CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of Disclosing Party submitting	this EDS. Include d/b/a/ if applicable:
PEPPERCORN 240 LLC	
Check ONE of the following three boxes:	
Indicate whether Disclosing Party submitting the 1. [} the Applicant OR	his EDS is:
	ect interest in the Applicant. State the legal name of the s an interest:
	control (see Section II.B.1.b.) State the legal name of a right of control:
B. Business address of Disclosing Party:	c/o Peppercorn Capital LLC
	One North Wacker Drive, Suite 4125
	Chicago, IL 60606
C. Telephone: 312/551-0079 Fax: 312/	/551-0068 Email: pfd@peppercorncapital.com
D. Name of contact person: PHILIP DENN	1 Y
E. Federal Employer Identification No. (if you)	have one):
F. Brief description of contract, transaction or ownich this EDS pertains. (Include project numbers)	other undertaking (referred to below as the "Matter") to ber and location of property, if applicable):
CB2 Headquarters, 240 North Ashland, (Chicago, IL
G. Which City agency or department is request	ing this EDS?
If the Matter is a contract being handled by the complete the following:	he City's Department of Procurement Services, please
Specification #	and Contract #

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party: [] Person [x] Limited liability company* [] Publicly registered business corporation [] Limited liability partnership* [] Privately held business corporation [] Joint venture* [] Sole proprietorship [] Not-for-profit corporation [] General partnership* (Is the not-for-profit corporation also a 501(c)(3))? [] Limited partnership* []Yes []No [] Trust [] Other (please specify) * Note B.1.b below. 2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable: Illinois 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity? [] Yes [] No [] N/A B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY: List below the full names and titles of all executive officers and all directors of the entity. For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s). Name Title Philip Denny Managing Member

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Name Title Philip Denny Managing Member 2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture. interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure. Name **Business Address** Percentage Interest in the One North Wacker Dr., Suite 4125 Disclosing Party Philip Denny Chicago, IL 60606 100% SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed? [] Yes [] No If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s): SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE:

Each legal entity listed below must submit an EDS on its own behalf.

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total

amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipate to be retained)		Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.) Street, Suite 1900	Fees (indicate whether paid or estimated)
David Reifman	Chicago, IL 60	0601 Attorney	\$20K/\$140K
MiCHAEL Laube	Chicago, IL 60	•	\$20K/\$80K
(Add sheets if necess	ary)		,
[] Check here if the lentities.	Disclosing party ha	as not retained, nor expects to retain,	any such persons or
SECTION V CER	TIFICATIONS		•,

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the term of the contract.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

arrearage on an	y child support	obligations by any Illinois court of competent jurisdiction?
[]Yes	k} No	[] No person owns 10% or more of the Disclosing Party.
		d into a court-approved agreement for payment of all support owed and th that agreement?
[] Yes	[] No	

B. FURTHER CERTIFICATIONS

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
 - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.b. of this Section V;
 - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
 - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
 - 2. The certifications in subparts 2, 3 and 4 concern:
 - the Disclosing Party;
 - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:			
Certifications), the Disclosing Party mt	ist explain below;		
	:		

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

1. CERTIFICATION

The Disclosing Party certifies that the Disclosing Party (check one)

[] is [X] is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

2-32 of the Munic	cipal Code, explain here (attach ad	ditional pages if necessary):
	· · · · · · · · · · · · · · · · · · ·	
If the letters "NA, conclusively presu	the word "None," or no response med that the Disclosing Party cert	appears on the lines above, it will be ified to the above statements.
D. CERTIFICATI	ON REGARDING INTEREST IN	CITY BUSINESS
Any words or term meanings when us		6 of the Municipal Code have the same
1. In accordant of the City have a sentity in the Matter	financial interest in his or her own r?	Municipal Code: Does any official or employee name or in the name of any other person or
[] I es	[x] No	
NOTE: If you cho Item D.1., proceed		to Items D.2. and D.3. If you checked "No" to
elected official or of any other person of for taxes or assessr "City Property Sale	employee shall have a financial int entity in the purchase of any prop nents, or (iii) is sold by virtue of le	ve bidding, or otherwise permitted, no City erest in his or her own name or in the name of erty that (i) belongs to the City, or (ii) is sold egal process at the suit of the City (collectively, cen pursuant to the City's eminent domain power ming of this Part D.
Does the Matter in	volve a City Property Sale?	
[] Yes	[] No	
3. If you check officials or employ	ed "Yes" to Item D.1., provide the ees having such interest and identi	names and business addresses of the City fy the nature of such interest:
Name	Business Address	Nature of Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must

disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City. Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all requisite information as set forth in that paragraph 2. X 1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders. 2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such records: SECTION VI -- CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS funded, proceed to Section VII.

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with espect to the Matter: (Begin list here, add sheets as necessary):				

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants_forms.html.

- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing	arty the Applicant?
[] Yes	[] No
If "Yes," answer t	e three questions below:
	veloped and do you have on file affirmative action programs pursuant to egulations? (See 41 CFR Part 60-2.) [] No
Contract Complian	ed with the Joint Reporting Committee, the Director of the Office of Federal ce Programs, or the Equal Employment Opportunity Commission all reports due e filing requirements?
[]Yes	[] No
3. Have you p equal opportunity	rticipated in any previous contracts or subcontracts subject to the ause?
[] Yes	[] No
If you checked "N	'to question 1. or 2. above, please provide an explanation:
·	

SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- E. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- F. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

October 21, 2009

10-21-09;17:10 ;Peppercorn

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1/

H.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in H.1. and II.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION.

Peppercorn 240 LLC

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Date:

(Print of type name of Disclosing Party)	
By:	
Comme	and the state of t
(sign here)	The state of the s
PHILL F. DEMNY	
(Print or type name of person signing)	-
Managing Member	
(Print or type title of person signing)	-
at COOK County, ILLINOIS	TOBER 21, 2009, by PHILIP F. DENNY, (state). Notary Public.
Commission expires: 7/24/2011	"OFFICIAL SEAL" Eileen T Heron Notary Public, State of Illinois Commission Expires 7/24/2011

(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

This recertification is being submitted in connection with TIF assistance at 240 N. Ashland

Generally, for use with City Council matters. Not for City procurements unless requested.

[identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that

he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments. YEPPERCORN 240, UC (Print or type legal name of Disclosing Party) By: (sign here) Print or type name of signatory: Title of signatory: Signed and sworn to before me on [date] Commission expires: 4/25/2010.

My Commission Expires 04/25/10

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related, by blood or adoption, to the mayor, any alderman, the city clerk, the city treasurer or any city department head as parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all corporate officers of the Disclosing Party, if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

[] Yes [9] No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of

CERTIFICATION
Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.
Peppercorn 240,LLC Date: 10/02/2009 (Print or type name of Disclosing Party)
By:
(Sign here)
(Print or type name of person signing)
OWNER
(Print or type title of person signing)
Signed and sworn to before me on (date) 10 2 2009, by PHIUP F. DENNY, at COOK County, ILLINOIS (State).
Megan M. Suigish Notary Public. Commission expires: AUGOST 4 2010 "OFFICIAL SEAL" REGAN M. GINGERICH

RECERTIFICATION

This recertification is being submitted in connection with CB2 Headquarters, 140 North Ashland, as identified in the attached Economic Disclosure Statement and Affidavit dated October 2, 2009. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS a copy of which is attached hereto are true, accurate and complete as of the date furnished to the city and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

2010

Verwaltungsgesellschaft Otto mbH	Date:	ADLIT I
(Print or type legal name of Disclosing Party)		
By:		
(sign here)		
Print or type name of signatory:		
Martin Mildner		
Title (f signatory:		
Authorized officer		
NOT.REG. 2018 No. 4070		
Signed and sworn to before me on [date] April 12,	2010	, by
Mr. Martin Mildner, at Aumburg, Germany.		
Dr. Til Bräutigam Mary Public.		
Commission expires: unlimited in time		

CHICAGO\2915698.4 ID\JAL - 019956/0999

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

A. Legal name of Disclosing Party	submitting this EDS. Include d/b/a/ if applicable:
Verwaltungsgesellschaft O	tto mbH
Check ONE of the following three	e boxes:
Indicate whether Disclosing Party s	
Applicant in which Disclosing	ect or indirect interest in the Applicant. State the legal name of the Party holds an interest:
OR 3. [] a specified legal entity with the entity in which Disclosing	h a right of control (see Section II.B.1.b.) State the legal name of Party holds a right of control:
B. Business address of Disclosing I	Party: Wandsbeker Strasse 3-7 22172 Hamburg, Germany
C. Telephone: 011-49-40-6461-444	Fax: 011-49-40-6461-1214 Email: martin.mildner@ottogroup
C. Telephone: 011-49-40-6461-444 D. Name of contact person: Marti	
D. Name of contact person: <u>Marti</u>	
D. Name of contact person: <u>Marti</u> E. Federal Employer Identification	
D. Name of contact person: <u>Marti</u> E. Federal Employer Identification F. Brief description of contract, tran which this EDS pertains. (Include p	n Mildner No. (if you have one):N/A nsaction or other undertaking (referred to below as the "Matter") to broject number and location of property, if applicable):
D. Name of contact person: Marti E. Federal Employer Identification F. Brief description of contract, tran which this EDS pertains. (Include p	n. Mildner. No. (if you have one): _n/A nsaction or other undertaking (referred to below as the "Matter") to project number and location of property, if applicable): th. Ashland
D. Name of contact person: Marti E. Federal Employer Identification F. Brief description of contract, tran which this EDS pertains. (Include particles) CB2 Headquarters, 240 Nor	n. Mildner. No. (if you have one): _n/A nsaction or other undertaking (referred to below as the "Matter") to project number and location of property, if applicable): th. Ashland

SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

Indicate the nature of the Disclosing Party: [] Person [] Publicly registered business corporation [] Privately held business corporation [] Sole proprietorship [] Not-for-profit corporation also a 501(c)(3))?	
[] Sole proprietorship [] General partnership* [] Limited partnership* [] Trust [] Notation-profit corporation also a 501(c)(3))? [] Yes [] No [] Other (please specify)	
* Note B.I.b below.	
2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:	
Federal Republic of Germany	
3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?	
[] Yes [x] No [] N/A	
B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:	
List below the full names and titles of all executive officers and all directors of the enterior not-for-profit corporations, also list below all members, if any, which are legal entities. If there no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).	
Name	
SEE ATTACHED EXHIBIT A ON PAGE 2A	
and the Highlitz	

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

EXHIBIT A

Name

Title

Member of Managing Board (Vorstand)

Hans-Otto Schrader

Chairman of the Executive Board (CEO)

