

# Bullseye Investment Management, LLC

## Firm Brochure - Form ADV Part 2A

*This brochure provides information about the qualifications and business practices of Bullseye Investment Management, LLC. If you have any questions about the contents of this brochure, please contact us at 513-774-3325 or by email at: info@bullseyeinvm.com. The information in this brochure has not been approved or verified by the United States Securities and Exchange Commission or by any state securities authority.*

*Additional information about Bullseye Investment Management, LLC is also available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). Bullseye Investment Management, LLC's CRD number is: 145158*

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Ashland, KY 41101  
606-939-1196

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114 N. Fifth St., Room 4  
Bardstown, KY 40004  
270-832-7474

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Canton, OH 44709  
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Centerville, OH 45459  
937-779-2001

**Columbus, Ohio Office:**

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Columbus, OH 43221  
614-653-1833

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Evansville, IN 47711  
812-470-6035

**Florence, KY Office:**

7430 U.S. Hwy 42, Suite 117  
Florence, KY 41042  
859-982-4801

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Hurricane, WV 25526  
304-533-6240

**Lexington, KY Office**

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Lexington, KY 40504  
589-982-4801

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Louisville, KY 40223  
502-919-4317

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402 E 13th Street  
Jasper, IN 47546  
812-470-6035

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111 W. 3rd St.,  
Owensboro, KY 422303  
270-832-7474

*Registration does not imply a certain level of skill or*

*training. Version Date: 09/12/2022*

## Item 2: Material Changes

Bullseye Investment Management, LLC is required to make clients aware of information that has changed since the last annual update to the Firm Brochure ("Brochure") and that may be important to them. Clients can then determine whether to review the brochure in its entirety or to contact us with questions about the changes.

The material changes in this brochure from the last annual updating amendment of Bullseye Investment Management, LLC on February 28, 2022, are described below. Material changes relate to Bullseye Investment Management, LLC's policies, practices, or conflicts of interests.

- Bullseye Investment Management, LLC has added new office locations (Cover Page).
- Bullseye Investment Management, LLC has added the DOL Written Acknowledgement of Fiduciary Status (Item 4).
- Bullseye Investment Management, LLC has added Discretionary Management of Held Away Retirement Accounts (Item 4 and 5).
- Bullseye Investment Management, LLC has updated Custody (Item 15).

We urge you to carefully review any notice of material amendments to this Disclosure Brochure in the future as it will contain important information that may pertain to, among other things, changes to our advisory services, fee structures, business practices, conflicts of interest, or disciplinary history.

We will ensure that you receive a summary of material changes, if any, to this and subsequent disclosure brochures within 120 days after our fiscal year ends. Our fiscal year ends on December 31 so you will receive the summary of material changes, if any, no later than April 30 each year. At that time we will also offer a copy of the most current disclosure brochure. We may also provide other ongoing disclosure information about material changes as necessary.

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## Item 4: Advisory Business

### A. Description of the Advisory Firm

This firm has been in business since September 2007, and the founder, majority owner, CEO, and Chief Investment Officer is Timothy R. Guthrie. There are three additional representatives serving clients in Ohio, Kentucky, and Indiana.

### B. Types of Advisory Services

Bullseye Investment Management, LLC (hereinafter "BIM") offers the following services to advisory clients:

#### 1. *Investment Management Services*

BIM provides an on-going, active, discretionary and non-discretionary investment management service. Based on the client's current investment goals, time horizon, and risk tolerance levels, we will construct a custom investment plan that we refer to as the Investment Policy Statement (IPS). This IPS is then used to aid in the selection of a portfolio that matches each client's specific situation. Investment Supervisory Services include, but are not limited to:

- Initial evaluation of existing holdings
- Initial trading/purchasing for the portfolio to match the IPS
- On-going monitoring of the portfolio
- Routine rebalancing of the portfolio as needed

BIM also provides discretionary management of held away retirement accounts which include, but are not limited to 401(k)'s, 403(b)'s, variable annuities, and health savings accounts (HSA's).

#### *Services Limited to Specific Types of Investments*

BIM generally limits its investment management to mutual funds, equities, bonds, fixed income, debt securities, ETFs, publicly traded REITs, Closed End funds, UITs and government securities. BIM may use other securities as well to help diversify a portfolio when applicable. BIM does not use insurance products, non-traded securities, and/or private securities. We only use investments that can be sold any day that the markets are open.

