Date: August 15, 2020

STERLING DILIGENCE

BACKGROUND REPORT

## RE: PATRICK J. ARATA

*- PERSONAL AND CONFIDENTIAL -*

STERLING DILIGENCE BACKGROUND REPORT

PATRICK J. ARATA

khg

;olikjh

;olgh, the United Kingdom

August 15, 2020

**SUMMARY RESULTS TABLE**

|  |  |  |  |
| --- | --- | --- | --- |
| **COMPONENTS INVESTIGATED** | **RESULTS** | | **COMMENTS** |
| Personal Identification Profile | Clear | | Confirmed |
| Name & Address Verification & History | Clear | | Arata has jurisdictional ties to the United Kingdom |
| Company Directorship & Other Records | COMPRESULT | | COMPCOMMENT |
| Education Verification | DEGREEHEADER | | SUMMDEGDESCRIPTION  NOEDUHISTORYCOMMENT |
| Professional Licenses & Designations | REGRESULT | | REGCOMMENT |
| Regulatory Searches & Verification | Clear | |  |
| Driving History | Records | | With the subject’s express written authorization, Arata’s driving record was retrieved in the United Kingdom, which revealed the following records:    <investigator to insert summary here> |
| Personal Credit History | Records | | With the subject’s express written authorization, Arata’s personal credit history was retrieved in the United Kingdom, which revealed the following negative credit information:    <investigator to insert summary here> |
| **Bankruptcy, Civil Litigation & Other Filings** | | | |
| Bankruptcy Filings in the United Kingdom (as available) | Clear | |  |
| Civil Court Litigation Records in the United Kingdom (as available) | Clear | |  |
| Civil Judgments and Liens | Clear | |  |
| **Criminal Records** | | | |
| Criminal Records as available in the United Kingdom | Clear | |  |
| **Press & Other Media Searches** | | | |
| News Media Searches – Print Publications and Internet Sources. Includes expanded search of investment publications, etc. | | Clear | No adverse or materially-significant information identified |
| **Global Security & Regulatory Searches** | | | |
| **Sanctions Bodies Searched:** | | | |
| Department of Foreign Affairs and Trade, Australia | | Clear |  |
| European Union Consolidated List of Persons, Groups, Equity | | Clear |  |
| HM Treasury Consolidated List of Financial Sanctions Targets (formerly Bank of England Sanctions) | | Clear |  |
| U.S. Bureau of Industry and Security List of Denied Persons, Entities List and Unverified List | | Clear |  |
| U.S. Department of State Foreign Terrorist Organizations | | Clear |  |
| U.S. Directorate of Defense Trade Controls Debarred Parties Lists | | Clear |  |
| U.S. General Services Administration Lists of Parties Excluded from Federal Procurement and Non-Procurement Programs | | Clear |  |
| U.S. Office of Foreign Assets Control | | Clear |  |
| United Nations Consolidated Sanctions | | Clear |  |
| World Bank List of Ineligible Firms and Individuals | | Clear |  |
| **Law Enforcement Bodies Searched:** | | | |
| City of London Police (U.K.) | Clear | |  |
| Constabularies of Cheshire, Lancashire, and Devon and Cornwall (U.K.) | Clear | |  |
| Hampshire Police (U.K.) | Clear | |  |
| Hong Kong Police Force | Clear | |  |
| Interpol | Clear | |  |
| Metropolitan Police Service (U.K.) | Clear | |  |