Dr. Rainer Hillebrand

Deputy Chairman of the Executive Board,

Sales, Marketing & E-Commerce

Alexander Birken

Human Resources and Controlling Chief

Human Resources Officer

Diethard Gagelmann

International Procurement

Dr. Michael Heller

Purchasing

Dr. Timm Homann

Retail

Hanjo Schneider

Services

Jürgen Schulte-Laggenbeck

Chief Financial Officer and Information

Technology

Dr. Winfried Zimmerman

Human Resources and Controlling

'ame		Title	
The state of the s			
and the state of t			
ndirect beneficial of such an interest of a memberstate or other sim	ide the following information con interest (including ownership) in continuous shares in a corporation, put or manager in a limited liability ilar entity. If none, state "None." f Chicago ("Municipal Code"), the twhich is reasonably intended to a	artnership interest in a partner company, or interest of a be NOTE: Pursuant to Section at City may require any such a	rship or joint venture neficiary of a trust, 2-154-030 of the
Name	Business Address	Percentage Interes	t in the
	. T	Disclosing Party Jandsbeker Strasse 3-7	14.2%
Gesellschaft fu	r Versand-Beteiligungen mon		
	The same of the sa	22172 Hamburg, Germany Jandsbeker Strasse 3-7	
o Aktiengesells	chaff fur Betellungen		
The state of the s	22	2172 Hamburg, Germany	
SECTION III	BUSINESS RELATIONSHIPS	WITH CITY ELECTED O	FFICIALS
Has the Disclo Code, with any C	sing Party had a "business relation ity elected official in the 12 month	ship," as defined in Chapter as before the date this EDS is	2-156 of the Municip signed?
[]Yes	[x] No		
If yes, plcase ider relationship(s):	atify below the name(s) of such Ci	ty elected official(s) and des	cribe such
AND A STREET A LINE OF THE REAL PROPERTY AND A STREET AND ADDRESS			
	DISCLOSURE OF SUBCONT		ON THE PARTY
		~ . ~~~~~~	w s r r r r r r r r r r r r r r r r r r

or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total

Page 3 of 13

amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. "Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure. Relationship to Disclosing Party Business Name (indicate whether (subcontractor, attorney, (indicate whether Address paid or estimated) lobbyist, etc.) retained or anticipated to be retained) (Add sheets if necessary) [] Check here if the Disclosing party has not retained, nor expects to retain, any such persons or entities. SECTION V -- CERTIFICATIONS A. COURT-ORDERED CHILD SUPPORT COMPLIANCE Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the term of the contract. Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction? No person owns 10% or more of the Disclosing Party. []No [] Yes If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

No

[]Yes

B. FURTHER CERTIFICATIONS

- The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
 - are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.b. of this Section V;
 - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
 - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
 - 2. The certifications in subparts 2, 3 and 4 concern:
 - · the Disclosing Party;
 - · any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
 - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

	6. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:
	If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
	C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
- !	For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)
	1. CERTIFICATION
	The Disclosing Party certifies that the Disclosing Party (check one)
	[] is [X] is not
	a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
	2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
	"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

22 of the Munic	ipal Code, explain here (attach addit	ional pages if necessary):
2-32 of the		
	j.	
fithe letters "NA," conclusively presu	the word "None," or no response apmed that the Disclosing Party certifi	opears on the lines above, it will be ed to the above statements.
CERTIFICATI	ON REGARDING INTEREST IN (CITY BUSINESS
Any words or term neanings when use	s that are defined in Chapter 2-156 old in this Part D.	of the Municipal Code have the same
In accordant of the City have a fentity in the Matter [] Yes	financial interest in his or her own n	unicipal Code: Does any official or employee ame or in the name of any other person or
	ceked "Yes" to Item D.I., proceed to to Part E.	Items D.2. and D.3. If you checked "No" to
elected official or of the control o	employee shall have a financial inter rentity in the purchase of any prope ments, or (iii) is sold by virtue of les	e bidding, or otherwise permitted, no City rest in his or her own name or in the name of city that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, or pursuant to the City's eminent domain powering of this Part D.
Does the Matter in	volve a City Property Sale?	
[]Yes	[] No	
3. If you chech	ked "Yes" to Item D.1., provide the vees having such interest and identif	names and business addresses of the City by the nature of such interest:
Name	Business Address	Nature of Interest
		•
		

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

The Disclosing Party has searched any and all records of the Disclosing Party and any and all edecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all requisite information as set forth in that paragraph 2.

- x 1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.
- 2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such records:

SECTION VI -- CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII.

A. CERTIFICATION REGARDING LOBBYING

List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Begin list here, add sheets as necessary):

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.I. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants_forms.html.

- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.I. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing	rty the Applicant?	
[]Yes	[] No	
п "Yes," answer	three questions below:	
 Have you applicable federa Yes 	veloped and do you have on file affirmative action programs pursuant to gulations? (See 41 CFR Part 60-2.) [] No	
Contract Compli	ed with the Joint Reporting Committee, the Director of the Office of Federal ee Programs, or the Equal Employment Opportunity Commission all reports due filing requirements? [] No	
3. Have you equal opportunity	rticipated in any previous contracts or subcontracts subject to the lause? [] No	
If you checked "	" to question 1. or 2. above, please provide an explanation:	

SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be scinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- E. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- F. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

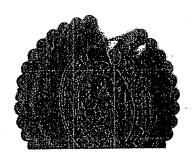
H.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certic cations equal in form and substance to those in H.1. and H.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Verwaltungsgesellschaft Otto mbH	Date: <u>October 2, 2009</u>
(Print or type name of Disclosing Party)	
By: Ration Will	
(sign here)	
Martin Mildner (Print or type name of person signing)	
Authorized Officer (Print or type title of person signing)	
NOT.REG. 2009 No. 2893	
Signed and sworn to before me on (date)	October 02, 2009 by Mr. Martin Mildner
at Hamburg County, Germany	(state).
Phy	Notary Public.
DR. AXEL PFEIFER Commission expires: unlimited in	time.



Page 13 of 13

RECERTIFICATION

This recertification is being submitted in connection with CB2 Headquarters, 140 North Ashland, as identified in the attached Economic Disclosure Statement and Affidavit dated August 25, 2009. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS a copy of which is attached hereto are true, accurate and complete as of the date furnished to the city and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

Otto Akiengesellschaft für Beteiligungen (Print or type legal name of Disclosing Party)	Date:	April 19.	2010
(Time of type legal name of Disclosing Larry)			
By:			
Ambru			
(sign here)			·
Print or type name of signatory:			
Thomas Armbrust			
Title of signatory:			
Director			
Signed and sworn to before me on [date] 19th April Thomas Armbrust , at Hamburg, Germany.	2010	, by	
Daniel Großer, Notary Public. Commission expires: 31.12.2030	Daniel Großer	A Locariates in Section 19 19 19 19 19 19 19 19 19 19 19 19 19	

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

	A. Legal name of Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
)tt	o Akriengesellschaft Für Beteilungen
	Check ONE of the following three boxes:
	Indicate whether Disclosing Party submitting this EDS is: 1. [] the Applicant OR
	2. [v] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of th Applicant in which Disclosing Party holds an interest: <u>Euromarket Designs</u> , Inc. OR
	3. [] a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control:
	B. Business address of Disclosing Party: Wandsbeker Strasse 3-7
	22172 Hamburg, GERMANY
	C. Telephone: 011-49-90-646-1327 Fax: 011-49-40-646-1296 Email: armbrust@kgcura.de
	D. Name of contact person: Mr. Thomas Armbrust
	E. Federal Employer Identification No. (if you have one): N/A
	F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):
	CB2 Headquarters, 240 North Ashland
	G. Which City agency or department is requesting this EDS? DCD
	If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Page 1 of 13

Ver. 11-01-05

Name		Title
ndirect beneficial intere of such an interest includenterest of a member or a estate or other similar en	st (including ownership) in exe de shares in a corporation, part manager in a limited liability of tity. If none, state "None." No	rning each person or entity having a direct or cess of 7.5% of the Disclosing Party. Example mership interest in a partnership or joint venture empany, or interest of a beneficiary of a trust, OTE: Pursuant to Section 2-154-030 of the ity may require any such additional informatio
	h is reasonably intended to ach	
Name	Business Address	Percentage Interest in the Disclosing Party
Dr. Michael Otto	Wandsbeker Strasse 3-7 22172 Hamburg, GERMANY ECE Projektmanagement G	48.6%
Mr. Alexander Otto	Heebarg 30 22391 Hamburg; GERMANY	24.905
Has the Disclosing Pa	rty had a "business relationshi	TH CITY ELECTED OFFICIALS o," as defined in Chapter 2-156 of the Municipe fore the date this EDS is signed?
[] Yes	M No	
f yes, please identify be elationship(s):	low the name(s) of such City e	lected official(s) and describe such

lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total

The Disclosing Party must disclose the name and business address of each subcontractor, attorney,

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF DISCLOSING PARTY	
 Indicate the nature of the Disclosing Pa Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership* Limited partnership* Trust 	rty: [] Limited liability company* [] Limited liability partnership* [] Joint venture* [] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? [] Yes [] No [] Other (please specify)
* Note B.1.b below.	
	country) of incorporation or organization, if applicable:
Federal Republic of Germany	
3. For legal entities not organized in the S business in the State of Illinois as a foreign en	State of Illinois: Has the organization registered to do hitty?
[] Yes [Y] No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEG	GAL ENTITY:
c c amorana also list helov	itles of all executive officers and all directors of the entity. w all members, if any, which are legal entities. If there are trusts, estates or other similar entities, list below the legal
Name	Title
Dr. Michael Otto Directors: Thomas Armbrust	Chairman
	Honorary Chairman
Supervisory Board: Werner Otto Hans-Jorg Hammer Dr. Michael Crusema Prof. Dr. Peer Witte	Chairman nn Deputy Chairman
F. I.	