#### *Written Acknowledgement of Fiduciary Status*

When we provide investment advice to you regarding your retirement plan account or individual retirement account, we are fiduciaries within the meaning of Title I of the Employee Retirement Income Security Act and/or the Internal Revenue Code, as applicable, which are laws governing retirement accounts. The way we make money creates some conflicts with your interests, so we operate under a special rule that requires us to act in your best interest and not put our interest ahead of yours. Under this special rule's provisions, we must:

- Meet a professional standard of care when making investment recommendations (give prudent advice);
- Never put our financial interests ahead of yours when making recommendations (give loyal advice);
- Avoid misleading statements about conflicts of interest, fees, and investments;
- Follow policies and procedures designed to ensure that we give advice that is in your best interest;
- Charge no more than is reasonable for our services; and
- Give you basic information about conflicts of interest.

**C. Client Tailored Services and Client Imposed Restrictions**

BIM offers the same suite of services to all its clients. However, specific client investment plans and their implementation are dependent upon the client Investment Policy Statement which outlines each client's current situation (income, tax rates, and risk tolerance levels) and is used to construct a client specific plan to aid in the selection of a portfolio that matches restrictions, needs, and targets.

Clients may impose restrictions in investing in certain securities or types of securities in accordance with their values or beliefs. However, if the restrictions prevent BIM from properly servicing the client account, or if the restrictions would require BIM to deviate from its standard suite of services, BIM reserves the right to end the relationship.

**D. Wrap Fee Programs**

BIM does not participate in any wrap fee programs.

**E. Amounts Under Management**

BIM has the following assets under management:

Discretionary Amounts:	Non-discretionary Amounts:	Date Calculated:
\$152,349,229	\$0.00	12/31/2021

**Item 5: Fees and Compensation**

**A. Fee Schedule**

*Investment Supervisory Services Fees*

Total Assets Under Management	Annual Fee
\$1 - \$50,000	2.00%
\$50,001 - \$100,000	1.75%
\$100,001 - \$250,000	1.60%
\$250,001 - \$500,000	1.50%
\$500,001 - \$1,000,000	1.25%
\$1,000,001 - \$2,000,000	1.10%
\$2,000,001 - \$3,000,000	1.00%
\$3,000,001 - \$5,000,000	0.90%
\$5,000,001+	negotiated

These fees are negotiable, and the final fee schedule is attached as Exhibit II of the Investment Advisory Contract. Management fees will be paid monthly in advance, deducted from client brokerage accounts, at 1/12<sup>th</sup> the annual rate. Accounts with annual management fees of less than \$500 may be charged annually at the discretion of the advisor. Client account fees may adjust (increase) if client adds assets to the account (computed on a pro-rated basis). Clients may terminate their contracts with thirty days' written notice. Refunds are given on a prorated basis. Clients may terminate their contracts without penalty, for full refund, within 5 business days of signing the advisory contract. Advisory fees are withdrawn directly from the client's accounts with client written authorization.

The fees for discretionary management of held away retirement accounts are charged based on the fee schedule above.

**Minimum Annual Fee**

The minimum fee for any account is \$150 per year plus the technology fee described below.

### **Technology Fee**

A \$4.00 per month fee will be charged per account to cover shared technology costs. For accounts that are billed annually, the \$48 is assessed at the same time as the annual fee.

### **B. Payment of Fees**

#### **Payment of Investment Supervisory Fees**

Advisory fees are withdrawn directly from the client's accounts with client written authorization. Fees are paid monthly in advance for most clients, but BIM may charge accounts with annual billings under \$500, annually.

Advisory fees for held away retirement accounts are billed to client's credit card with the client's prior written authorization or deducted from the clients checking account via ACH with the client's prior written authorization; clients may select the method in which they are billed. Fees are paid monthly in advance.

### **C. Clients Are Responsible For Third Party Fees**

Clients are responsible for the payment of all third-party fees (i.e. custodian fees, mutual fund fees, transaction fees, etc.). Those fees are separate and distinct from the fees and expenses charged by BIM. Currently our investment custodian does not charge a fee for most stock and ETF transactions. Please see Item 12 of this brochure regarding broker/custodian.

