

**American College of Commercial Finance Lawyers, Inc.
Nomination Proposals for Fellows Nominations**

**Instructions Regarding Proposals to Nominate Candidates for Election as Fellows of the
American College of Commercial Finance Lawyers, Nominee Profile Form, and
Qualification Requirements and Procedures for Membership**

The American College of Commercial Finance Lawyers, Inc. (the “College”) seeks eligible attorneys who exemplify the highest professional and leadership standards for admission to the College. The Fellows Nominating Committee and the Board of Regents of the College request your assistance in gathering background information about the person you have proposed or seconded. The Fellows Nominating Committee and the Board of Regents depend upon the proposing and seconding parties to supply accurate, current and sufficient information to assure that the College’s high standards are met.

Appended to these instructions is a copy of the “Qualification Requirements and Procedures for Membership” of the College, which has been adopted pursuant to Section 3.2 of the Amended Bylaws of the College.

Please note: Failure to supply required information may result in the Fellows Nominating Committee being unable to act upon your proposed nomination, and as a result your proposed nomination may be deferred or denied.

Therefore, please submit to Wendy Sech, Executive Director, the following in support of each nomination:

1. The information requested on the attached Nominee Profile Form (or a comprehensive curriculum vitae containing equivalent information).
2. Letters of recommendation from each sponsor and seconder, setting forth detailed and specific reasons for supporting the nomination.

The Nominee Profile form should be typed and filled out completely.

Submission of Nominee Profile Forms/CVs and letters of recommendation may be made by e-mail (strongly preferred), mail, courier, hand-delivery, facsimile, or any combination thereof.

Deadline for receipt by the Fellows Nominating Committee of Nominee Profiles and related letters of recommendation: **January 17.**

Where to submit that information: **Wendy Sech (Executive Director)**
Email: wendy@managementservices.org
Phone: (815) 806-4908

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NOMINEE PROFILE FORM

Nominee Name:

Nominee email address:

Nominee website profile(s):

[Firm/organization name, address, phone/fax]

Nominee contact information:

EDUCATION:

| TYPE | INSTITUTION & LOCATION | DATE OF DEGREE | DEGREE AWARDED | HONORS |
|-----------------|------------------------|----------------|----------------|--------|
| COLLEGE | | | | |
| LAW SCHOOL | | | | |
| GRADUATE SCHOOL | | | | |
| POST-GRADUATE | | | | |

PROFESSIONAL EMPLOYMENT:

| FIRM/ ORGANIZATION | TITLE OR POSITION | DATES OF EMPLOYMENT |
|-----------------------|-------------------|---------------------|
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PROFESSIONAL LICENSES:

| STATE BAR/ PROFESSIONAL LICENSE | DATE OF ADMISSION OR LICENSE | SPECIALTY CERTIFIED (if any) | DISCIPLINARY ACTIONS (if any) |
|---------------------------------------|---------------------------------|------------------------------------|-------------------------------------|
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PROFESSIONAL ACTIVITIES:

| PROFESSIONAL ASSOCIATION | ACTIVITY/ COMMITTEE | POSITIONS HELD | DATES |
|-----------------------------|------------------------|-------------------|-------|
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PUBLICATIONS:

| TITLE | SUBJECT | DATE | PUBLICATION |
|-------|---------|------|-------------|
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SPEECHES, PROGRAMS, EDUCATIONAL PANELS:

| TITLE | SUBJECT | LOCATION | SPONSORING ORGANIZATION | DATE |
|-------|---------|----------|----------------------------|------|
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QUALIFICATION REQUIREMENTS AND PROCEDURES FOR MEMBERSHIP

QUALIFICATION REQUIREMENTS

1. GENERAL REQUIREMENTS FOR FELLOWS. MEMBERSHIP IN THE COLLEGE AS A FELLOW WITH FULL VOTING PRIVILEGES IS LIMITED TO THOSE PRACTICING LAWYERS, JURISTS AND ACADEMICS LICENSED TO PRACTICE LAW IN THE UNITED STATES, CANADA OR MEXICO AND IN GOOD STANDING (OR ITS EQUIVALENT), AS APPLICABLE, IN THE RECORDS OF THEIR GOVERNING BODIES AND IN THE HIGHEST COURTS OF THEIR PRIMARY JURISDICTION(S) OF BAR MEMBERSHIP:

