

Hercules Capital, Inc.
Form POS EX
March 09, 2018

As filed with the Securities and Exchange Commission on March 9, 2018

Securities Act File No. 333-214767

U.S. SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM N-2

REGISTRATION STATEMENT UNDER THE SECURITIES ACT OF 1933

(Check appropriate box or boxes)

Pre-Effective Amendment No.

Post-Effective Amendment No. 3

Hercules Capital, Inc.

(formerly known as Hercules Technology Growth Capital, Inc.)

(Exact name of Registrant as specified in charter)

400 Hamilton Avenue, Suite 310

Palo Alto, CA 94301

(Address of Principal Executive Offices)

Registrant's Telephone Number, including Area Code: (650) 289-3060

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Manuel A. Henriquez

Chief Executive Officer

Hercules Capital, Inc.

400 Hamilton Avenue, Suite 310

Palo Alto, CA 94301

(Name and address of agent for service)

COPIES TO:

William Bielefeld

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Dechert LLP

1095 Avenue of the Americas

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APPROXIMATE DATE OF PROPOSED PUBLIC OFFERING:

As soon as practicable after the effective date of this Registration Statement.

If any securities being registered on this form will be offered on a delayed or continuous basis in reliance on Rule 415 under the Securities Act of 1933, other than securities offered in connection with a dividend reinvestment plan, check the following box.

It is proposed that this filing will become effective (check appropriate box): when declared effective pursuant to section 8(c).

EXPLANATORY NOTE

This Post-Effective Amendment No. 3 to the Registration Statement on Form N-2 (File No. 333-214767) of Hercules Capital, Inc. (the Registration Statement) is being filed pursuant to Rule 462(d) under the Securities Act of 1933, as amended (the Securities Act), solely for the purpose of filing exhibits to the Registration Statement. Accordingly, this Post-Effective Amendment No. 3 consists only of a facing page, this explanatory note and Part C of the Registration Statement on Form N-2 setting forth the exhibits to the Registration Statement. This Post-Effective Amendment No. 3 does not modify any other part of the Registration Statement. Pursuant to Rule 462(d) under the Securities Act, this Post-Effective Amendment No. 3 shall become effective immediately upon filing with the Securities and Exchange Commission. The contents of the Registration Statement are hereby incorporated by reference.

PART C OTHER INFORMATION

Item 25. Financial Statements and Exhibits

1. Financial Statements

The following financial statements of Hercules Capital, Inc. (the Company or the Registrant) are included in this registration statement in Part A Information Required in a Prospectus :

AUDITED FINANCIAL STATEMENTS

Reports of Independent Registered Public Accounting Firm	F-2
Consolidated Statements of Assets and Liabilities as of December 31, 2016 and 2015	F-3
Consolidated Statements of Operations for the three years ended December 31, 2016	F-5
Consolidated Statements of Changes in Net Assets for the three years ended December 31, 2016	F-6
Consolidated Statements of Cash Flows for the three years ended December 31, 2016	F-7
Consolidated Schedule of Investments as of December 31, 2016	F-8
Consolidated Schedule of Investments as of December 31, 2015	F-25
Notes to Consolidated Financial Statements	F-40
Consolidated Schedule of Investments In and Advances to Affiliates as of December 31, 2016	F-84

UNAUDITED FINANCIAL STATEMENTS

Consolidated Statements of Assets and Liabilities as of June 30, 2017 and December 31, 2016 (unaudited)	F-85
Consolidated Statements of Operations for the three and six months ended June 30, 2017 and 2016 (unaudited)	F-87
Consolidated Statements of Changes in Net Assets for the six months ended June 30, 2017 and 2016 (unaudited)	F-88
Consolidated Statements of Cash Flows for the six months ended June 30, 2017 and 2016 (unaudited)	F-89
Consolidated Schedule of Investments as of June 30, 2017 (unaudited)	F-90
Consolidated Schedule of Investments as of December 31, 2016 (unaudited)	F-106
Notes to Consolidated Financial Statements (unaudited)	F-123
Consolidated Schedule of Investments In and Advances to Affiliates as of June 30, 2017	F-161

