

(This Newsletter is a quarterly publication containing topics of interest to the categories of MSBs regulated by the Georgia Department of Banking and Finance. We hope that you will find this publication to be informative and valuable for providing information about the issues affecting your industry. If there are any issues you would like for the Department to highlight or address in future editions, please e-mail your questions or suggestions to [dbfmort@dbf.state.ga.us](mailto:dbfmort@dbf.state.ga.us).)

## REGULATORY MATTERS

### Georgia Regulations & Issues

#### Proposed Rule Changes Become Effective

#### Changes in the Regulations - Effective August 25, 2008

The Department of Banking and Finance adopted Final Rules August 4, 2008. They were filed with the Secretary of State on August 4, 2008, and were effective 20 days following, or August 25, 2008. These rules were proposed and distributed on June 30, 2008. We received one written comment letter in support of the proposed changes, therefore no changes to the Proposed Rules were made.

To view or download the Final Rules on our website, go to and select the appropriate link for the Final Rules, OR you may access them directly from:

[http://dbf.georgia.gov/internal/downloads/?url=/vgn/images/portal/cit\\_1210/60/38/119085108FinalRules8-4-2008.pdf](http://dbf.georgia.gov/internal/downloads/?url=/vgn/images/portal/cit_1210/60/38/119085108FinalRules8-4-2008.pdf)

Of significant interest to Money Service Businesses in Georgia are the following provisions:

#### **80-3-1-.02 Check Cashers.**

A change has been added to require registrants to post their registration in public view. Additionally, a form number change has been made.

#### **80-3-1-.07 Administrative Fines and Penalties.**

A fine has been added for licensees and registrants that fail to post their license or registration as required. The fine is \$500 for each instance of non-compliance.

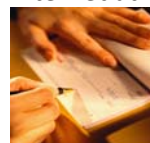
#### **80-5-1-.02 License, Registration and Supervision Fees for Check Cashers and Sellers, Money Transmitters, Representative Offices and Mortgage Lenders and Brokers; Due Dates.**

A non-refundable application investigation fee has been included in the license fees for check sellers and money transmitters. This application fee is consistent with application investigation fees paid by all other licensees.

#### Check Casher Renewals

Licensed and registered check cashers who had not completed their renewal by the midnight September 30, 2008 deadline have had their licenses expire and will have to cease check cashing operations. Failure to properly RENEW a license will require a REINSTATEMENT of the license in

order to conduct a check-cashing business. Those affected should please see the application on the internet at:



<http://dbf.georgia.gov/msbforms>.

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*A report of issues and topics of interest to Money Service Businesses licensed and registered by the Department of Banking and Finance*

## **Annual License Renewal - Check Sellers and Money Transmitters**

Renewals notices have been mailed to all check seller and money transmitter licensees. Renewals must be completed and submitted on or before November 1, 2008 in order to be considered filed on time and to avoid the late fee.

This year the application for renewal is ON-LINE only! Last year paper forms were available, but this year you must complete the renewal on the internet.

It is important, however, that licensees note that as in the past, all explanations to the questions that exceed the available on-line space, and any required supporting documents, **MUST** be attached to the renewal cover sheet and sent to the Department in order to approve the license renewal. If you did not receive a copy of the renewal notice, please contact Ms. Teresa Koeppel at 770/986-1639 or via e-mail at [dbfcorp@dbf.state.ga.us](mailto:dbfcorp@dbf.state.ga.us).

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## **BSA/FEDERAL NEWS**

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### **FINCEN - MSB Registration List**

The MSB Registration List, which is updated and posted on a monthly basis, contains entities that have registered as Money Services Businesses (MSBs) pursuant to the Financial Crimes Enforcement Network's (FinCEN's) Bank Secrecy Act regulations at 31 CFR 103.41. In accordance with FinCEN Guidance (FIN-2006-G006) on Registration and De-Registration of Money Services Businesses (February 3, 2006), FinCEN will periodically omit from the List any persons who have not renewed their registrations by their renewal deadlines.

FinCEN's Guidance of February 3, 2006 encouraged MSBs to confirm or renew their registrations. FinCEN is coordinating outreach activities with the IRS Stakeholder Liaison staff who will contact those MSBs that failed to renew their registrations to determine if this was an inadvertent error or whether the MSB no longer conducts services that would require the entity to register. This outreach to MSBs, which includes mailing of the following letter [http://www.msb.gov/pdf/2nd\\_letter.pdf](http://www.msb.gov/pdf/2nd_letter.pdf), will assist FinCEN in achieving its strategic goal of educating the MSB industry concerning BSA responsibilities

This new August 2008 List, which is current as of August 14, 2008, contains data on 37,149 registered MSBs. This is an increase of 585 MSB registrations from the July 17, 2008 total of 36,564.

