

  Merrick Bank 135 Crossway Park Dr N, Suite A, Woodbury, NY 11797 • Phone (800) 267-2256			Merchant #: _____ MCC: _____ Agent 1 Name/Code: _____ Agent 2 Name/Code: _____ Agent 3 Name/Code: _____ <div style="text-align: right; color: red;"><i>For Internal Use Only</i></div>		
CORPORATE/LEGAL NAME			DBA NAME (if different)		
LOCATION ADDRESS (cannot be a PO Box)			STATEMENT ADDRESS (if different)		
CITY	STATE	ZIP	CITY	STATE	ZIP
CONTACT NAME		CONTACT EMAIL ADDRESS			
BUSINESS TELEPHONE		BUSINESS FAX NUMBER		FEDERAL TAX ID#	
HAS MERCHANT OR OWNERS/PRINCIPALS EVER BEEN TERMINATED FROM ACCEPTING BANKCARDS FOR THIS BUSINESS OR ANY OTHER BUSINESSES? <input type="checkbox"/> No <input type="checkbox"/> Yes		DOES THIS LOCATION <u>CURRENTLY</u> TAKE MASTERCARD / VISA / DISCOVER @? <input type="checkbox"/> No <input type="checkbox"/> Yes		MERCHANT NAME TO APPEAR ON CONSUMER STATEMENT: <input type="checkbox"/> Corporate/Legal Name <input type="checkbox"/> DBA Name	
PRINCIPALS:					
First: _____ Middle Init: _____ Last: _____ % Ownership: _____ Title: _____ Date of Birth: _____ SSN: _____ Home Address: _____ City: _____ State: _____ Zip: _____ Home Phone : _____ Email Address (if different than above): _____					
First: _____ Middle Init: _____ Last: _____ % Ownership: _____ Title: _____ Date of Birth: _____ SSN: _____ Home Address: _____ City: _____ State: _____ Zip: _____ Home Phone : _____ Email Address (if different than above): _____					
BANK DISCLOSURE Member Bank Information: Merrick Bank, 135 Crossway Park Dr N, Suite A, Woodbury, NY 11797 • Phone (800) 267-2256 Important Bank Responsibilities: <ol style="list-style-type: none"> Merrick Bank is the only entity approved to extend acceptance of Visa products directly to a Merchant. Merrick Bank is responsible for educating Merchants on pertinent Visa operating regulations with which Merchants must comply. Merrick Bank, not the ISO, must hold, administer and control all reserve funds derived from settlement. Merrick Bank, not the ISO, must hold, administer and control settlement funds for the Merchant. Merrick Bank must be a principal (signer) to the Merchant Agreement Merchant Information: Refer to Merchant Application Important Merchant Responsibilities: <ol style="list-style-type: none"> Complying with cardholder data security and storage requirements. Maintaining fraud and chargebacks below established thresholds. Reviewing and understanding the Merchant Agreement. Complying with Visa's operating regulations. <p>The responsibilities listed above do not supersede terms of the Merchant Agreement and are provided to ensure the Merchant understands some important obligations of each party and that the Visa Member - Merrick Bank - is the ultimate authority should the Merchant have any problems.</p> Principal Name: _____ (print name) Title: _____ Principal Signature: _____ Date: _____					

SCHEDULE A: VISA/MASTERCARD/DISCOVER DISCOUNT RATES & FEES:

You have the option of accepting MasterCard credit cards, Visa credit cards, Discover credit cards, MasterCard signature debit cards (MasterMoney Cards) Visa signature debit cards (Check Cards) and Discover debit cards. You may elect to accept any or all of these card types for payment. If you do not specifically indicate otherwise, your application will be processed to accept ALL MasterCard, Visa, and Discover card types.