2. Exhibits

Exhibit

Number	Description
a.1	Articles of Amendment and Restatement. ⁽²⁾
a.2	Articles of Amendment, dated March 6, 2007. ⁽¹⁰⁾
a.3	Articles of Amendment, dated April 5, 2011. ⁽¹⁷⁾
a.4	Articles of Amendment, dated April 3, 2015. ⁽²⁹⁾
a.5	Articles of Amendment, dated February 25, 2016. ⁽³⁴⁾
b	Amended and Restated Bylaws of Hercules Capital, Inc. ⁽³⁴⁾
d.1	Specimen certificate of the Company s common stock, par value \$.001 per share ⁽³⁾
d.2	Form of Indenture and related exhibits. ⁽¹⁸⁾
d.3	Form of Warrant Agreement. ⁽¹⁸⁾
d.4	Form of Subscription Agent Agreement. ⁽¹⁸⁾
d.5	Form of Subscription Certificate. ⁽¹⁸⁾

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Number	Description
d.6	Statement of Eligibility of Trustee on Form T-1. ⁽⁴⁷⁾
d.7	Indenture, dated March 6, 2012 between the Registrant and U.S. Bank National Association. ⁽¹⁹⁾
d.8	First Supplemental Indenture, dated April 17, 2012 between the Registrant and U.S. Bank, National Association. ⁽¹⁹⁾
d.9	Second Supplemental Indenture, dated as of September 24, 2012, between the Registrant and U.S. Bank, National Association. ⁽²¹⁾
d.10	Third Supplemental Indenture, dated as of July 14, 2014, between the Registrant and U.S. Bank, National Association. ⁽²⁶⁾
d.11	Form of 7.00% Senior Note due 2019, dated as of April 17, 2012 (Existing April 2019 Note) (included as part of Exhibit (d)(8)). ⁽¹⁹⁾
d.12	Form of 7.00% Senior Note due 2019, dated as of July 6, 2012 (Additional April 2019 Note). ⁽²⁰⁾
d.13	Form of 7.00% Senior Note due 2019, dated as of July 12, 2012 (Over-Allotment April 2019 Note). ⁽²³⁾
d.14	Form of 7.00% Senior Note due 2019, dated as of September 24, 2012 (September 2019 Note) (included as part of Exhibit (d)(9)). ⁽²¹⁾
d.15	Form of 7.00% Senior Note due 2019, dated as of October 2, 2012 (Over-Allotment September 2019 Note). ⁽²²⁾
d.16	Form of 7.00% Senior Note due 2019, dated as of October 17, 2012 (Over-Allotment II September 2019 Note). ⁽²⁴⁾
d.17	Form of 6.25% Note due 2024, dated July 14, 2014 (July 2024 Note) (included as part of Exhibit (d)(10)). ⁽²⁶⁾
d.18	Form of 6.25% Note due 2024, dated August 11, 2014 (Over-Allotment July 2024 Note). ⁽²⁷⁾
d.19	Form of 6.25% Note due 2024, dated May 2, 2016 (Additional July 2024 Note). ⁽³⁸⁾
d.20	Form of 6.25% Note due 2024, June 27, 2016 (Additional July 2024 Note). ⁽³⁹⁾
d.21	Form of 6.25% Note due 2024, July 5, 2016 (Additional July 2024 Note). ⁽⁴⁰⁾
d.22	Form of 6.25% Note due 2024, October 11, 2016 (Additional July 2024 Note). ⁽⁴³⁾
d.23	Indenture, dated January 25, 2017, between Hercules Capital, Inc. and U.S. Bank, National Association, as Trustee ⁽⁴⁵⁾
d.24	Form of 4.375% Convertible Note Due 2022 (included as part of Exhibit d.23) ⁽⁴⁵⁾
d.25	Fourth Supplemental Indenture, dated as of October 23, 2017, between the Registrant and U.S. Bank, National Association. ⁽⁴⁹⁾
d.26	Form of 4.625% Note due 2022, dated October 23, 2017 (included as part of Exhibit (d)(25)). ⁽⁴⁹⁾
e	Form of Dividend Reinvestment Plan. ⁽⁴⁾
f.1	Loan Sale Agreement between Hercules Funding LLC and Hercules Technology Growth Capital, Inc. dated as of August 1, 2005. ⁽⁵⁾
f.2	Indenture between Hercules Funding Trust I and U.S. Bank National Association dated as of August 1, 2005. ⁽⁵⁾
f.3	Note Purchase Agreement among Hercules Funding Trust I, Hercules Funding I LLC, Hercules Technology Growth Capital, Inc. and Citigroup Global Markets Realty Corp. dated as of August 1, 2005. ⁽⁵⁾

