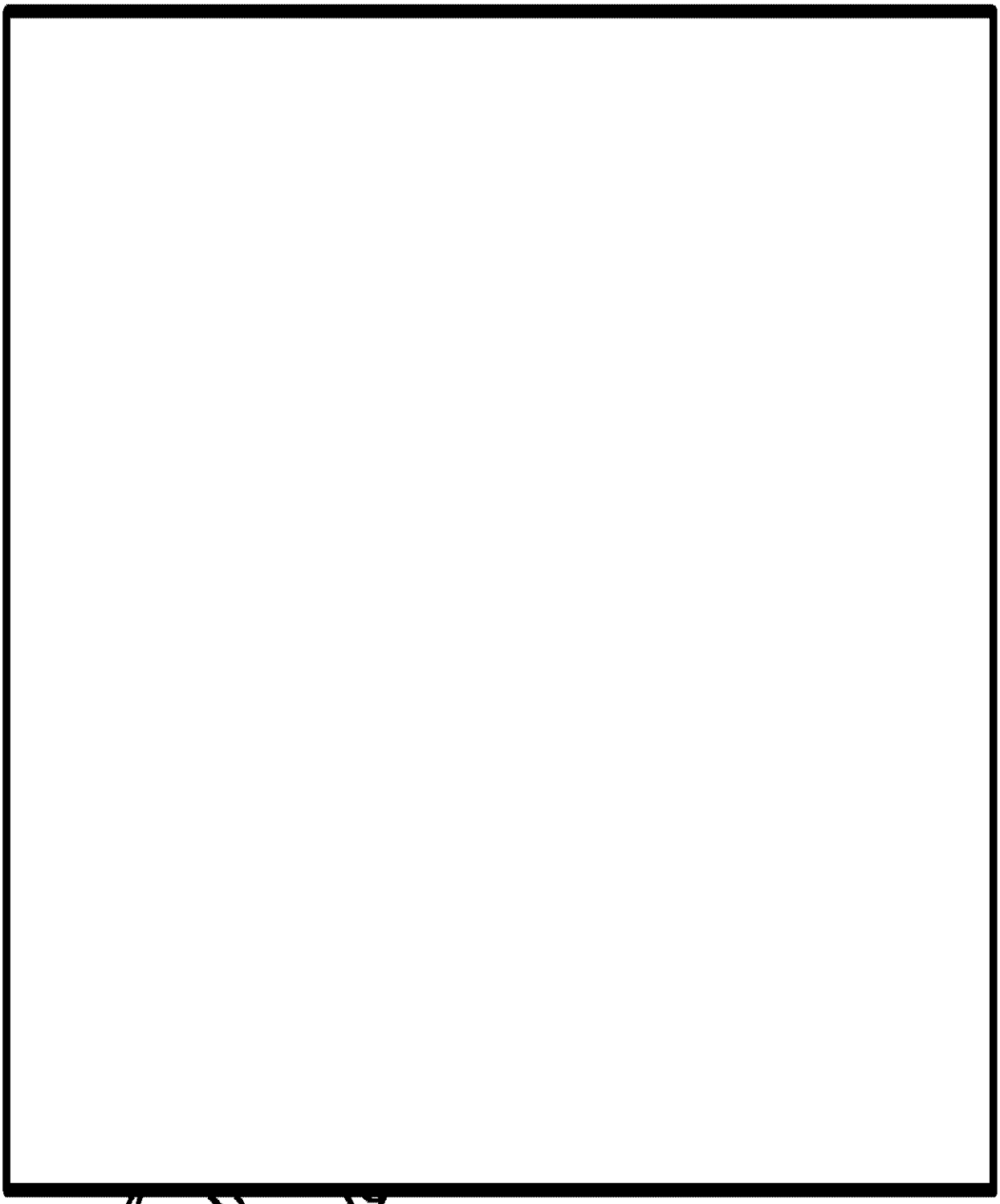

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EXHIBIT C

JOINDER TO

OPERATING AGREEMENT OF CAPITOL DISTRICT FUND LLC

