



## **SAMPLE SEC SUPPLEMENTAL INITIAL REQUEST LIST**

### **Adviser to Registered Investment Companies**

#### **I. Compliance Policies and Procedures**

- A. The Fund's policies and procedures adopted pursuant to the Compliance Rule.
- B. Information the Fund has regarding compliance policies and procedures used by its service providers and analyses of these policies and procedures to support their approval by the Fund's Board.
- C. The results or output of compliance testing conducted during the Examination Period to monitor implementation of its policies and procedures and any follow-up or remedial actions taken in response to the results of such testing.
- D. The annual report submitted to the Board by the CCO.
- E. Information considered and reviewed as part of the Board's annual review of its compliance program and the compliance programs of its service providers.

#### **II. Mutual Fund Financial Analysis**

- A. Net Asset Value ("NAV") Pricing/Errors
  1. For each Fund, information about NAV errors of 1 cent or more per share, as well as those that were 1/2% or more of the NAV at any time the error was outstanding.
  2. If any Fund or shareholder received compensation as a result of NAV/Pricing errors, provide information describing the compensation.
- B. Control Policies and Procedures and Filings of Form N-CSR
  1. Disclosure controls and procedures concerning the certification and filing of Forms N-CSR and designed to ensure that information required to be disclosed on Form N-CSR is recorded, processed, summarized and reported within the required time frames, as required by the Rule.
  2. Policies and procedures concerning compliance with the requirements of the Rule that implements Section 302(a) of the Sarbanes-Oxley Act of 2002.

#### **III. Fund Corporate Governance**

- A. Board of Directors/Trustees ("Board") and Committees
  1. Board's annual calendar reflecting proposed approvals.
  2. Minutes of Board meetings for the 24-month period ended May 31, 2008, meeting agenda for each meeting and, the agenda and a draft of the minutes for the most recent Board meeting.
  3. Minutes of any meetings held by the independent directors/trustees.
  4. All Board committees and their members; and all committee minutes, if applicable (e.g., Audit Committee, Compliance Committee, etc.) for the 24-month period ended May 31, 2008.
  5. For the Examination Period, all materials requested by and/or provided to the Fund's Board prior to the Board meetings, as well as any materials provided to the Board during the meetings including those required to renew the investment advisory agreement(s).
  6. For the Examination Period, all materials provided to or requested by Board Committees.
  7. The most recent annual self-assessment by the Board and Committees, if written.

8. Names of directors/trustees who either resigned or were terminated during the Examination Period and the reason for their departure.
- B. All agreements, as applicable, including:
1. Investment advisory agreement/sub-advisory agreements.
  2. Principal underwriter/distributor agreements.
  3. Custodian agreements — with fee schedules and list of authorized persons.
  4. Distribution Plan(s), if applicable.
- C. Fidelity Bond(s), D&O and E&O Insurance  
Information about each claim made by the Fund or an affiliate under D&O/E&O insurance policies owned by a Fund.
- D. Custodians  
Please be aware that after the on-site examination begins, the staff may request the Custodian to provide statements detailing a list of assets (cash and securities) and all activity (cash deposits, withdrawals, transactions, payment of fees, etc) as of a selected date for a sample of Funds to be determined. The asset list should be signed by an officer of the Custodian and sent directly to:

U.S. Securities and Exchange Commission  
Attention: EXAMINER NAME  
ADDRESS  
CITY, STATE ZIP CODE

- E. Financial Expert(s)
1. Names of any audit committee members who are designated “financial experts” as required by the Sarbanes-Oxley Act of 2002.
  2. The most recent questionnaire, if any, completed by the Funds’ financial expert(s), if identified, which discloses their qualifications.