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Number	Description
f.4	First Omnibus Amendment by and among Hercules Funding Trust I, Hercules Funding I, LLC, Hercules Technology Growth Capital, Inc., U.S. Bank National Association, Lyon Financial Services, Inc. and Citigroup Global Markets Realty Corp. dated March 6, 2006. ⁽⁶⁾
f.5	Intercreditor Agreement among Hercules Technology Growth Capital, Inc., Alcmene Funding, L.L.C. and Citigroup Global Markets Realty Corp. dated as of March 6, 2006. ⁽⁶⁾
f.6	Warrant Participation Agreement between the Company and Citigroup Global Markets Realty Corp. dated as of August 1, 2005. ⁽⁷⁾
f.7	Second Amendment to Warrant Participation Agreement dated as of October 16, 2006. ⁽⁷⁾
f.8	Second Omnibus Amendment by and among Hercules Funding Trust I, Hercules Funding I, LLC, Hercules Technology Growth Capital, Inc., U.S. Bank National Association, Lyon Financial Services, Inc. and Citigroup Global Markets Realty Corp. dated December 6, 2006. ⁽⁸⁾
f.9	Amended and Restated Sale and Servicing Agreement by and among Hercules Funding Trust I, Hercules Funding I LLC, the Company, U.S. Bank National Association, Lyon Financial Services, Inc., Citigroup Global Markets Inc., and Deutsche Bank AG dated as of May 2, 2007. ⁽¹¹⁾
f.10	Fourth Amendment to the Warrant Participation Agreement by and among Hercules Technology Growth Capital, Inc. and Citigroup Global Markets Realty Corp., dated as of May 2, 2007. ⁽¹²⁾
f.11	Amended and Restated Note Purchase Agreement by and among Hercules Funding Trust I, Hercules Funding I LLC, Hercules Technology Growth Capital, Inc. and Citigroup Global Markets, Inc. dated as of May 2, 2007. ⁽¹²⁾
f.12	First Amendment to Amended and Restated Note Purchase Agreement by and among Hercules Funding Trust I, Hercules Funding I LLC, Hercules Technology Growth Capital, Inc. and Citigroup Global Markets, Inc. dated as of May 7, 2008. ⁽¹⁴⁾
f.13	Second Amendment to Amended and Restated Sale and Servicing Agreement by and among Hercules Funding Trust I, Hercules Funding I LLC, Hercules Technology Growth Capital, Inc., U.S. Bank National Association, Lyon Financial Services, Inc., Citigroup Global Markets Inc., and Deutsche Bank AG dated as of May 7, 2008. ⁽¹⁴⁾
f.14	Form of SBA Debenture. ⁽¹⁵⁾
f.15	Amended and Restated Loan and Security Agreement by and among Hercules Funding II, LLC, the Lenders thereto and Wells Fargo Capital Finance, LLC, dated as of June 29, 2015. ⁽³¹⁾
f.16	Amended and Restated Sales and Servicing Agreement among Hercules Funding II, LLC, Hercules Technology Growth Capital, Inc. and Wells Fargo Capital Finance, LLC, dated as of June 29, 2015. ⁽³¹⁾
f.17	Amended and Restated Loan and Security Agreement by and between Hercules Technology Growth Capital, Inc. and Union Bank, N.A. dated November 2, 2011. ⁽¹⁶⁾
f.18	Indenture by and between Hercules Capital Funding Trust 2012-1 and U.S. Bank National Association, dated as of December 19, 2012. ⁽²⁵⁾
f.19	Amended and Restated Trust Agreement by and between Hercules Capital Funding 2012-1 LLC and Wilmington Trust, National Association, dated as of December 19, 2012. ⁽²⁵⁾
f.20	Sale and Servicing Agreement by and between Hercules Capital Funding 2012-1 LLC, Hercules Capital Funding Trust 2012-1 LLC, Hercules Technology Growth Capital, Inc. and U.S. Bank National Association, dated as of December 19, 2012. ⁽²⁵⁾
f.21	Sale and Contribution Agreement by and between Hercules Technology Growth Capital, Inc. and Hercules Capital Funding 2012-1 LLC, dated as of December 19, 2012. ⁽²⁵⁾