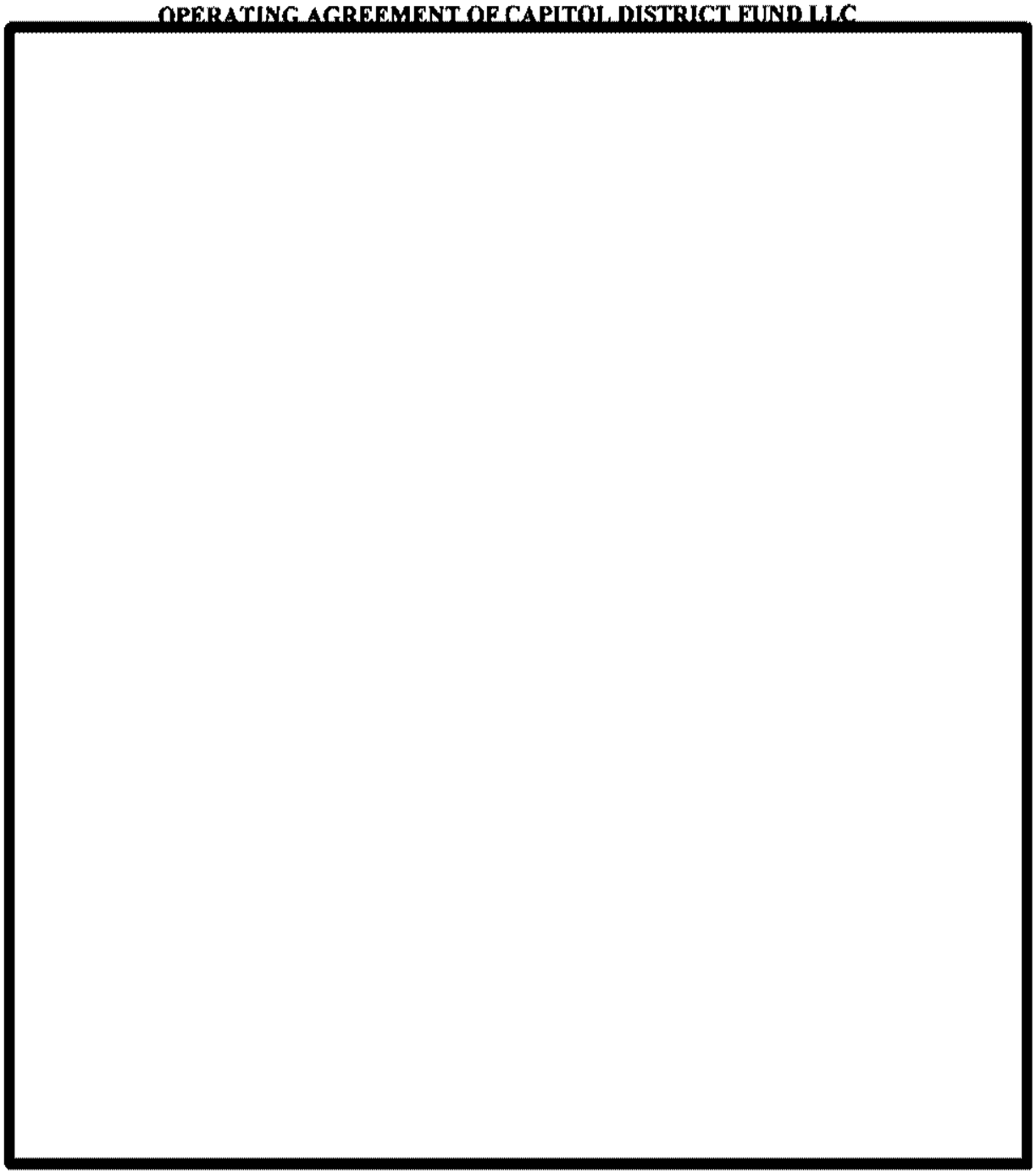

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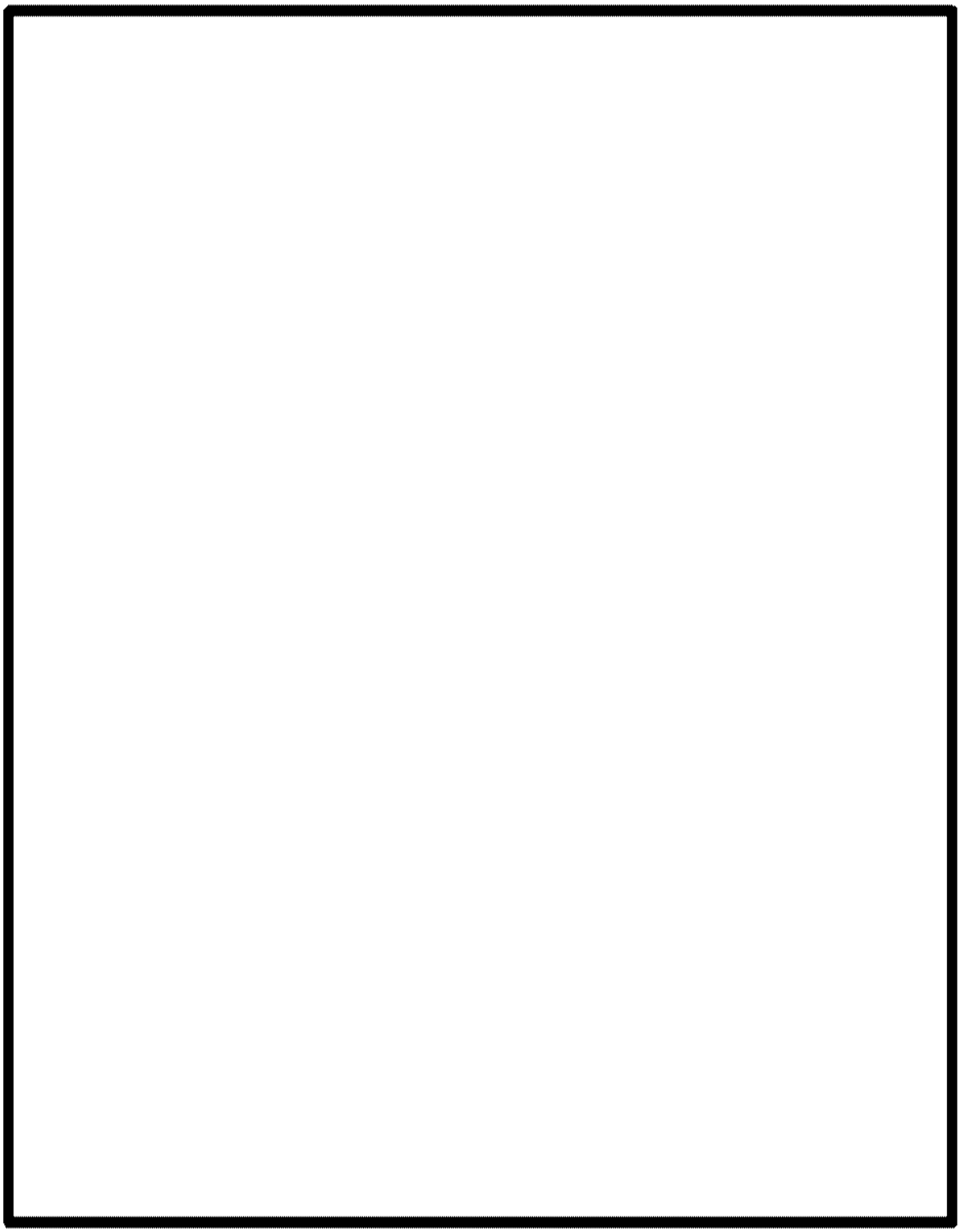
EXHIBIT D