The List reflects information exactly as provided by the filers and comprises Registrants' names, "doing business as" names, addresses, MSB services provided, states in which the registrants offer MSB services, numbers of branches, and dates of authorized signature. The List is arranged alphabetically – first, by state, then, by each city within the state, and finally, by MSB Registrant name within each city. FinCEN has made each State listing available in an Excel format that can easily be downloaded so that queries can be run using various other software applications. Dates contained in the posted MSB Registration List are formatted as mm/dd/yyyy in order to enable sorting of the List by authorization date.

*This posted List is intended only as general reference for the public and should not be treated as definitive or determinative of an entity's registration status. The only determinative evidence of an entity's registration status is the acknowledgement letter from the IRS-Detroit Computing Center (DCC) received by an entity after*

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filing its registration. A copy of the DCC acknowledgment letter, along with a facsimile of the registration form, **should be maintained as a part of an MSB's records for five years.**

FinCEN continues to work with DCC on data quality issues with regard to the List. For more information on MSB registration, visit [www.msb.gov](http://www.msb.gov). For inquiries regarding the MSB registration list, call the FinCEN MSB Regulatory Helpline at 1-800-949-

2732. For inquiries regarding MSB registration acknowledgement letters, call the IRS-DCC Hotline at 800-800-2877. [MSB Registration List](#) – August 2008

THE INCLUSION OF A BUSINESS ON THIS LIST IS NOT A RECOMMENDATION OR ENDORSEMENT OF THE BUSINESS BY ANY GOVERNMENT AGENCY.

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## FINCEN - Forms Updates

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### Form 107 - Registration of Money Service Business (RMSB)

***Important Notice: Revised RMSB Form 107 for Money Services Business Registration is Effective September 1, 2008.***

Effective September 1, 2008, a Money Services Business is required to use the revised [FinCEN Form 107](#), Registration of Money Services Business (RMSB) to register its business. FinCEN announced in April 2008 that it was revising the RMSB Form 107.

This change is required to incorporate the **five (5) critical fields that are now mandatory for a registration to be accepted (Legal name, Address, City, State, and EIN (entity) or SSN/ITIN (individual)). All previous versions of Form 107 will not be accepted after December 31, 2008.**

Please note the “will not be accepted after” dates on the revised RMSB Form 107 are different on the WebCBRS facsimile of the form (2/29/09) and on the form posted on the FinCEN website (12/31/08). The date of December 31, 2008 was chosen for “after which previous editions will not be accepted” because it coincides with the December 31st deadline for registration. Questions regarding the revised RMSB Form 107 may be directed to the FinCEN Regulatory Helpline at 1-800-949-2732.

### Form 109 - SAR MSB

This update is to the forms instructions. No changes have been made to the data elements (fields) in the form, but the changes in instructions may affect the form's completion. The date on the form remains 03/07; the instructions are dated 10/08.

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## FYI - House Bill 4049 - Pending

7/22/2008—(Washington) House Bill 4049, the purpose of which is to amend section 5318 of Title 31, United States Code by eliminating regulatory burdens imposed on insured depository institutions and money services businesses and enhance the availability of transaction accounts at depository institutions for such business, has been passed in the House. The bill now goes on to be voted on in the Senate. Keep in mind that debate may be taking place on a companion bill in the Senate, rather than on this particular bill.

Known as the *Money Service Business Act of 2008*, this bill amends federal law governing anti-money laundering programs to provide that an insured depository institution *has no obligation to review the compliance* with federal anti-money laundering requirements of a money transmitting business for whom it maintains an account *if* such institution has on file *specified mandatory self-certifications submitted by the money transmitting business.*



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The bill provides that money services businesses (MSBs) may self-certify their compliance with anti-money and counter-terrorism regulations when establishing accounts with federally insured depository institutions. MSBs must certify that they are in compliance with federal banking law and registered as such. Additionally, the MSB must certify that it maintains an anti-money laundering program as required by federal law, be licensed or registered as an MSB by each State in which it operates, and meet such other regulations as the Treasury Secretary formulates to assure strong anti-crime regimes. The bill prescribes requirements for self-certification by a money transmitting business

The MSB certification requirements under this bill also extend to **agents** of money transmitting businesses. In addition to the certification requirements for MSBs, agents of MSBs must provide that they are contract bound agents of an MSB, will comply with all applicable laws, and will notify any federally insured depository institution of any material changes to their relationship with the MSB to which they are a contracted agent.