### **D. Prepayment of Fees**

BIM collects fees in advance. Fees that are collected in advance will be refunded based on the prorated amount of work completed at the point of termination and the total days during the billing period if given a 10-day notice. Fees will be returned within thirty days to the client via check.

### **E. Outside Compensation For the Sale of Securities to Clients**

Neither BIM nor its supervised persons accept any compensation for the sale or use of securities or other investment products, including asset-based sales charges or service fees for using any financial product. This is because doing so would create a conflict of interest and limit investment choices.

## **Item 6: Performance-Based Fees and Side-By-Side Management**

BIM does not accept performance-based fees or other fees based on a share of capital gains on or capital appreciation of the assets of a client.

## **Item 7: Types of Clients**

BIM generally provides investment advice and/or management supervisory services to the following Types of Clients:

- ❖ Individuals
- ❖ High-Net-Worth Individuals
- ❖ Corporations or Business Entities
- ❖ Retirement Plans
- ❖ Nonprofit organizations

### **Minimum Account Size**

There is no account minimum level of assets.

## **Item 8: Methods of Analysis, Investment Strategies, and Risk of Investment Loss**

### **A. Methods of Analysis and Investment Strategies**

BIM's methods of analysis include global macro, cyclical, and fundamental analysis.

**Global macro analysis** involves the determination of the largest long-term growth opportunities around the world.

**Cyclical analysis** involved the analysis of business cycles to find favorable conditions for buying and/or selling a security or favorable sectors.

**Fundamental analysis** involves the analysis of financial statements, the general financial health of companies, and/or the analysis of management or competitive advantages.

**Investing in securities involves a risk of loss that you, as a client, should be prepared to bear. Investments in securities can appreciate and depreciate, and no warranty or guarantee is offered or implied.**

### **B. Material Risks Involved**

BIM uses Long Term Purchases, Short Term Purchases and Trading strategies.

BIM utilizes investment strategies that are designed to capture market rates of return with acceptable risk. There is no guarantee that any transaction will result in a profit. Frequent trading, when done, can affect investment performance, particularly through increased brokerage and other transaction costs and taxes.

**Investing in securities involves a risk of loss that you, as a client, should be prepared to bear. Investments in securities can appreciate and depreciate, and no warranty or guarantee is offered or implied.**

### C. Risks of Specific Securities Utilized

BIM generally seeks investment strategies that do not involve significant or unusual risk beyond that of the general domestic and/or international equity markets.

Mutual funds and Exchange Traded Funds (ETFs) are recommended to most clients. Mutual fund and ETF asset values are based on the securities the fund owns. Mutual funds and ETFs can own stocks, bonds or other securities that have risk of loss. These funds have all the risks of owning a portfolio of stocks, primarily, that the entire market, or any holdings could lose value.

BIM also often recommends fixed income mutual funds and ETFs. Fixed income mutual funds and ETFs have interest rate risk, credit risk and other risks that owning a portfolio of fixed income securities would entail. Fixed income mutual funds and ETFs can lose value, and clients can suffer losses in fixed income mutual funds under a variety of circumstances.

ETFs, Closed-end funds, and UITs have the same market risk factors as mutual funds, with possible additional risks related to pricing during the trading day. Reasonable efforts will be made to minimize pricing risks for these securities.

Individual securities have the risks associated with their asset class and additional risks related to non-diversification. This would include individual stocks, bonds, and other securities such as preferred stocks or warrants.

Some mutual funds, ETFs, Closed End Funds, and UITs employ leverage (borrowed funds) in an attempt to increase growth or income. These products likely have more risk than similar products that do not use leverage and may have higher expenses.

**Past performance is not a guarantee of future returns. Investing in securities involves a risk of loss that you, as a client, should be prepared to bear. Investments in securities can appreciate and depreciate, and no warranty or guarantee is offered or implied.**

## Item 9: Disciplinary Information

At no time has BIM or its representatives been found liable for any damages or losses by any judicial, regulatory, or arbitration body. At the advice of BIM's liability insurance carrier's attorney, BIM, and its representatives have participated in a multi-party settlement to prevent the costs, time loss and risks of potential litigation or arbitration. A BIM client who was acting as a trustee was sued by a beneficiary of that trust, and the above parties choose to end this potential risk when able.

