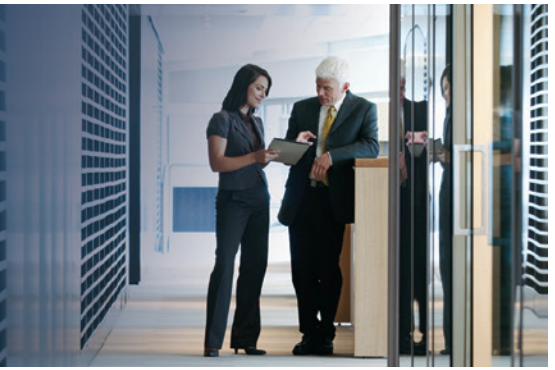


# In Your Corner

## Case History



## Different Ballgame

### **THE CHALLENGE:**

Cipperman Compliance Services (“CCS”) was hired by a Fund to serve as its Chief Compliance Officer (“CCO”). The Adviser to the Fund had very limited experience managing a registered fund under the Investment Company Act of 1940 (“Company Act”). As a result, CCS discovered that the Adviser had unknowingly marketed the Fund using practices prohibited by the Company Act.

### **CCS RECOMMENDATION:**

After review, CCS offered the following plan to help the client move forward:

- CCS educated Adviser and Fund personnel on the marketing rules currently in place with the Company Act, the Investment Advisers Act of 1940 (“Advisers Act”) and FINRA.
- CCS assisted in the gathering of questionable Fund communications and offered solutions for remedying the errors.
- CCS emphasized the role of Fund service providers and the Fund CCO in approving Fund marketing materials, and offered comments and edits to existing materials.

### **RESULT:**

CCS early discoveries prevented issues from evolving into serious burdens for all parties involved. Through CCS’ insights and execution of work, the Fund and Adviser were able to fix problems they had unwittingly created.