| National Crime Squad | Clear | |  |
| North Yorkshire Police (U.K.) | Clear | |  |
| Nottinghamshire Police (U.K.) | Clear | |  |
| Surrey Police (U.K.) | Clear | |  |
| Thames Valley Police (U.K.) | Clear | |  |
| U.S. Federal Bureau of Investigation | Clear | |  |
| U.S. Secret Service | Clear | |  |
| Warwickshire Police (U.K.) | Clear | |  |
| **Regulatory Enforcement Bodies Searched:** | | | |
| Alberta Securities Commission, Canada | Clear | |  |
| Assets Recovery Agency | Clear | |  |
| Australian Prudential Regulation Authority | Clear | |  |
| Australian Securities and Investments Commission | Clear | |  |
| Banque de France, CECEI, France | Clear | |  |
| Banque de France, Commission Bancaire, France | Clear | |  |
| British Virgin Islands Financial Services Commission | Clear | |  |
| Cayman Islands Monetary Authority | Clear | |  |
| Commission de Surveillance du Secteur Financier, Luxembourg | Clear | |  |
| Commodity Futures Trading Commission | Clear | |  |
| Council for Financial Activities Control, Brazil | Clear | |  |
| Departamento de Investigacoes Sobre Narcoticos, Brazil | Clear | |  |
| Department of Labour Inspection – Combating Forced Labour, Brazil | Clear | |  |
| Federal Deposit Insurance Commission | Clear | |  |
| Federal Reserve Board | Clear | |  |
| Financial Action Task Force | Clear | |  |
| Financial Crimes Enforcement Network | Clear | |  |
| Financial Industry Regulatory Authority | Clear | |  |
| Financial Regulator, Ireland | Clear | |  |
| Hong Kong Monetary Authority | Clear | |  |
| Hong Kong Securities and Futures Commission | Clear | |  |
| Investment Dealers Association of Canada | Clear | |  |
| Investment Management Regulatory Organisation | Clear | |  |
| Isle of Man Financial Supervision Commission | Clear | |  |
| Jersey Financial Services Commission | Clear | |  |
| Lloyd’s Insurance Arimbolaet | Clear | |  |
| Monetary Authority of Singapore | Clear | |  |
| National Credit Union Administration | Clear | |  |
| New York Stock Exchange | Clear | |  |
| Office of the Comptroller of the Currency | Clear | |  |
| Office of the Superintendent of Financial Institutions, Canada | Clear | |  |
| Resolution Trust Corporation | Clear | |  |
| Securities and Exchange Commission, U.S. | Clear | |  |
| Securities and Exchange Commission, Brazil  (Brazil Comissão de Valores Mobiliários) | Clear | |  |
| Securities and Futures Authority | Clear | |  |
| Swedish Financial Supervisory Authority (Finansinspektionen) | Clear | |  |
| Swiss Federal Banking Commission | Clear | |  |
| U.K. Companies House Disqualified Directors Register | Clear | |  |
| U.K. Financial Conduct Authority Regulatory Enforcements | Clear | |  |
| U.S. Court of International Trade | Clear | |  |
| U.S. Department of Justice | Clear | |  |
| U.S. Federal Trade Commission | Clear | |  |
| U.S. National Futures Association | Clear | |  |
| U.S. Office of Thrift Supervision | Clear | |  |
| **High Profile Persons Data Bodies Searched**: |  | |  |
| Central Intelligence Agency - Heads of State/Government | Clear | |  |
| International Consortium of Investigative Journalists (ICIJ) | Clear | |  |
| **END** | | |  |

