



COUNTY OF MONROE
COMIDA
 INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.monroecountybusiness.org/application.

Please send completed application via email to EconomicDevelopment@monroecounty.gov. A **non-refundable** application fee of \$350.00 is required. Please see page 10 for additional information on costs and fees.

I. APPLICANT

A. Applicant Information

Name: Gascon Family Vineyards, LLC
 Address: 20 Courtenav Circle
 City/State/Zip: Pittsford, NY 14534
 Tax Id No.: 83-4328181
 Contact Name: David Gascon
 Title: Owner
 Telephone: E- 315-345-7859
 Mail: dsgascon@gmail.com

B. Applicant's Legal Counsel

Name: Firm: Tricia Cifuentes-Inglese
 Address: Dawson Law Firm, P.C.
 City/State/Zip: 1844 Penfield Road
 Telephone: Penfield, NY 14526
 Email: (585) 381-8240
tcifuentes@dlfpc.com

C. Owners of Applicant Company (must total 100%). If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
<u>David Gascon</u>	<u>50%</u>	<u>CEO</u>
<u>Michaela Gascon</u>	<u>50%</u>	<u>President</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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II. PROJECT

A. Address of proposed project facility
187 Mendon Ionia Rd
Honeoye Falls, NY 14472
 Tax Map Parcel Number: 216.04-1-10.1
 City/Town/Village: Mendon
 School District: Honeoye Falls Lima
 Current Legal Owner of Property:
Gascon Family Vineyards, LLC

C. Owners of User/Tenant Company (must total 100%)
 If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
<u>David Gascon</u>	<u>80</u>	<u>CEO</u>
<u>Matthew Cassavaugh</u>	<u>20</u>	<u>Winemaker</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Proposed User(s)/Tenant(s) of the Facility
 If there are multiple Users/Tenants, please attach additional pages.
 Are the user and owner related entities? Yes No
 Company Name: 20 Deep Winery, LLC
 Address: 187 Mendon Ionia Rd
 City/State/Zip: Honeoye Falls, NY 14472
 Tax ID No: 83-3130973
 Contact Name: David Gascon
 Title: CEO
 Telephone: 585-204-7953
 Email: david@20deep.com
 % of facility to be occupied by user/tenant 100

D. Benefits Requested (Check all that apply)

- Sales Tax Exemption
- Mortgage Recording Tax Exemption
- Real Property Tax Abatement
- Industrial Revenue Bond Financing

E. Description of project (check all that apply)

- New Construction
- Existing Facility
 - Acquisition
 - Expansion
 - Renovation/Modernization
- Acquisition of machinery/equipment
- Other (specify) Furniture Fixtures & Equipment

DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY NAICS Code: 312130

Planted the vineyard in 2019 and built the necessary equipment barn. We are now preparing for our first harvest in 2021 and need to build our production facility. The production facility will also include our tasting room for consumers to taste and purchase our product.

The cost on page 5 are for the full production facility. The tasting room will account for 21% of the building's expense while 79% will be for the processing and production portion of the facility.

II. PROJECT (cont'd)

F. Are other facilities or related companies located within New York State?

Yes No

Location:

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? Yes No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

Yes No

If Yes to either question, explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:

G. Would the project be undertaken without financial assistance from the Agency?

Yes No

Please explain why financial assistance is necessary.

The construction costs of this project are very capital intensive. In order to get our business up and running in a timely manner, and to enable us to hire staff more quickly, we are asking for financial support for this endeavor. Without financial assistance, a project of this magnitude would need to be broken into phases. This would mean outsourcing production for several years as we build up working capital. As a result, we would not hire production staff until we had a need with our own processing/production facility.

H. Project Timeline

Proposed Date of Acquisition: Not Applicable

Proposed Commencement Date of Construction: 5/17/21

Anticipated Completion Date: 11/17/22

I. Contractor(s)

Morton Buildings, Inc.

J. State Environmental Quality Review (SEQR) Act Compliance

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

NO

III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

JOBSPLUS

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

LEASEPLUS

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

ENHANCED JOBSPLUS

Requirements:

- A minimum \$15 million investment AND
- A minimum of 100 new jobs

GREEN JOBSPLUS

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

SHELTER RENT

For student housing or affordable housing projects.

