

2715.7300 SOLICITATIONS TO WHICH RULES APPLY.

Part 2715.7370 applies to every solicitation that is subject to part 2715.7200. Parts 2715.7100, 2715.7300 to 2715.7360, and 2715.7380 apply to every solicitation that is subject to part 2715.7200 except the following:

A. any solicitation made otherwise than on behalf of the issuer where the total number of persons solicited is not more than ten;

B. any solicitation by a person in respect of securities carried in that person's name or in the name of that person's nominee, otherwise than as voting trustee, or held in the person's custody, if the person:

(1) receives no commission or remuneration for the solicitation, directly or indirectly, other than reimbursement of reasonable expenses;

(2) furnishes promptly to the person solicited a copy of all soliciting material with respect to the same subject matter or meeting received from all persons who shall furnish copies thereof for this purpose and who shall, if requested, defray the reasonable expenses to be incurred in forwarding the material; and

(3) does no more than impartially instruct the person solicited to forward a proxy to the person, if any, to whom the person solicited desires to give a proxy, or impartially request from the person solicited instructions as to the authority to be conferred by the proxy and state that a proxy will be given if no instructions are received by a certain date;

C. any solicitation by a person in respect of securities of which it is the beneficial owner; or

D. any solicitation through the medium of a newspaper advertisement which informs security holders of a source from which they may obtain copies of a proxy statement, form of proxy and any other soliciting material and does no more than name the issuer, state the reason for the advertisement, and identify the proposal or proposals to be acted upon by security holders.

Statutory Authority: *MS s 60A.22*

History: *17 SR 1279*

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