**EXECUTIVE SUMMARY**

At the request of BB Fund (“Client”), Sterling Diligence undertook a background and due diligence investigation in the United Kingdom in connection with Patrick J. Arata, which was aimed at identifying any of the following: criminal activity; civil litigation filings; liens and judgments; bankruptcies; corporate and other business associations and filings; regulatory and professional status; adverse media reports; and any other matters which would reflect potential issues of character and integrity.

Searches were conducted through legal records and other sources in the United Kingdom in order to locate any bankruptcy filings or other claims, evidence of criminal charges or government actions, civil litigation filings, or liens or judgments in connection with the subject, and the following records were identified: <Investigator to insert summarized findings >

Searches also were conducted of relevant legal and regulatory agencies in the United Kingdom and the United States, while anti-terrorist, anti-money laundering and other compliance searches were global in scope, and the following records were identified in connection with the subject: <Investigator to insert summarized findings >

*In sum, with the exception of the above, no other issues of potential relevance were identified in connection with Patrick J. Arata in the United Kingdom.*

The following presents the results of Sterling Diligence’s investigation in detail.

PATRICK J. ARATA

khg

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;olgh, the United Kingdom

STERLING DILIGENCE BACKGROUND REPORT[[1]](#footnote-1),[[2]](#footnote-2)

August 15, 2020

*PERSONAL AND CONFIDENTIAL*

##### **I. PERSONAL IDENTIFICATION**[[3]](#footnote-3)

Patrick Madhukar Arata (hereafter referred to as “ Arata ” or “the subject”)[[4]](#footnote-4) is a .lkjyhgf national born in uytf in March, 2001, and maintains a residence at 21 Plymouth Street, Montcliar, NJ, [[5]](#footnote-5) . At the request of the Client, research efforts were conducted in this jurisdiction.

Additionally, the subject has historical ties to Australia, UK and JK, and additional research would be required in these jurisdictions, which can be undertaken upon request if an expanded scope is warranted.

**II. BUSINESS AFFILIATIONS AND EMPLOYMENT HISTORY**[[6]](#footnote-6)

EMPLOYEEDESCRIPTION

In addition to the above, research efforts conducted through information maintained by Companies House, the government’s register of the United Kingdom companies identified Arata as an Officer, Director and/or Shareholder of the following business entities in the United Kingdom:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

Moreover, research of records maintained by the United States Patent and Trademark Office (“USPTO”) and the World Intellectual Property Organization (“WIPO”) identified the subject as a Registrant/Owner in connection with the following trademarks and as an Applicant/Assignee/Inventor in connection with the following patents:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

##### **III. EDUCATIONAL CREDENTIALS**

DEGREEDESCRIPTION

##### **PROFESSIONAL LICENSURE**

United States Securities and Exchange Commission

According to records maintained by the United States Securities and Exchange Commission (“SEC”), Arata has been registered, with a Central Registration Depository (“CRD”) number of <number>, as an Investment Adviser Firm Representative of <entity> (effective as of <dates>).

Further, the subject reportedly passed the following examinations: Series <number> (<series name>) on <date>; and Series <number> (<series name>) on <date>.

Further, the following disclosure events were reported on the subject’s SEC registration:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

With the exception of the above, no additional disclosure events, such as formal investigations, disciplinary actions, customer disputes and/or criminal charges or convictions, were on file with the SEC in connection with Arata’s registration.

the United Kingdom’s Financial Conduct Authority

According to records maintained by the United Kingdom’s Financial Conduct Authority (“FCA”), Arata, with an individual reference number of <number>, has been registered in the controlled functions of <insert controlled functions, entities and effective dates>.

There are no records of any supervisory, disciplinary or civil regulatory actions on file with the FCA against the subject.

United States Financial Industry Regulatory Authority

According to records maintained by the United States Financial Industry Regulatory Authority (“FINRA”), Arata has been registered, with a Central Registration Depository (“CRD”) number of <number>, in connection with <entity> (effective as of <dates>).

Additionally, the subject reportedly passed the following examinations: Series <number> (<series name>) on <date>; and Series <number> (<series name>) on <date>.

Further, the following customer disputes, disciplinary actions, and/or regulatory events were identified in connection with this registration:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

United States National Futures Association

Arata has been registered with the United States National Futures Association (“NFA”), with the identification number of <number>, as a <role> (effective as of <dates>), as well as in the capacity of an <capacity> (effective as of <dates>) with <entity>.

Further, Arata was previously identified as a <previous role> in connection with <entity> (effective from <date> to <date>).

Additionally, the following regulatory actions, NFA Arbitration Awards and/or Commodity Futures Trading Commission (“CFTC”) Reparations Cases were reported in connection with the subject:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

Other Licensure and/or Professional Designations

Investigative efforts did not reveal any additional professional licensure or registration information in connection with Arata, personally, however, further efforts would be required on a jurisdiction and license-type basis to confirm the same. As a precaution, research efforts included, but were not limited to: a Broker Check through the United States Financial Industry Regulatory Authority (for the past two years); a search of the United States Commodity Futures Trading Commission registration; an Investment Adviser Firm Representative search through the U.S. Securities and Exchange Commission; and a search through the United Kingdom’s Financial Conduct Authority. <investigator to remove any sources that came back with hits above>