SPECIAL ALLOCATIONS



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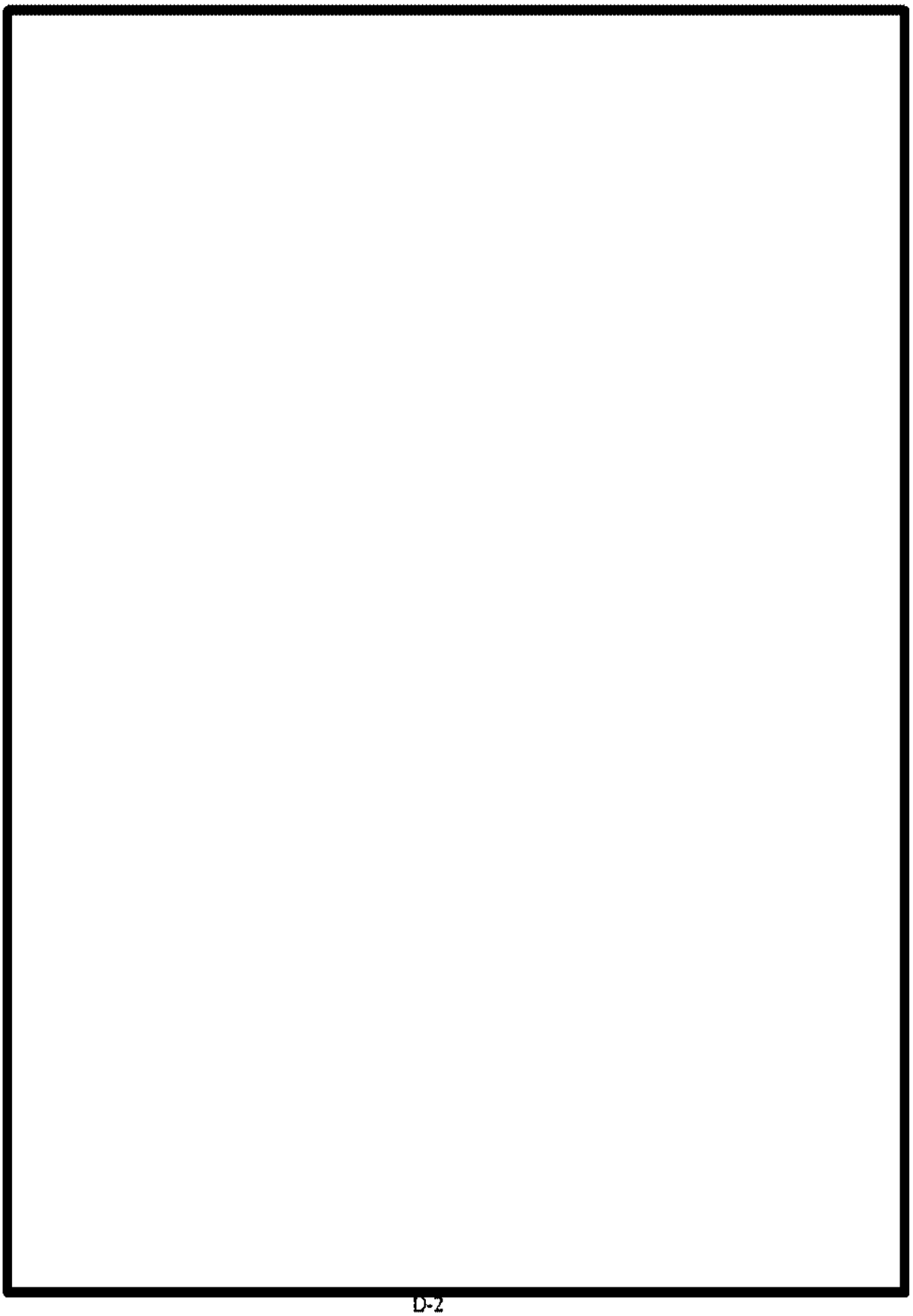