## Item 10: Other Financial Industry Activities and Affiliations

### A. Registration as a Broker/Dealer or Broker/Dealer Representative

Neither BIM nor its representatives are registered as a broker/dealer or as representatives of a broker/dealer.

### B. Registration as a Futures Commission Merchant, Commodity Pool Operator, or a Commodity Trading Advisor

Neither BIM nor its representatives are registered as a FCM, CPO, or CTA.

### C. Registration Relationships Material to this Advisory Business and Possible Conflicts of Interests

Neither BIM nor its representatives hold other registration relationships. They receive no revenue from any other source other than client investment management fees. Neither BIM nor its representatives are aware of any other conflicts of interest, and if they become aware of any conflict of interest, they will communicate this in both required filings and to clients.

### D. Selection of Other Advisors or Managers and How This Adviser is Compensated for Those Selections

BIM does not utilize nor select other advisors or third-party managers.

## Item 11: Code of Ethics, Participation or Interest in Client Transactions and Personal Trading

### A. Code of Ethics

BIM has established a written Code of Ethics to comply with the requirements of Section 204(A)-1 of the Investment Advisors Act of 1940 that reflects fiduciary obligations and those of its supervised persons and requires compliance with federal securities laws. BIM's Code of Ethics covers all individuals that are classified as "supervised persons". All employees, officers, directors, and investment advisor representatives are classified as supervised persons. BIM requires supervised persons to consistently act in their client's best interests in all advisory activities. BIM imposes certain requirements on its supervised persons to ensure that they meet our fiduciary responsibilities to their clients. The standard of conduct required is higher than ordinarily required and encountered in commercial business. A copy of our Code of Ethics is available upon request.

### B. Recommendations Involving Material Financial Interests

BIM does not recommend that clients buy or sell any security in which a related person to BIM has a material financial interest.

### C. Investing Personal Money in the Same Securities as Clients

From time to time, representatives of BIM may buy or sell securities for themselves that they also recommend to clients. BIM will always document any transactions that could be construed as conflicts of interest and will always transact client business before their own when similar securities are being bought or sold if the volume of the security traded by BIM or its representatives represents a significant percentage of the securities' daily trading volume or could reasonably be estimated to affect the price a client receives.

### D. Trading Securities At/Around the Same Time as Clients' Securities

From time to time, representatives of BIM may buy or sell securities for themselves at or around the same time as clients. BIM will not trade non-mutual fund or non-ETF securities before trading the same security for clients, if the volume of the security traded by BIM could reasonably be estimated to affect the price a client receives.

## Item 12: Brokerage Practices

### A. Factors Used to Select Custodians and/or Broker/Dealers

Your Custodian was chosen based on their transaction fees, access to investment markets and client facing services offered. BIM will never charge a premium or commission on transactions, beyond the actual cost imposed by our Custodian.

#### 1. *Research and Other Soft-Dollar Benefits*

BIM receives no research, product, or service other than execution from a broker-dealer or third-party in connection with client securities transactions ("soft dollar benefits").

#### 2. *Brokerage for Client Referrals*

BIM receives no referrals from a broker-dealer or third party in exchange for using that broker-dealer or third party.

#### 3. *Clients Directing Which Broker/Dealer/Custodian to Use*

BIM will not allow clients to direct BIM to use a specific broker-dealer to execute transactions. Clients must use BIM recommended custodians (broker-dealer). BIM requires TD Ameritrade or The Charles Schwab Corporation as the broker and custodian for client accounts currently.

### B. Aggregating (Block) Trading for Multiple Client Accounts

BIM maintains the ability to block trade purchases across accounts. Block trading may benefit clients by purchasing larger blocks in groups. We do not feel that the clients are at a disadvantage due to the best execution practices of our custodian.

## Item 13: Reviews of Accounts

### A. Frequency and Nature of Periodic Reviews and Who Makes Those Reviews

Client accounts are reviewed at least quarterly by BIM investment advisor representatives. Representatives review clients' accounts with regards to potential investment gains and losses, and their investment policies and risk tolerance levels.