###### REGULATORY, COMPLIANCE AND OTHER SEARCHES

*Other Financial and Securities Regulators*

In addition to the above, as a precaution, national financial institutions sanctions and legal actions were searched in the United States covering the banking, mortgage and securities industries,[[7]](#footnote-7) and the following information was identified in connection with Arata: <Investigator to insert results here>

###### COURT AND OTHER PUBLIC RECORDS SEARCHES[[8]](#footnote-8)

Civil Litigation, Insolvency and Other Filings in the Country

Records maintained by the Insolvency Service in the United Kingdom[INSERTFOOTNOTE][[9]](#footnote-9)identified the following bankruptcy filings in connection with Arata:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

Research efforts, including searches of records maintained by the Court of Appeal, Administrative Court and the High Court in the United Kingdom, revealed the following litigation and/or judgments registered against Arata:[[10]](#footnote-10)

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

Further, a search through the Registry of Judgments, Orders and Fines did not identify any filings in connection with the subject within the past six years or so.

Criminal Records

With the subject’s express written authorization, criminal records research efforts were conducted through the United Kingdom Disclosure and Barring Service, which is responsible for issuing Basic Disclosures for individuals throughout England, Wales, the Channel Islands and the Isle of Man.[[11]](#footnote-11)Research efforts conducted by the Disclosure and Barring Service, as well as information held by local police forces, identified the following records in connection with Arata:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

[

Further, efforts undertaken through official government announcements, published news stories, regulatory agency records and other available sources, identified the following references to bankruptcy filings, civil litigation filings and/or criminal records involving the subject in the United Kingdom:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

]

1. **DRIVER’S LICENSURE AND DRIVING HISTORY**

With the subject’s express written authorization, a driving history check was conducted through the United Kingdom Driver and Vehicle Licensing Agency, which did not identify any traffic infractions, license suspensions or other adverse records in connection with Arata.

1. **GLOBAL SECURITY**

Research was undertaken in connection with various governmental, quasi-governmental and private sector list repositories maintained for purposes of international security, fraud prevention, anti-terrorism and anti-money laundering, including the List of Specially Designated Nationals and Blocked Persons of the United States Office of Foreign Assets Control (“OFAC”),[[12]](#footnote-12) and the following information was identified in connection with Arata:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

Further, a review was conducted of the Offshore Leaks Database maintained by The International Consortium of Investigative Journalists (“ICIJ”). It is noted that the ICIJ database contains information on the more than 785,000 offshore companies, foundations and trusts from the Panama Papers, the Offshore Leaks, the Bahamas Leaks and the Paradise Papers investigations. The data covers nearly 80 years up to 2016 and links to people and companies in more than 200 countries and territories. The database is not intended to suggest or imply that any persons, companies or other entities included have broken the law or otherwise acted improperly. The following information was identified in connection with the subject:

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

• <Investigator to insert bulleted list of results here>

### PERSONAL CREDIT HISTORY

It should be noted that unlike credit reports in the United States, due to strict Data Protection privacy laws, credit reports in the United Kingdom are limited to the existence of any County Court Judgments, bankruptcies or Individual Voluntary Arrangements, and do not provide information relating to the subject’s financial history.

In this regard, pursuant to Arata’s express authorization, a credit report was obtained, the same of which did not identify any reported County Court Judgments, bankruptcies or Individual Voluntary Arrangements registered against the subject within the past five years or so.

1. **PRESS AND OTHER MEDIA RESEARCH**

Due to the commonality of the subject’s name, searches were structured and designed to identify specific reports relating to Arata with a variety of negative search terms and derivatives thereof within the past <timeframe>. Further, the subject’s name was also searched using a variety of other terms, focusing on the subject’s employment history, and a thorough review of the same revealed the following potentially-relevant information: <Investigator to insert article summaries here>

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We hope this report satisfies your request for background and due diligence investigation relating to this subject. If you have any questions or comments about this report or our findings, please contact us and reference Case Number 1234. As always, thank you for the opportunity to be of service.

1. The confidentiality of this information should be stressed, and unless required to do so by law, disseminating or otherwise distributing this information to the subject of this report or to any unauthorized parties without the express written authorization of Sterling Diligence is strictly prohibited. [↑](#footnote-ref-1)
2. Given stringent data protection laws in the United Kingdom, the information contained herein has been derived through open source research, including the United Kingdom -based corporate registry records and other public reports.