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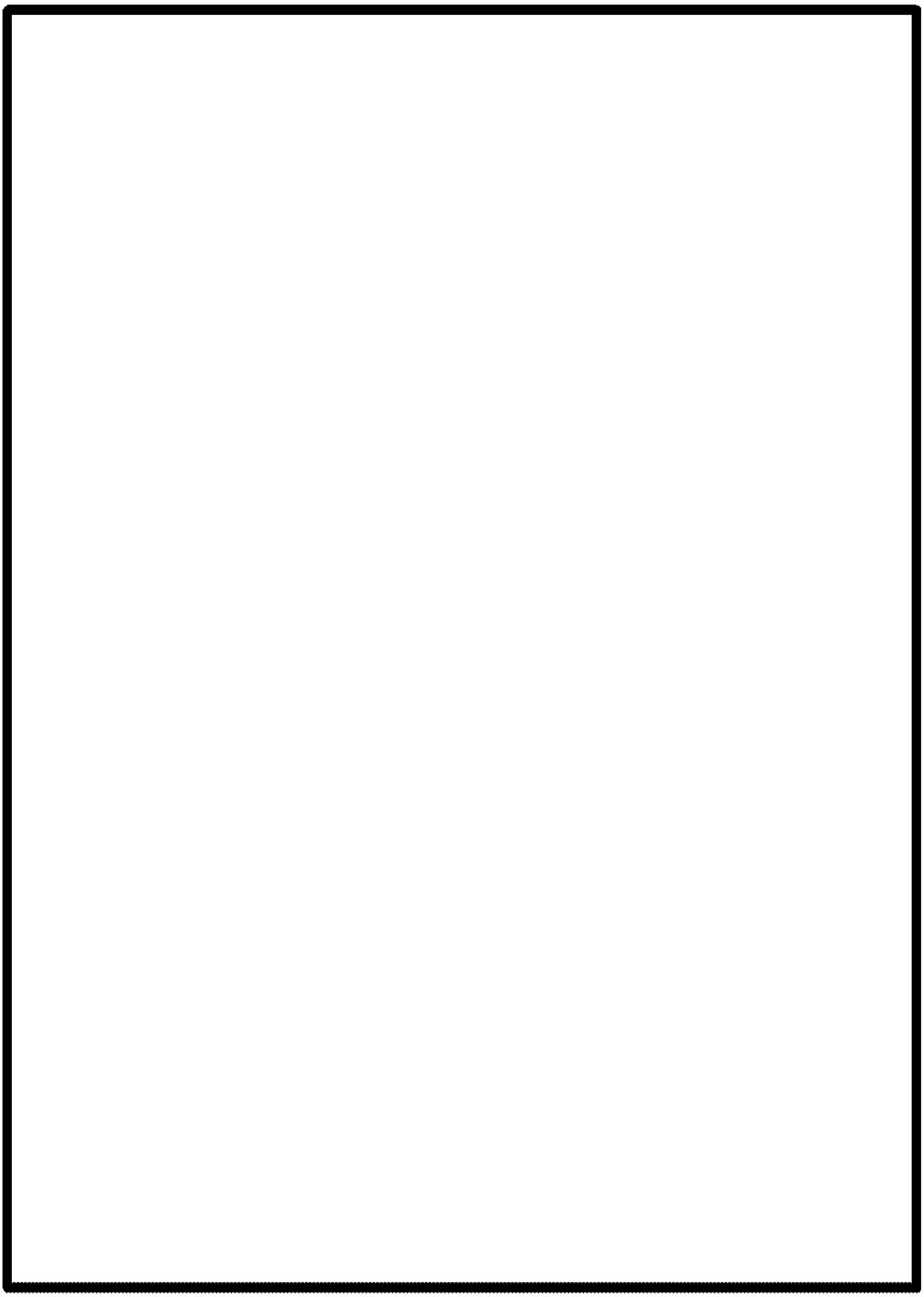

(b)(4)

City of Omaha
Jim Suttle, Mayor

Office of the Mayor
1819 Farnam Street, Suite 300
Omaha, Nebraska 68183-0300
(402) 444-5000
FAX: (402) 444-6059

February 2, 2012

Mr. Michael T. Moylan
Shamrock Development, Inc.
1414 Harney Street, Suite 400
Omaha, NE 68102

Re: New Market Tax Credits

Dear Mr. Moylan:

I enjoyed meeting with you the other day and to hear about your exciting development project in Downtown Omaha called The Capitol District. The vision of your development will help carry the City of Omaha far into the future.