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

B. FURTHER CERTIFICATIONS

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1, of this EDS:
 - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.I.b. of this Section V;
 - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
 - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
 - 2. The certifications in subparts 2, 3 and 4 concern:
 - the Disclosing Party;
 - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
 - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosin (subcontractor, attorney, lobbyist, etc.)	g Party	Fees (indicate whether paid or estimated)
			:	
(Add sheets if necessary	y)			
[Y] Check here if the Disentities.	sclosing par	rty has not retained, nor expects t	o retain, a	ny such persons or
SECTION V CERT	IFICATIO	NS		
A. COURT-ORDEREI	D CHILD S	UPPORT COMPLIANCE		
Under Municipal Co the City must remain in contract.	de Section complianc	2-92-415, substantial owners of le with their child support obligat	business e ions throu	ntities that contract with ghout the term of the
Has any person who disarrearage on any child	rectly or ind support obli	lirectly owns 10% or more of the igations by any Illinois court of c	Disclosir competent	ng Party been declared in jurisdiction?
[] Yes [/]	No	[] No person owns 10% or more	e of the D	isclosing Party.
If "Yes," has the person is the person in compli	n entered in ance with th	ito a court-approved agreement f	or paymer	nt of all support owed and
[]Yes []	No ·		:	•

6. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)
1. CERTIFICATION
The Disclosing Party certifies that the Disclosing Party (check one)
[] is [/] is not
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must

disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City. Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all requisite information as set forth in that paragraph 2. ✓ 1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders. 2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such records: SECTION VI -- CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Begin list here, add sheets as necessary):	

D. CERTIFICATION REGARDINA Any words or terms that are define meanings when used in this Part D. 1. In accordance with Section of the City have a financial interest entity in the Matter? [] Yes [/] No NOTE: If you checked "Yes" to It Item D.I., proceed to Part E. 2. Unless sold pursuant to a prelected official or employee shall hany other person or entity in the pufor taxes or assessments, or (iii) is "City Property Sale"). Compensating does not constitute a financial interest that the pufor taxes or assessments and the pufor taxes or assessments are pufor taxes or assessments and taxes are pufor taxes are pufor taxes are pufor taxes and taxes are pufor taxes are	;" or no response	
D. CERTIFICATION REGARDINA Any words or terms that are define meanings when used in this Part D. 1. In accordance with Section of the City have a financial interest entity in the Matter? [] Yes [] No NOTE: If you checked "Yes" to Interest of the D.I., proceed to Part E. 2. Unless sold pursuant to a prelected official or employee shall hany other person or entity in the pufor taxes or assessments, or (iii) is a "City Property Sale"). Compensating does not constitute a financial interest of the Matter involve a City Property Sale".	o," or no response	
Any words or terms that are defined meanings when used in this Part D. 1. In accordance with Section 2 of the City have a financial interest entity in the Matter? [] Yes [/] No NOTE: If you checked "Yes" to It Item D.I., proceed to Part E. 2. Unless sold pursuant to a prelected official or employee shall hany other person or entity in the put for taxes or assessments, or (iii) is "City Property Sale"). Compensating does not constitute a financial interest Does the Matter involve a City Property Sale". [] Yes [] No		re appears on the lines above, it will be retified to the above statements.
1. In accordance with Section 2 of the City have a financial interest entity in the Matter? [] Yes [/] No NOTE: If you checked "Yes" to It Item D.I., proceed to Part E. 2. Unless sold pursuant to a prelected official or employee shall hany other person or entity in the pure for taxes or assessments, or (iii) is "City Property Sale"). Compensating does not constitute a financial interest Does the Matter involve a City Pro	NG INTEREST I	IN CITY BUSINESS
of the City have a financial interest entity in the Matter? [] Yes [V] No NOTE: If you checked "Yes" to It Item D.I., proceed to Part E. 2. Unless sold pursuant to a prelected official or employee shall hany other person or entity in the pufor taxes or assessments, or (iii) is "City Property Sale"). Compensating does not constitute a financial interest Does the Matter involve a City Pro		56 of the Municipal Code have the same
Item D.I., proceed to Part E. 2. Unless sold pursuant to a prelected official or employee shall hany other person or entity in the purior taxes or assessments, or (iii) is a "City Property Sale"). Compensation does not constitute a financial interpolation of the Matter involve a City Property Sale [] Yes [] No		e Municipal Code: Does any official or employee on name or in the name of any other person or
elected official or employee shall hany other person or entity in the purior taxes or assessments, or (iii) is a "City Property Sale"). Compensation does not constitute a financial interpose the Matter involve a City Pro	tem D.I., proceed	ed to Items D.2. and D.3. If you checked "No" to
[] Yes [] No	ave a financial ir rchase of any pro sold by virtue of on for property to	itive bidding, or otherwise permitted, no City interest in his or her own name or in the name of operty that (i) belongs to the City, or (ii) is sold legal process at the suit of the City (collectively taken pursuant to the City's eminent domain powneaning of this Part D.
	perty Sale?	
3. If you checked "Yes" to Iter		
officials or employees having such	n D.1., provide the interest and ider	the names and business addresses of the City ntify the nature of such interest:
Name Busine	ss Address	Nature of Interest

Is the Disclosing Pa	ty the Applicant?
[] Yes	[] No
If "Yes," answer the	three questions below:
applicable federal re	eloped and do you have on file affirmative action programs pursuant to gulations? (See 41 CFR Part 60-2.)
[] Yes	[] No
Contract Compliand under the applicable	d with the Joint Reporting Committee, the Director of the Office of Federal e Programs, or the Equal Employment Opportunity Commission all reports due filing requirements?
[]Yes	[] No
3. Have you pa equal opportunity c	ticipated in any previous contracts or subcontracts subject to the susc?
[] Yes	[] No
If you checked "No	to question 1. or 2. above, please provide an explanation:
*	

SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sfllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants_forms.html.

- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

H.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in H.1. and H.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Otto Aktiengesellschaft für Beteilun	ngen Date: 11, 27, 2009
(Print or type name of Disclosing Party)	
By: I wall	· · · · · · · · · · · · · · · · · · ·
(sign here)	•
Thomas Armbrust	
(Print or type name of person signing)	
DIRECTOR (Print or type title of person signing)	
Signed and sworn to before me on (date)at County,	25th August 2009 , by Thomas Armbrust (state).
Daniel Große Commission expires: 31.12.2030	Notary Public.

Page 13 of 13

- D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- E. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- F. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- II.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.



Mönckebergstraße 27, 20095 Hamburg Tel (040)308 00 80, Fax:(040)33 69 02

Deed-No. 2131/2009 GRO

I hereby certify, that the above is the true signature subscribed in my presence of

Mr. Thomas Armbrust, born on 14th day of August 1952, business address: Wandsbeker Str. 3-7, 22179 Hamburg, personally known to me.

Hamburg, 25th day of August 2009

Daniel Großer Notary



Mönckebergstraße 27, 20095 Hamburg Tel.:(040)308 00 80, Fax:(040)33 69 02

Deed No. 823/2010 GRO

I hereby certify, that the above is the true signature, subscribed in my presence, of

Mr. Thomas Armbrust born on 14th day of August 1952, business address: Wandsbeker Str. 3-7, 22179 Hamburg, personally known to me.

Hamburg/19th April 2010

Daniel/Großer
Notary

RECERTIFICATION

This recertification is being submitted in connection with CB2 Headquarters, 140 North Ashland, as identified in the attached Economic Disclosure Statement and Affidavit dated August 25, 2009. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS a copy of which is attached hereto are true, accurate and complete as of the date furnished to the city and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

GS Gesellschaft für Versand-Beteiligungen (Print or type legal name of Disclosing Party)	Date: <u>April 19. 2010</u>
By:	
Ambru	
(sign here)	
Print or type name of signatory:	
Thomas Armbrust	
Title of signatory:	
Director	
Signed and sworn to before me on [date] 19th Ap	pril 2010 , by Thomas Armbrust
, at Hamburg, Germa	any.
Daniel Großer, Notary Pub	blic.
Commission expires: 31.12.2030 .	O STATE OF THE STA

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
GS Gesellschaft für Versand-Beteilingungen m.b.h.
Check ONE of the following three boxes:
Indicate whether Disclosing Party submitting this EDS is: 1. [] the Applicant OR 2. [v] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which Disclosing Party holds an interest: Euromarket Designs, Inc. OR
3. [] a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control:
B. Business address of Disclosing Party: Wandsbeker Strasse 3-7 22172 Hamburg, GERMANY
C. Telephone: 011-49-40-646-1327 Fax:011-49-40-646-1296 Email: armbrust@kgcura.de
D. Name of contact person: Mr. Thomas Armbrust
E. Federal Employer Identification No. (if you have one):
F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):
CR2 Headquarters, 240 North Ashland
G. Which City agency or department is requesting this EDS?DCD
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF DISCLOSING PARTY	
 Indicate the nature of the Disclosing Page 1 Person Publicly registered business corporation Sole proprietorship General partnership* Limited partnership* Trust 	arty: [] Limited liability company* [] Limited liability partnership* [] Joint venture* [] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? [] Yes [] No [] Other (please specify)
* Note B.1.b below.	
2. For legal entities, the state (or foreign of	country) of incorporation or organization, if applicable:
Federal Republic of Germany	
3. For legal entities not organized in the S business in the State of Illinois as a foreign en	State of Illinois: Has the organization registered to do atity?
[] Yes [No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEG	FAL ENTITY:
For not-for-profit corporations, also list below	tles of all executive officers and all directors of the entity, all members, if any, which are legal entities. If there are rusts, estates or other similar entities, list below the legal
Name	Title
Directors: Dr. Michael Ofto Thomas Armbrust	Chairman

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Name		Title
indirect beneficial interest of such an interest include interest of a member or m estate or other similar enti Municipal Code of Chica	(including ownership) in example shares in a corporation, par anager in a limited liability of the corporation of the corporati	erning each person or entity having a direct or keess of 7.5% of the Disclosing Party. Examples thereship interest in a partnership or joint venture company, or interest of a beneficiary of a trust, IOTE: Pursuant to Section 2-154-030 of the City may require any such additional information thieve full disclosure.
Name	Business Address	Percentage Interest in the Disclosing Party
Dr. Michael Otto	Wandsbeker Strasse 3-7	42%
	22172 Hamburg, GERMANY	
Has the Disclosing Par	ty had a "husiness relations"	VITH CITY ELECTED OFFICIALS hip," as defined in Chapter 2-156 of the Municip before the date this EDS is signed?
Code, with any City elect	M No	
[] Yes	6.1 - 10	
[]Yes		y elected official(s) and describe such

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total

	,		
		be paid. The Disclosing Party is not a the Disclosing Party's regular payroll.	•
action on behalf of any himself. "Lobbyist" als	person or entity to means any pe	ity who undertakes to influence any leg o other than: (1) a not-for-profit entity, erson or entity any part of whose duties ace any legislative or administrative ac	on an unpaid basis, or (2) as an employee of
	•	whether a disclosure is required under ty whether disclosure is required or ma	
Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated)
	· · · · · · · · · · · · · · · · · · ·		
(Add sheets if necessary	'n		
M Check here if the Disentities.	closing party h	as not retained, nor expects to retain, a	iny such persons or
SECTION V CERT	IFICATIONS		
A. COURT-ORDERED	CHILD SUPP	ORT COMPLIANCE	
		-415, substantial owners of business eth their child support obligations throu	
* *	*	tly owns 10% or more of the Disclosin ons by any Illinois court of competent	
[] Yes [4]	No []N	o person owns 10% or more of the Di	sclosing Party.
If "Yes," has the person is the person in complia		court-approved agreement for paymen greement?	t of all support owed and