The Bill also sets forth civil and criminal penalties for violations of this Act without regard to whether such violations were willful and shields such institution from liability for the non-compliance of a money transmitting business and its agents with federal anti-money laundering requirements. The Bill directs the Secretary of the Treasury to prescribe implementing regulations.

Where does it stand? As noted, it has passed in the House. The bill now goes on to be voted on in the Senate. Keep in mind that debate may be taking place on a companion bill in the Senate, rather than on this particular bill.

**E-MAIL UPDATES!!! <https://bkgfin.dbf.state.ga.us/MSBUpdate.html>**

A reminder –make certain we have the correct e-mail address for your license or registration so that you will receive all notices and correspondence!



[Upcoming Speaking Engagements](#)

There are no upcoming speaking engagements for the 4<sup>th</sup> quarter, 2008.

**REMAINING 2008 STATE HOLIDAYS** – the offices of the Department of Banking & Finance will be closed as noted below.

Holiday	Date or Observed Date
Columbus Day	October 13 <sup>th</sup> - Monday
Veterans' Day	November 11 <sup>th</sup> - Tuesday
Thanksgiving Day	November 27 <sup>th</sup> - Thursday Lee's Birthday will be observed on Friday, November 28 <sup>th</sup>
Christmas Day	December 25 <sup>th</sup> - Thursday Washington's Birthday will be observed on Friday, Dec. 26 <sup>th</sup>

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## CUSTOMER SERVICE GEORGIA

Governor Sonny Perdue's campaign is to put new emphasis on customer service, emphasizing easier access to government services, faster processes so customers can get business done quickly, and friendlier service in a customer-focused, goal-oriented culture. It is the Department's goal to provide excellent customer service, meeting and exceeding the expectations of our customers. Along those lines, we would like to recognize the following individual for going above and beyond in serving our customers.



**Teresa Koeppel, Administrative Examiner, MSB Staff:** The Department received comments from a customer stating: **"Of all the regulators we have dealt with, holding almost 50 state licenses throughout the country, my basis for writing you is that I found you to be the most professional, responsive and organized regulator I dealt with."**

## **CONGRATULATIONS AND GREAT JOB!!**

*The Department is the state agency that regulates and examines banks, credit unions, and trust companies chartered by the State. The Department also has regulatory and/or licensing authority over mortgage brokers, lenders, and processors, money service businesses, international banking organizations, and bank holding companies conducting business in Georgia.*

**Our MISSION**  
*is to promote safe, sound, competitive financial services in Georgia through innovative, responsive regulation and supervision.*



**Our VISION**  
*is to be the best financial services industry regulator in the country*  
*Progressive. Proactive. Service-Oriented.*

## **ACTION ON APPLICATIONS DURING THE PREVIOUS QUARTER**

### APPROVED CHECK CASHERS (License/Registration) - Third Quarter 2008

Lic#	Company Name	DBA Name	City	Type	Approved
23471	Sol & Kay, Inc.	C&D Package Store	Stone Mountain	L	7/1/08
23483	Swamy USA Inc.		Murrayville	R	7/3/08
23484	Advanced Title Pawn, LLC		Ringgold	L	7/3/08
23485	H & S Business Inc.	Shell Food Mart	Kennesaw	R	7/3/08
23487	Regina M. Bone	Cagney's Party Shop	Columbus	L	7/3/08
23493	West Georgia Check Cashing, Inc.	West GA Check Cashing	Carrollton	L	7/3/08
23505	KK Business Inc.		Kennesaw	L	7/28/08
23507	Bhawani Krupa, Inc.	Shop Rite	Americus	R	7/15/08
23510	Tabo's Retail, Inc.	Tabo's Food Mart	Jefferson	L	7/16/08
23514	West Park Enterprises, Inc.	Chevron Food Mart	Stone Mountain	R	7/18/08
23518	Asha Pura, LLC	Yogi's Liquor Mart	Dublin	R	7/18/08





