

Terms & Conditions, Code of Conduct, and Antitrust Statement

ELIGIBILITY

All registrations are reviewed to ensure they meet National Creditors Bar Association ("Association") eligibility policies. National Creditors Bar Association reserves the right to refuse or cancel all ineligible registrations at any times.

NAME BADGES

National Creditors Bar Association requires all delegates to properly display their name badge at all conference sessions and events. Official conference badges are required to gain access to all Conference activities including meetings, events, and sessions for the duration of the event. This includes Credit Grantor/Client Meetings, the Exhibition Hall, General Sessions, breakout sessions, networking events, meals and social events. Conference badges support networking and community building which is an integral part of the National Creditors Bar Association Conference experience. Conference management reserves the right to deny access to any persons not wearing an official Conference badge.

PERMISSION TO RECORD, PHOTOGRAPH AND VIDEOTAPE

As part of National Creditors Bar Association's ongoing educational program, webinars and conference sessions may be recorded, videotaped and photographed. Such recordings, videos and/or photographs may be available online on the creditorsbar.org website and affiliated websites for the benefit of Association Members, paid webinar attendees, Conference attendees and for other purposes. They may also appear in conference booklets and other Association materials. The marketing of Association-branded videos, photographs and recordings will be done through the Association. By registering and/or attending any Association Conference, you agree to be videotaped, photographed and/or recorded. Also, by registering and/or attending any Association Conference, you waive all claims for royalties in conjunction with such photographs, videos and/or

recordings. Moreover, any video, recordings, or photographs from the event are for the Association's use and the participant waives any privacy or other claims based on such.

PHONES, CAMERAS & OTHER RECORDING DEVICES

The use of any live streaming or recording device, including audio and/or video, and the taking of photographs is strictly prohibited.

LEGAL DISCLAIMER

All content included in presentations or discussed during sessions is presented for educational and general reference purposes only. The views and opinions of the speakers expressed herein are solely those of the speakers and are not indicative of the policies, or opinion of National Creditors Bar Association. National Creditors Bar Association, either directly or indirectly through speakers, independent contractors, employees or Members of the Association provides the Content as a courtesy to be used for informational purposes only. The Contents are not intended to serve as legal or other advice. The Association does not represent or warrant that the Content is accurate, complete or current for any specific or particular purpose or application. This information is not intended to be a full and exhaustive explanation of the law in any area, nor should it be used to replace the advice of your own legal counsel. National Creditors Bar Association is the sole owner of the Contents. National Creditors Bar Association hereby grants a limited license to the Contents solely in accordance with the copyright policy provided at creditorsbar.org. By using the Contents in any way, whether or not authorized, the user assumes all risk and hereby releases National Creditors Bar Association from any liability associated with the Content.

CODE OF CONDUCT

National Creditors Bar Association (NCBA) is committed to providing a safe, productive, and welcoming environment for all meeting participants at NCBA meeting-related

events. "NCBA meeting-related events" includes, but is not limited to, NCBA conferences and events, and events held in conjunction with NCBA conferences and events. "Participant" and "participants" includes, but is not limited to, attendees, speakers, volunteers, exhibitors, meeting guests, NCBA staff, and service providers at NCBA meeting-related events.

NCBA expects all participants to understand and follow attendance policies. These expectations apply to all NCBA meeting-related events.

PERSONAL SAFETY AND SECURITY

NCBA requests that venues provide a reasonably safe environment for meeting participants. We ask that all participants report any questionable activity to any NCBA and venue staff, including security, for immediate action. No concern is too small – if you see something, say something. Guidelines for personal safety and security include:

- Be aware of your surroundings at all times.
- Regardless of where you are, use the buddy system when walking to and from the conference location and networking event locations – especially during early or late hours.
- Don't wear your meeting badge on the street. Take it off as soon as you leave the venue.
- Don't carry a lot of cash or credit cards.
- Don't leave personal property unattended anywhere, anytime.
- In an emergency, you should ask any NCBA staff member or the venue security staff to help you.

