

JAMES JILEK, BUSINESS BROKER, Inc.

219 W. WALNUT STREET

KALAMAZOO, MI 49007

(269) 343-1601 FAX: (269) 344-5009

Non Disclosure and Confidentiality Agreement

File Number: _____ Description: _____

Any information delivered to you will be on a confidential basis and your receipt thereof will be subject to the following terms and conditions:

- 1. "You" as hereinafter referred to shall mean you and any of your confidants.**
- 2. You shall use the provided information solely for the purpose of evaluating the business and/or real estate in order to determine whether you wish to undertake present or future negotiations for its purchase or use and you agree not to use the provided information for any competitive, governmental or legal purpose.**
- 3. For a period of three (3) years from the date hereof, you shall maintain all the provided information as secret and confidential and shall not copy or disclose directly or indirectly to any party, any of such information except when and after such information (a) is or becomes generally available to the public other than through the failure of you to fulfill the obligations herein, (b) was already known to you on a non-confidential basis prior to disclosure to it, or (c) is subsequently disclosed to you on a non-confidential basis by a third party not having an obligation of confidentiality.**
- 4. The provided information shall be disclosed only to such of your confidants whose duties require the possession thereof and whose knowledge of the information is required for you to make an appropriate analysis of the business and/or real estate.**
- 5. In the event we authorize you to inspect the business and/or real estate which employs technical information and know-how used in the operation, you agree to honor the same confidentiality and**

restrictions provided in paragraph two (2) with respect to any such technical information and know-how which may come to the attention of/or be disclosed to you during any such visit, whether through discussions with the business's employees or through visual inspection of such facilities or otherwise.

6. In consideration for introducing and furnishing you with information of the business and/or real estate for sale, you agree that should you enter into any agreement to purchase subject business and/or real estate introduced to you by James Jilek, Business Broker then such agreements will be made through James Jilek, Business Broker.

7. It is understood that (a) no representations or warranties are being made as to the completeness or accuracy of any information provided you and (b) all representations and warranties shall be made solely by the business and/or real estate in a signed acquisition agreement or purchase contract and then be subject to the provisions thereof.

8. The undersigned acknowledges the responsibility to perform a due diligence review at their own cost and expense prior to any acquisition.

AGREED AND ACCEPTED THIS _____ DAY OF _____ 20__

BY: _____ TITLE: _____

ADDRESS: _____

TELEPHONE: (____) _____ FAX: (____) _____

Form: disconf

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