Local Tax Jurisdiction Sponsored PILOT

NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT

IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

Building Construction or Renovation

- a. Materials a. \$ 315,100
- b. Labor b. \$ 385,000

Site Work

- c. Materials c. \$ 34,400
- d. Labor d. \$ 51,600
- e. Non-Manufacturing Equipment e. \$ _____
- f. Manufacturing Equipment f. \$ _____
- g. Furniture and Fixtures g. \$ _____
- h. Land and/or Building Purchase h. \$ _____
- i. Soft Costs (Legal, Architect, Engineering) i. \$ _____

- Other (specify) j. _____ j. \$ _____
- k. _____ k. \$ _____
- l. _____ l. \$ _____
- m. _____ m. \$ _____

Total Project Costs \$ 786,100
(must equal Total Sources)

B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ _____
- b. Taxable Industrial Revenue Bond b. \$ _____
- c. Bank Financing c. \$ 668,185
- d. Public Sources d. \$ _____

Identify each state and federal grant/credit

- _____ \$ _____
- _____ \$ _____
- _____ \$ _____
- _____ \$ _____

e. Equity e. \$ 117,915

TOTAL SOURCES \$ 786,100
(must equal Total Project Costs)

C. Has the applicant made any arrangements for the financing of this project

Yes No

If yes, please specify bank, underwriter, etc.

Received terms sheets from multiple banks
In the process of making a final selection

V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name 20 Deep Winery, LLC

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) from which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

- a. Materials a. \$ _____
- b. Labor b. \$ _____
- c. Non-Manufacturing Equipment c. \$ _____
- d. Manufacturing Equipment d. \$ _____
- d. Furniture and Fixtures d. \$ 45,250

- Other (specify): e. _____ e. \$ _____
- f. _____ f. \$ _____
- g. _____ g. \$ _____
- h. _____ h. \$ _____

Total Project Costs \$ 45,250

VI. Value of Incentives

Project name: Gascon Family Vineyards, LLC

A. IDA PILOT Benefits:

Current Land Assessment	225,300	Taxes on Land	8,061
Dollar Value of New Construction & Renovation Costs	786,100		
Estimated New Assessed Value of Project Subject to IDA	1,011,400		

County Tax rate/\$1,000	8.75
Local Tax Rate* Tax Rate/\$1,000	2.67
School Tax Rate /\$1,000	<u>24.36</u>
Total Tax Rate	35.78

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT	Net Exemption
1	90%	885	270	2,464	3,619	44,249	32,569
2	80%	1,770	540	4,928	7,238	44,249	28,950
3	70%	2,655	810	7,391	10,856	44,249	25,332
4	60%	3,540	1,080	9,855	14,475	44,249	21,713
5	50%	4,425	1,350	12,319	18,094	44,249	18,094
6	40%	5,310	1,620	14,783	21,713	44,249	14,475
7	30%	6,195	1,890	17,246	25,332	44,249	10,856
8	20%	7,080	2,160	19,710	28,950	44,249	7,238
9	10%	7,965	2,430	22,174	32,569	44,249	3,619
10	0%	8,850	2,700	24,638	36,188	44,249	0
Total		<u>48,674</u>	<u>14,852</u>	<u>135,507</u>	<u>199,033</u>	<u>442,491</u>	<u>162,846</u>

* Local Tax Rate for Town/City/Village

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	<u>31,580</u>
Estimated duration of Sales Tax exemption:	<u>12/31/2022</u>

C. Mortgage Recording Tax Exemption Benefit:

Estimated Value of Mortgage Recording Tax exemption:	<u>\$5,011</u>
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D. Industrial Revenue Bond Benefit

IRB inducement amount, if required:	<u>\$0</u>
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E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	<u>\$199,436.90</u>	<u>25.37%</u>
Sources of Funds (Section IV.B.)	<u>\$786,100.00</u>	

** All estimates are based on current tax rates.

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: 20 Deep Winery, LLC

Applicant: or User/Tenant:

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	0	0	4	4
Part Time (PTE)	0	0	4	4
Total	0.00	0.00	6.00	6.00

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name Gascon Family Vineyards, LLC

Applicant: and/or User/Tenant:

All project employees of the general contractor, subcontractor, or sub to a subcontractor (contractors) working on the project must reside within the following counties in the State of New York: Monroe, Genesee, Livingston, Ontario, Orleans, Seneca, Steuben, Wayne, Wyoming or Yates. The All-Local Labor criterion will be verified based on employment, payroll and related records.

COMIDA understands that at certain times local labor may not be available within the local area. Under this condition, applicants are required to complete a waiver request of the All-Local Labor requirement 45 days in advance of commencing work. Contractors do not have to be local companies as defined herein, but must employ local people to qualify under the All-Local Labor criterion.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

Gascon Family Vineyards, LLC

20 Deep Winery, LLC

(APPLICANT COMPANY)

(TENANT COMPANY)

CEO

CEO

Digitally signed by David Gascon, CEO
DN: cn=David Gascon, CEO, o=Gascon Family Vineyards, LLC, ou=US
 Date: 2021.03.18.14.07.37-0500
 David Gascon, CEO 3/13/21

Digitally signed by David Gascon
DN: cn=David Gascon, o=20 Deep Winery, ou=US
o=20 Deep Winery, ou=US
 Date: 2021.03.18.14.07.51-0500
 David Gascon 3/13/21

