



New Account Application for DVP/RVP Only

STEP 1 - Sales person responsible for account # _____ DATE _____

Please select all that apply.

☐ Delivery – Versus Payment (DVP)

☐ Prime Broker with FINRA Member (Identify Firm) _____

☐ New Account # _____ ☐ Sub (List Affiliated Account #) _____ (Please check only one)

STEP 2 - Name of Institution: Introducing Firm (for order flow accounts only)

Company _____

ATTN: _____

Address _____ City _____ State _____ Zip _____

Country of Incorporation _____

TAX ID/S.S.# _____ ACCT. TEL# _____

ACCT. FAX# _____ Email Address _____

Authorized Persons, Title & Phone Number *Per organizational documents or otherwise

A. _____

B. _____

C. _____

Hard copy confirms or statements? ☐ YES / ☐ NO

Is this account for a foreign bank? ☐ YES / ☐ NO. If yes, please list U.S. agent for service of process: _____

Is this account for a foreign shell bank? ☐ YES / ☐ NO.

Does this firm offer services to a foreign shell bank? ☐ YES / ☐ NO.

If you answered yes to any of the above questions, Corporation will need to complete Certification Regarding Correspondent Accounts.

Comment: _____

STEP 3 - Settlement Instructions:

Participant/DTC number _____ Customer internal account number _____

Institution number _____ Agent bank number _____

Tax ID _____ Interested Party ID# _____

Special Instructions:

☐ Institutional accounts as reporting and withholding agent for ultimate beneficiaries (Must check for international institution unless form is accompanied by W-8IMY)

STEP 4 - Interested Party: (Duplicate Statement)

Hard copy confirms or statements?

☐ YES ☐ NO

Name _____ Interested Party ID# _____ Phone Number _____

Address _____ City _____ State _____ Zip _____

Interested Party (Duplicate Statement)

Hard copy confirms or statements?

☐ YES ☐ NO

Name _____ Interested Party ID# _____ Phone Number _____

Address _____ City _____ State _____ Zip _____

STEP 5- Exempt Legal Entity Customer

Is this account maintained for Legal Entity Customers who are exempt from identifying and verifying beneficial owners as defined under 31 CFR 1010.230 (e) (2-3)? (See list below of Apex Acceptable Exemptions)

☐ Yes ☐ No

If yes, select the exemption below; if no please complete the attached exhibit entitled "Entity Certification Regarding Beneficial Owners of Legal Entity Customers" and the "Entity Account Due Diligence Questionnaire" will also need to be completed.

- ☐ a financial institution regulated by a Federal functional regulator or a bank regulated by a State bank regulator;
- ☐ a department or agency of the United States, of any State, or of any political subdivision of any State;
- ☐ any entity (other than a bank) whose common stock or analogous equity interests are listed on the New York, American or NASDAQ stock exchange (each, a Listed Entity);
- ☐ an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 or that is required to file reports under section 15(d) of that Act;
- ☐ an investment company, as defined in section 3 of the Investment Company Act of 1940, that is registered with the Securities and Exchange Commission (SEC) under that Act;
- ☐ an investment adviser, as defined in section 202(a) (11) of the Investment Advisers Act of 1940, that is registered with the SEC under that Act;
- ☐ an exchange or clearing agency, as defined in section 3 of the Securities Exchange Act of 1934, that is registered under section 6 or 17A of that Act;
- ☐ any other entity registered with the SEC under the Securities Exchange Act of 1934;
- ☐ a registered entity, commodity pool operator, commodity trading advisor, retail foreign exchange dealer, swap dealer or major swap participant, each as defined in section 1a of the Commodity Exchange Act, that is registered with the Commodity Futures Trading Commission;
- ☐ a public accounting firm registered under section 102 of the Sarbanes-Oxley Act;
- ☐ an insurance company that is regulated by a State.

STEP 6- ARBITRATION AGREEMENT. THIS AGREEMENT CONTAINS A PREDISPUTE ARBITRATION CLAUSE. BY SIGNING AN ARBITRATION AGREEMENT THE PARTIES AGREE AS FOLLOWS:

- a. ALL PARTIES TO THIS AGREEMENT ARE GIVING UP THE RIGHT TO SUE EACH OTHER IN COURT, INCLUDING THE RIGHT TO A TRIAL BY JURY, EXCEPT AS PROVIDED BY THE RULES OF THE ARBITRATION FORM IN WHICH A CLAIM IS FILED;
- b. ARBITRATION AWARDS ARE GENERALLY FINAL AND BINDING; A PARTY'S ABILITY TO HAVE A COURT REVERSE OR MODIFY AN ARBITRATION AWARD IS VERY LIMITED.
- c. THE ABILITY OF THE PARTIES TO OBTAIN DOCUMENTS, WITNESS STATEMENTS AND OTHER DISCOVERY IS GENERALLY MORE LIMITED IN ARBITRATION THAN IN COURT PROCEEDINGS;
- d. THE ARBITRATORS DO NOT HAVE TO EXPLAIN THE REASON(S) FOR THEIR AWARD UNLESS, IN AN ELIGIBLE CASE, A JOINT REQUEST FOR AN EXPLAINED DECISION HAS BEEN SUBMITTED BY ALL PARTIES TO THE PANEL AT LEAST 20 DAYS PRIOR TO THE FIRST SCHEDULED HEARING DATE.
- e. THE PANEL OF ARBITRATORS MAY INCLUDE A MINORITY OF ARBITRATORS WHO WERE OR ARE AFFILIATED WITH THE SECURITIES INDUSTRY.
- f. THE RULES OF SOME ARBITRATION FORUMS MAY IMPOSE TIME LIMITS FOR BRINGING A CLAIM IN ARBITRATION. IN SOME CASES, A CLAIM THAT IS INELIGIBLE FOR ARBITRATION MAY BE BROUGHT IN COURT.
- g. THE RULES OF THE ARBITRATION FORUM IN WHICH THE CLAIM IS FILED, AND ANY AMENDMENTS THERETO, SHALL BE INCORPORATED INTO THIS AGREEMENT.

THE FOLLOWING ARBITRATION AGREEMENT SHOULD BE READ IN CONJUNCTION WITH THE DISCLOSURES ABOVE. ANY AND ALL CONTROVERSIES, DISPUTES OR CLAIMS BETWEEN THE CUSTOMER AND YOU, OR THE INTRODUCING BROKER, OR THE AGENTS, REPRESENTATIVES, EMPLOYEES, DIRECTORS, OFFICERS OR CONTROL PERSONS OF YOU OR THE INTRODUCING BROKER, ARISING OUT OF, IN CONNECTION WITH, FROM OR WITH RESPECT TO (a) ANY PROVISIONS OF OR THE VALIDITY OF THIS AGREEMENT OR ANY RELATED AGREEMENTS, (b) THE RELATIONSHIP OF THE PARTIES HERETO, OR (c) ANY CONTROVERSY ARISING OUT OF YOUR BUSINESS, THE INTRODUCING BROKER'S BUSINESS OR THE CUSTOMER'S ACCOUNTS, SHALL BE CONDUCTED PURSUANT TO THE CODE OF ARBITRATION PROCEDURE OF THE FINANCIAL INDUSTRY REGULATORY AUTHORITY ("FINRA"). THE DECISION AND AWARD OF THE ARBITRATOR(S) SHALL BE CONCLUSIVE AND BINDING UPON ALL PARTIES, AND ANY JUDGMENT UPON ANY AWARD RENDERED MAY BE ENTERED IN A COURT HAVING JURISDICTION THEREOF, AND NEITHER PARTY SHALL OPPOSE SUCH ENTRY.

No person shall bring a putative or certified class action to arbitration, nor seek to enforce any pre-dispute arbitration agreement against any person who has initiated in court a putative class action; or who is a member of a putative class who has not opted out of the class with respect to any claims encompassed by the putative class action until: (i) the class certification is denied; or (ii) the class is decertified; or (iii) the customer is excluded from the class by the court. Such forbearance to enforce an agreement to arbitrate shall not constitute a waiver of any rights under this agreement except to the extent stated herein.

STEP 7 - BY SIGNING THIS APPLICATION, I (WE) ACKNOWLEDGE THE FOLLOWING: (1) THAT, PAGE 2 BOX 2 OF THE CUSTOMER ACCOUNT AGREEMENT CONTAINS A PREDISPUTE ARBITRATION CLAUSE AND IN ACCORDANCE WITH THIS AGREEMENT I (WE) AGREE IN ADVANCE TO ARBITRATE ANY CONTROVERSIES WHICH MAY ARISE BETWEEN OR AMONG ME (US), MY BROKER, AND/OR CLEARING FIRM, (2) RECEIPT OF A COPY OF THE CUSTOMER ACCOUNT AGREEMENT FOLLOWING THIS APPLICATION AND MY (OUR) AGREEMENT WITH THE TERMS THEREIN AND (3) THE INFORMATION PROVIDED ABOVE IS ACCURATE.

STEP 8 – Customer Signature:

Customer Signature: _____ Date: _____

For Internal Use Only:

Account Type _____ Comments _____

Account Number _____

Registered Rep's Name (Please Print) _____ Signature _____

Approved By _____ Date _____
Registered Principal

EXHIBIT - ENTITY CERTIFICATION REGARDING BENEFICIAL OWNERS OF LEGAL ENTITY CUSTOMERS

I. GENERAL INSTRUCTIONS

What is this form?