Elected Visa, MC, Discover card types NOT to accept:

MasterCard/Visa/Discover Card Fees: Discount, Interchange & Assessment fees charged on Sales. Transaction fees charged on Sales & Credits.		*MID/NON Qualified Surcharges apply to Visa, MC & Discover card types.		<u>OTHER FEES:</u>			
TIERED DISCOUNT FEES	Three Tier / Two Tier (Circle One)	Terminal Setup / Reprogramming:		ACH Reject:	24.00	Chargeback:	
		Non-Refundable Application:		DDA Change:	24.00	Retrieval Request:	
Qualified Rate		Pin Debit Setup:		Pin Debit Discount:		Visa/MasterCard/Discover Auth:	
MID Qualified Surcharge*		Supplies:	As purchased	Pin Debit Authorization:		AMEX Auth:	
NON Qualified Surcharge*		Monthly Service:		Pin Debit Transaction:		AVS:	
Transaction		Minimum Discount:		Voice VRU/Authorization:		PCI Compliance (2x per year in July / December)	89.99
INTERCHANGE PLUS (Standard Visa/MasterCard/Discover Interchange plus Assessments)		Batch:					

METHOD OF ACCEPTANCE: (Totals to equal 100%) * Merchants processing less than 70% swipe transactions must complete the MO/TO Questionnaire

(Card Present Transactions) (Card Not Present Transactions)

Credit Cards Swiped: _____% MO/TO: _____%

Card Imprinted: _____% Internet: _____% **(Must enter website info below)**

(URL: _____)

NATURE OF BUSINESS: (check one)

☐ Retail ☐ Restaurant ☐ Lodging ☐ Mail/Phone Order ☐ Internet ☐ Petroleum ☐ Utility

Seasonal Sales: ☐ Yes ☐ No

If so, please circle high volume months: J F M A M J J A S O N D

American Express: _____ (10 total) ☐ **Check Box to Apply**

NATURE OF BUSINESS:

☐ Individual/Sole Proprietor
☐ Partnership
☐ Corporation
☐ LLC State: _____
☐ Non-Profit (Must Provide 503-C)
☐ Private
☐ Publicly Traded
☐ Government

Length of time in business: _____ Years _____ Months

Product or Service Being Offered:

TRANSACTION INFORMATION:

Monthly V/MC/DISC Volume: \$ _____

Avg. Ticket: \$ _____

High Ticket: \$ _____

Explanation of High Ticket: _____

Occurrence of High Ticket (Monthly): _____

BANK ACCOUNT INFORMATION: (must attach voided check to app)

Bank Name: _____ ☐ Checking Account ☐ Savings Account

Account # (DDA) : _____

Transit # (ABA Routing): _____

* By providing the above referenced information, you are authorizing Bank to initiate ACH debit and credit transactions to said account.

VOIDED CHECK: (from the bank account where you want the funds deposited)



MERCHANT APPLICATION AND AGREEMENT ACCEPTANCE:**IMPORTANT INFORMATION ABOUT PROCEDURES FOR OPENING A NEW ACCOUNT**

To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens an account. What this means for you: When you open an account, we will ask for your name, address, date of birth, and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents.

By executing this Merchant Application on behalf of the merchant described above ("Merchant"), the undersigned individual(s) represent(s), warrant(s), and acknowledges(s) that: (i) All information contained in this Merchant Application ("Application") is true, correct and complete as of the date of this Application; (ii) If the Merchant is a corporation, limited liability company, or partnership, the individual(s) executing this Application have the requisite legal power and authority to complete and submit this Application on behalf of the Merchant and to make and provide the acknowledgements, authorizations and agreements set forth herein on behalf of the Merchant and individually; (iii) The information contained in this Application is provided for the purpose of obtaining, or maintaining, a merchant account for the Merchant with the Sponsor Bank ("BANK") and BANK will rely on the information provided herein in its approval process and in settling the applicable Discount Rate, Approved Average Ticket, and Approved Monthly Bankcard Volume; (iv) BANK is authorized to investigate, either through its own agents or through credit bureaus/agencies, the credit of the Merchant and each person listed on this Application; (v) BANK will determine all rates, fees and charges and notify Merchant of the approved fees and by Merchant's submission and acceptance of Merchant's first settled transaction. Merchant agrees to pay such approved fees; (vi) The Merchant Agreement will not take effect until Merchant has been approved by BANK and a merchant number has been issued to merchant; and (vii) The undersigned has received, read, understood, the Merchant Agreement, which is incorporated herein by reference thereto, and agrees on behalf of the merchant to be bound by the terms of such Merchant Agreement.

The merchant on whose behalf this Application is being submitted acknowledges that if this Application is being submitted to Merrick Bank as the Sponsor Bank, CardWorks Acquiring, LLC (CWA) may also be a party to this Merchant Agreement. In such case, Merchant acknowledges that CWA will rely on the representations and warranties set forth in this Application for Merchant Agreement and unless otherwise specified or prohibited by Association or applicable law, CWA will have all the rights of BANK under this Application and Agreement.