Signature , Title Date

Signature , Title Date

IX. FEES

Transaction Type	Fees
Lease/Leaseback including any/all of the following: 1. PILOT Agreement 2. Sales and Tax Exemption 3. Mortgage Tax Exemption	Application Fee: Non-refundable \$350.00 IDA Fee: 0.75% of the total project cost Legal Fee: 0.33% of the IDA fee. Minimum fee of \$4,000.
Sales Tax Exemption* and/or Mortgage Recording Tax Exemption	Application Fee: Non-refundable \$350.00 IDA Fee: 0.50% of the total project cost Legal Fee: 0.33% of the IDA fee. Minimum fee of \$750
Bond: Taxable or Tax-Exempt with Lease/Leaseback Including any/all of the following: 1. PILOT Agreement 2. Sales Tax Exemption 3. Mortgage Tax Exemption	Application fee: Non-refundable \$350 IDA Fee: 1.25% of the total project cost Legal Fee: 0.33% of IDA fee Designated Bond Counsel fee is based on the complexity and amount of the transaction
Bond: Taxable or Tax-Exempt	Application fee: Non-refundable \$350 IDA Fee: 1.00% of the total project cost Legal fee: 0.33% of the IDA fee Designated Bond Counsel fee is based on the complexity and amount of the transaction.

If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

Gascon Family Vineyards, LLC

(APPLICANT COMPANY)

David Gascon, CEO Digitally signed by David Gascon, CEO
DN: cn=David Gascon, o=Gascon
Family Vineyards, LLC, ou,
email=david@20deep.com, c=US
Date: 2021.03.18 14:04:14-0400 3/13/21

Signature, Title, Date

20 Deep Winery, LLC

(TENANT COMPANY)

David Gascon, CEO Digitally signed by David Gascon
DN: cn=David Gascon, o=20 Deep
Winery, ou,
email=david@20deep.com, c=US
Date: 2021.03.18 14:09:44-0400 3/13/21

Signature, Title, Date

X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- C. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
 § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- D. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- E. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- F. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- G. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.
- H. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

Gascon Family Vineyards, LLC

David Gascon, CEO Digitally signed by David Gascon, CN=David Gascon, O=Gascon Family Vineyards, LLC, ou=Gascon Family Vineyards, LLC, email=dmg@gasconfamilyvineyards.com, postalCode=14109, serial=20210316141007-4907 CEO 3/13/21

Signature, Title, Date

TENANT COMPANY

20 Deep Winery, LLC

David Gascon, CEO Digitally signed by David Gascon, DN=sr=David Gascon, o=20 Deep Winery, Inc, email=david@20deep.com, cn=US, Date: 2021.03.16 14:18:24 -0400 CEO 3/13/21

Signature, Title, Date

Cost-Benefit Analysis for Gascon Family Vineyards, LLC

Prepared by COMIDA using InformAnalytics

Executive Summary

INVESTOR
Gascon Family Vineyards, LLC

TOTAL INVESTED
\$831.4 Thousand

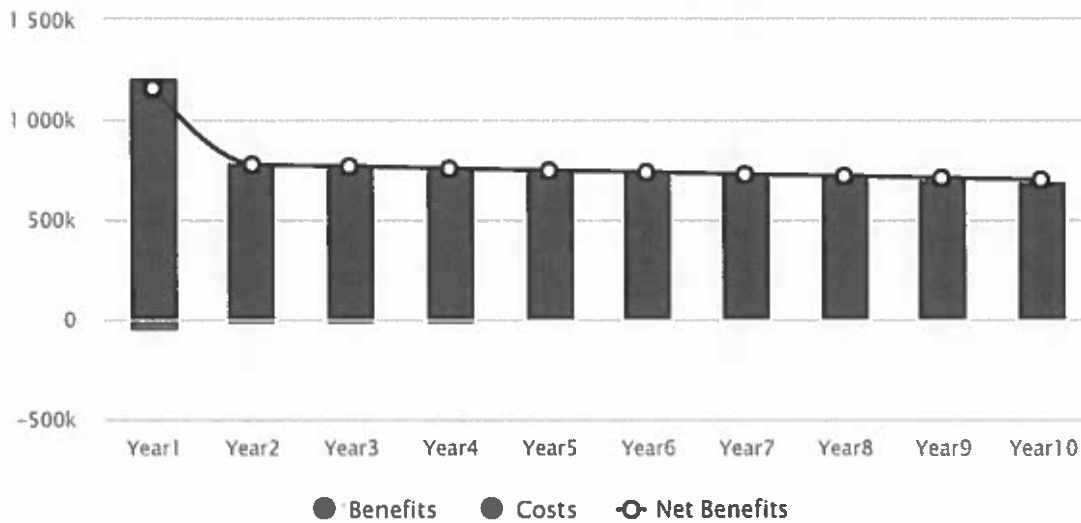
LOCATION
187 Mendon Ionia Road, Honeoye Falls

