

~~REGULAR PLACE OF BUSINESS OF THE FINANCIAL INSTITUTION, THE REGULAR PLACE OF BUSINESS, IF ANY, WHERE THE PASSIVE SOLICITATION OCCURRED IS DETERMINED BY THE FACTS IN EACH CASE.~~

~~2. "INVESTIGATION" IS THE PROCEDURE WHEREBY EMPLOYEES OF THE FINANCIAL INSTITUTION DETERMINE THE CREDIT WORTHINESS OF THE CUSTOMER AS WELL AS THE DEGREE OF RISK INVOLVED IN MAKING A PARTICULAR AGREEMENT. SUCH ACTIVITY IS LOCATED AT THE REGULAR PLACE OF BUSINESS WHICH THE FINANCIAL INSTITUTION'S EMPLOYEES ARE REGULARLY CONNECTED WITH OR WORKING OUT OF, REGARDLESS OF WHERE THE SERVICES OF SUCH EMPLOYEES WERE ACTUALLY PERFORMED.~~

~~3. "NEGOTIATION" IS THE PROCEDURE WHEREBY EMPLOYEES OF THE FINANCIAL INSTITUTION AND ITS CUSTOMER DETERMINE THE TERMS OF THE AGREEMENT SUCH AS THE AMOUNT, DURATION, INTEREST RATE, FREQUENCY OF REPAYMENT, CURRENCY DENOMINATION AND SECURITY REQUIRED. SUCH ACTIVITY IS LOCATED AT THE REGULAR PLACE OF BUSINESS WHICH THE FINANCIAL INSTITUTION'S EMPLOYEES ARE REGULARLY CONNECTED WITH OR WORKING OUT OF, REGARDLESS OF WHERE THE SERVICES OF SUCH EMPLOYEES WERE ACTUALLY PERFORMED.~~

~~4. "APPROVAL" IS THE PROCEDURE WHEREBY EMPLOYEES OR THE BOARD OF DIRECTORS OF THE FINANCIAL INSTITUTION MAKE THE FINAL DETERMINATION WHETHER TO ENTER INTO THE AGREEMENT. SUCH ACTIVITY IS LOCATED AT THE REGULAR PLACE OF BUSINESS WHICH THE FINANCIAL INSTITUTION'S EMPLOYEES ARE REGULARLY CONNECTED WITH OR WORKING OUT OF, REGARDLESS OF WHERE THE SERVICES OF SUCH EMPLOYEES WERE ACTUALLY PERFORMED. IF THE BOARD OF DIRECTORS MAKES THE FINAL DETERMINATION, SUCH ACTIVITY IS LOCATED AT THE COMMERCIAL DOMICILE OF THE FINANCIAL INSTITUTION.~~

~~5. "ADMINISTRATION" IS THE PROCESS OF MANAGING THE ACCOUNT. THIS PROCESS INCLUDES BOOKKEEPING, COLLECTING THE PAYMENTS, CORRESPONDING WITH THE CUSTOMER, REPORTING TO MANAGEMENT REGARDING THE STATUS OF THE AGREEMENT AND PROCEEDING AGAINST THE BORROWER OR THE SECURITY INTEREST IF THE BORROWER IS IN DEFAULT. SUCH ACTIVITY IS LOCATED AT THE REGULAR PLACE OF BUSINESS WHICH OVERSEES THIS ACTIVITY.~~

~~(8) FOR PURPOSES OF DETERMINING THE LOCATION OF CREDIT CARD RECEIVABLES, CREDIT CARD RECEIVABLES SHALL BE TREATED AS LOANS AND SHALL BE SUBJECT TO THE PROVISIONS OF PARAGRAPH (7) OF THIS SUBSECTION.~~

~~(9) A LOAN THAT HAS BEEN PROPERLY ASSIGNED TO THIS STATE OR ANOTHER STATE SHALL, ABSENT ANY CHANGE OF MATERIAL FACT, REMAIN ASSIGNED TO THAT STATE FOR THE LENGTH OF THE ORIGINAL TERM OF THE LOAN. THEREAFTER, THE LOAN MAY BE PROPERLY ASSIGNED TO A DIFFERENT STATE IF THE LOAN HAS A PREPONDERANCE OF SUBSTANTIVE CONTACT TO A REGULAR PLACE OF BUSINESS THERE.~~