To help the government fight financial crime, Federal regulation requires certain financial institutions to obtain, verify, and record information about the beneficial owners of legal entity customers. Legal entities can be abused to disguise involvement in terrorist financing, money laundering, tax evasion, corruption, fraud, and other financial crimes. Requiring the disclosure of key individuals who own or control a legal entity (i.e., the beneficial owners) helps law enforcement investigate and prosecute these crimes.

Who has to complete this form?

This form must be completed by the person opening a new account on behalf of a legal entity with any of the following U.S. financial institutions: (i) a bank or credit union; (ii) a broker or dealer in securities; (iii) a mutual fund; (iv) a futures commission merchant; or (v) an introducing broker in commodities. For the purposes of this form, a legal entity includes a corporation, limited liability company, or other entity that is created by a filing of a public document with a Secretary of State or similar office, a general partnership, and any similar business entity formed in the United States or a foreign country. Legal entity does not include sole proprietorships, unincorporated associations, or natural persons opening accounts on their own behalf.

What information do I have to provide?

This form requires you to provide the name, address, date of birth and Social Security number (or passport number or other similar information, in the case of non- U.S persons) for the following individuals (i.e., the beneficial owners):

- (i) Each individual, if any, who owns, directly or indirectly, 10 percent or more of the equity interests of the legal entity customer (e.g., each natural person that owns 10 percent or more of the shares of a corporation); and
- (ii) An individual with significant responsibility for managing the legal entity customer (e.g., a Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President, or Treasurer). The number of individuals that satisfy this definition of "beneficial owner" may vary. Under section (i), depending on the factual circumstances, up to four individuals (but as few as zero) may need to be identified. Regardless of the number of individuals identified under section (i), you must provide the identifying information of one individual under section (ii). It is possible that in some circumstances the same individual might be identified under both sections (e.g., the President of Acme, Inc. who also holds a 30 percent equity interest). Thus, a completed form will contain the identifying information of at least one individual (under section (ii)), and up to ten individuals (i.e., one individual under section (ii) and ten 10 percent equity holders under section (i)). The financial institution may also ask to see a copy of a driver's license or other identifying document for each beneficial owner listed on this form.

II. CERTIFICATION OF BENEFICIAL OWNER(S)

Persons opening an account on behalf of a legal entity must provide the following information:

a. Name and Title of Natural Person Opening Account:

b. Name, Type and Address of Legal Entity for Which the Account is Being Opened:

c. The following information for each individual, if any, who, directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise, owns 10 percent or more of the equity interests of the legal entity listed above.

Name	Date of Birth	Address (Residential or Business address)	For U.S. Persons: Social Security Number	For Non - U.S. Persons Social Security Number: Passport Number and Country of Issuance, or other similar identification number ¹

(If no individual meets this definition, please write "Not Applicable.")

¹ In lieu of a passport number, Non-U.S. Persons may also provide a Social Security Number, an alien identification card number, or number and country of issuance of any other government-issued document evidencing nationality or residence and bearing a photograph or similar safeguard.

d. The following information for one individual with significant responsibility for managing the legal entity listed above, such as:

- An executive officer or senior manager (e.g., Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President, Treasurer); or
- Any other individual who regularly performs similar functions.

(If appropriate, an individual listed under section (c) above may also be listed in this section (d)).

Name	Date of Birth	Address (Residential or Business Street Address)	For U.S. Persons: Social Security Number	For Non-U.S. Persons: Passport Number and Country of Issuance, or other similar identification number ¹

¹ In lieu of a passport number, non-U.S. persons may also provide a Social Security Number, an alien identification card number, or number and country of issuance of any other government-issued document evidencing nationality or residence and bearing a photograph or similar safeguard.

III. NATURE OF ACCOUNT

Please indicate the Industrial Classification your business is classified under below:

- ☐ (1) Agriculture, Forestry, And Fishing ☐ (2) Mining ☐ (3) Construction ☐ (4) Manufacturing
- ☐ (5) Transportation, Communications, Electric, Gas, And Sanitary Services ☐ (6) Wholesale Trade
- ☐ (7) Retail Trade ☐ (8) Finance, Insurance, And Real Estate ☐ (9) Services ☐ (10) Public Administration

IV. SIGNATURES

I, _____ (*name of natural person opening account*), hereby certify, to the best of my knowledge, that the information provided above is complete and correct.

Signature: _____ Date: _____

Legal Entity Identifier _____ (Optional)

For Office Use Only

I, _____, am not aware of facts that reasonably call into question the reliability of the above information provided by the applicant.

Signature Date