

Acquisition Program: Legal Review Parameters

Documentation:

The DCF Exchange's legal review will look at the following items. Please ensure all are included in the collateral file when submitting to us for funding.

1. Court Documentation
 - a. Disclosure(s), all applicable states, with proof of delivery (Tracking #'s)
 - b. Transfer Petitions (with exhibits), Pleadings, and Notice of Hearing, stamped/ filed/ executed, with proof of service and receipt
 - c. Executed and file stamped Court Order
2. Seller Documentation
 - a. Seller's Application with Factor to sell payments
 - b. Copy of Seller's photo ID or Passport, and proof of SSN card
 - c. Proof of Seller's residence (utility bills, Lease, etc.)
 - i. Must be at least 6 months residence in the location noted on the transfer
 - d. Certification of marital status:
 - i. Married- Notarized Spousal Consent, name change proof
 - ii. Divorced- Divorce Decree, with property settlement divorce if applicable
 - iii. Widowed- Death Certificate or other verification
 - e. Complete List of Dependents, or certification no dependents
 - f. Seller's Affidavit in favor of transfer, if applicable
 - g. Independent Professional Advice certificate, or meeting affidavit from IPA Adviser
 - h. Current (within 90 days) Credit report
 - i. Current (within 90 days) bankruptcy/ lien search (Pacer)
 - i. Bankruptcy, Federal Tax, State Tax, Judgement, UCC liens
 - ii. Spouse too in community property states
 - j. Proof of creditor payoff, incl child support: instructions, escrow, and funding.
 - k. Documentation of prior transfers
3. Settlement or Annuity Documentation
 - a. Original Settlement Agreement, or affidavit
 - b. Benefits Letter (within 60 days) or other Annuity Contract documentation
 - c. Beneficiary designation
 - d. Carrier Stipulation Agreement or Acknowledgement of Transfer letter
 - e. Any existing or required servicing agreements
 - f. Proof of payment of transfer fees
4. Assignment and Sale Documentation
 - a. Seller to Originator Purchase Contract
 - b. Originator to DCF Receivable Purchase and Assignment Agreement
 - c. Funding Instructions, including payoffs, advances, etc
 - d. Proof of payment from Factor to Seller

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Please note that we pay close attention to the following:

1. Seller
 - a. Seller identity, proof of residence for 6 months prior to transfer, and proof of competence.
 - b. Credit, bankruptcy, searches, and proof of SSN
2. Originating Entity
 - a. Verify the Originating entity is the same in all documents,
 - b. Verify the Originating entity is valid and in good standing,
 - c. Verify assignments exist transferring among Originating entities, and that all such are signed.
3. Assignment
 - a. An Assignment of your purchase contract or transfer agreement from your origination entity to DCF, that does not assign Carrier fee payment obligation, does not assign to DCF any reps and warranties made by you to the Seller, and does not assign payment of purchase price to Annuitant obligation to DCF
4. Proof of payment of the purchase price to the Annuitant/ Seller
5. Proof of payment of carrier assignment fees

Process Overview:

Immediately upon our mutual agreement to buy/sell a case, typically phone or email, we will send you a trade confirmation letter showing specific titling including the payment servicing account number, as well as our signature block for orders and stipulations. This trade confirmation will also confirm the wiring instructions we have on file for you.

This trade confirmation sheet is designed to be easy to share with your outside counsel to reduce administrative back and forth when preparing draft orders and stipulation agreements.

You will share draft orders and stipulations with us prior to hearings, which we will promptly review and redline.

After court approval and receipt of a complete binder, we send each case immediately to our legal review team. The titling and other information is verified again by us in our legal review process, and we fund immediately upon our attorney issuing an approval.

Thank you for working with the DCF Exchange.