(b)(4)

I am very supportive of your efforts to obtain New Market Tax Credits for the proposed [redacted]. In addition, the Hotel will spin off an additional [redacted] of development adjacent to the Hotel, but only if the Hotel is built. Omaha is supportive of your effort to obtain its tax credits for the following reasons:

- This is a high profile, high impact development for the future of Downtown Omaha and the community as a whole and will likely encourage more development Downtown.
- Middle market economies like Omaha cannot feasibly build full service hotels for the foreseeable future without financial incentives.
- Omaha civic leaders recognize more full service hotel product must be built to balance our market.
- The development of this new hotel will allow Omaha to surpass the 950-room threshold of full service rooms adjacent to the convention center giving Omaha the opportunity for the CVB and CenturyLink Center to secure larger conventions that Omaha currently does not have the opportunity to bid due to the lack of such rooms.
- Surpassing this threshold would allow MECA the opportunity for more events in the current facility as well as lay the foundation to physically expand the CenturyLink Center.
- As per the City of Omaha Downtown Master Plan adopted in 2009, this location is critical to the future of Downtown. Density is the key to connect these surrounding

City of Omaha
Jim Suttle, Mayor

Planning Department
Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1100
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 444-6140

R. E. Cunningham, RA, F.SAME
Director

February 7, 2012

Mr. Michael T. Moylan
Shamrock Development, Inc.
1414 Harney Street, Suite 400
Omaha, NE 68102

RE: New Market Tax Credits for the Capitol District Project

Dear Mr. Moylan:

The Capitol District is an exciting redevelopment project in Downtown Omaha. The vision of this development will help carry the City of Omaha far into the future.

(b)(4)

The Planning Department and Economic Development staff is very supportive of your efforts to obtain New Market Tax Credits (NMTC) for the proposed [redacted] In addition, the Hotel will spin off an additional [redacted] of development adjacent to the Hotel, but only if the Hotel is built. Our support of your effort to obtain NMTC is based on the following reasons:

- The Downtown Omaha 2030 Master Plan, adopted in 2009, identifies the redevelopment of this location as critical to the future of Downtown. The Capitol District's density is key to connect the following surrounding Downtown districts: The Old Market, the Entertainment District including CenturyLink/TD Ameritrade Park, the Central Business District to the west, and the emerging North Downtown District.

- The Capitol District is a high profile, high impact redevelopment project for the future of Downtown Omaha and the community as a whole and will be the catalyst for more redevelopment in Downtown.

(b)(4)

- The site falls into the National Census Bureau's highest level category of distressed areas.

- The [redacted] is the cornerstone and catalyst for the entire mixed-use Capitol District development project.

- Middle market economies like Omaha cannot feasibly build full service hotels for the foreseeable future without financial incentives. Receiving NMTC for the Hotel is the only way the Hotel can be built with the state of our local and national economy.

- Omaha civic leaders recognize more full-service hotel product must be built to balance our market.

LEE TERRY
NEBRASKA, 2ND DISTRICT

WASHINGTON OFFICE:
2331 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4155

DISTRICT OFFICE:
11717 BURT STREET, SUITE 106
OMAHA, NE 68154
(402) 397-9944
Talk2Lee@mail.house.gov
www.house.gov/terry

Congress of the United States
House of Representatives

HOUSE COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEES
COMMERCE, TRADE AND CONSUMER PROTECTION
ENVIRONMENT AND HAZARDOUS MATERIALS
COMMUNICATIONS, TECHNOLOGY AND THE INTERNET
REPUBLICAN DEPUTY WHIP
REPUBLICAN POLICY COMMITTEE
REPUBLICAN STEERING COMMITTEE

February 17, 2012

Michael T. Moylan
Shamrock Development, Inc.
1414 Harney Street, Suite 400
Omaha, Nebraska 68102

Dear Mr. Moylan,

Thank you for the opportunity to review the Executive Summary for the proposed redevelopment project, The Capitol District, in Downtown Omaha.

Please accept my strongest possible support of the proposed redevelopment, beginning with the development of a full service Marriott Hotel. As the cornerstone of The Capitol District, the Hotel is important to the future of Downtown Omaha.

This project positively impacts an area that falls into the National Census Bureau's highest level category of distressed areas. Additionally, successful development of this area will result in hundreds of construction jobs and even more permanent jobs, spurring substantial economic growth.

A hotel of this magnitude is critical to reaching an accommodation threshold that will allow Omaha to compete for larger events and conventions. Not only will this project impact the local economy, but it will boost Omaha to a more prominent position on the national stage.

I enthusiastically support The Capitol District and hope that the development is given strong support and consideration as a catalyst for jump-starting rejuvenation of our urban Downtown Omaha core.

Sincerely,

Lee Terry
MEMBER OF CONGRESS

LT/lkr

OMAHA
402.444.4660 | 866.937.6624 tf | 402.444.4511 fx | visitomaha.com
1001 FARNAM STREET | OMAHA, NE 68102
OMAHA CONVENTION & VISITORS BUREAU

February 10, 2012

Michael T. Moylan
Shamrock Development, Inc.
1414 Harney Street Suite 400
Omaha, NE 68102

Dear Mr. Moylan,

It is with tremendous enthusiasm that I write in support of the redevelopment project known as The Capital District. Your firm, Shamrock Development Incorporated has long been active in developing Omaha's brand of unique hospitality and this proposed development puts an exclamation point on Omaha's destination appeal.

