



**Colorado/Wyoming
CCIM Chapter**

ANTI-TRUST POLICY

THIS POLICY IS REQUIRED FOR LEGAL COMPLIANCE.

CCIM CO/WY Chapter is a not-for-profit 501C(6) organization. The CCIM CO/WY Chapter is not organized to and may not play any role in the competitive decisions of its members or their employees, nor in any way restrict competition among members or potential members. Rather it serves as a forum for a free and open discussion of diverse opinions without in any way attempting to encourage or sanction any particular business practice.

The CCIM CO/WY Chapter provides this forum in a variety of settings including its annual meeting, educational programs, committee meetings, and Board meetings. The Board of Directors recognizes the possibility that the CCIM CO/WY Chapter and its activities could be viewed by some as an opportunity for anti-competitive conduct. Therefore, this policy statement clearly and unequivocally supports the policy of competition served by the antitrust laws and to communicate CCIM CO/WY Chapter's uncompromising policy to comply strictly in all respects with those laws.

While recognizing the importance of the principle of competition served by the antitrust laws, the CCIM CO/WY Chapter also recognizes the severity of the potential penalties that might be imposed not only on the CCIM CO/WY Chapter but also its members in the event that certain conduct is found to violate the antitrust laws. Should CCIM CO/WY Chapter or its members be involved in any violation of federal/state antitrust laws, such violations can involve both civil and criminal penalties that may include imprisonment for up to 3 years as well as fines up to \$350,000 plus attorney fees for individuals, and up to \$10,000,000 plus attorney fees for the CCIM CO/WY Chapter. In addition, damage claims awarded to private parties in a civil suit are tripled for antitrust violations. Given the severity of such penalties, the Board intends to take all necessary and proper measures to ensure that violations of the antitrust laws do not occur.

Policy

In order to ensure that the CCIM CO/WY Chapter and its members comply with antitrust laws, the following actions are prohibited:

- acts of collusion, either written or oral, informal or formal, expressed or implied, with regard to prices or terms and conditions of contracts for services or products, at the CCIM CO/WY Chapter meetings or other CCIM CO/WY Chapter activities.
- discouraging or withholding patronage, or encouraging exclusive patronage, with any supplier or purchaser or group of suppliers or purchasers of products or services, any actual or potential competitor or group of actual potential competitors, or any private or governmental entity.

- allocating or dividing geographic or service markets or customers.
- restricting, limiting, prohibiting, or sanctioning advertising or solicitation that is false, misleading, deceptive, or directly competitive with Association products or services.
- discouraging entry into or competition in any segment of the marketplace.
- forging complaints regarding unethical or anti-competitive practices, actual or potential, against any member, competitor or other person. Such complaints are to follow the prescribed due process provisions of CCIM CO/WY Chapter's bylaws or the approved Industry Partner Program.

Furthermore, the following principles will be observed:

- The CCIM CO/WY Chapter recognizes the antitrust exemption for the First Amendment Right to Petition Government, referred to as the Noerr-Pennington Doctrine, which protects ethical and proper actions or discussions by members designed to influence: 1) legislation at the national, state, or local level. 2) regulatory or policy-making activities (as opposed to commercial activities) of a governmental body. 3) decisions of judicial bodies.
- Guest Speakers (committees, educational events, or other business meetings) shall be informed that they must comply with the CCIM CO/WY Chapter's Antitrust Policy in the preparation and the presentation of their remarks.
- Board Meetings will follow a written agenda. Minutes will be prepared after the meeting to provide a concise summary of actions taken or conclusions reached.

Approved: 6/25/2013

Revised: 1/28/14, 1/22/15, 1/17/2016



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ANTI-TRUST ACKNOWLEDGEMENT FORM

Federal laws prohibit the exchange of information among competitors regarding matters pertaining to price, refusals to deal, market division, tying relationships and other topics which might infringe upon antitrust regulations, and that no such exchange or discussion will be tolerated during this meeting. These guidelines apply not only to the formal meeting sessions, but to informal discussions during breaks, meals or social gatherings.

Signature below acknowledges the receipt of the approved Anti-Trust Policy and understanding of its contents and implications.

Zach Winters, CCIM
2016 President

Date

Demetra English, CCIM
2016 President Elect

Date

Jason Letman, CCIM
2016 Secretary/Treasurer

Date

Bob Rizutto
2016 Director-at-Large

Date

Brian Smith, CCIM
2016 Director-at-Large

Date

Chuck West, CCIM
2016 Director-at-Large

Date

Rebecca Martin, CCIM
2016 Past President

Date

Jodi Holstein, Administrative Architects
2016 Executive Director

Date



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ANTI-TRUST ACKNOWLEDGEMENT FORM - GUEST

Federal laws prohibit the exchange of information among competitors regarding matters pertaining to price, refusals to deal, market division, tying relationships and other topics which might infringe upon antitrust regulations, and that no such exchange or discussion will be tolerated during this meeting, whether by elected or appointed members of the Board, or by Guests that may attend meetings.

Signature below acknowledges the receipt of the approved Anti-Trust Policy and understanding of its contents and implications.

Print Name

Date

Signature

Purpose for attending meeting