WHO HAVE NOT BEEN DISBARRED, SUSPENDED, OR OTHERWISE PROHIBITED FROM PRACTICING LAW IN ANY JURISDICTION IN WHICH HE OR SHE WAS PREVIOUSLY PERMITTED TO PRACTICE LAW, EXCEPT BY REASON OF HAVING ASSUMED RETIRED OR INACTIVE STATUS (OR ITS EQUIVALENT), OR EXPIRATION OF PRO HAC VICE PRIVILEGES, FOREIGN LEGAL CONSULTANT PRIVILEGES, LIMITED IN-HOUSE CORPORATE COUNSEL PRIVILEGES, DEFENDER OR LEGAL SERVICES PROGRAM PRIVILEGES, OR THE LIKE;

WHOSE PRINCIPAL PRACTICE IS IN THE FIELD OF COMMERCIAL FINANCE LAW OR WHO ARE SERVING IN THE JUDICIARY OR IN AN ACADEMIC POSITION AT A LAW SCHOOL ACCREDITED OR OTHERWISE RECOGNIZED BY EITHER (I) THE AMERICAN BAR ASSOCIATION OR (II) A LIKE NATIONAL ORGANIZATION OR LAWYERS GOVERNING BODY IN THEIR JURISDICTION;

WHO HAVE ACHIEVED PREEMINENCE IN THE FIELD OF COMMERCIAL FINANCE LAW; AND

WHO HAVE MADE SUBSTANTIAL AND REPEATED OR SUSTAINED CONTRIBUTIONS TO THE PROMOTION OF LEARNING AND SCHOLARSHIP IN COMMERCIAL FINANCE LAW THROUGH (I) TEACHING, (II) LECTURING, (III) PUBLISHED WRITINGS OR (IV) CONTINUING LEGAL EDUCATION THROUGH OR SPONSORED BY NATIONAL, STATE OR LOCAL BAR ORGANIZATIONS OR CONTINUING LEGAL EDUCATION ORGANIZATIONS. THIS CRITERION MAY BE MET IN LARGE PART BY THE WORK A CANDIDATE DOES IN HIS OR HER PRIMARY PROFESSIONAL CAPACITY, INCLUDING PUBLISHING BY ACADEMICS AND PRESENTING SEMINARS AND PROGRAMS FOR GROUPS OF SUFFICIENT SCHOLARLY REPUTATION. PUBLICATION OF CLIENT ALERTS OR LECTURING SOLELY TO CLIENTS OR TO INTERNAL FIRM OR COMPANY EMPLOYEES IS NOT SUFFICIENT.

COMMERCIAL FINANCE INCLUDES (I) THE EXTENSION OF LOANS OR OTHER CREDIT FOR A BUSINESS PURPOSE, TYPICALLY SECURED BY A SECURITY INTEREST IN PERSONAL PROPERTY, (II) THE INCURRENCE OF OTHER FINANCING OR ACQUISITION OF PAYMENT OBLIGATIONS ARISING FROM THE LEASING OF GOODS OR THE LICENSING OF INTELLECTUAL PERSONAL PROPERTY AND (III) THE PURCHASE OF RIGHTS TO PAYMENT OBLIGATIONS ARISING OUT OF A SELLER'S BUSINESS. THE TERM DOES NOT INCLUDE THE EXTENSION OF CREDIT OR THE INCURRENCE OF OTHER FINANCING FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES.

2. YEARS OF PRACTICE. ALL NOMINEES FOR MEMBERSHIP MUST HAVE BEEN LICENSED OR ENGAGED IN THE PRACTICE OR TEACHING OF LAW OR AS A MEMBER OF THE JUDICIARY, OR ANY COMBINATION THEREOF, FOR AT LEAST FIFTEEN (15) YEARS PRIOR TO INDUCTION TO THE COLLEGE AS FELLOWS. **EXAMPLE.** CHRIS GRADUATED FROM LAW SCHOOL IN MAY 2003, TOOK THE BAR EXAM IN JULY 2003, STARTED WORK AS A LAW FIRM "ASSOCIATE" IN SEPTEMBER 2003, AND WAS ADMITTED TO THE BAR ON JANUARY 10, 2004. CHRIS IS FIRST ELIGIBLE TO BE PROPOSED FOR MEMBERSHIP IN THE COLLEGE WITH THE FELLOWS CLASS TO BE ADMITTED AT THE COLLEGE'S ANNUAL MEETING IN THE SPRING OF 2019 – I.E., TO BECOME A FELLOW ON OR AFTER JANUARY 10, 2019. IT MAKES NO DIFFERENCE THAT CHRIS STARTED WORK AT A LAW FIRM IN SEPTEMBER 2003, SERVED AS A JUDICIAL LAW CLERK FROM SEPTEMBER 2005 THROUGH AUGUST 2006, RETURNED TO THE LAW