#### **IV. Market-Timing and Late Trading**

- A. Waivers of Policies and Procedures Regarding Shareholder Transactions  
Provide information about any instances during the Examination Period when these procedures/policies may be/have been overridden; the circumstances under which they were/may be overridden, and the persons who are authorized to or did override them.
- B. Processing of Transactions — Late Trading, As-of Transactions
1. The Fund’s policies and procedures that address excessive trading or, late trading by shareholders, or situations in which the Fund’s portfolio holdings are disclosed on a selective basis.
  2. Policies regarding as-of transactions in Fund shares (addressing monitoring gains and losses, how/when the Fund is reimbursed for losses, dollar thresholds, responsible party, etc.).
- C. Redemption Fee Policy  
If not already included in the Funds’ policies and procedures, provide information about the Funds’ redemption policy.
- D. Disclosure of Fund/Client Portfolio Holdings
1. Provide information about any instances in which procedures pertaining to personal trading were overridden during the Examination Period; the circumstances under which they were overridden, and any action taken, if applicable.
  2. Compliance reports that the Adviser prepares and reviews to ensure compliance with these procedures.
  3. If not already included in the Funds’ policies and procedures, information about the manner in which the Board exercises oversight of disclosures of the Fund’s portfolio securities; and, provide access to any reports provided to the Board.
- E. Trading in Fund shares by “Insiders”  
If not already incorporated in the Codes, describe the process for monitoring employees’ trading in Fund shares and compliance violations found during the Examination Period, if any.

**V & VI. N/A**

**VII. Use of Fund Brokerage for Distribution**

The Fund's procedures, if applicable, regarding directing its portfolio securities transactions to a broker or dealer that promotes or sells its shares and Board minutes approving the procedures. If the Board minutes were already provided in response to another request, please provide the date of the Board minutes.

**VIII. Trading**

A trade blotter (purchase and sales journal) that lists transactions (including all trade errors, cancellations, rebills, reallocations) in all securities and other financial instruments for all portfolios.

**IX. Conflicts of Interest/Insider Trading**

- A. The Funds' and affiliates Code of Ethics and insider trading policies.
- B. The annual certification from the Fund's IA/Underwriter.
- C. If not stated in the Code, information about the process used to monitor and control the receipt, flow and use of non-public information, including any restricted, watch or grey lists.

**X. Performance Advertising/Marketing**

- A. Advertising, Marketing Materials, "Pitch Books," and Websites
  - 1. Fund advertisements submitted to FINRA, written comments from its review of the advertisements, and the Fund's written responses to FINRA.
  - 2. Dealer-only marketing pieces.

**XI. Anti-Money Laundering ("AML")**

- A. Review
  - 1. Documentation to substantiate the Funds' annual review of its AML Policies and procedures during the Examination Period, if applicable.
  - 2. If a third-party service provider has been delegated the day to day work associated with implementing the Fund's AIVLL program, provide information about the Fund's periodic oversight of the work performed by this service provider.
- B. SARS Filings
  - 1. For the Examination Period, any reports from the AML Agent or the AML Officer to the Board concerning the filing of any Suspicious Activity Reports ("SAR Reports").
  - 2. SAR Reports filed during the Examination Period.
- C. Customer Identification Program
  - 1. Policies and procedures and controls used by the AML Agent to fulfill the Fund's customer identification program ("CIP") and, to monitor for suspicious activities and make determinations as to whether a SARs Report needs to be filed.
  - 2. For the Examination Period, the number of new and existing shareholder accounts that were flagged for additional review by the Fund's AML program.
- D. Appointment of AML Officer
  - 1. Board minutes designating the AML Officer. If the Board minutes and materials have already been provided in response to another item, please identify the specific date of the Board meeting.
  - 2. The AML Officer's job title, along with a brief description of the qualifications of the AML Officer.
- E. Training
  - AML training schedules during the Examination Period, along with the names of attendees, their title, and organizational unit.

## **XII. Service Providers**

### **A. Annual Review by Board**

1. Information presented to the Board addressing the following areas for each service provider:
  - a. Operations of the service providers since the last report
  - b. Material changes to procedures since the last report
  - c. Recommendations for material changes to procedures resulting from the annual review
  - d. Material compliance matters since the date of the last report
2. Board minutes of the meeting when the Board was presented with reports regarding the activities of fund service providers.

