### BUSINESS COMBINATION APPLICATION CHECKLIST AND COVERED AGREEMENTS

#### **Information Checklist**

- Interagency Bank Merger Act Application or Business Combination Application -Streamlined
- Copy of (a) the executed merger or transaction agreement, including any amendments, (b) any board of directors' resolutions related to the transaction, and (c) interim charter's Articles of Association, names of organizers, and related documents, if applicable.
- Request for confidentiality, if applicable
- Other corporate requests

## **Specific Information for Business Combination Application - Streamlined (as appropriate)**

- Authority for Filing Streamlined Application
- List of Branches that Require Branch Authorization
- Covered Agreement(s)<sup>1</sup>
- Merger Screen

#### Specific Information for Interagency Bank Merger Act Application (as appropriate)

- Financial Information
  - o Pro Forma Balance Sheet
  - o Projected Combined Statement of Income
  - o Pro Forma and Projected Regulatory Capital Schedule
- List of Directors and Senior Executive Officers of the Resultant Institution
- List of Branches that Require Branch Authorization
- Covered Agreement(s)
- Merger Screen

#### **Checklist Questions**

#### **Covered Agreements**

An applicant completing either the Interagency Bank Merger Act Application or the Business Combination Application – Streamlined must respond to the following two questions and, if applicable, provide the requested information.

1. Have any of the combining institutions entered into a covered agreement with community organizations, civic associations, or similar entities to provide banking services to the community?

If yes, describe the agreement.

2. Will the resulting institution assume the agreement(s) described in the previous question?

If no, explain the reasons and describe the impact on the communities to be affected.

\_

<sup>&</sup>lt;sup>1</sup> As defined in 12 CFR 35.2.

# BUSINESS COMBINATION APPLICATION CHECKLIST AND COVERED AGREEMENTS

# **Competitive Factors – Removal from Expedited Processing**

Although an application may initially qualify for expedited processing, it could be removed from expedited processing if there are competitive issues that warrant additional review. Each applicant that submits a Competitive Analysis for an unaffiliated business combination must answer the following questions:

1.	Does the HHI for any relevant banking market increase by post-acquisition HHI of at least 1800?	more than 200 Yes	points with a No
2.	Excluding markets in which the acquiring bank has 35 per will the resulting institution have greater than 35 percent of market?		1 /
•	yes answer for either question indicates the application will occssing for additional competitive review.	be removed fro	om expedited