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FIRM IN SEPTEMBER 2006, AND WAS ON LEAVE FOR FAMILY AND/OR MEDICAL REASONS FROM JANUARY THROUGH JUNE 2012. IN THIS EXAMPLE, THE KEY DATES ARE JANUARY 10, 2004 – THE DATE CHRIS WAS ADMITTED TO THE BAR AND THE DATE OF THE COLLEGE’S ANNUAL MEETING – THE DATE CHRIS WILL BE INDUCTED INTO THE COLLEGE.

3. COMMERCIAL FINANCE EXPERIENCE. IN ADDITION, ALL NOMINEES FOR MEMBERSHIP MUST HAVE ACTIVE AND SUBSTANTIAL EXPERIENCE IN COMMERCIAL FINANCE LAW FOR A PERIOD OF AT LEAST TEN (10) OF THE NOMINEE’S FIFTEEN (15) OR MORE YEARS OF PRACTICE.

4. ORGANIZATIONAL REPRESENTATION. THE FACT THAT THE COLLEGE HAS ONE OR MORE FELLOWS FROM AN ORGANIZATION SHALL NOT PRECLUDE THE ELECTION OF ONE OR MORE ADDITIONAL PERSONS FROM THE SAME ORGANIZATION, AND CANDIDATES FOR MEMBERSHIP SHALL BE CONSIDERED WITHOUT REGARD TO THE NUMBER OF EXISTING FELLOWS FROM THE CANDIDATE’S ORGANIZATION.

5. CHARACTER REQUIREMENTS. HIGH ETHICAL AND MORAL STANDARDS AND EXCELLENT CHARACTER ARE INDISPENSABLE ATTRIBUTES OF ANY INDIVIDUAL WHO IS ADMITTED TO MEMBERSHIP AS A FELLOW IN THE AMERICAN COLLEGE OF COMMERCIAL FINANCE LAWYERS, INC. NO INDIVIDUAL SHALL BE ADMITTED TO FELLOWSHIP WHO LACKS THESE QUALITIES.

6. No DISCRIMINATION; DIVERSITY. NO PERSON OTHERWISE QUALIFIED SHALL BE EXCLUDED FROM CONSIDERATION FOR FELLOWSHIP OR DENIED FELLOWSHIP IN THE AMERICAN COLLEGE OF COMMERCIAL FINANCE LAWYERS, INC. BECAUSE OF THAT INDIVIDUAL’S COLOR, DISABILITY, ETHNIC ORIGIN, RACE, SEX, RELIGION, SEXUAL ORIENTATION, ANCESTRY, NATIONAL ORIGIN, OR GENDER IDENTIFICATION. THE COLLEGE BELIEVES THAT A DIVERSE AND INCLUSIVE MEMBERSHIP ENHANCES THE WORK AND REPUTATION OF THE COLLEGE AND THAT THESE DIVERSITY GOALS ARE BEST ACHIEVED BY ENCOURAGING FELLOWS TO PURPOSEFULLY IDENTIFY AND NOMINATE DIVERSE QUALIFYING CANDIDATES.

7. INTERNATIONAL FELLOWS. ANY PERSON THAT WOULD BE QUALIFIED FOR FELLOWSHIP IN ACCORDANCE WITH SECTIONS 1 THROUGH 6 ABOVE BUT FOR THE FACT THAT SUCH PERSON IS NOT LICENSED TO PRACTICE LAW IN THE UNITED STATES, CANADA OR MEXICO IS ELIGIBLE FOR CONSIDERATION AS AN INTERNATIONAL FELLOW IF SUCH PERSON IS A PRACTICING LAWYER, JURIST OR ACADEMIC LICENSED TO PRACTICE LAW IN A COUNTRY OTHER THAN UNITED STATES, CANADA OR MEXICO AND IS IN GOOD STANDING (OR ITS EQUIVALENT), AS APPLICABLE, IN THE RECORDS OF THE GOVERNING BODIES AND IN THE HIGHEST COURTS OF SUCH PERSON’S PRIMARY JURISDICTION(S) OF BAR MEMBERSHIP.