As the Omaha Convention and Visitors Bureau travels the country promoting Omaha's convention amenities, typically the first question asked is, "how many delegates can you accommodate?" We know that our convention center can host a group of 2,000, but our full service hotel accommodations can only support 450 hotel rooms per night. We can add another 300 rooms per night if the delegates are willing to walk eight blocks to our other established hotel, the Downtown DoubleTree. We find that once we explain our convention hotels are eight blocks apart we are no longer competitive with other cities '3 block walking distance' hotel packages.

The competitive advantages that an additional 350 room Marriott Hotel would provide our city are:

- 950 full service hotel rooms within acceptable walking distance from our convention center. Convention delegates prefer full service hotels, with restaurant and retail amenities under one roof.
- Availability to host an additional 350+ visitors daily, boosting our local economy significantly. Our recent economic impact study shows each overnight visitor spends $119 per night in our city.
- A strengthened variety of hotel brand in our downtown. Currently, we do not have a full service Marriott brand downtown. The large number of Marriott reward program members considers this a competitive disadvantage. In addition, the Marriott brand consistently delivers upscale accommodations and service which will add to our destination attractiveness.
- Additional meeting room space will provide convention planners options for various gatherings.

Within the last 10 years, Omaha has become a new convention and leisure destination. Your development will help our city capitalize on this new found recognition and provide a much needed revenue source.

Thank you for your initiative on this exciting development and please don't hesitate to contact me if I can provide assistance.

Sincerely,

Dana Markel

Dana Markel
Executive Director
Omaha Convention & Visitors Bureau

OMAHA CITY COUNCIL

Omaha/Douglas Civic Center
1819 Farnam Street - Suite LC-1
Omaha, NE 68183
Phone (402) 444-5520
Fax (402) 444-5263

Thomas Mulligan
President
Garry Gernandt
Vice President
Pete Festersen
Ben Gray
Chris Jerram
Jean Stothert
Franklin Thompson

February 9, 2012

Mr. Michael Moylan, CCIM
Shamrock Development, Inc.
1414 Harney Street, Suite 400
Omaha NE 68102

Dear Mike: (b)(4)

As the Councilmember representing District #2 in the North Omaha Downtown area, I am writing in support of your Capital District project to build a [redacted] by the CenturyLink Center in downtown Omaha. Specifically, I am writing in support of your application for a Federal New Market Credit (NMTC) allocation.

This [redacted] project will enhance the many efforts that are currently underway by the (b)(4) Empowerment Network, Omaha 360, Impact One and many other community organizations to help end the cycle of poverty and rebuild North Omaha. The construction project alone will create over [redacted] obs while a full-service hotel in North downtown Omaha will create hundreds of sustainable jobs in an area where poverty is the highest in the country.

In addition, a full-service hotel will serve as a catalyst for the City of Omaha to attract a larger convention audience to the CenturyLink Center and potentially create another [redacted] n direct development immediately adjacent to the hotel for an additions[redacted]ermanent (b)(4) jobs. Awarding an NMTC allocation to build th[redacted] will single handily keep the momentum that has already been created and give residents of North Omaha more hope than ever that the cycle of poverty is a thing of the past.

It is my understanding that an NMTC allocation is vital to this project so I would respectfully encourage the Committee to award The Capital District allocations for inclusion in 2012. Let's work together.

Sincerely,

Ben Gray
City Councilmember, District #2

BG/dm

c: Councilmembers
Rick Cunningham, Planning Director

GREATER OMAHA CHAMBER

February 6, 2012

Dear FMTC application committee:

I am pleased to write this letter in support of The Capitol District redevelopment project in downtown Omaha and its application for Federal New Market Tax Credits.

(b)(4)

This project is very important to our community for many reasons. The additional rooms provided by the full service [redacted] will allow Omaha to bid and secure large conventions, which would bring tourism dollars and would expose individuals to Omaha as a place to do business, work and live. In addition, this project will create jobs, spur economic growth and add to the overall vibrancy in our city that is alive and growing.

The Greater Omaha Chamber and the city of Omaha led the development of a master plan for an 80-block area, known as North Downtown Omaha, covering nearly 300 acres directly between CenturyLink Center Omaha and Creighton University. The study showed a need for more full service hotels in downtown Omaha in order to compete for conventions with comparative cities and it provided a framework for new development, which has stimulated development in the area including offices space, retail, restaurants, small-scale hotels and TD Ameritrade Park Omaha – the home of NCAA's Men's College World Series.

Omaha is also home of five Fortune 500 companies. ConAgra Foods and Union Pacific are located downtown. Mutual of Omaha, Kiewit and Berkshire Hathaway Inc. are located just west of downtown in the Midtown district. Downtown is also the center of the performing and visual arts in Omaha, including the Holland Performing Arts Center and Orpheum Theater, plus dozens of small galleries, theaters and dance companies. In addition, CenturyLink Center Omaha draws groups such as U2, the Rolling Stones and Coldplay and hosted the U.S. Olympic Team Trials for Swimming in 2008 and will again in 2012, plus the U.S. Figure Skating Championships, The International Equestrian Event and NCAA Men's Division I Basketball.

