

1 **Provide local counsel estimate of timing and likelihood of obtaining a successful judgment (e.g., discussion of**
2 **timing issues, enforcement of liens, concerns regarding the particular type of asset and any other material concerns**
3 **under local law.)**
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6 **To the extent that the attorney knows this information, please describe the operating status of the debtor as well as**
7 **a brief summary of the assets that the attorney believes might be available to satisfy a judgment. The same**
8 **information should be provided for any guarantors that the attorney intends to include in the litigation. (This**
9 **question does not require the attorney to conduct an asset search or other asset investigation unless the same has**
10 **been separately requested by Ex-Im Bank.)**
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14 **Provide brief explanation of potential liabilities related to unsuccessful litigation efforts under local law.**
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18 **Provide estimated litigation expenses (i.e. filing and other administrative fees) and set forth the attorney fee**
19 **arrangement (i.e., contingency or hourly, and the relevant rates) and, if an hourly rate, the approximate number of**
20 **hours expected. This should include separate attorney fee awards (and how those would be shared) if this is a**
21 **possibility in the jurisdiction that is contemplated.**
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24 **In the event of successful litigation, does the local jurisdiction permit a separate judgment to be granted to the**
25 **attorney for attorneys' fees? (If so, the engagement letter with the attorney, or a separate agreement, should clearly**
26 **state that the attorney's judgment will be subordinate to Ex-Im Bank's judgment and that the attorney will not**
27 **pursue collection of his/her judgment until collection of the Ex-Im judgment is complete.)**
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31 **Discuss any other relevant issues for consideration.**
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36 The above referenced litigation **IS** authorized under the authority of the Office of the General Counsel.
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38 The above referenced litigation **IS NOT** authorized under the authority of the Office of the General Counsel.
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43 _____
44 By: Office of the General Counsel, Export-Import Bank of the United States
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