TIMELINE
10 Years

F1 FIGURE 1

Discounted* Net Benefits for Gascon Family Vineyards, LLC by Year

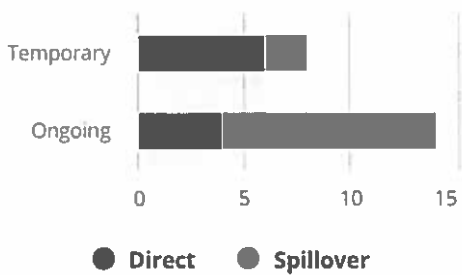
Total Net Benefits: \$7,791,000



Discounted at 2%

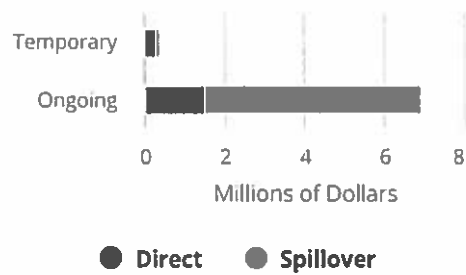
F2 FIGURE 2

Total Jobs



F3 FIGURE 3

Total Payroll



Proposed Investment

Gascon Family Vineyards, LLC proposes to invest \$831.4 thousand at 187 Mendon Ionia Road, honeoye FALLS over 10 years. COMIDA staff summarize the proposed with the following: Production facility for vineyard

T1 TABLE 1

Proposed Investments

Description	Amount
CONSTRUCTION SPENDING	
New Construction	\$786,000
OTHER SPENDING	
FF&E	\$45,000
Total Investments	\$831,000
Discounted Total (2%)	\$831,000

May not sum to total due to rounding.

F4 FIGURE 4

Location of Investment



Cost-Benefit Analysis

A cost-benefit analysis of this proposed investment was conducted using InformAnalytics, an economic impact model developed by CGR. The report estimates the impact that a potential project will have on the local economy based on information provided by COMIDA. The report calculates the costs and benefits for specified local taxing districts over the first 10 years, with future returns discounted at a 2% rate.

T2 TABLE 2

Estimated Costs or Incentives

COMIDA is considering the following incentive package for Gascon Family Vineyards, LLC.

Description	Nominal Value	Discounted Value*
Property Tax Exemption	\$116,000	\$110,000
Sales Tax Exemption	\$31,000	\$31,000
Mortgage Recording Tax Exemption	\$5,000	\$5,000
Total Costs	\$152,000	\$146,000

May not sum to total due to rounding.

* Discounted at 2%

T3 TABLE 3

State & Regional Impact (Life of Project)

The following table estimates the total benefits from the project over its lifetime.

Description	Direct	Spillover	Total
REGIONAL BENEFITS	\$2,116,000	\$6,018,000	\$8,134,000
To Private Individuals	\$1,950,000	\$5,944,000	\$7,894,000
Temporary Payroll	\$290,000	\$92,000	\$382,000
Ongoing Payroll	\$1,660,000	\$5,852,000	\$7,512,000
To the Public	\$166,000	\$74,000	\$240,000
Property Tax Revenue	\$141,000	N/A	\$141,000
Temporary Sales Tax Revenue	\$4,000	\$1,000	\$5,000
Ongoing Sales Tax Revenue	\$21,000	\$73,000	\$93,000
STATE BENEFITS	\$112,000	\$367,000	\$479,000
To the Public	\$112,000	\$367,000	\$479,000
Temporary Income Tax Revenue	\$13,000	\$4,000	\$17,000
Ongoing Income Tax Revenue	\$74,000	\$287,000	\$362,000
Temporary Sales Tax Revenue	\$4,000	\$1,000	\$5,000
Ongoing Sales Tax Revenue	\$21,000	\$74,000	\$95,000
Total Benefits to State & Region	\$2,228,000	\$6,385,000	\$8,613,000
Discounted Total Benefits (2%)	\$2,079,000	\$5,858,000	\$7,937,000

May not sum to total due to rounding.

T4 TABLE 4

Benefit to Cost Ratio

The following benefit to cost ratios were calculated using the discounted totals.

Description	Benefit*	Cost*	Ratio
Region	\$7,496,000	\$129,000	58:1
State	\$441,000	\$17,000	25:1
Grand Total	\$7,937,000	\$146,000	54:1

May not sum to total due to rounding.

* Discounted at 2%

CGR has exercised reasonable professional care and diligence in the production and design of the InformAnalytics™ tool. However, the data used is provided by users. InformAnalytics does not independently verify, validate or audit the data supplied by users. CGR makes no representations or warranties with respect to the accuracy of the data supplied by users.