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Lic#	Company Name	DBA Name	City	Type	Approved
23520	U. B. Identity Solutions, Inc.	Cash It USA	Union City	L	7/21/08
23525	Akshat Wine and Spirits, Inc.	Rooster's Package	Columbus	R	7/29/08
23531	Star Package Shop, LLC	Jack's Package Shop	Savannah	L	7/30/08
23534	Javier Granados	Javier's Check Casher	Gainesville	L	8/5/08
23540	Dhrup Corporation	North Ridge Stop N Shop	Rome	R	8/8/08
23544	JZS, Inc.	Washington Food Mart	East Point	R	8/15/08
23547	Alwani Group of Companies, Inc.	Shell Food Mart	Forest Park	R	8/15/08
23554	Bellavista II, LLC	Taqueria Y Carniceria Bellavista #2	Conyers	R	8/15/08
23555	Shree Shiv, Inc.	Lakeland Quick Stop	Lakeland	R	8/15/08
23561	C & H Liquor Store, Inc.		Atlanta	L	8/27/08
23562	Lucero Grocery		Royston	R	8/20/08
23566	Atlanta Drinks, LLC	Skyland Package	Atlanta	L	8/21/08
23570	Afshan Enterprises, Inc.	A Shell Convenience Center	Kennesaw	R	8/27/08
23572	AAS Investment Inc.	Exxon Food Mart	Gainesville	R	8/29/08
23573	Jaineta R. Amin	Sunny Swifty	Tifton	R	9/4/08
23575	Aryan Food Corporation of Jesup, Inc.	Country Corner	Jesup	L	9/15/08
23585	Ayesha Enterprises, LLC	Ribitz Bait & Tackle	LaGrange	R	9/15/08
23587	Vraj Investment, Inc.	Latimer Minit Mart	Hazlehurst	R	9/16/08
23590	Food Basket, Inc.	Food Basket	Marietta	R	9/22/08
23592	M K Investment Firm, LLC	Alpharetta Street Bottle Store	Roswell	L	9/18/08
23595	One Stop Money Center, Inc.		Atlanta	L	9/17/08
23597	Mukesh Kala	Twin Lakes Beverage Haus	Milledgeville	R	9/17/08
23598	Song's Easy Shop, Inc.	Easy Shop	Atlanta	R	9/16/08
23601	MARKSND Investments, Inc.	Pharr Food and Gas	Atlanta	L	9/22/08
23603	Aquil Investment, Inc.	Quick Pick Food Mart	Canton	R	9/22/08
23604	SOWEGA Financial Services, LLC		Albany	R	9/22/08
23605	J. C. Enterprises & Co., LLC	Raceway 868	Augusta	R	9/22/08
23606	SWL Corporation	Family Supermarket	Macon	R	9/22/08
23613	Blackshear Investment Group, Inc.	Whistle Stop Package Store	Blackshear	R	9/25/08
23614	Jae James Lee	Walton Food Mart	Atlanta	R	9/25/08
23615	Shivam Corporation of GA	341 Quick Stop	Hazlehurst	R	9/25/08
23623	A and D Foods, Inc.	Quick Stop	Americus	R	9/29/08
23624	Local Check Cashing, Inc.	Local Check Cashing	Doraville	L	9/29/08
23625	Shree Laxmi Investments, Inc.	Texaco Food Mart	Suwanee	R	9/29/08
23626	H&S Mart, Inc.	H&S Mart	Lawrenceville	R	9/29/08
<b>Total</b>					<b>46</b>