   Further, it is understood that due to the nature of the origin of public record information, the reliability of database results can be highly variable, and there may be information which has never been reported to or is not available through various database services. Further, databases typically maintain information as acquired through or from an original source, and since queries are character specific and sensitive to spelling precision, research results are dependent upon the accuracy and correctness of the source data, which is sometimes reported or entered inaccurately, processed poorly or incorrectly, and is generally not free from defect. In this regard, additional research has been undertaken to independently verify specific results during the course of this investigation. [↑](#footnote-ref-2)
3. For privacy and confidentiality reasons, the subject’s full date of birth has been omitted from this report, and for the purposes of this investigation, other identification information regarding the subject has been confirmed. [↑](#footnote-ref-3)
4. It is noted that the subject was identified in connection with the name variation “ PoojaNikumbh ” and investigative efforts were undertaken in connection with the same, as appropriate. [↑](#footnote-ref-4)
5. Research efforts conducted through records maintained by the the United Kingdom Land Registry revealed that <investigator to insert results here>. [↑](#footnote-ref-5)
6. It is noted that the timeframe associated with Arata’s affiliation with these entities is derived from multiple sources and may not necessarily reflect the complete duration of the subject’s association with the same. Further, there may be instances where corporate records omit or do not disclose individual principals or members, and in this regard, it is possible that Arata has been associated with other business entities, but the association may not be revealed through corporate filings. [↑](#footnote-ref-6)
7. Searches included sanctions and/or legal actions of the following federal agencies: the Securities and Exchange Commission; the Financial Industry Regulatory Authority (formerly the National Association of Securities Dealers) and the New York Stock Exchange’s member regulation, enforcement and arbitration functions (prior to the consolidation of the two in July 2007); the Federal Deposit Insurance Corporation; Resolution Trust Corporation; Federal Reserve Board; National Credit Union Administrative Actions; Office of the Comptroller of the Currency; Department of Justice; Department of Housing and Urban Development; and other federal agencies (through the General Services Administration). [↑](#footnote-ref-7)
8. It should be noted that information concerning insolvency records, civil litigation filings and criminal proceedings are restricted in the United Kingdom, and to the extent references were identified through open source or manual court records research, the same have been included herein. [↑](#footnote-ref-8)
9. The Insolvency Service maintains details that are either current or have terminated within the past three months or so, as well as current individual voluntary arrangements, fast track voluntary arrangements and current bankruptcy restrictions orders and undertakings. Further, a search was also conducted in connection with bankruptcy orders and applications made within the past five years. [↑](#footnote-ref-9)
10. Research was conducted through court decisions of the following England and Wales Courts: Court of Appeal (Civil and Criminal Divisions); High Court (Administrative, Commercial, Exchequer, Mercantile, Patents, and Technology and Construction Courts, as well as Admiralty, Chancery, Family, King’s Bench and Queen’s Bench Divisions); Patents County Court; and Care Standards and Lands Tribunals. Research of court decisions was also conducted through the following the United Kingdom Courts: House of Lords; Financial Services and Markets Tribunals; Privy Council; Special Commissioners of Income Tax; Social Security and Child Support Commissioners’ Tribunal; VAT & Duties Tribunals (Customs, Excise, Insurance Premium Tax and Landfill Tax); Competition Appeals Tribunal; Special Immigrations Appeals Commission; Employment Appeal Tribunal; Asylum and Immigration Tribunal; and Information Tribunal including the National Security Appeals Panel. [↑](#footnote-ref-10)
11. Information available in the Basic Disclosure is limited to convictions considered “unspent” under The Rehabilitation of Offenders Act 1974, meaning that the applicable rehabilitation period has not expired. A custodial sentence of more than two and a half years will never become spent. [↑](#footnote-ref-11)
12. It should be emphasized that updates are made to these lists on a periodic and irregular basis, and for purposes of preparing this memorandum, these lists were searched on <investigator to insert date of research>. [↑](#footnote-ref-12)