

(9) ~~"EQUITY INTEREST" MEANS ANY OF THE FOLLOWING:~~

~~(I) COMMON STOCK;~~

~~(II) PREFERRED STOCK;~~

~~(III) TRUST CERTIFICATE;~~

~~(IV) EQUITY INVESTMENT IN AN INVESTMENT COMPANY OTHER THAN A MONEY MARKET MUTUAL FUND QUALIFYING UNDER SUBSECTION (P) OF THIS SECTION;~~

~~(V) INVESTMENT IN A COMMON TRUST FUND OF A BANK REGULATED BY A FEDERAL OR STATE AGENCY;~~

~~(VI) AN OWNERSHIP INTEREST IN MINERALS, OIL, OR GAS, THE RIGHTS TO WHICH HAVE BEEN SEPARATED FROM THE UNDERLYING FEE INTEREST IN THE REAL ESTATE WHERE THE MINERALS, OIL, OR GAS ARE LOCATED;~~

~~(VII) INSTRUMENTS THAT ARE MANDATORILY, OR AT THE OPTION OF THE ISSUER, CONVERTIBLE TO EQUITY;~~

~~(VIII) LIMITED PARTNERSHIP INTERESTS;~~

~~(IX) MEMBER INTERESTS IN LIMITED LIABILITY COMPANIES;~~

~~(X) WARRANTS OR OTHER RIGHTS TO ACQUIRE EQUITY INTERESTS THAT ARE CREATED BY THE PERSON THAT OWNS OR WOULD ISSUE THE EQUITY TO BE ACQUIRED; OR~~

~~(XI) A SECURITY THAT HAS A PAR VALUE AND WHOSE TERMS PROVIDE THAT THE ISSUER'S NET OBLIGATION TO REPAY ALL OR PART OF THE SECURITY'S PAR VALUE IS DETERMINED BY REFERENCE TO THE PERFORMANCE OF AN EQUITY, A COMMODITY, A FOREIGN CURRENCY OR AN INDEX OF EQUITIES, COMMODITIES, FOREIGN CURRENCIES OR COMBINATIONS THEREOF.~~

(10) (11) "FOREIGN CURRENCY" MEANS A CURRENCY OTHER THAN THAT OF A DOMESTIC JURISDICTION.

(11) (12) (I) "FOREIGN INVESTMENT" MEANS AN INVESTMENT IN A FOREIGN JURISDICTION, OR AN INVESTMENT IN A PERSON, REAL ESTATE, OR ASSET DOMICILED IN A FOREIGN JURISDICTION, THAT IS SUBSTANTIALLY OF THE SAME TYPE AS THOSE ELIGIBLE FOR INVESTMENT UNDER THIS SECTION.

(II) AN INVESTMENT MAY NOT BE DEEMED TO BE FOREIGN IF THE ISSUING PERSON, QUALIFIED PRIMARY CREDIT SOURCE, OR QUALIFIED GUARANTOR IS A DOMESTIC JURISDICTION OR A PERSON DOMICILED IN A DOMESTIC JURISDICTION, UNLESS:

1. THE ISSUING PERSON IS A SHELL BUSINESS ENTITY; AND