R=Registrant L=Full Service

## EXPIRED/CLOSED CHECK CASHERS (License/Registration)

Lic #	Company	DBA Name	City	Type	Closed
9151	The Check Mart, Inc.	The Check Mart, Inc.	Conyers	LD	7/29/08
12167	Secondi, Inc.	U.S. Check Cashing Services of GA (USCCS)	Chamblee	LD	9/29/08
14978	Howard H. Rainey	C. J.'s Exchange	Cordele	LD	8/25/08
16089	Ok Sun Kim	Park Pointe Community Grocery	Atlanta	LD	7/15/08
16156	Yoo Ja Kim	Walton Food Supermarket	Atlanta	RD	9/24/08
16268	Cedar Heights Corporation	Western Way Station #1	Woodstock	LD	8/29/08
16695	J & Kay, Inc.	Shell Gas Station	Tucker	LD	9/9/08
16851	Prince Andrew, Inc.	United Check Cashing	Duluth	LD	7/18/08
18638	Chul Ho Yun	C & H Liquor Store	Atlanta	LD	8/27/08
18996	HDC Group, Inc.	J & J Eagles Package Store	Decatur	RD	9/12/08
19649	Chang K. Enterprises, Inc.	Bottle House	Atlanta	LD	7/15/08
19655	Woong Ok Jun	Seven to Seven Newsstand	Atlanta	RD	7/17/08
19795	Chesterfield Finance of Georgia, Inc.	Chesterfield Finance	Atlanta	RD	7/17/08
19934	ZMA Enterprise, Inc.	Amoco Food Mart	Doraville	LD	7/17/08
20078	Duluth Package Store Incorporated	Duluth Package Store	Duluth	RD	7/17/08
20101	Hye Son Thurston	Easy Shop	Atlanta	RD	9/16/08
20600	Clark-Dodge Enterprises, Inc.	Lighthouse Liquors	Albany	LD	7/17/08
20607	Jae-Wang Choi	E-Z Check Cash	Snellville	LD	8/28/08
20777	KB Investments, Inc.	St. Marlowe Convenience Store	Lawrenceville	LD	7/15/08
21146	Geeta B. Patel	Yogi's Liquor Mart	Dublin	RD	7/17/08
21193	AMB-JAL-SAR, Inc.	Qwik Stop #11	Americus	RD	8/29/08
21315	Tayco, Inc.	Whistle Stop Package Store	Blackshear	RD	9/12/08
21327	Jay Gopal, Inc.	Brookwood Stop & Shop	Dublin	RD	8/6/08
21483	ARB Check Cashers	Pharr Food Mart	Atlanta	LD	9/17/08
21523	Anshoya Food Market of Jesup, Inc.	Country Corner	Jesup	LD	9/15/08
21581	ANB Enterprises, Inc.	Community Grocery	Conyers	RD	8/15/08
21666	E&J Liquors, Inc.	E&J Liquor Store	Roswell	LD	9/12/08
21823	Jack's Package Shop, Inc.	Jack's Package Shop	Savannah	RD	7/10/08
21835	Emil Kaneti, Inc.	Mr. Check Cashing	Austell	LD	8/15/08
22027	Akshat Beverage, Inc.	Rooster's Package	Columbus	RD	7/29/08
22074	Jong U. Kim	EZ Check Cashing	Doraville	LD	9/26/08
22093	P&E Title Pawn & Check Cashing, Inc.	Mr. Money	Lilburn	LD	7/17/08
22127	Jagi, Inc.	Cordele Food Mart	Cordele	RD	8/15/08
22285	Shanker Inc	Panola Package	Decatur	RD	8/4/08
22666	Guatam Desai	DJ Petro	Waynesboro	RD	7/30/08
22750	FS Super Market, Inc.	Five Star Super Market	Atlanta	LD	8/28/08
22783	Ramnikkal Retail, LLC	Sunoco Food Mart	Griffin	LD	7/17/08
22874	Riley Food Mart, Inc.	Citgo Food Mart	Marietta	RD	9/17/08
23061	Cash All Time, Inc.	Cash All Time	Carrollton	LD	7/1/08
23075	A&A Business, Inc.	Quick Pick	Canton	RD	9/18/08
23145	Dhruti, Inc.	Gorin's Homemade Cafe	Duluth	RD	8/6/08



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Lic #	Company	DBA Name	City	Type	Closed
23165	Escamilla, Inc.	JJ's Liquor Store	Cartersville	LD	9/5/08
23424	Arafat Afaneh	Bill Payment Center	Savanah	LD	7/29/08
<b>Total</b>					<b>43</b>

## APPROVED/EXPIRED CHECK SELLERS/ MONEY TRANSMITTERS

Lic #	Company Name	DBA Name	Approved	Closed	City	ST
<b>Approved Money Transmitters</b>			<b>Approved</b>			
23217	Banrural Corporation		8/05/2008		Washington	DC
					<b>Total</b>	<b>1</b>
<b>Closed Money Transmitters</b>				<b>Closed</b>		
21348	PreCash, Inc.	PreCash		8/12/2008	Houston	TX
22913	CambioReal Incorporated			8/14/2008	Newark	DE
22685	Jay International, LLC			9/5/2008	Tucker	GA
					<b>Total</b>	<b>3</b>

## APPROVED NAME CHANGE: CHECK SELLERS/ MONEY TRANSMITTERS

Lic #	Company Name	DBA Name	Approved	City	ST	
<b>Approved Money Transmitters</b>			<b>Approved</b>			
	<b>NONE</b>					
					<b>Total</b>	<b>0</b>

## Check Casher Upgrades/Downgrades in Third Quarter

Downgraded from Full License to Registration -23 | Total for 2008 - 26

Upgraded from Registration to Full License - 24 | Total for 2008 - 33





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### Department Contact Information

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### E-MAILING THE DEPARTMENT

The Department would like to encourage you to correspond with us using e-mail. Providing written details in the e-mail regarding any questions or concerns you may have allows the Department to forward the request to the appropriate person who handles that area, and if sufficient details are included in the request, that person can then more efficiently provide you an answer. The main Division e-mail address is [dbfmort@dbf.state.ga.us](mailto:dbfmort@dbf.state.ga.us)

In the event you still need additional information or you do not receive a timely response to your e-mail, please contact us by phone.

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