SWAP DEALER NOTIFICATIONS


I. NOTIFICATIONS

1. With respect to each cleared Swap originally executed between you and Swap Dealer, you may obtain any daily marks you wish to receive for such cleared Swap from the FCM through which you clear such cleared Swap or the relevant DCO or another third party.

2. Unless otherwise agreed with Swap Dealer in writing, with respect to each uncleared Swap between you and Swap Dealer, any daily marks required to be provided by Swap Dealer to you pursuant to CFTC Regulation 23.431(d) will be calculated by Swap Dealer as of the close of business on the prior Business Day in the locality specified by Swap Dealer in its notice of such daily mark to you, such locality to be consistently specified with regard to a class or type of Swaps.

3. In respect of a daily mark for any uncleared swap provided to you by Swap Dealer pursuant to CFTC Regulation 23.431(d)(3)(ii), (x) the daily mark may not necessarily be a price at which either you or Swap Dealer would agree to replace or terminate the Swap, (y) unless otherwise agreed by you and Swap Dealer, calls for margin may be based on considerations other than the daily mark provided to you, and (z) the daily mark may not necessarily be the value of the Swap that is marked on the books of Swap Dealer.

4. With respect to each Swap between you and Swap Dealer that is not “available for trading” (as that phrase is used in the CFTC Regulations), prior to a Swap Transaction Event you may request, and consult on the design of, a scenario analysis to allow you to assess your potential exposure in connection with such Swap.

5. With respect to any Swap entered into between you and Swap Dealer that is subject to the mandatory clearing requirements under Section 2(h) of the Commodity Exchange Act, you have the sole right to select the DCO at which the Swap will be cleared.

6. With respect to any Swap entered into between you and Swap Dealer that is not subject to the mandatory clearing requirements under Section 2(h) of the Commodity Exchange Act, you may elect to clear such Swap and you have the sole right to select the DCO at which the Swap will be cleared.

As of January 7, 2019
7. If you are an employee benefit plan defined in Section 3 of ERISA that is not subject to Title I of ERISA, you may elect to be treated as a special entity pursuant to CFTC Regulation 23.430(c).

8. As of each Swap Communication Event, Swap Dealer discloses to you that (a) Swap Dealer is not undertaking to act in your best interests and (b) Swap Dealer is acting in its capacity as a counterparty and is not undertaking to assess the suitability of any Swap or trading strategy involving a Swap for you.

9. Set forth below for each Swap Dealer are the physical address, email and telephone number of the department to which any complaints may be directed:

   Goldman Sachs Bank USA
   Goldman, Sachs & Co.
   J. Aron & Company
   Goldman Sachs Financial Markets, L.P.
   Goldman Sachs Mitsui Marine Derivative Products, L.P.
   Address for complaints:
   Attn: SLC-Compliance
   222 South Main Street, 10th Floor
   Salt Lake City, UT 84101
   Telephone: 1-800-324-2895
   E-mail: gs-complaints-americas@gs.com

   Goldman Sachs International
   Address for complaints:
   Attn: Charles Eve, Compliance Officer
   Peterborough Court, 133 Fleet Street
   London EC4A 2BB United Kingdom
   Telephone: 44-20-7774-1000
   E-mail: gs-gsi-cftc-complaints@gs.com

   Goldman Sachs Japan Co., Ltd.
   Address for complaints:
   Attn: Yuichi Miura, Compliance Officer
   Roppongi Hills Mori Tower, 47th floor
   10-1, Roppongi 6-chome
   Minato-ku, Tokyo 106-6147 Japan
   Tel: 81-3-6437-1000
   E-mail: gs-gsjcl-cftc-complaints@gs.com
Goldman Sachs Paris Inc. et Cie
Address for complaints:
Attn: Jean-Nicolas Barbier, Compliance Officer
5, Avenue Kleber
75116 Paris, France
Tel: +33-1-4212-1000
Email: gs-gspc-cftc-complaints@gs.com

Goldman Sachs Financial Markets Pty. Ltd.
Address for complaints:
Attn: Keith Birch, Compliance Officer
Level 46, Governor Philip Tower
1 Farrer Place
Sydney, NSW 2000, Australia
Tel: +61-2-9320-1406
Email: gs-gaus-cftc-complaints@gs.com

J. Aron & Company (Singapore) Pte.
Address for complaints:
Attn: Ken Ng, Compliance Officer
1 Raffles Link #07-01, South Lobby
Singapore 039393
Tel: (65) 6889 2399
Email: gs-jasg-cftc-complaints@gs.com

Goldman Sachs México, Casa de Bolsa, S.A. de C.V.
Address for complaints:
Attn: Alfonso Tena, Compliance Officer
Avenida Prado Sur 250, Piso 1
Col. Lomas De Chapultepec, 11000
Mexico D.F.
Email: gs-oficial-de-cumplimiento@gs.com

Goldman Sachs AG
Address for complaints:
Attn: Michael Bartsch, Chief Compliance Officer
MesseTurm
Friedrich-Ebert-Anlage 49
D-60308 Frankfurt am Main, Germany
Telephone: +49 69 7532 1000
Email: GSBE-Complaints@gs.com

Goldman Sachs Europe SE
Address for complaints:
Attn: Michael Bartsch, Chief Compliance Officer
MesseTurm
Friedrich-Ebert-Anlage 49
D-60308 Frankfurt am Main, Germany
Telephone: +49 69 7532 1000
Email: GSE-Complaints@gs.com
II. DEFINED TERMS

The terms below shall have the following meanings when used in these Notifications:

“Business Day” means a day on which commercial banks are open for general business (including dealings in foreign exchange and foreign currency deposits).

“CFTC” means the U.S. Commodity Futures Trading Commission.

“CFTC Regulations” means the rules, regulations, orders and interpretations published or issued by the CFTC.

“DCO” means a “derivatives clearing organization” as such term is defined in Section 1a(15) of the Commodity Exchange Act and the CFTC Regulations.


“FCM” means a futures commission merchant subject to regulation under the Commodity Exchange Act.

“Swap” means a “swap” as defined in Section 1a(47) of the Commodity Exchange Act and CFTC Regulation 1.3(xxx). The term “Swap” also includes any foreign exchange swaps and foreign exchange forwards that may be exempted from regulation as “swaps” by the U. S. Secretary of the Treasury pursuant to authority granted by Section 1a(47)(E) of the Commodity Exchange Act.

“Swap Communication Event” means, with respect to you and Swap Dealer, each (1) Swap Transaction Event, (2) offer to enter into a Swap Transaction Event and (3) “recommendation” (as such term is used in CFTC Regulation 23.434 and 23.440) with respect to a Swap or trading strategy involving a Swap.

“Swap Transaction Event” means, with respect to you and Swap Dealer, the execution of a new Swap or any material amendment, mutual unwind or novation of an existing Swap.