MERCHANT:

Print Name: _____ (Principal One)

Signature: _____ Date: _____

Print Name: _____ (Principal Two)

Signature: _____ Date: _____

BANK:

By: _____ Date: _____

Name and Title _____

CARDWORKS ACQUIRING, LLC:

By: _____ Date: _____

Name and Title _____

CONTINUING PERSONAL GUARANTY PROVISION – PERSONAL GUARANTOR:

By signing below, each individual or entity ("Guarantor") jointly and severally (if there is more than one Guarantor) and unconditionally guarantees to CWA and BANK the prompt payment and full and complete performance of all obligations of the Merchant identified above under the Merchant Agreement, as amended from time to time, including, without limitation, all promises and covenants of the Merchant, and all amounts payable by the Merchant under the Merchant Agreement, including, without limitation, charges, interest, costs and other expenses, such as attorney's fees and court costs. This means, among other things, that CWA or BANK can demand performance or payment from any Guarantor if the Merchant fails to perform any obligation or pay what the Merchant owes under the Agreement. Each Guarantor agrees that his or her liability under this guaranty will not be limited or canceled because: (1) the Merchant Agreement cannot be enforced against the Merchant for any reason, including, without limitation, bankruptcy proceedings; (2) either CWA or BANK agrees to changes or modifications to the Merchant Agreement, with or without notice to Guarantor; (3) CWA or BANK releases any other Guarantor or the Merchant from any obligation under the Merchant Agreement; (4) any law, regulation, or order of any public authority affects the rights of either CWA, Merchant, or BANK under the Merchant Agreement; and/or (5) anything else happens that may affect the rights of either CWA or BANK against the Merchant or any other Guarantor. Each Guarantor further agrees that: (a) CWA and BANK each may delay enforcing any of its rights under this guaranty without losing such rights and hereby waives any applicable Statute of Limitations; (b) CWA and BANK each can demand payment from such Guarantor without first seeking payment from the Merchant or any other Guarantor or from any security held by the BANK; and (c) such Guarantor will pay all court costs, attorney's fees, and collection costs incurred by either CWA or the BANK in connection with the enforcement of the Merchant Agreement or this Guaranty, whether or not there is a lawsuit, and such additional fees and costs as may be directed by a court. If the Merchant is a corporation or limited liability company, this Guaranty must be executed by a principal or affiliate of Merchant.

Print Name: _____ (Principal One) Print Name: _____ (Principal Two)

Signature: _____ Date: _____ Signature: _____ Date: _____

SITE INSPECTION: (To be completed by Account Executive or Third Party contracted by CWA)Merchant: ☐ Owns ☐ Rents (Landlord: _____)Building Type: ☐ Shopping Center ☐ Office Building ☐ Industrial Building ☐ ResidenceArea Zoned: ☐ Commercial ☐ Industrial ☐ ResidentialSquare Footage: ☐ 0-500 ☐ 501-2500 ☐ 2501-5000 ☐ 5001-10000+Based upon your review, does Merchant have the appropriate facilities, equipment, inventory, personnel and license or permit to operate their business? ☐ No ☐ Yes

By signing below, inspector is certifying he/she has visited the location and information provided is true & correct

Inspector Name: _____ (Print Name) Inspection Date: _____

Signature: _____

MO/TO QUESTIONNAIRE: COMPLETE THIS SECTION IF PROCESSING LESS THAN 70% CARD-PRESENT**(Leave section blank if N/A – DO NOT CROSS OUT):**

What percentage of sales are to: Business Consumer _____ % Individual Consumer _____ %

Method of Marketing: ☐ Newspaper/Magazine ☐ Television/Radio ☐ Internet ☐ Direct Mail, Brochure and/or Catalog ☐ Outbound Telemarketing Sales ☐ Other: _____

Percentage of products sold via: Telephone Orders _____ % Mail/Fax Orders _____ % Internet orders _____ % Other: _____ %