[]Yes

[]No -

B. FURTHER CERTIFICATIONS

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
 - are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.b. of this Section V;
 - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
 - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
 - 2. The certifications in subparts 2, 3 and 4 concern:

• the Disclosing Party;

· any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");

• any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33B-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

			<u> </u>		<u></u>	 			
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C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

1. CERTIFICATION

The Disclosing Party certifies that the Disclosing Party (check one)

[] is [/] is not

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
 - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

			
			<u> </u>
f the letters "NA," the vonclusively presumed	word "None," or no response app that the Disclosing Party certified	ears on the lines above, it will be to the above statements.	•
D. CERTIFICATION I	REGARDING INTEREST IN CI	TY BUSINESS	
Any words or terms tha	t are defined in Chapter 2-156 of	the Municipal Code have the sa	me
meanings when used in			• , .
1. In accordance wo of the City have a finan entity in the Matter?	ith Section 2-156-110 of the Murcial interest in his or her own nar	nicipal Code: Does any official one or in the name of any other po	r employe erson or
[] Yes	N No		
			- 4 HAT - H +
NOTE If you checked	"Yes" to Item D.1., proceed to I	tems D.2. and D.3. If you check	ced "Nö" i
Item D.1., proceed to P	art E.	tems D.2. and D.3. If you check	
2. Unless sold purs elected official or emplany other person or ent for taxes or assessment	art E. uant to a process of competitive oyee shall have a financial interesty in the purchase of any property, or (iii) is sold by virtue of legal Compensation for property taken mancial interest within the meaning	bidding, or otherwise permitted, st in his or her own name or in t y that (i) belongs to the City, or I process at the suit of the City (a pursuant to the City's eminent of	no City he name o (ii) is sold collective
Item D.1., proceed to P 2. Unless sold purselected official or emplany other person or entfor taxes or assessment "City Property Sale"). does not constitute a fin	art E. uant to a process of competitive oyee shall have a financial intereity in the purchase of any properts, or (iii) is sold by virtue of legal Compensation for property taken	bidding, or otherwise permitted, st in his or her own name or in t y that (i) belongs to the City, or I process at the suit of the City (a pursuant to the City's eminent of	no City he name o (ii) is sold collectivel
Item D.1., proceed to P 2. Unless sold purselected official or emplany other person or entfor taxes or assessment "City Property Sale"). does not constitute a find Does the Matter involv [] Yes	art E. uant to a process of competitive oyee shall have a financial intereity in the purchase of any properts, or (iii) is sold by virtue of lega Compensation for property taken nancial interest within the meaning a City Property Sale? [] No	bidding, or otherwise permitted, st in his or her own name or in try that (i) belongs to the City, or I process at the sult of the City (a pursuant to the City's eminent ong of this Part D.	no City he name o (ii) is sold collectivel lomain po
2. Unless sold purselected official or emplany other person or entfor taxes or assessment "City Property Sale"). does not constitute a find Does the Matter involves [] Yes	art E. uant to a process of competitive oyee shall have a financial intereity in the purchase of any properts, or (iii) is sold by virtue of lega Compensation for property taken nancial interest within the meaning a City Property Sale?	bidding, or otherwise permitted, st in his or her own name or in the y that (i) belongs to the City, or I process at the suit of the City (in pursuant to the City's eminent ong of this Part D.	no City he name o (ii) is sold collectivel lomain po
tem D.1., proceed to P 2. Unless sold purselected official or emplany other person or entfor taxes or assessment City Property Sale"). does not constitute a final Does the Matter involv [] Yes 3. If you checked officials or employees	uant to a process of competitive oyee shall have a financial interesty in the purchase of any property, or (iii) is sold by virtue of lega Compensation for property taken nancial interest within the meaning a City Property Sale? [] No 'Yes" to Item D.1 provide the n	bidding, or otherwise permitted, st in his or her own name or in the y that (i) belongs to the City, or I process at the suit of the City (in pursuant to the City's eminent ong of this Part D.	no City he name o (ii) is sold collective lomain po
2. Unless sold purselected official or emplany other person or entfor taxes or assessment "City Property Sale"). does not constitute a final Does the Matter involv	uant to a process of competitive oyee shall have a financial interesty in the purchase of any properts, or (iii) is sold by virtue of lega Compensation for property taken nancial interest within the meaning a City Property Sale? [] No 'Yes" to Item D.1., provide the inhaving such interest and identify	bidding, or otherwise permitted, st in his or her own name or in try that (i) belongs to the City, or I process at the suitof the City (a pursuant to the City's eminent ong of this Part D.	no City he name o (ii) is sold collective lomain po
tem D.1., proceed to P 2. Unless sold purselected official or employers or entropy of taxes or assessment contaxes or assessment contaxes or assessment does not constitute a final contaxe of the Matter involves [] Yes 3. If you checked officials or employees	uant to a process of competitive oyee shall have a financial interesty in the purchase of any properts, or (iii) is sold by virtue of lega Compensation for property taken nancial interest within the meaning a City Property Sale? [] No 'Yes" to Item D.1., provide the inhaving such interest and identify	bidding, or otherwise permitted, st in his or her own name or in try that (i) belongs to the City, or I process at the suitof the City (a pursuant to the City's eminent ong of this Part D.	no City he name o (ii) is sold collective lomain po

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all requisite information as set forth in that paragraph 2.

L. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from

the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such records:

SECTION VI -- CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII.

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Begin list here, add sheets as necessary):

If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1: above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/sflllin.pdf,

- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal, in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

1	
[] Yes [] No	
If "Yes," answer the three questions below:	
1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)	
[] Yes [] No	
2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports of under the applicable filing requirements? [] Yes [] No	ue
3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?	
[] Yes [] No	
If you checked "No" to question 1. or 2. above, please provide an explanation:	

SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- E. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- F. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in H.1. and H.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

GS Gesellschaft für Versand-Beteili	gungen m.b.Date:	Ang. 25, 200	9
(Print or type name of Disclosing Party)		V	
•	•		•
By: And Sula	·		
(sign here)	· ·		
Thomas Armbrust	,		, ,
(Print or type name of person signing)			
DIRECTOR	•		
(Print or type title of person signing)			
·			-
Signed and sworn to before me on (date) _ at Hamburg County, Germany		g , by <u>Thomas Armbr</u>	ust
Daniel Großer	Notary Public.	0.00	·
Commission expires: 31.12.2030		Statiats	
	991	according to	
		The state of the s	

Page 13 of 13



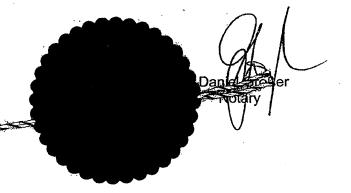
Mönckebergstraße 27, 20095 Hamburg Tel.:{040}308 00 80, Fax:{040}33 69 02

Deed-No. 2130/2009 GRO

I hereby certify, that the above is the true signature subscribed in my presence of

Mr. Thomas Armbrust, born on 14th day of August 1952, business address: Wandsbeker Str. 3-7, 22179 Hamburg, personally known to me.

Hamburg, 25th day of August 2009





Mönckebergstraße 27, 20095 Hamburg Tel.:(040)308 00 80, Fax:(040)33 69 02

Deed No. 822/2010 GRO

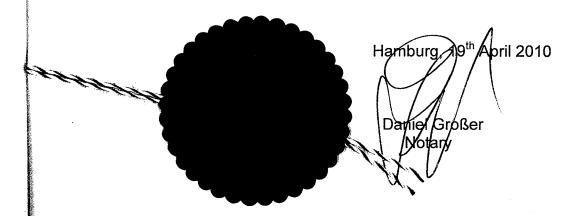
I hereby certify, that the above is the true signature, subscribed in my presence, of

Mr. Thomas Armbrust

born on 14th day of August 1952,

business address: Wandsbeker Str. 3-7, 22179 Hamburg,

personally known to me.



3

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of Disclosing Party submittin	g this EDS. Include d/b/a/ if applicable:
Crate & Barrel Holdings, Inc.	
Check ONE of the following three boxes:	
Indicate whether Disclosing Party submitting 1. the Applicant OR	this EDS is:
	rect interest in the Applicant. State the legal name of the ds an interest: EUROMARKET DESIGNS, INC.
	f control (see Section II.B.1.b.) State the legal name of is a right of control:
B. Business address of Disclosing Party:	c/o Victoria Donati
	1250 Techny Road, Northbrook, IL 60062
C. Telephone: 847-239-6668 Fax: 847 D. Name of contact person: Victoria Donati	2-272-2944 Email: vdonati@crateandbarrel.com
E. Federal Employer Identification No. (if you	have one): 52-207-8398
F. Brief description of contract, transaction or which this EDS pertains. (Include project num	other undertaking (referred to below as the "Matter") to ber and location of property, if applicable):
CB2 Headquarters 240 North Ashland	
G. Which City agency or department is request	ting this EDS? DCD
If the Matter is a contract being handled by t complete the following:	the City's Department of Procurement Services, please
Specification #	and Contract#

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Par Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership* Limited partnership* Trust	Limited liability company* Limited liability partnership* Joint venture* Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? Yes No Other (please specify)
* Note B.I.b below.	
2. For legal entities, the state (or foreign co	ountry) of incorporation or organization, if applicable:
3. For legal entities not organized in the State business in the State of Illinois as a foreign entit	ate of Illinois: Has the organization registered to do ty?
☐Yes	□ N/A
B. IF THE DISCLOSING PARTY IS A LEGA	L ENTITY:
For not-for-profit corporations, also list below a	is of all executive officers and all directors of the entity. Il members, if any, which are legal entities. If there are ets, estates or other similar entities, list below the legal
Name	Title
Hans-Otto Schrader	Director, Chairman of the Board
Dr. Timm Homann Gordon Segal	Director Director
Barbara Turf	Director, CEO and President
Diane Pearse	Treasurer
Victoria Donati	Secretary

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Name	•	Title
indirect beneficial into of such an interest inc interest of a member of estate or other similar Municipal Code of Ch	erest (including ownership) in exclude shares in a corporation, part or manager in a limited liability c entity. If none, state "None." No	rning each person or entity having a direct or cess of 7.5% of the Disclosing Party. Example nership interest in a partnership or joint venture ompany, or interest of a beneficiary of a trust, OTE: Pursuant to Section 2-154-030 of the city may require any such additional information tieve full disclosure.
Name	Business Address	
Ivalue	business Address	Percentage Interest in the Disclosing Party
Otto (GmBH & Co KG)	Wandsbeker Strasse 3-7	98.88% voting interest
	22179 Hamburg, Germany	
See :	Exhibit A attached hereto	for more details.
Has the Disclosing	Party had a "business relationshi	TH CITY ELECTED OFFICIALS p," as defined in Chapter 2-156 of the Municipal efore the date this EDS is signed?
☐ Yes	☑ No	
f yes, please identify telationship(s):	below the name(s) of such City e	lected official(s) and describe such