### B. Factors That Will Trigger a Non-Periodic Review of Client Accounts

Reviews may be triggered by material market, economic or political events, or by changes in client's financial situations (such as retirement, termination of employment, or inheritance). Additionally, clients may request a review of their portfolio at any time.

### C. Content and Frequency of Regular Reports Provided to Clients

Each client will receive a monthly or quarterly written report detailing the client's account which may come from the custodian. Reports can be in paper or electronic format.

## Item 14: Client Referrals and Other Compensation

### A. Economic Benefits Provided by Third Parties for Advice Rendered to Clients (Includes Sales Awards or Other Prizes)

BIM participates in the institutional advisor program (the "Program") offered by TD Ameritrade. TD Ameritrade offers to independent investment advisor services which include custody of securities, trade execution, clearance and settlement of transactions. BIM receives some benefits from TD Ameritrade through its participation in the Program.

As part of the Program, BIM may recommend TD Ameritrade to clients for custody and brokerage services. There is no direct link between BIM's participation in the Program and the investment advice it gives to its clients, although BIM receives economic benefits through its participation in the Program that are typically not available to TD Ameritrade retail investors. These benefits include the following products and services (provided without cost or at a discount): receipt of duplicate client statements and confirmations; research related products and tools; consulting services; access to a trading desk serving BIM participants; access to block trading (which provides the ability to aggregate securities transactions for execution and then allocate the appropriate shares to client accounts); the ability to have BIM's fees deducted directly from client accounts; access to an electronic communications network for client order entry and account information;

access to mutual funds with no transaction fees and to certain institutional money managers; and discounts on compliance, marketing, research, technology, and practice management products or services provided to BIM by third party vendors. TD Ameritrade may also pay for business consulting and professional services received by BIM's related persons. Some of the products and services made available by TD Ameritrade through the Program may benefit BIM but may not benefit its client accounts. These products or services may assist BIM in managing and administering client accounts, including accounts not maintained at TD Ameritrade. Other services made available by TD Ameritrade are intended to help BIM manage and further develop its business enterprise. The benefits received by BIM or its personnel through participation in the Program do not depend on the amount of brokerage transactions directed to TD Ameritrade. As part of its fiduciary duties to clients, BIM endeavors at all times to put the interests of its clients first. Clients should be aware, however, that the receipt of economic benefits by BIM or its related persons in and of itself creates a conflict of interest and may indirectly influence BIM's choice of TD Ameritrade for custody and brokerage services.

### B. Compensation to Non - Advisory Personnel for Client Referrals

BIM does pay marketing organizations for inclusion in internet marketing campaigns, and /or web site development and management, email campaigns, and inclusion in professional referral listing programs.

## Item 15: Custody

Custody is limited to the ability to deduct fees directly from client accounts. Clients will receive account statements from the custodian and should carefully review those statements.

Custody is also disclosed in Form ADV because BIM maintains clients' credit card and bank account information to bill for discretionary management services of held away retirement accounts. BIM is subject to an annual surprise examination which is conducted by an independent public accountant.

## Item 16: Investment Discretion

BIM provides discretionary and non-discretionary investment advisory services to clients. The Investment Advisory Contract established with each client outlines the discretionary authority for trading. Where investment discretion has been granted, BIM generally manages the client's account and makes investment decisions without consultation with the client as to what securities to buy or sell, when the securities are to be bought or sold for the account, the total amount of the securities to be bought/sold, or the price per share.



### **Item 17: Voting Client Securities (Proxy Voting)**

BIM will not ask for, nor accept voting authority for client securities. Clients will receive proxies directly from the issuer of the security or the custodian. Clients should direct all proxy questions to the issuer of the security.

### **Item 18: Financial Information**

#### **A. Balance Sheet**

BIM does not require nor solicit prepayment of more than \$1,200 in fees per client, six months or more in advance and therefore does not need to include a balance sheet with this brochure.

#### **B. Financial Conditions Reasonably Likely to Impair Ability to Meet Contractual Commitments to Clients**

Neither BIM nor its management have any financial conditions that are likely to reasonably impair our ability to meet contractual commitments to clients.

#### **C. Bankruptcy Petitions in Previous Ten Years**

BIM has not been the subject of a bankruptcy petition in the last ten years, or ever.