Who processes the order? ☐ Merchant ☐ Fulfillment Center ☐ Other _____Who enters credit card information into the processing system? ☐ Merchant ☐ Fulfillment Center ☐ Consumer ☐ Other _____If credit card payment information is taken over the Internet, is payment channel encrypted by SSL or better? ☐ No ☐ YesIf Merchant is an e-commerce Merchant, is a Merchant Certificate utilized? ☐ No ☐ Yes if yes, please provide the following:Merchant Certificate Number _____ Certificate Issuer _____ Exp Date _____; Is Certificate ☐ Individual ☐ SharedDo you own the Product/Inventory? ☐ Yes ☐ No ☐ N/A Is the product stored at your business location? ☐ N/A ☐ Yes ☐ No If No, where is it stored? _____After you authorize the card, how long until product ships? _____ days ☐ N/A (No products are shipped) Who ships the product? ☐ Merchant ☐ Fulfillment CenterProduct shipped by: ☐ US Mail ☐ Other _____ Delivery receipt requested? ☐ Yes ☐ No

FOR CWA ACCOUNT EXECUTIVE TO COMPLETE
(Internal Use Only)

<p>What terminal/virtual terminal/gateway are you going to be processing on with CardWorks Acquiring?</p> <p>Name: _____</p> <p>Version: _____</p>	<p>If you are using a POS System with CardWorks, what is the Payment Application name and Version?</p> <p>Name: _____</p> <p>Version: _____</p>
<p>What kind of connection do you have for your terminal?</p> <p><input type="checkbox"/> Digital <input type="checkbox"/> Analog <input type="checkbox"/> Internet</p>	<p>What prompts would you like setup on your terminal?</p> <p><input type="checkbox"/> AVS <input type="checkbox"/> ZIP Code <input type="checkbox"/> CVV <input type="checkbox"/> Invoice Number <input type="checkbox"/> Tax Amount <input type="checkbox"/> N/A</p>
<p>Do you have a dedicated line for the POS terminal?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>What time do you want to auto batch?</p> <p>_____ AM / PM <input type="checkbox"/> EST <input type="checkbox"/> CST <input type="checkbox"/> MST <input type="checkbox"/> PST <input type="checkbox"/> N/A</p>
<p>Do you process tips (as at restaurants, salons, spas, etc.)?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Do you key in servers (such as a dedicated number for server, stylist, etc.)?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Do you use PIN-based debit?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If a separate PIN pad, what type?</p> <p>Name: _____</p>
<p>Do you use the terminal or a separate PIN pad for debit PIN transactions?</p> <p><input type="checkbox"/> I use the terminal <input type="checkbox"/> I use a separate PIN Pad <input type="checkbox"/> N/A</p>	<p>How is the equipment going to be supplied:</p> <p><input type="checkbox"/> New Deployment <input type="checkbox"/> Swap <input type="checkbox"/> Reprogram</p>
<p style="text-align: center;">ORDERING INFO</p> <p>_____ at a cost of \$ _____ (<i>Quantity</i> ____)</p> <p>_____ at a cost of \$ _____ (<i>Quantity</i> ____)</p> <p>_____ at a cost of \$ _____ (<i>Quantity</i> ____)</p>	<p style="text-align: center;">SHIPPING INFO</p> <p><input type="checkbox"/> Saturday Priority Overnight <input type="checkbox"/> Priority Overnight</p> <p><input type="checkbox"/> Standard Overnight <input type="checkbox"/> 2nd Day Shipping</p> <p><input type="checkbox"/> Ground Shipping (7-10 business days)</p> <p>Ship the merchandise to the following (must select one):</p> <p><input type="checkbox"/> Merchants Place of Business <input type="checkbox"/> CWA Agent's Home Office (provide below):</p> <p>_____</p>
<p>Additional Instructions for Account Setup Team for Terminal Setup:</p>	
<p>Virtual Terminal/Gateway Information</p>	
<p>Is CardWorks Acquiring setting up a new gateway account?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Please select a gateway:</p> <p><input type="checkbox"/> Authorize.net</p> <p><input type="checkbox"/> Network Merchants Inc</p> <p><input type="checkbox"/> Plug & Pay</p>
<p style="text-align: center;">Gateway Pricing</p> <p>One Time Setup Fee: _____ Transaction Fee: _____</p> <p>Monthly Service Fee: _____ Batch Fee: _____</p>	<p style="text-align: center;">Additional Gateway Services</p> <p><input type="checkbox"/> Recurring Billing: _____</p> <p><input type="checkbox"/> Storing Cardholder Data: _____</p> <p><input type="checkbox"/> QuickBooks Module: _____</p>
<p>Additional Instructions for Account Setup Team for Virtual Terminal/Gateway Setup:</p>	