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lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total

amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Business

Name

(indicate whether retained or anticipated to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	(indicate whether paid or estimated)
~			
	****	1	
(Add sheets if necessary)			
☐ Check here if the Disc entities.	losing party ha	as not retained, nor expects to retain, a	ny such persons or
SECTION V CERTII	CATIONS		
A. COURT-ORDERED	CHILD SUPPO	ORT COMPLIANCE	
Under Municipal Code the City must remain in cocontract.	Section 2-92- empliance with	415, substantial owners of business en their child support obligations throug	tities that contract with shout the term of the
Has any person who direct arrearage on any child sup	tly or indirectly port obligation	y owns 10% or more of the Disclosing as by any Illinois court of competent ju	Party been declared in prisdiction?
☐ Yes ☐ No) No	person owns 10% or more of the Disc	closing Party.
If "Yes," has the person er is the person in compliance	ntered into a co	ourt-approved agreement for payment eement?	of all support owed and
☐ Yes ☐ No			

B. FURTHER CERTIFICATIONS

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
 - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 2. The certifications in subparts 2, 3 and 4 concern:
- the Disclosing Party;
- any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. If the Disclor Certifications), the l	sing Party is unable to certify to any of the above statements in this Part B (Further Disclosing Party must explain below:
*** **********************************	
- The state of the	
If the letters "NA," to presumed that the Di	he word "None," or no response appears on the lines above, it will be conclusively sclosing Party certified to the above statements.
C. CERTIFICATIO	N OF STATUS AS FINANCIAL INSTITUTION
trust company, saving dealer, municipal sec trust, venture capital licensee under the Co Mortgage Licensing whose predominant b public employees in a	Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" is and loan association, thrift, credit union, mortgage banker, mortgage broker, gs bank, investment bank, securities broker, municipal securities broker, securities underwriter, investment company, bank holding company, financial services holding company, or any insumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Act. However, "financial institution" specifically shall not include any entity usiness is the providing of tax deferred, defined contribution, pension plans to accordance with Sections 403(b) and 457 of the Internal Revenue Code.
1. CERTIFICATI	ON
The Disclosing Party	certifies that the Disclosing Party (check one)
☐ is	is not
a "financial institution	" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosin	g Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will n Code. We further pled	of become a predatory lender as defined in Chapter 2-32 of the Municipal ge that none of our affiliates is, and none of them will become, a predatory apter 2-32 of the Municipal Code. We understand that become

lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

	cipal Code, explain here (attach a	
If the letters "NA, conclusively presi	" the word "None," or no response umed that the Disclosing Party cer	e appears on the lines above, it will be tified to the above statements.
D. CERTIFICAT	ION REGARDING INTEREST II	n city business
Any words or tern meanings when us	is that are defined in Chapter 2-15 ed in this Part D.	6 of the Municipal Code have the same
entity in the Matte	imancial interest in his or her own	Municipal Code: Does any official or employed name or in the name of any other person or
Yes	☑ No	
NOTE: If you chotem D.I., proceed	ecked "Yes" to Item D.1., proceed to Part E.	to Items D.2. and D.3. If you checked "No" to
nected official or one of the other person of the other person of the other of the	employee shall have a financial int entity in the purchase of any prop- nents, or (iii) is sold by virtue of la	ive bidding, or otherwise permitted, no City terest in his or her own name or in the name of perty that (i) belongs to the City, or (ii) is sold egal process at the suit of the City (collectively, ken pursuant to the City's eminent domain powering of this Part D.
oes the Matter in	volve a City Property Sale?	
☐ Yes	□ No	,
3. If you checker ficials or employed	ed "Yes" to Item D.1., provide the ees having such interest and identi-	names and business addresses of the City fy the nature of such interest:
ame	Business Address	Nature of Interest
// 100 / / / / / / / / / / / / / / / / /		

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

1. List below the names of all persons or entities registered under the fede Disclosure Act of 1995 who have made lobbying contacts on behalf of the Dis respect to the Matter: (Begin list here, add sheets as necessary):	ral Lobbying closing Party with
A. CERTIFICATION REGARDING LOBBYING	
NOTE: If the Matter is federally funded, complete this Section VI. If the Matunded, proceed to Section VII.	tter is not federally
SECTION VI CERTIFICATIONS FOR FEDERALLY-FUNDED MA	
Party verifies that the following constitutes full disclosure of all such records	:
2. The Disclosing Party verifies that, as a result of conducting the searc Disclosing Party has found records relating to investments or profits from sla or slaveholder insurance policies and/or the names of any slaves or slavehold	very, the slave industry,
1. The Disclosing Party verifies that (a) the Disclosing Party has search the Disclosing Party and any and all predecessor entities for records of invesslavery, the slave industry, or slaveholder insurance policies, and (b) the Disc no records of investments or profits from slavery, the slave industry, or slave policies and no records of names of any slaves or slaveholders.	tments or profits from
Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclose below or in an attachment to this EDS all requisite information as so	closing Party must et forth in that paragraph
disclosed in this EDS any and all such records to the City. In addition, the I disclose the names of any and all slaves or slaveholders described in those r comply with these disclosure requirements may make the Matter to which the by the City.	named Paris

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.I. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants_forms.html.

- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Part	y the Applicant?
Yes	□ No
If "Yes," answer the t	hree questions below:
 Have you deve applicable federal regu	loped and do you have on file affirmative action programs pursuant to illations? (See 41 CFR Part 60-2.)
under the applicable fi	with the Joint Reporting Committee, the Director of the Office of Federal Programs, or the Equal Employment Opportunity Commission all reports due ling requirements?
☐ Yes	□No
3. Have you partic equal opportunity claus	ipated in any previous contracts or subcontracts subject to the se?
☐ Yes	LI No
If you checked "No" to	question 1. or 2. above, please provide an explanation:

SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- E. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- F. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in H.1. and H.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Crate & Barrel Holdings, Inc.	Date: $9/25$, 2009
(Print or type name of Disclosing Party)	7/30 100
Ву:	
(sign here)	
Victoria L. Donatí	
(Print or type name of person signing)	
General Counsel	
(Print or type title of person signing)	
Signed and sworn to before me on (date) Separt County, Selinais	state).
Commission expires: 10/>>/09	OFFICIAL SEAL JUDITH R PERRONE NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:10/22/09

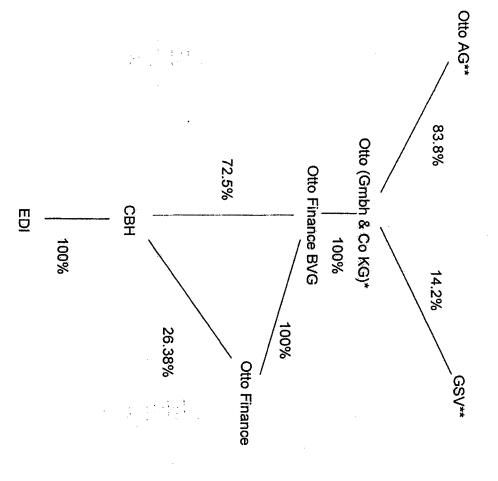
(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

This recertification is being submitted in connection with the Repercorn 740, LLC Redevel opment [identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

CRATE & BARREL HOLDINGS, TIX Date: 4/22/10 (Print or type legal name of Disclosing Party)
By: (sign/here) By:
Print or type name of signatory:
VICTORIA L DONATI
Title of signatory:
CORPORATE SECRETARY
Signed and sworn to before me on [date] april 22, 2010, by Victoria & Worati, at Cook County, Juliusia [state].
Notary Public.
Commission expires: 10 /22/13 OFFICIAL SEAL JUDITH R PERRONE NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 10/22/13



*General Partner of this entity is Otto Gmbh for which an EDS is included.

**Two individuals own more than 7.5% of this entity and such individuals are indentified in the EDS.

EDI = Euromarket Designs, Inc.
 CBH = Crate & Barrel Holdings, Inc.
 Otto Finance = Otto Finance Luxembourg AG
 Otto Finance BVG = Otto Finance Beteiligungs-Verwaltungsgesellschaft mbh
 Otto Gmbh = Verwaltungsgesellschaft Otto
 Otto AG = Otto Aktiengesellschaft Fur Beteilungen
 GSV = Gesellschaft fur Versand Beteilingungen mbh
 Otto (Gmbh & Co KG) = No abbreviation used

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related, by blood or adoption, to the mayor, any alderman, the city clerk, the city treasurer or any city department head as parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all corporate officers of the Disclosing Party, if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of

-	CERTIFICATION
	Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.
	Crate & Barvel Holdings, Inc. Date: 9/21/09 (Print or type name of Disclosing Party)
	By:
((Sign here) Dante
	VICTORIA L. DONATI (Print or type name of person signing)
	SECRETARY (Print or type titly of person signing)
	Signed and sworn to before me on (date) 9/21/09 by Victoria Loration (State).
(Just L Person Notary Public.
	Commission expires: 10/22/09 Commission expires: 10/22/09 OFFICIAL SEAL JUDITH R PERRONE NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 10/22/09

RECERTIFICATION

This recertification is being submitted in connection with CB2 Headquarters, 140 North Ashland, as identified in the attached Economic Disclosure Statement and Affidavit dated October 2, 2009. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS a copy of which is attached hereto are true, accurate and complete as of the date furnished to the city and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

Otto Finance Beteiligungs-Verwaltungsgesellschaft (Print or type legal name of Disclosing Party)

Date: April 09, 2010

By:

(sign here)

Print or type name of signatory:

Boris Jendruschewitz

itle of signatory:

Manadag Director

NOT.REG. 2019 No. 680

Signed and sworn to be are me on [date] April 09, 2010

 \longrightarrow by Mr. Boris

Jendruschewitz

Hamburg, Germany.

Dr. Johannes Beil

Notary Public.

