

2715.7350 MAILING COMMUNICATIONS FOR SECURITY HOLDERS.

Subpart 1. **Duties of issuer.** If the management of the issuer has made or intends to make any solicitation subject to this rule, the issuer shall perform any of the acts in subparts 2 and 3 requested in writing with respect to the same subject matter or meeting by any security holder who is entitled to vote at least one percent of the votes entitled to be voted on the matter and who defrays the reasonable expenses incurred by the issuer in the performance of the act or acts requested.

Subp. 2. **Information required.** The issuer shall mail or otherwise furnish to the security holder, as promptly as practicable after the receipt of the request:

A. a statement of the approximate number of record owners and, to the extent known to the issuer, the approximate number of beneficial owners of any class of securities, any of whom have been or are to be solicited on behalf of the management, or any group of whom the security holder shall designate; and

B. an estimate of the cost of mailing a specified proxy statement, form of proxy or other communication to the owners.

Subp. 3. **Material furnished by security holder.**

A. Copies of any proxy statement, form of proxy and other communication furnished by the security holder shall be mailed by the issuer to the security owners specified in subpart 2, item A the security holder designates.

B. The material furnished by the security holder shall be mailed with reasonable promptness after receipt of the material to be mailed, the envelopes or other containers therefor, and postage or payment for postage. The issuer need not mail any material prior to the first day on which solicitation is made on behalf of the issuer.

C. The issuer shall not be responsible for the proxy statement, form of proxy or other communication.

Subp. 4. **Alternative compliance.** In lieu of performing the acts specified in subparts 2 and 3, the issuer may furnish promptly to the security holder a reasonably current list of the names and addresses of any of the record owners and, to the extent known to the issuer, the beneficial owners the security holder designates along with a schedule of the handling and mailing costs if the schedule has been supplied to the issuer.

Statutory Authority: *MS s 60A.22*

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