RESPONSIBLE DRINKING

At many NCBA networking events, both alcoholic and non-alcoholic beverages are served. Only adults at least 21 years old may drink alcoholic beverages. By accepting alcoholic beverages at NCBA events, participants are affirming that they are legally permitted to drink, agreeing to drink responsibly, and agreeing to not operate a vehicle or engage in any other unsafe conduct while under the influence. NCBA and conference host site event staff have the right to deny service to participants and may request a

participant to leave the event at any time for any reason.

UNACCEPTABLE CONDUCT

- Harassment, intimidation, or any unlawful discrimination in any form.
 - Examples of unacceptable behavior and prohibited discrimination may include, but are not limited to:
 - offensive and unwelcome comments or actions related to gender, gender identity or expression, age, sexual orientation, disability, physical appearance, body size, race, religion, national origin, political affiliation,
 - inappropriate use of nudity and/or sexual images in public spaces or in presentations, or
 - threatening or stalking any participant.
 - Examples of unacceptable behavior and prohibited harassment may include, but are not limited to, the following:
 - Physical conduct:
 - Physical violence, including sexual assault
 - Unwelcome physical contact or inappropriate touching
 - The use of threats or rewards to solicit sexual favors
 - Verbal conduct:
 - Comments or insults based on appearance, age, private life, etc.
 - Sexual comments, stories or jokes
 - Sexual advances
 - Repeated and unwanted social invitations for dates or physical intimacy
 - Condescending or sexist remarks
 - Sending sexually explicit messages (by phone, text, computer, tablet or email)
 - Non-verbal conduct:
 - Display of sexually explicit or suggestive material or images
 - Sexually-suggestive gestures
 - Whistling or “cat calling”
- Any abuse, including physical, verbal or non-verbal abuse, of any participant, including threats

of such conduct.

- Disruption of presentations at sessions, in the exhibit hall, or at any events organized by NCBA at the meeting venue, hotels, or other NCBA-contracted facilities.

REPORTING UNACCEPTABLE CONDUCT

If you or anyone else is in immediate danger at any time, please contact local law enforcement (by calling 911) and immediately notify venue staff, including security.

If you or anyone else is the subject of unacceptable conduct, please contact any of the NCBA staff below.

NCBA has zero tolerance for any form of discrimination or harassment, including sexual harassment. If you experience or observe harassment or hear of any incidents of unacceptable behavior, NCBA asks that you please inform any of the following so that we can act.

- Liz Terry, Executive Director, 202-256-6450, liz@creditorsbar.org
- Lisa Linke, Director of Meetings and Events, 941-526-6521, lisa@creditorsbar.org

All reports will be treated seriously and promptly. Incidents will be handled with respect for the privacy of those making the report, and will be confidential to the extent practical, given the circumstances. Reports may also be made anonymously. However, providing insufficient information, including witness information, may interfere with the investigation and resolution.

Upon receiving a complaint, the matter may be further investigated by additional NCBA leadership.

If the complaint appears to be of a criminal nature, legal authorities may be notified.

If a person has been found to have harassed another person, any or all of the following may take place:

- Verbal or written warning
- Suspension of attendance at NCBA-sponsored events
- Prohibition of attendance at any future NCBA-sponsored event
- Removal from NCBA membership
- Report to the violator’s employer

NCBA has zero tolerance for retaliation either on-site or at a member facility against individuals for reporting unacceptable conduct at NCBA meeting-related events.

NATIONAL CREDITORS BAR ASSOCIATION ANTITRUST POLICY STATEMENT*

These provisions apply to all discussions, both those within formal meeting sessions and any private discussions among participants outside the meeting sessions.

Meeting discussions are intended for the education of participants and to provide a forum for participants to identify and address important trends and issues in the collections industry. While it is intended that participants will always maintain the tradition of free and open discussion, certain areas must be avoided in discussions:

1. Pricing issues and practices, whether past, present or future, including terms or conditions of agreements with vendors and terms and conditions of products and programs must not be discussed.
2. Discussion of business policies, practices and business conditions must be general in nature. Discussion of volumes, particular customers or practices must be avoided.
3. No agreements or understandings of any type may be made or discussed as to specific terms, plans and policies for specific contracts or customers.
4. Limitation or prevention of access to any business product, program or service to any group or type of customer must not be discussed.
5. Past or pending litigation or supervisory exams or related findings or outcomes must not be discussed.