Commission expires: unlimited in three

CHICAGO\2915698.2 ID\JAL - 019956/0999



CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I GENERAL INFORMATION
A. Legal name of Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
Otto Finance Beteiligungs-Verwaltungsgesellschaft mbH
Check ONE of the following three boxes:
Indicate whether Disclosing Party submitting this EDS is: 1. [] the Applicant OR 2. [x] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which Disclosing Party holds an interest: Euromarket Designs, Inc. OR 3. [] a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of
the entity in which Disclosing Party holds a right of control:
B. Business address of Disclosing Party: Wandsbeker Strasse 3-7 22172 Hamburg, Germany
C. Telephone: 011-49-40-6461-297 Fax: 011-49-40-6464-297 Email: boris.jendruschewitz@ottogrou
D. Name of contact person: Boris Jendruschewitz
E. Federal Employer Identification No. (if you have one): N/A
F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):
G. Which City agency or department is requesting this EDS? DCD
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF DISCLOSING PARTY	
 Indicate the nature of the Disclosing Parties Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership* Limited partnership* Trust 	[] Limited liability company* [] Limited liability partnership* [] Joint venture* [] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? [] Yes [] No [] Other (please specify)
* Note B.1.b below.	
2. For legal entities, the state (or foreign of	country) of incorporation or organization, if applicable:
Federal Republic of Germany	
to the state of th	
3. For legal entities not organized in the S business in the State of Illinois as a foreign en	State of Illinois: Has the organization registered to do ntity?
[] Yes [] No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEC	GAL ENTITY:
i.a. List below the full names and the	itles of all executive officers and all directors of the entity. w all members, if any, which are legal entities. If there are trusts, estates or other similar entities, list below the legal
Name	Title
Jurgen Schülte-Laggenbeck	Managing Director
Boris Jendruschewitz	Managing Director
	ership," "Limited partnership," "Limited liability "Joint venture" in response to Item A.1. above (Nature of itle of each general partner, managing member, manager or

Name		Title .
indirect beneficial of such an interest interest of a membestate or other sim	interest (including ownership) in ex include shares in a corporation, par- er or manager in a limited liability of ilar entity. If none, state "None." N	erning each person or entity having a direct or access of 7.5% of the Disclosing Party. Examples thership interest in a partnership or joint venture, company, or interest of a beneficiary of a trust, OTE: Pursuant to Section 2-154-030 of the City may require any such additional information hieve full disclosure.
Name	Business Address	Percentage Interest in the Disclosing Party
Otto (GmbH & Co	KG) Wandsbeker Strasse 3-7	1002
SECTION III 1		ITH CITY ELECTED OFFICIALS
Has the Disclos		ip," as defined in Chapter 2-156 of the Municipa
[]Yes	[X] No	•
if yes, please iden relationship(s):	tify below the name(s) of such City	elected official(s) and describe such
SECTION IV - 1	DISCLOSURE OF SUBCONTRA	ACTORS AND OTHER RETAINED PARTII
lobbyist, accounta	nt, consultant and any other person	ousiness address of each subcontractor, attorney, or entity whom the Disclosing Party has retaine well as the nature of the relationship, and the to

amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

Relationship to Disclosing Party

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Business

Name (indicate whether retained or anticipated to be retained)	Business Address	(subcontractor, attorney, lobbyist, etc.)	(indicate whether paid or estimated)
(Add sheets if necessa	ry)		ć
Check here if the Dentities.	isclosing party l	nas not retained, nor expects to retain,	any such persons or
SECTION V - CER	TIFICATIONS	i .	
A. COURT-ORDERE	ED CHILD SUP	PORT COMPLIANCE	
Under Municipal C the City must remain i contract.	ode Section 2-9 in compliance w	2-415, substantial owners of business ith their child support obligations thro	entities that contract with oughout the term of the
Has any person who d	lirectly or indire I support obliga	ctly owns 10% or more of the Disclos tions by any Illinois court of competer	ing Party been declared in it jurisdiction?
☐ Yes]No ☑	No person owns 10% or more of the I	Disclosing Party.
If "Yes," has the pers is the person in comp	on entered into a	a court-approved agreement for paymagreement?	ent of all support owed and
☐ Yes [□ No		
•	•		

B. FURTHER CERTIFICATIONS

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
 - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.b. of this Section V;
 - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
 - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
 - 2. The certifications in subparts 2, 3 and 4 concern:
 - · the Disclosing Party;
 - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
 - * any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the incligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the incligible entity); with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or h. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)
1. CERTIFICATION
The Disclosing Party certifies that the Disclosing Party (check one)
☐ is ☐ is not
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

of the City have a financial interest in his or her entity in the Matter? Yes No NOTE: If you checked "Yes" to Item D.1., pro Item D.1., proceed to Part E. 2. Unless sold pursuant to a process of conclected official or employee shall have a finance of the process of an elected official or employee shall have a finance of the process of an elected official or employee shall have a finance of the process of an elected official or employee shall have a finance of the process of an elected official or employee shall have a finance of the process of an elected of the process of an elected official or employee shall have a finance of the process	sertified to the above statements. ST IN CITY BUSINESS 2-156 of the Municipal Code have the same f the Municipal Code: Does any official or employee or own name or in the name of any other person or occeed to Items D.2. and D.3. If you checked "No" to inpetitive bidding, or otherwise permitted, no City cial interest in his or her own name or in the name of my property that (i) belongs to the City, or (ii) is sold are of legal process at the suit of the City (collectively,
D. CERTIFICATION REGARDING INTEREST Any words or terms that are defined in Chapter meanings when used in this Part D. 1. In accordance with Section 2-156-110 of of the City have a financial interest in his or her entity in the Matter? Yes NOTE: If you checked "Yes" to Item D.1., prolitem D.1., proceed to Part E. 2. Unless sold pursuant to a process of conclected official or employee shall have a financial any other person or entity in the purchase of an for taxes or assessments, or (iii) is sold by virtue "City Property Sale"). Compensation for proper	certified to the above statements. ST IN CITY BUSINESS 2-156 of the Municipal Code have the same f the Municipal Code: Does any official or employee of own name or in the name of any other person or occeed to Items D.2. and D.3. If you checked "No" to inpetitive bidding, or otherwise permitted, no City cial interest in his or her own name or in the name of the property that (i) belongs to the City, or (ii) is sold the of legal process at the suit of the City (collectively,
Any words or terms that are defined in Chapter meanings when used in this Part D. 1. In accordance with Section 2-156-110 of of the City have a financial interest in his or her entity in the Matter? Yes No NOTE: If you checked "Yes" to Item D.1., pro Item D.1., proceed to Part E. 2. Unless sold pursuant to a process of conclected official or employee shall have a finance any other person or entity in the purchase of an for taxes or assessments, or (iii) is sold by virtue "City Property Sale"). Compensation for proper	2-156 of the Municipal Code have the same f the Municipal Code: Does any official or employee rown name or in the name of any other person or occeed to Items D.2. and D.3. If you checked "No" to inpetitive bidding, or otherwise permitted, no City cial interest in his or her own name or in the name of the property that (i) belongs to the City, or (ii) is sold are of legal process at the suit of the City (collectively,
I. In accordance with Section 2-156-110 of the City have a financial interest in his or her entity in the Matter? Yes No NOTE: If you checked "Yes" to Item D.1., pro Item D.1., proceed to Part E. 2. Unless sold pursuant to a process of concleted official or employee shall have a financiany other person or entity in the purchase of an for taxes or assessments, or (iii) is sold by virtue "City Property Sale"). Compensation for proper	f the Municipal Code: Does any official or employee of own name or in the name of any other person or occeed to Items D.2. and D.3. If you checked "No" to impetitive bidding, or otherwise permitted, no City cial interest in his or her own name or in the name of my property that (i) belongs to the City, or (ii) is sold up of legal process at the suit of the City (collectively,
of the City have a financial interest in his or herentity in the Matter? Yes No NOTE: If you checked "Yes" to Item D.1., pro Item D.1., proceed to Part E. 2. Unless sold pursuant to a process of concelected official or employee shall have a finance any other person or entity in the purchase of an for taxes or assessments, or (iii) is sold by virtue "City Property Sale"). Compensation for proper	oceed to Items D.2. and D.3. If you checked "No" to appetitive bidding, or otherwise permitted, no City cial interest in his or her own name or in the name of the property that (i) belongs to the City, or (ii) is sold up of legal process at the suit of the City (collectively,
NOTE: If you checked "Yes" to Item D.1., prolem D.1., proceed to Part E. 2. Unless sold pursuant to a process of conclected official or employee shall have a finance any other person or entity in the purchase of an for taxes or assessments, or (iii) is sold by virtue "City Property Sale"). Compensation for proper	npetitive bidding, or otherwise permitted, no City cial interest in his or her own name or in the name of ty property that (i) belongs to the City, or (ii) is sold up of legal process at the suit of the City (collectively,
Item D.I., proceed to Part E. 2. Unless sold pursuant to a process of confelected official or employee shall have a finance any other person or entity in the purchase of an for taxes or assessments, or (iii) is sold by virtue "City Property Sale"). Compensation for property Sale").	npetitive bidding, or otherwise permitted, no City cial interest in his or her own name or in the name of try property that (i) belongs to the City, or (ii) is sold up of legal process at the suit of the City (collectively,
elected official or employee shall have a finance any other person or entity in the purchase of any for taxes or assessments, or (iii) is sold by virtue "City Property Sale"). Compensation for proper	ty property that (i) belongs to the City, or (ii) is sold up of legal process at the suit of the City (collectively,
	he meaning of this Part D.
Does the Matter involve a City Property Sale?	
☐ Yes ☐ No	,
3. If you checked "Yes" to Item D.1., provofficials or employees having such interest and	ride the names and business addresses of the City didentify the nature of such interest:
Name Business Address	Nature of Interest

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E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all requisite information as set forth in that paragraph 2. 1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders. 2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such records: SECTION VI -- CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. A. CERTIFICATION REGARDING LOBBYING 1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Begin list here, add sheets as necessary):

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sfllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants_forms.html.

- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.
- B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing I	arty the Applicant?
☐ Yes	□ №
If "Yes," answer t	ne three questions below:
 Have you of applicable federal Yes 	eveloped and do you have on file affirmative action programs pursuant to regulations? (See 41 CFR Part 60-2.)
Contract Complia	lied with the Joint Reporting Committee, the Director of the Office of Federal nee Programs, or the Equal Employment Opportunity Commission all reports due le filing requirements?
3. Have you pequal opportunity	articipated in any previous contracts or subcontracts subject to the clause?
	o" to question 1. or 2. above, please provide an explanation:

SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

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- D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- E. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- F. The information provided in this EDS must be kept current. In the event of changes, the
 Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the
 Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing
 Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

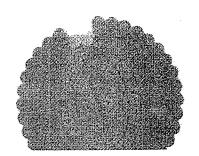
H.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in H.1. and H.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Otto Finance Beteiligungs Verwaltungsges (Print or type name of Disclosing Party)	ellschaft Date: October 7, 2009	
By: Man		
(sign Here)	· •	
Boris Jendruschewitz	e de la companya de La companya de la co	2.
(Print or type name of person signing)		
Managing Director		
(Print or type title of person signing)	"	
NOT.REG. 2009 No. 2917		•
Signed and sworn to before me on (date) On the Hamburg County, Germany	october 07, 2009, by Mr. Boris (state).	Jendruschewitz
<u> </u>	Notary Public.	
DR. AXEL PFEIFER Commission expires: unlimited in	time	



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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
Euromarket Designs, Inc.
Check ONE of the following three boxes:
Indicate whether Disclosing Party submitting this EDS is: 1. ☑ the Applicant OR
2. a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which Disclosing Party holds an interest: OR
3. a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control:
B. Business address of Disclosing Party: 1250 Techny Road
Northbrook, IL 60062
C. Telephone: 847-272-2888 Fax: 847-272-2944 Email: vdonati@crateandbarrel.com
D. Name of contact person: Victoria Donati
E. Federal Employer Identification No. (if you have one): 36-2492854
F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):
G. Which City agency or department is requesting this EDS? DCD
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #

SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF DISCLOSING PARTY

Indicate the nature of the Disclosing Par Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership* Limited partnership* Trust	Limited liability company* Limited liability partnership* Joint venture* Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? Yes No Other (please specify)
* Note B.1.b below.	
2. For legal entities, the state (or foreign co	untry) of incorporation or organization, if applicable:
Illinois	
3. For legal entities not organized in the State business in the State of Illinois as a foreign enti	ate of Illinois: Has the organization registered to do
☐ Yes ☐ No	□ N/A
B. IF THE DISCLOSING PARTY IS A LEGA	L ENTITY:
For not-for-profit corporations, also list below a	es of all executive officers and all directors of the entity. Il members, if any, which are legal entities. If there are sts, estates or other similar entities, list below the legal
Name	Title
Hans-Otto Schrader	Director, Chairman of the Board
Dr. Timm Homann	Director
Gordon Segal	Director
Barbara Turf	Director, CEO and President
Diane Pearse	Treasurer
Victoria Donati	Secretary

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Name		Title
ericality and a second		
		<u> </u>
indirect beneficia of such an interes interest of a mem estate or other sin Municipal Code of	I interest (including ownership) in ext include shares in a corporation, parties or manager in a limited liability of illustration." Note: "None."	erning each person or entity having a direct or access of 7.5% of the Disclosing Party. Examples thership interest in a partnership or joint venture company, or interest of a beneficiary of a trust, IOTE: Pursuant to Section 2-154-030 of the City may require any such additional information hieve full disclosure.
Name	Business Address	Percentage Interest in the Disclosing Party
rate & Barrel Hol	dings, Inc.c/o Victoria Donati	100%
	1250 Techny Road	·
	Northbrook, IL 60062	
SECTION III I		ITH CITY ELECTED OFFICIALS ip," as defined in Chapter 2-156 of the Municipa
Has the Disclos	ty elected official in the 12 months by	
Has the Disclos		

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total

amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipate to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	y Fees (indicate whether paid or estimated)
U.S. Equities Realty	20 N. Michigan	TIF Consultant	E\$78,900
	Chicago, IL 6060	2	
,			
(Add sheets if necess	ary)	·	
Check here if the lentities.	Disclosing party h	as not retained, nor expects to retain	, any such persons or
SECTION V - CER	TIFICATIONS		
A. COURT-ORDER	ED CHILD SUPP	ORT COMPLIANCE	
_		-415, substantial owners of business h their child support obligations thro	
	•	ly owns 10% or more of the Disclos ns by any Illinois court of competen	. •
☐ Yes []No IN	o person owns 10% or more of the L	Disclosing Party.
If "Yes," has the person in compl		ourt-approved agreement for payme reement?	ent of all support owed and
☐ Yes ☐] No		

B. FURTHER CERTIFICATIONS

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
 - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.b. of this Section V;
 - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
 - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
 - 2. The certifications in subparts 2, 3 and 4 concern:
 - the Disclosing Party:
 - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further
Certifications), the Disclosing Party must explain below:
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)
1. CERTIFICATION
The Disclosing Party certifies that the Disclosing Party (check one)
☐ is ☐ is not
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become a predatory.

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

2-32 of the Muni	cipal Code, explain here (attach ad	ditional pages if necessary):
	· · · · · · · · · · · · · · · · · · ·	
If the letters "NA conclusively press	" the word "None," or no response umed that the Disclosing Party cert	appears on the lines above, it will be ified to the above statements.
D. CERTIFICAT	ION REGARDING INTEREST IN	CITY BUSINESS
Any words or term meanings when us		of the Municipal Code have the same
of the City have a entity in the Matte	financial interest in his or her own r?	Municipal Code: Does any official or employee name or in the name of any other person or
☐ Yes	☑ No	
NOTE: If you ch Item D.1., proceed	ecked "Yes" to Item D.1., proceed to Part E.	to Items D.2. and D.3. If you checked "No" to
elected official or any other person o for taxes or assess "City Property Sale	employee shall have a financial int r entity in the purchase of any prop ments, or (iii) is sold by virtue of le	ve bidding, or otherwise permitted, no City erest in his or her own name or in the name of erty that (i) belongs to the City, or (ii) is sold egal process at the suit of the City (collectively, ten pursuant to the City's eminent domain powerning of this Part D.
Does the Matter in	volve a City Property Sale?	
☐ Yes	□ No	
 If you check officials or employ 	ted "Yes" to Item D.I., provide the ees having such interest and identifies	names and business addresses of the City fy the nature of such interest:
Name	Business Address	Nature of Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

	the same of the sa
1. List below the names of all persons or entities registered under the f Disclosure Act of 1995 who have made lobbying contacts on behalf of the respect to the Matter: (Begin list here, add sheets as necessary):	ederal Lobbying Disclosing Party with
A. CERTIFICATION REGARDING LOBBYING	
NOTE: If the Matter is federally funded, complete this Section VI. If the funded, proceed to Section VII.	Matter is not federally
SECTION VI CERTIFICATIONS FOR FEDERALLY-FUNDED N	MATTERS
2. The Disclosing Party verifies that, as a result of conducting the set Disclosing Party has found records relating to investments or profits from or slaveholder insurance policies and/or the names of any slaves or slaveh Party verifies that the following constitutes full disclosure of all such records.	slavery, the slave industry,
I. The Disclosing Party verifies that (a) the Disclosing Party has see the Disclosing Party and any and all predecessor entities for records of in slavery, the slave industry, or slaveholder insurance policies, and (b) the no records of investments or profits from slavery, the slave industry, or slaveholders and no records of names of any slaves or slaveholders.	vestments or profits from
Please check either 1. or 2. below. If the Disclosing Party checks 2., the disclose below or in an attachment to this EDS all requisite information a	as set forth in that paragraph
comply with these disclosure requirements may make the Matter to which by the City.	se records. Failure to this EDS pertains voidable

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.I. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants_forms.html.

- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the	Applicant?
☐ Yes	□No
If "Yes," answer the three	questions below:
 Have you develope applicable federal regulation Yes 	d and do you have on file affirmative action programs pursuant to ons? (See 41 CFR Part 60-2.) No
 Have you filed with Contract Compliance Prog under the applicable filing Yes 	the Joint Reporting Committee, the Director of the Office of Federal trams, or the Equal Employment Opportunity Commission all reports due requirements?
3. Have you participat equal opportunity clause? ☐ Yes	ed in any previous contracts or subcontracts subject to the
If you checked "No" to que	estion 1. or 2. above, please provide an explanation:
ever and the second	

SECTION VII - ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be reseinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- E. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- F. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in H.1. and H.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Euromarket Designs, Inc.	Date: 9/25 .2009
(Print or type name of Disclosing Party)	
By: (sign here) Donati	
Victoria L. Donati	
(Print or type name of person signing)	
General Counsel	
(Print or type title of person signing)	
at Cauk County, Illerais	pt 25,2009, by <u>Victoria J. Novali</u> , (state). Notary Public.
	OFFICIAL SEAL JUDITH R PERRONE NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:10/22/09

(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

This recertification is being submitted in connection with the Papercorn 240, LLC Redevelopment [identify the Matter]: Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

EURDMARKET DESIGNS, TNC. Date: (Print or type legal name of Disclosing Party)	4/22/10
By: (sign here) Densti	
Print or type name of signatory:	
VICTORIA L. DONATI	
Title of signatory:	
CORPORATE SECRETARY	
Signed and sworn to before me on [date] Opril 22, 2015 Victoria Donati:, at Conk County, D whith R Pluone Notary Public.	2, by . <u>Ulnain</u> [state].
JUDI NOTARY PU	FICIAL SEAL TH R PERRONE BLIC - STATE OF ILLINOIS ISSION EXPIRES: 10/22/13

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Ver. 11-01-05

### CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

## FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related, by blood or adoption, to the mayor, any alderman, the city clerk, the city treasurer or any city department head as parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all corporate officers of the Disclosing Party, if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

[] Yes No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of

|   | such familial relationship.                                                                                                                                                                                                                                                                         |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   |                                                                                                                                                                                                                                                                                                     |
|   |                                                                                                                                                                                                                                                                                                     |
|   | CERTIFICATION                                                                                                                                                                                                                                                                                       |
|   | Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to f City. |
|   | Euromarket Designs, Inc. Date: 9/21/09 (Print or type name of Disclosing Party)                                                                                                                                                                                                                     |
|   | By:                                                                                                                                                                                                                                                                                                 |
|   | (Sign here)                                                                                                                                                                                                                                                                                         |
|   | Yieroria L. Donati (Print or type name of person signing)                                                                                                                                                                                                                                           |
|   | Secretary (Print or type little of person signing)                                                                                                                                                                                                                                                  |
|   | Signed and sworn to before me on (date) 9/21/09, by Victoria & Donat Cask County, Illineis (State).                                                                                                                                                                                                 |
| 4 | Julith R Persone Notary Public & CEFICIAL SEAL                                                                                                                                                                                                                                                      |
|   | OFFICIAL OFFI                                                                                                                                                                                                                                                                                       |

### **RECERTIFICATION**

This recertification is being submitted in connection with CB2 Headquarters, 140 North Ashland, as identified in the attached Economic Disclosure Statement and Affidavit dated September 11, 2009. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS a copy of which is attached hereto are true, accurate and complete as of the date furnished to the city and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

| Otto (GmbH & Co KG) (Print or type legal name of Disclosing Part | Date:          | April 12, | <u>, 2010</u> |
|------------------------------------------------------------------|----------------|-----------|---------------|
| By:                                                              | _              |           |               |
| (sign here)                                                      |                |           |               |
| Print or type name of signatory:                                 |                |           |               |
| Martin Mildner Title of signatory:                               |                |           |               |
| Authoria d officer                                               |                |           |               |
| NOT.REG. 2010 No. 4072  Signed and sworn to before me on [date]  | April 12, 2010 | , by      |               |
| Mr. Martin Mildner , a Hamburg, Dr. Til Bräutigam                | Germany.       |           |               |
| Commission expires: unlimited in                                 | Elle           |           |               |
|                                                                  |                |           |               |
| CHICAGO\2915698.3<br>ID\IAL - 019956/0999                        |                |           |               |

