



**Business Brokerage ~ Mergers & Acquisitions ~ Business Valuation**

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## **Confidentiality Agreement**

I/We, as potential acquisition candidates (“the Buyer”) of business opportunities (“the Business” or “the Seller”) presented by George & Company (“the Broker”) as exclusive agent or sub-agent, desire sufficient information to complete a confidential evaluation of the Business. In consideration thereof, I/We and our agents, agree to keep confidential all information hitherto provided by George & Company, and/or provided by the Business, it’s agents, employees, customers, vendors, etc.

1. Information includes all verbal and written data, reports, records, or materials obtained from the Seller’s agent or the Business, including but not limited to the Business name, location, and the knowledge that the Business is for sale.
2. Information is being furnished solely in connection with the Buyer’s consideration of the potential acquisition of the Business, and shall be treated as “secret,” and “confidential.” No portion of said information shall be disclosed to others, except the Buyer’s financial or legal advisors, whose knowledge of the information is required for the Buyer to evaluate the Business, and who shall assume the same obligations and terms of the agreement as set forth herein.
3. The Buyer agrees not to make any contact with the owner, employees, vendors or customers of the Business without the express permission of the Broker. The Buyer further agrees not to use any such information for his or her own account in any way that would compete directly with or cause damage to the business.
4. It is understood that the Business is the intended party and beneficiary whose rights are being protected. It is further understood that the Business may enforce the terms of this agreement as if it were a party to this agreement including such actions in a court of law to prevent any threatened breach of this agreement.
5. In the event no transaction is effected between the parties to this agreement all information (including all copies) shall be returned to the seller’s agent (the Broker) within 30 days of the execution of this agreement.
6. It is understood that no representations or warranties are being made by the Broker as to the accuracy or completeness of any information provided regarding the Business. Furthermore, that any and all representations and warranties are made solely by the Business, which shall be set forth in a signed acquisition or purchase agreement that shall then be subject to the provisions thereof. Accordingly, the undersigned acknowledges the responsibility to perform a “due diligence review” of financial books and records at his or her own cost and expense prior to any acquisition of a business.
7. As a condition to entering this agreement, the undersigned attests to and agrees to provide substantiation of financial ability and preparedness to consummate an acquisition, merger, or purchase of a business. All information provided in the attached Confidential Business Interest Profile will be treated reciprocally, i.e. with the same level of confidentiality as set forth above.
8. This agreement covers all George and Company business listings, acting either as primary agent or sub-agent, for a period of six (6) months from the date of signature.

**BY WAY OF SIGNATURE BELOW, THE UNDERSIGNED AGREES TO THE TERMS AND CONDITIONS OF THIS AGREEMENT AS SET FORTH ABOVE. THIS IS A LEGALLY BINDING DOCUMENT. IF YOU DO NOT UNDERSTAND ANY PART OF THIS AGREEMENT, CONSULT AN ATTORNEY.**

\_\_\_\_\_  
BUYER SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
HOME PHONE

\_\_\_\_\_  
CELL PHONE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
BUSINESS PHONE

\_\_\_\_\_  
FAX NUMBER

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
CITY, STATE, ZIP

\_\_\_\_\_  
AGENT FOR SELLER

## CONFIDENTIAL BUSINESS INTEREST PROFILE

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_  
(PLEASE PRINT)

Prior to the release of confidential financial and proprietary information about a business, our clients (sellers) require that we pre-qualify potential buyers. All of the information provided below will be held in strict confidence and will only be disclosed to the seller of a business of your expressed interest. Moreover, the more specific you are answering the following questions the better enabled we will be to assist you in achieving your personal business acquisition goals.

1. What specific business are you inquiring about? \_\_\_\_\_
2. Please list other the types of businesses you would consider purchasing?  
(A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_
3. What is the minimum personal gross income (annual) you would require from a business: \$ \_\_\_\_\_
4. What is the maximum cash down payment you could invest to acquire the right business: \$ \_\_\_\_\_
5. Please indicate below the dollar amount and form of the capital available to you for the purchase of a business:  
Cash or Equivalent \$ \_\_\_\_\_ Stocks & Bonds \$ \_\_\_\_\_  
Real Estate Equity \$ \_\_\_\_\_ Retirement Funds \$ \_\_\_\_\_  
Private Investor \$ \_\_\_\_\_ \*Other \$ \_\_\_\_\_

\* Please explain: \_\_\_\_\_

6. Do you own a home?  Yes  No
7. If yes, do you plan to use the equity in your home for a down payment?  Yes  No  Maybe
8. Please rate your personal credit history?  Excellent (always pay all bills on time)  
 Good (once or twice, 30 days past due)  Fair (once or twice, over 60 days)  
 Poor (generally pay 60 days after due date)  Any Repossessions or Charge-offs  Bankruptcy
9. Have you ever owned an equity position in a business before?  Yes  No
10. Please summarize your past business experience: \_\_\_\_\_  
\_\_\_\_\_
11. Who would be involved in the decision to buy a business other than yourself?  Spouse  Other Investor
12. Spouse's name? \_\_\_\_\_ Investor's Name? \_\_\_\_\_
13. Would they actively be involved in the daily operation of the business?  Yes  No
14. Would you consider the purchase of a franchise opportunity?  Yes  No
15. Would you like to have our national franchise specialist contact you?  Yes  No
16. What is your time frame for acquiring a business?  Less than 6 months  6-12 months  1 year plus
17. How long have you been looking for a business?  Less than 6 months  6-12 months  1 year plus
18. How much driving time would you allow to commute to the right business? \_\_\_\_\_
19. Would you relocate for the right business?  Yes  No
20. Are you currently employed?  Yes  No If yes, what is your current Salary \$ \_\_\_\_\_
21. Are you a United States citizen?  Yes  No If you are not, do you have a Green Card?  Yes  No
22. Have you ever been convicted of a crime other than a traffic violation or misdemeanor?  Yes  No
23. How did you hear about George & Company? \_\_\_\_\_
24. Have you spoken with other business brokers?  Yes  No  
If yes, with whom? \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
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