We unequivocally support the policy of competition served by the antitrust laws and intend to comply strictly in all respects with those laws. Accordingly, any activity that intentionally or unintentionally reduces competition or restrains trade is prohibited.

ANTITRUST LAWS & THIS CONFERENCE

National Creditors Bar Association Conferences involve meetings, round table discussions and breakout sessions among law firms and companies that are often competitors. When competitors meet, they need to be aware of antitrust laws, which are designed to ensure fair competition and prevent activities that are in restraint of trade. While competitors may not discuss certain topics, they may meet and learn about industry developments, new products that help them in their businesses, management issues, best practices followed by members of the industry, and legal, regulatory and legislative issues and challenges. These subjects are the focus of National Creditors Bar Association Conferences. Participants need to be aware of certain competitive issues that should not be discussed. Accordingly, this basic antitrust law overview is being provided to help ensure that conference participants do not violate any antitrust laws. It is not intended to be a comprehensive guide to the antitrust laws; rather, it is to create an awareness of danger areas. However, no legal advice is being provided and National Creditors Bar Association does not assume any responsibility for the accuracy of information conveyed herein and National Creditors Bar Association shall not be liable to anyone who relies on this document and does not assume any liability for the conduct of attendees or speakers at this conference. For antitrust advice, you are encouraged to consult with your own attorney. Additional information can be found on the Federal Trade Commission's website, www.ftc.gov.

OVERVIEW OF ANTITRUST LAWS

Violations of antitrust laws can result in both criminal and civil liability. The laws are enforced through civil damage actions by governmental authorities and private individuals or companies. Penalties can be severe for both individuals and employers, and include possible imprisonment and fines.

The major antitrust law, the Sherman Act, prohibits agreements or other forms of concerted or joint action with competitors or customers that unreasonably restrain competition.

To be illegal, a joint action need not be in the form of a written agreement or even a handshake agreement, but may be inferred from conduct. For example, if two competitors discuss fees and later adopt similar fees, a conspiracy can be inferred.

1. Agreements with competitors regarding prices or fees for services are prohibited. It does not matter whether prices are increased or decreased, reasonable, uniform, or whether the agreement involves pricing based on a formula. Conditions of service, discounts, or terms are discussions about price. Fees and prices should be arrived at independently. Competitors should never discuss fees or prices.
2. Agreements among competitors not to offer services to certain customers, or not to buy from certain suppliers or vendors, are considered illegal boycotts. Competitors should not agree about reporting or not reporting information to particular credit bureaus. All decisions regarding whom to service, from whom to buy services or products, and to whom to provide data are independent decisions. Competitors may discuss formats, legal requirements, or quality of service they receive, but should not discuss with whom they will deal.
3. Competitors should not agree to obtain customers only from certain geographic territories. An agreement to divide or allocate territories, or refrain from soliciting customers in certain geographic areas, violates the antitrust laws. It is also illegal to allocate customers. All potential customers should be fair game for all competitors. Competitors should not talk about who has or gets which customer.
4. Additional antitrust issues of which participants need to be aware do not involve agreements with competitors, including the Clayton Act, the Robinson-Patman Act, and the Federal Trade Commission Act. In general, customers should not be sold one product or service on the condition that they buy another. This is called an illegal tie-in. Customers

should not be forced to deal only with one service provider in an exclusive arrangement. A customer may make the decision to deal with only one company, but an exclusive arrangement should not be a condition to engaging in business. In certain circumstances, discriminating in price to similarly situated customers in the sale of commodities is prohibited.

5. An exception to discussing issues that it would otherwise be illegal to discuss, are conversations involving the plans relative to attempting to influence legislation or regulations. The discussion must relate to lobbying, campaign contributions, media campaigns, or grass roots activities in an effort to influence legislation. Care should be taken in these discussions, and an attorney should be present.

PARTICIPANT GUIDELINES

In summary, the following should not be discussed among competitors:

- Pricing and Fees for Services
- Profit Levels
- Pricing Formulas
- Terms of Doing Business
- Wage Rates of Participant Employees
- Territorial Allocation
- Customer Allocation
- Vendor and/or Supplier Pricing

*Select content reproduced with the permission of Oscar Marquis, principal of the law firm Oscar Marquis & Associates, and Resource Management Systems, Inc.