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

### SECTION I - GENERAL INFORMATION

| Otto (Gm50 & Co KG)                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| heck ONE of the following three boxes:                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| ndicate whether Disclosing Party submitting 1. [] the Applicant OR                                                                                                                                                                                  | g this EDS is:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                     | direct interest in the Applicant. State the legal name of the olds an interest: Euromarket Designs, Inc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                     | of control (see Section II.B.1.b.) State the legal name of olds a right of control:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Business address of Disclosing Party:                                                                                                                                                                                                               | Wandsbeker Strasse 3-7 22172 Hamburg, GERMANY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 044                                                                                                                                                                                                                                                 | 444 martin mildre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| nate r                                                                                                                                                                                                                                              | 1:49-40-6464 1756 Email: 11-19-19-19-19-19-19-19-19-19-19-19-19-1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Name of contact person: Dr. Scophen                                                                                                                                                                                                                 | 11-49-40-6464 1756 Email: Emai |
| Name of contact person: <u>Dr. Scophen</u> Federal Employer Identification No. (if y  Brief description of contract, transaction                                                                                                                    | 11-49-40-6464 1756 Email: Emai |
| Name of contact person: <u>Dr. Seaphen</u> Federal Employer Identification No. (if y  Brief description of contract, transaction high this EDS pertains. (Include project n                                                                         | Cou have one):  N/A  or other undertaking (referred to below as the "Matter") to number and location of property, if applicable):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Name of contact person: <u>Pre-Seaphen</u> Federal Employer Identification No. (if y  Brief description of contract, transaction thich this EDS pertains. (Include project n                                                                        | Email: Em |
| Name of contact person: Br. Seephen  Federal Employer Identification No. (if y  Brief description of contract, transaction which this EDS pertains. (Include project n  CB2 Headquarters, 240 North Ashland  Which City agency or department is req | Cou have one): N/A  or other undertaking (referred to below as the "Matter") to number and location of property, if applicable):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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Ver. 11-01-05

### SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

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Page 3 of 13

amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

| Name<br>(indicate whether<br>retained or enticipated<br>to be retained)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                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### B. FURTHER CERTIFICATIONS

- The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities dentified in Section ILB.1, of this EDS:
  - as are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - be have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - e. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.b. of this Section V;
  - d. bave not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or city other unit of local governments
  - 2 The certifications in subparts 2, 3 and 4 concern:
  - · the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly; controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government; including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated finity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- inade an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Universified List, the Entity List and the Department List.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

| 8.<br>Certific                                                                      | If the Disclosing Party i                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| trust co-<br>dealer, in<br>trust, vo-<br>licensee<br>Mortgay<br>whose p<br>public a | poses of this Part C, und<br>is bank, savings and loan<br>impany, savings bank, in<br>municipal securities dea<br>inture capital company,<br>is under the Consumer In<br>ge Licensing Act. However<br>aredominant business is<br>imployees in accordance<br>mal definitions may be                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  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providing of the with Sections 40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| lunder a<br>lender o                                                                | not and will not becom<br>We further pledge that not a defined in Chapter 2-3 to becoming an affiliate of with the City."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

|                                                                                                                                                                             | The state of the s | And the second s |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The second secon |                            |
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| If the letters "NA, conclusively prest                                                                                                                                      | " the word "None," or<br>uned that the Disclosi                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          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| Any words or tern<br>meanings when us                                                                                                                                       | is that are defined in (ed in this Part D.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               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| 2. Unless sold decred official or a say other person of taxes or assessing the Property Sale                                                                                | pursuant to a process<br>employee shall have a<br>rentity in the purchas<br>nents, or (iii) is sold to<br>e"). Compensation fo<br>a financial interest w                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                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| 2. Unless sold elected official orange other person of traces or assessing Property Saldoes not constitute                                                                  | pursuant to a process<br>employee shall have a<br>rentity in the purchas<br>nents, or (iii) is sold to<br>e"). 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| 2. Unless sold elected official orange other person of texes or assessing Property Sale loes not constitute.  Does the Matter in Yes.  3. If you check                      | pursuant to a process employee shall have a rentity in the purchas nents, or (iii) is sold te"). 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### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

The Disclosing Party has searched any and all records of the Disclosing Party and any and all prodecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City. Please check either 1, or 2, below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all requisite information as set forth in that paragraph 2. [ 1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders. 2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such records: SECTION VI - CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS NOTE. If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded; proceed to Section VII. A. CERTIFICATION REGARDING LOBBYING 1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Begin list here, add sheets as necessary):

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sfllin.pdf, unked on the page http://www.whitehouse.gov/omb/grants/forms.html.

- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lebbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1, through A.4, above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

| Is the Disclosing                  | g Party the Applicant?                                                                |                                                                |                                         | · ·                                        |
|------------------------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------------------------------|--------------------------------------------|
| T Yes                              | ΠNo                                                                                   |                                                                | v i                                     |                                            |
| E"Yes," answe                      | ; the three questions below:                                                          |                                                                |                                         |                                            |
| l. Have you applicable federal Yes | developed and do you have or<br>al regulations? (See 41 CFR P                         | a file affirmativart 60-2.)                                    | e action programs                       | s pursuant to                              |
| money combin                       | filed with the Joint Reporting ance Programs, or the Equal Eable filing requirements? | Committee, the                                                 | e Director of the C<br>portunity Commis | Office of Federal<br>ssion all reports due |
| 3. Have you equal opportunit       | participated in any provious co<br>y clause?                                          | ontracts or subc                                               | contracts subject to                    | o the                                      |
| If you checked "                   | No" to question 1. or 2. above,                                                       | , please provide                                               | an explanation:                         |                                            |
|                                    |                                                                                       | the through again prompages to the proper access recognizing a |                                         |                                            |

# SECTION VII - ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditwerthiness of some or all of the persons or entities named in this EDS.
- B The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement. City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must compily fully with the applicable ordinances.

- D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- É. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- F. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H:1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include. Without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, beense fees, parking tickets, property taxes or sales taxes.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

11.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in H.1. and H.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE. If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

### CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

| contained in this EDS are true, accurate and complet                                    | Tas of the date furnished to the City.                                                                                    |
|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| 6HG Gm5H&(0 KG)                                                                         | Date: 11.9, 2005                                                                                                          |
| (Print or type name of Disclosing Party)                                                |                                                                                                                           |
| By: Jostin Gill                                                                         | *as to the Disclosing Party and as to<br>all the entities identified on Exhibit<br>attached hereto and made a part hereof |
| (sign here) Martin Mildnet                                                              |                                                                                                                           |
| (Print or type name of person signing)  Authorised Oliter                               |                                                                                                                           |
| (Print or type title of person (gning)                                                  | Not.Reg. 2009 No.2778                                                                                                     |
| Signed and sworn to before me on (date) Septend at House County, Severy (state)  Notary |                                                                                                                           |
| Commission expires: by death.                                                           | WELPELL PRE                                                                                                               |



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#### EXHIBIT A

### "SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

### B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

I (a) List below the full names and titles of all executive officers and all directors of the entity. For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

L(b) If you checked "General partnership," "Limited partnership," "Limited liability company." "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party, NOTE: Each legal entity listed below must submit an EDS on its own behalf"

The Disclosing Party (Otto (GmbH & Co KG) ("Otto KG") is a limited partnership organized under German law whose general partner is a private company (Verwaltungsgesellschaft Otto mbH) ("Otto GmbH") and whose limited partners are the shareholders of Otto GmbH.

The managing executives and the directors of the entity are, respectively, (a) the Board of Managers (Vorstand) and (b) the Supervisory Board (Aufsichstrat) of Otto GmbH, the General Partner.

The members of the Managing Board (Vorstand) and their responsibilities are:

Hans-Otto Schrader, of Hamburg - Chairman of the Executive Board (CEO)

Dr. Rainer Hillebrand, of Hamburg - Deputy Chairman of the Executive

Board, Sales, Marketing & E-Commerce

Alexander Birken, of Hamburg - Human Resources and Controlling, Chief Human Resources Officer

Diethard Gagelmann, of Hamburg - International Procurement

Dr. Michael Heller, of Hamburg - Purchasing

Dr. Timm Homann, of Hamburg - Retail

Hanjo Schneider, of Hamburg - Services

Jürgen Schulte-Laggenbeck, of Hamburg - Chief Financial Officer and Information Technology Dr. Winfried Zimmerman, of Reinbek - Human Resources and Controlling

The members of the Supervisory Board (Aufsichtsrat) are:

Prof. Dr. H.C. Werner Otto, of Hamburg – Honorary Chairman
Dr. Michael Otto, of Hamburg - Chairman
Uwe Rost, of Seevetal – Labor Representative
Annette Adam, of Kahl – Labor Representative
Thomas Armburst, of Reinbek – General Manager, KG CURA
Anita Beermann, of Ahrensburg – Member of the Executive Board, C.J. Vogel
AG

Horst Bergmann, of Michelau - Labor Representative Olaf Brendel, of Hamburg - Labor Representative

Dr. Michael Crüsemann, of Hamburg – Retired Otto KG Chief Financial

Dr. Thomas Finne, of Hamburg – General Manager, KG CURA
Hans Jörg Hammer, of Hamburg – Retired Human Resources Manager, Otto
KG

Herta Heuberger, of Holzkirchen – Labor Representative
Siegfried Kockmann, of Buxtehude – Retired Otto KG Manager
Frank Leibig, of Neumarkt Oberpfalz – Labor Representative
Dr. Michael Lichtenauer, of Hamburg – Attorney
Ulrich Meinecke, of Hamburg – Labor Representative
Alexander Otto, of Hamburg – Chairman, ECE Projektmanagement G.m.b.H.
& Co. KG

Lars-Uwe Rieck, of Hamburg - Labor Representative
Monika Vietheer-Grupe, of Hamburg - Labor Representative
Mechtild Wigger, of Hamburg - Labor Representative
Prof. Dr. Peer Witten, of Hamburg - Personally Liable Partner, KG AURUM

Gesellschoft fur Versand Beteilingungen mbh owns 14.2% of Otto KG. Otto Actiengesellschaft für Beteilungen owns 83.8% of Otto KB. Both entities have the following address:

Wandsbeker Strasse, 3-7, 22172 Hamburg, Germany.