Despite this growth and energy, we are still hindered in the ability to attract high caliber conventions because of our lack of full service hotel rooms. This project is not possible without the support of an allocation of Federal NMTC, thus I urge you to please consider The Capitol Project. Thank you for your time and consideration!

Regards,

David G. Brown
President and CEO

OmahaChamber.org
1301 Harney St., Omaha, NE 68102 • 13206 Grover St., Omaha, NE 68144
Phone: (402) 346-5000 • Fax: (402) 346-7050

February 7, 2012

Mr. Michael T. Moylan
Shamrock Development, Inc.
1414 Harney Street, Suite 400
Omaha, NE 68102

Dear Mr. Moylan:

I write in support of your application for Federal New Market Tax Credits (NMTC) critical to the construction of the [redacted] and the implementation of The Capitol District mixed use development. (b)(4)

The City of Omaha's Downtown Master Plan lays the framework for a highly dense, urban setting, with a variety of districts blended together into a vibrant and active downtown community. The Capitol District is a major step toward achieving that vision by bringing a combination of hotel rooms, retail, office space and residential units to a critical area at the intersection of a number of local districts. In addition to the influx of visitors, residents, employees and activity this development will attract downtown, this multi-million dollar investment will provide a major boost to the local economy and employee hundreds of people throughout construction and during operation.

(b)(4)
Specifically, the proposed [redacted] will serve as a lasting investment in the downtown community. It will better position Omaha in ongoing efforts to attract conventions, meetings and travelers. The benefits of growing our convention and tourism industry will reach the numerous small businesses located in downtown Omaha, the Old Market and North Downtown, and spur future development of underutilized properties.

With the support of Federal New Market Tax Credits, I am confident you will be successful in the development of the Marriott Hotel and the entire Capitol District. I look forward to the implementation of this project, its lasting impact on downtown Omaha and the future growth that will result from this investment.

Sincerely,

Joe Gudenrath

Joe Gudenrath, Executive Director
Omaha Downtown Improvement District Association

STATE OF NEBRASKA

Dave Heineman
Governor

DEPARTMENT OF ECONOMIC DEVELOPMENT
301 Centennial Mall South
P.O. Box 94666
Lincoln, Nebraska 68509-4666 USA

Phone (402) 471-3111
Toll Free (800) 426-6505
Fax (402) 471-3778
Statewide Relay (800) 833-0920 (voice)
www.neded.org

March 29, 2013

Michael T. Moylan
President
Shamrock Development, Inc.
1414 Harney Street, Suite #400
Omaha, NE 68102 USA

Dear Mr. Moylan:

The Nebraska Department of Economic Development is pleased to support Shamrock Development's creation of a Regional Center to bring EB-5 investments to the state. The Capitol District will be a redevelopment project in Downtown Omaha that will lead to significant foreign investment and job creation.

During Nebraska Governor Dave Heineman's trade mission to China last year, your presentation on this project to potential Chinese investors was well received and the feedback showed great interest from numerous people.

Our department and our recently opened trade and investment office in China will assist in your international marketing efforts.

The Capitol District project will strengthen our economy and increase direct foreign direct investment into Nebraska and we look forward to your success.

Sincerely,

Catherine D. Lang
Director

MIKE JOHANNS
NEBRASKA

404 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-4224
(202) 228-0436 FAX
(202) 228-4285 TTY

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
AGRICULTURE, NUTRITION AND FORESTRY
BANKING, HOUSING AND URBAN AFFAIRS
ENVIRONMENT AND PUBLIC WORKS
INDIAN AFFAIRS
VETERANS' AFFAIRS

February 22, 2012

Mr. Michael T. Moylan
President
Shamrock Development, Inc.
1414 Harney Street Suite 400
Omaha, NE 68102

Dear Mr. Moylan,

I am writing in regard to the redevelopment project in Downtown Omaha known as The Capitol District. I support completion of the project, recognizing its potential benefits for the community and our state.

I am aware that the City of Omaha chose this site for a new hotel, knowing that the nearby CenturyLink Convention Center has been successful, but constrained from attracting larger conventions by a lack of hotel capacity. Officials in Omaha have indicated that an additional hotel would allow the city to bid and secure larger conventions. This could spur economic growth and increase tourism opportunities in an area categorized by the National Census Bureau to be under the highest level of distress. In addition, I am confident development and completion of this project would provide direct investment and new employment opportunities in the Downtown Omaha community.

I am pleased to hear of your interest in building the hotel and applaud your efforts to play a role in enhancing the Omaha community.