## **Advisers Sponsoring or Managing Privately Offered Funds**

### **I. Unregistered Funds**

- A. Information regarding each private investment fund, including:
1. Name as shown in organizational documents (as amended).
  2. Domicile (country).
  3. Investment strategy (e.g., long-short, statistical arbitrage, fund of funds).
  4. If funds are part of a master/feeder fund structure, full name and domicile of each fund.
  5. Number of investors and total assets at the end of the Examination Period.
  6. Amount, if any, of Adviser's equity interest in each fund as of May 31, 2008.
  7. Amount, if any, of Adviser's affiliated persons' interest as of May 31, 2008.
  8. Date the fund began accepting unaffiliated investors.
  9. Whether the fund is currently closed to new investors.
  10. Lock-up periods for both initial and subsequent investments.
  11. Specific exemption(s) from registration under the Securities Act of 1933 and/or the Investment Company Act of 1940 upon which each fund relies.
  12. Services the Adviser or an affiliate (e.g., general partner, adviser, managing member) is providing.
  13. Amount of leverage, both explicit (on-balance sheet) and off-balance sheet (futures and certain other derivatives), used by the fund as of May 31, 2008 as measured by the Adviser for risk-management purposes.
- B. For each private fund sponsored or managed during the review period please provide the following:
1. Organization document and operating agreement (e.g., partnership agreement).
  2. Financials, audited or un-audited, for its two most recent fiscal year ends.
  3. General ledger, separated by calendar year, underlying the above-referenced statements.
  4. Organizational chart of the general partner/managing member.
  5. Account statements sent to investors during the current fiscal year, if any.
  6. Names of current investors including total current value of each investor's equity interest in the fund.
  7. Names of investors who purchased and redeemed an interest in the fund during the Examination Period.
  8. Latest advisory fee calculation, including any performance fee calculations, and the specific manner in which the fees were calculated.
  9. A complete description of all positions held in side pockets or special situation accounts together with their valuation on the date of the related calculation of net asset values.
  10. Provide fund custodial statements for March 1, 2008 to May 31, 2008.
  11. Side agreements/arrangements in which investors are participants. Please provide a description for each agreement/arrangement.
- C. If an entity, other than the fund's adviser, maintains records regarding the interests of each hind investor in the fund, please request that entity to provide a confirmation of the following, as of May 31, 2008:
1. Total number of shares outstanding if fund is in corporate form.
  2. Total number of limited partners.
  3. Most recently calculated value of each limited partner's interest in the fund.

### **II. Conflicts of Interest/Insider Trading**

Policies and procedures of a fund/adviser that are intended to prevent the inappropriate communication by investors in the non-publicly offered funds managed by the adviser and/or use of such non-public information by supervised persons of the adviser in making investment decisions for clients of the adviser, its proprietary accounts or personal accounts of access persons.

## **Advisers Who Are Managers of Managers**

### **I. Role of Sub-Advisers/Fund of Funds Sub-Advisers**

- A. If not covered in other items requested, provide the staff with information about all business activities between the Adviser and/or its affiliates and any sub-advisers and/or their affiliates (“Sub-Advisers”) recommended by the Adviser to manage client portfolios. Business activities include but are not limited to, securities lending, client referrals, principal trades, etc.
- B. Names of all Sub-Advisers recommended by the Adviser that effect securities transactions or conduct any other types of business with the Adviser’s affiliated broker- dealer.
- C. Documentation that substantiates the Adviser’s due diligence reviews used to select and monitor Sub-Advisers recommended by the Adviser.
- D. Names of investors that have requested that the Adviser(s) or their related persons request underlying Sub-Advisers to utilize a particular broker-dealer.
- E. Provide relevant information if any of the underlying Sub-Advisers utilize the Adviser(s) affiliated broker-dealer, if applicable, to effect transactions or conduct any other types of business with the affiliated broker-dealer.
- F. Identify all underlying managers registered with the SEC.