PROCEDURES FOR FELLOWSHIP

1. NOMINATION BY THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE. THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE, AS APPOINTED BY THE PRESIDENT AS PROVIDED IN THE BYLAWS OF THE COLLEGE, MAY NOMINATE A CANDIDATE FOR ELECTION TO THE COLLEGE BY THE BOARD OF REGENTS AS A FELLOW OR INTERNATIONAL FELLOW BY ACTING UPON A WRITTEN PROPOSAL FROM A FELLOW. ALL NOMINATIONS OF THE JOINT FELLOWS AND INTERNATIONAL NOMINATING COMMITTEE SHALL BE MADE BY MEANS OF A WRITTEN REPORT TO THE PRESIDENT SETTING FORTH THE NAME, AFFILIATION AND QUALIFICATION OF EACH PERSON NOMINATED.

2. PROPOSALS FOR NOMINATION. ANY FELLOW MAY PROPOSE THE NOMINATION OF AN ELIGIBLE LAWYER WHO IS NOT A PARTNER, BUSINESS ASSOCIATE IN THE SAME COMPANY OR FIRM, OR RELATIVE OF THE PROPOSER. ALL PROPOSALS FOR NOMINATION SHOULD BE SUPPORTED BY A

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SECOND IN WRITING BY AT LEAST ONE OTHER FELLOW, TOGETHER WITH DETAILED LETTERS OF QUALIFICATION FROM THE PROPOSER AND SECONDER ON BEHALF OF THE LAWYER PROPOSED. LETTERS OF QUALIFICATION FROM OTHER FELLOWS (AND INTERNATIONAL FELLOWS WITH RESPECT TO NOMINATIONS FOR INTERNATIONAL FELLOWS) ARE ENCOURAGED. THE PROPOSAL, TOGETHER WITH COPIES OF ALL SUPPORTING LETTERS OF QUALIFICATION, SHALL BE FILED WITH THE CHAIR OF THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE OR WITH THE PRESIDENT OF THE COLLEGE, WHO WILL PROMPTLY FORWARD THE PROPOSAL TO THE CHAIR OF THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE. PROPOSING AND SECONDERING ARE SERIOUS RESPONSIBILITIES – FELLOWS WHO PROPOSE OR SECONDER ARE VOUCHING FOR THEIR CANDIDATES AND HAVE A RESPONSIBILITY TO THE COLLEGE TO DO SO ONLY AFTER APPROPRIATE INVESTIGATION AND CONSIDERATION. MEMBERS OF THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE MAY, OR MAY NOT, PERSONALLY KNOW A GIVEN CANDIDATE. IN THE INTEREST OF FAIRNESS, TO THE GREATEST EXTENT POSSIBLE THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE WILL CONSIDER AND MAKE ITS RECOMMENDATIONS BASED PRINCIPALLY ON THE WRITTEN RECORD BEFORE IT. THOSE PROPOSING AND SECONDERING CANDIDATES ARE REMINDED THAT JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEES ARE COMPRISED OF VOLUNTEERS WORKING ON A TIMETABLE TO ASSURE OUR EXTENSIVE PROCESS WILL HAVE RUN ITS COURSE SO AS TO PERMIT TIMELY INDUCTION OF EACH NEW CLASS AT OUR ANNUAL (SPRING) MEETING AND DINNER, AND ARE ENCOURAGED TO KEEP STATED DEADLINES IN MIND.

3. CONFLICTS OF INTEREST. NO MEMBER OF THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE SHALL PARTICIPATE IN THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE’S CONSIDERATION OF OR DECISION REGARDING A LAWYER WHO IS A PARTNER, BUSINESS ASSOCIATE IN THE SAME COMPANY OR FIRM, OR RELATIVE OF THAT JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE MEMBER, OR WHOSE NOMINATION WAS PROPOSED OR SECONDED BY SUCH COMMITTEE MEMBER.

4. CONFIDENTIALITY. ALL DISCUSSIONS, PROCEEDINGS, LETTERS AND REPORTS INCIDENT TO PROPOSALS AND NOMINATIONS TO THE COLLEGE SHALL BE HELD IN STRICTEST CONFIDENCE BY THE JOINT FELLOWS AND INTERNATIONAL FELLOWS NOMINATING COMMITTEE AND THE BOARD OF REGENTS, BUT A PERSON WHO HAS BEEN PROPOSED OR NOMINATED FOR MEMBERSHIP MAY BE INFORMED THAT HE OR SHE IS UNDER CONSIDERATION FOR MEMBERSHIP.

APRIL 5, 2024

AS AMENDED THROUGH APRIL 2024.