

Litigation Financier Surety Bond

Bond Instructions

IMPORTANT - READ AND FOLLOW THE ATTACHED INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS APPLICATION TO AVOID IT BEING REJECTED AND RETURNED TO YOU FOR CORRECTION.

Line:

1. Enter the name of the Principal (Applicant) to be covered by the bond.
2. Enter the name of the Surety Company issuing the bond.
3. Enter the beginning date of the bond.
4. Enter the ending date of the bond.
5. Enter the bearing date of the bond, also known as the execution date of the bond.
6. Enter the complete name, address and telephone number of the Principal (Applicant) to be covered by the bond.
7. The Principal (Applicant) must sign. Note the signature must be an original.
8. Affix the corporate seal for the Principal (Applicant). If the Principal does not have a corporate seal, please write "SEAL" and circle.
9. Enter the complete name, address and telephone number of the Surety Company issuing the bond.
10. The Surety must sign. Note the signature must be the original signature of the officer or person having Power of Attorney to bind the Surety.
11. Affix the embossed corporate seal of the Surety.

Section to be completed by the Notary Public acknowledging the signature of the Principal (Applicant)

12. Enter the name of the state.
13. Enter the name of the county.
14. Enter the name of the Notary Public witnessing the transaction.
15. Enter the name of the Principal (Applicant) covered by the bond.
16. Notary must enter the date the bond was witnessed.
17. Notary must sign here.
18. Attach notary seal.
19. Notary enters his/her commission expiration date.

Section to be completed by the Notary Public acknowledging the signature of the Surety

20. Enter the name of the state.
21. Enter the name of the county.
22. Enter the name of the Notary Public witnessing the transaction.
23. Enter the name of the person binding the Surety.
24. Enter title of the person binding the Surety.
25. Enter name of the Surety.
26. Notary must enter the date the bond was witnessed.
27. Notary must sign here.
28. Attach notary seal.
29. Notary enters his/her commission expiration date.
30. Attach a Power of Attorney.

POWER OF ATTORNEY INSTRUCTIONS

A Power of Attorney for the Surety must be attached. It must be in full force and effect on the execution date indicated on the front page of the bond (Line 5). An **embossed** surety seal or **embossed sticker** must also be affixed to the Power of Attorney.

Power of Attorney must contain....

- Name of Attorney-in-fact.
- The Power of Attorney may not exceed imposed limitations.
- The Certificate date should be the bond execution date.
- The signature of the authorized official. The signature may be a facsimile.
- An embossed seal.

The Power of Attorney is issued by the Surety Company writing the bond.

STATE OF WEST VIRGINIA SECRETARY OF STATE

Litigation Financier Surety Bond

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS:

That we, 1) _____ as Principal

(Applicant), and 2) _____, (Surety Company) a corporation with authority to do business in the State of West Virginia, as surety, are held and firmly bound unto the **State of West Virginia** for the use of the **Attorney General** and reporter and any person who may have a cause of action against the obligor of the bond for any violation of West Virginia Code Sections 46A-6N-2 (b)(1) and (2), in an amount no less than **fifty thousand dollars (\$50,000)**, to the payment of which well and truly to be made, we hereby bind ourselves, our heirs, administrators, executors, successors and assigns, firmly by these presents.

WHEREAS, by W Va. Code § 46A-6N-2(b)(1) and (2), persons desiring to engage in the business of litigation financing are required to register with the Secretary of State as a litigation financier and furnish bond in the amount of fifty thousand dollars (\$50,000), to be approved by the Secretary of State, conditioned upon full compliance with the provisions of said Act and the valid rules and regulations adopted by the Secretary of State with respect to same.

NOW THEREFORE, the conditions of this obligation are such that if the above named Principal shall well and truly comply with the provisions of this Act, as well as with the valid rules and regulations made by the Secretary of State respecting all of the provisions of the said Act, then this obligation shall be void, otherwise to remain in full force and virtue in law.

This bond is effective from 3) _____ day of _____, _____ through the _____

day of 4) _____, _____ and shall be renewed to cover the full period or periods of registration of the Principal as a litigation financier. This bond may be cancelled at any time by the Surety upon giving sixty (60) days written notice to the Secretary of State, in which event the liability of the Surety shall, at the expiration of the said sixty (60) days, cease, except as to such liability as the Principal, on account of claims by persons aggrieved by a violation of the Act, as may have accrued prior to the expiration of said sixty (60) days. The Surety shall be liable, within the penal sum mentioned herein, for the default of the Principal and fully discharging any liability on its part accruing during the life of its obligation.

IN WITNESS WHEREOF, the said Principal has caused its or his/her name to be hereunder signed and seal affixed, and the said Surety has caused its name to be hereunto duly signed and its seal affixed by Attorney in Fact, this 5) _____ day of _____, 20 _____.

6) _____
Principal (Applicant)

9) _____
Surety Corporation

Complete Address of Principal (Applicant)

Address of Surety Corporation

Telephone Number of Principal (Applicant)

Phone Number of Surety Corporation

7) _____
Signature of Principal (Applicant)

10) _____
Signature of Surety

8) Embossed
Seal

11) Embossed
Surety Seal

Acknowledgment by Principal (Applicant)

- 12) State of _____)
 - 13) County of _____), to-wit:
 - 14) I, _____, a Notary Public in and for the county
 - 15) and state aforesaid, do certify that _____, whose name is signed to the writing above or hereto annexed, has this day acknowledged the same before me in my said county.
 - 16) Given under my hand this _____ day of _____, 20 _____.
 - 17) _____ Notary Public
 - 18) Notary Seal
 - 19) My Commission Expires _____.
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Acknowledgment for Surety

- 20) State of _____)
 - 21) County of _____), to-wit:
 - 22) I, _____, a Notary Public in and for the county
 - 23) and state aforesaid, do hereby certify that _____, who, as
 - 24) _____, signed the writing above or hereto annexed, for
 - 25) _____, a corporation, has this day, in my said county before me, acknowledged the said writing to be the act and deed of said corporation.
 - 26) Given under my hand this _____ day of _____, 20 _____.
 - 27) _____ Notary Public
 - 28) Notary Seal
 - 29) My Commission Expires _____.
-

30) Attach Power of Attorney

Approved as to sufficiency of form and manner of execution this
_____ day of _____, 20 _____.

Attorney General of the State of West Virginia

By: _____