Sincerely,

Mike Johanns
United States Senator

LINCOLN OFFICE
287 FEDERAL BUILDING
100 CENTENNIAL MALL NORTH
LINCOLN, NE 68508
(402) 476-1400
FAX: (402) 476-0605

OMAHA OFFICE
9900 NICHOLAS STREET
SUITE 325
OMAHA, NE 68114
(402) 758-8981
FAX: (402) 758-9165

KEARNEY OFFICE
4111 FOURTH AVENUE
SUITE 20
KEARNEY, NE 68845
(308) 236-7602
FAX: (308) 236-7473

SCOTTSBLUFF OFFICE
115 RAILWAY STREET
SUITE C102
SCOTTSBLUFF, NE 69361
(308) 632-6032
FAX: (308) 632-6295

Office of the President

OMAHA FEDERATION OF LABOR
Since 1887
A.F.L. - C.I.O.

Terry L. Moore
President

February 21, 2012

Michael T. Moylan
Shamrock Development, Inc.
1414 Harney Street, Suite 400
Omaha, Nebraska 68102

Dear Mike:

As President of the Omaha Federation of Labor, AFL-CIO, I want to extend my full support of The Capitol District redevelopment project and for the 350 room full-service Marriott Hotel in its pursuit for a Federal New Market Tax Credit (NMTC) allocation.

(b)(4) (b)(4)

The [redacted] project will be a direct investment of [redacted] and will be the driving force for an additional [redacted] in new development directly adjacent to the hotel and the CenturyLink Convention Center Omaha. The [redacted] will produce approximately [redacted] full- and part-time hospitality jobs in northeast Omaha – an area which ranks among the poorest in the United States. Also, the [redacted] and adjacent mixed-use developments will add nearly [redacted] well-paid construction industry jobs during the course of this Project.

(b)(4)

As a former board member of the Metropolitan Entertainment and Convention Authority (MECA), I understand the significance that a new full service hotel will bring to our community's efforts in recruiting nationally competitive conventions. The new [redacted] will increase the supply of full-service hotel rooms to a total of 950 rooms directly beside the CenturyLink Convention Center, which is an important threshold when recruiting top tier conventions in Omaha. The City's ability to compete for quality conventions will have a sustainable future economic impact of great proportion.

I strongly support The Capitol District and the Marriott Hotel projects as it will bring much needed economic investment and hundreds of new jobs to the Omaha community. I respectfully encourage the Committee to consider a NMTC allocation for the Marriott Hotel as this project and the additional development will not proceed without this important source of funding. I thank you for your consideration.

Respectfully,

Terry Moore
President
Omaha Federation of Labor, AFL-CIO

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Nebraska State Legislature

SENATOR BURKE J. HARR

District 8
1307 North 54th Street
Omaha, Nebraska 68132

Legislative Address:
State Capitol
PO Box 94604
Lincoln, Nebraska 68509-4604
(402) 471-2722
bharr@leg.ne.gov

COMMITTEES

Agriculture
Business and Labor
Judiciary

February 8, 2012

Dear Application Committee:

I am honored to be writing a letter in support for the Capitol District redevelopment project for downtown Omaha, and its application for Federal New Market Tax Credits.

As a legislator, I realize the importance of tourism for economic development. Tourism is Nebraska's third largest industry. Each dollar spent by tourists in Nebraska is re-spent in the state to produce an additional $1.70 in business and income, creating an overall economic impact of $2.70. Over 60% of the people visiting Nebraska stay at hotels.

I am proud of the events we are able to attract to Omaha, but without the additional rooms being built with this hotel, Omaha will continue to lose out on conventions and the revenue they bring into our state.

The Capitol District is an important and integral part of growing our local and state economy. It will continue to revitalize the downtown area, and will increase tourism to Omaha. The Capitol District will also create jobs, help grow the economy, and showcase our city. It will be a catalyst for an additional [redacted] n investments adjacent to the [redacted] (b)(4)

This project is important to our state and I encourage you to please consider this project for financing. Thank you for your time in this matter.

Sincerely,

Senator Burke J. Harr
District 8

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:55 PM 03/28/2013
FILED 02:55 PM 03/28/2013
SRV 130373095 - 5311392 FILE

STATE of DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE of FORMATION

First: The name of the limited liability company is: Liberty Nebraska Regional Center LLC.

Second: The address of its registered office in the State of Delaware is 1675 South State St., Ste B in the City of Dover, Zip Code 19901. The name of the registered agent at such address is Capitol Services, Inc.

In Witness Whereof, the undersigned has executed this Certificate of Formation this 28th day of March, 2013.

By: DJCK
Authorized Person

Name: David C. Keller

4867-0845-0191.1

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:55 PM 03/28/2013
FILED 02:55 PM 03/28/2013
SRV 130373083 - 5311386 FILE

STATE *of* DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE *of* FORMATION

First: The name of the limited liability company is: Capitol District Fund LLC.

Second: The address of its registered office in the State of Delaware is 1675 South State St., Ste B in the City of Dover, Zip Code 19901. The name of the registered agent at such address is Capitol Services, Inc.

In Witness Whereof, the undersigned has executed this Certificate of Formation this 28th day of March, 2013.

By: [signature]
Authorized Person

Name: David C. Keller

4838-6752-3439.1

May 2008

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17470 N. Pacesetter Way
Scottsdale, AZ 85255

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California Service Center
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Laguna Nigel, CA 92607-0526

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