

>>>>FAIRVIEW FLASH REPORT: JOBS ACT PROVISION FOR PRIVATE FUNDS<<<<<

We will continue to keep you updated. Below is a preview.

<p>WHAT HAPPENED?</p>	<p>On April 5, President Obama signed the Jumpstart Our Business Startups Act (the “JOBS Act”). One of the provisions of the JOBS Act directs the Securities and Exchange Commission (the “SEC”) to remove the prohibitions against general solicitation and general advertising for securities offerings exempt from registration under Rule 506 of Regulation D (under the Securities Act of 1933), as long as all purchasers of such securities are accredited investors.</p>
<p>WHAT THIS MEANS TO YOU?</p>	<p>If you manage a private fund relying on 3(c)(1) or 3(c)(7) exemption, you may be able to use general advertising in the future. This could allow you to communicate information about fund offerings on publicly available websites and other means of advertising that have not been previously been allowed. In the meantime, the current rules are still in effect and private funds should not offer interests publicly.</p>
<p>WHAT IS NEXT?</p>	<p>It is mandated that the SEC make the changes to Regulation D within 90 days; however, the Commission has not always addressed issues or changes within the timeframes set forth in the Dodd-Frank Act.</p> <p>It is also possible that the SEC could adopt more stringent investor due diligence to prove and document that a shareholder meets the accredited investor or qualified purchaser standard.</p> <p>Fairview will continue to monitor the situation and keep you informed as new information becomes available.</p>