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Number	Description
f.22	Note Purchase Agreement by and between the Hercules Technology Growth Capital, Inc., Hercules Capital Funding 2012-1 LLC, as Trust Depositor, Hercules Capital Funding Trust 2012-1, as Issuer, and Guggenheim Securities, LLC, as Initial Purchaser, dated as of December 12, 2012. ⁽²⁵⁾
f.23	Administration Agreement by and between Hercules Capital Funding Trust 2012-1 LLC, Hercules Technology Growth Capital, Inc., Wilmington Trust, National Association, and U.S. Bank National Association, dated as of December 19, 2012. ⁽²⁵⁾
f.24	Indenture by and among Hercules Capital Funding Trust 2014-1 and U.S. Bank National Association, dated as of November 13, 2014. ⁽²⁸⁾
f.25	Amended and Restated Trust Agreement by and among Hercules Capital Funding 2014-1 LLC and Wilmington Trust, National Association, dated as of November 13, 2014. ⁽²⁸⁾
f.26	Sale and Servicing Agreement by and among Hercules Capital Funding Trust 2014-1, Hercules Technology Growth Capital, Inc., Hercules Capital Funding 2014-1 LLC and U.S. Bank National Association, dated as of November 13, 2014. ⁽²⁸⁾
f.27	Sale and Contribution Agreement by and among Hercules Technology Growth Capital, Inc. and Hercules Capital Funding 2014-1 LLC, dated as of November 13, 2014. ⁽²⁸⁾
f.28	Note Purchase Agreement among Hercules Technology Growth Capital, Inc., Hercules Capital Funding 2014-1 LLC, Hercules Capital Funding Trust 2014-1 and Guggenheim Securities, LLC, dated as of November 4, 2014. ⁽²⁸⁾
f.29	Administration Agreement among Hercules Technology Growth Capital, Inc., Hercules Capital Funding Trust 2014-1, Wilmington Trust National Association and U.S. Bank National Association, dated November 13, 2014. ⁽²⁸⁾
f.30	First Amendment to Amended and Restated Loan and Security Agreement by and among Hercules Funding II LLC and Wells Fargo Capital Finance, LLC (f/k/a Wells Fargo Foothill, LLC), dated as of December 16, 2015. ⁽³³⁾
f.31	First Amendment and Waiver to Second Amended and Restated Loan and Security Agreement by and among Hercules Technology Growth Capital, Inc. and MUFG Union Bank, N.A., dated as of November 3, 2015. ⁽³²⁾
f.32	Second Amendment to Amended and Restated Loan and Security Agreement by and among Hercules Funding II LLC and Wells Fargo Capital Finance, LLC (f/k/a Wells Fargo Foothill, LLC), dated as of March 8, 2016. ⁽³⁵⁾
f.33	Third Amendment to Amended and Restated Loan and Security Agreement by and among Hercules Funding II LLC and Wells Fargo Capital Finance, LLC (f/k/a Wells Fargo Foothill, LLC), dated as of April 7, 2016. ⁽³⁶⁾
f.34	Loan and Security Agreement by and among Hercules Funding III, LLC, as borrower, MUFG Union Bank, N.A., as the arranger and administrative agent, and the lenders party thereto from time to time, dated as of May 5, 2016. ⁽³⁷⁾
f.35	Sale and Servicing Agreement by and among Hercules Funding III LLC, as borrower, Hercules Capital, Inc., as originator and servicer, and MUFG Union Bank, N.A., as agent, dated as of May 5, 2016. ⁽³⁷⁾
f.36	First Amendment to Loan and Security Agreement by and among Hercules Funding III LLC, as borrower, MUFG Union Bank, N.A., as the arranger and administrative agent, and the lenders party thereto from time to time, dated as of July 14, 2016. ⁽⁴¹⁾
f.37	Fourth Amendment to Amended and Restated Loan and Security Agreement by and among Hercules Funding II LLC and Wells Fargo Capital Finance, LLC (f/k/a Wells Fargo Foothill, LLC), dated as of April 3, 2017. ⁽⁴⁶⁾

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Number	Description
h.1	Form of Equity Underwriting Agreement. ⁽³⁰⁾
h.2	Form of Debt Underwriting Agreement. ⁽³⁰⁾
h.3	Equity Distribution Agreement, dated as of September 8, 2017, by and among the Registrant and JMP Securities LLC. ⁽⁴⁸⁾
h.4	Underwriting Agreement, dated as of June 22, 2016, by and among the Registrant and the Underwriters named therein. ⁽³⁹⁾
h.5	Debt Distribution Agreement, dated as of October 11, 2016, by and among the Registrant and FBR Capital Markets & Co. ⁽⁴³⁾
h.6	Underwriting Agreement, dated as of October 18, 2017, by and among the Registrant and the Underwriters named therein. ⁽⁴⁹⁾
i.1	Hercules Capital, Inc. Amended and Restated 2004 Equity Incentive Plan. ⁽⁴⁴⁾
i.2	Hercules Technology Growth Capital, Inc. 2006 Non-Employee Director Plan (2007 Amendment and Restatement). ⁽¹³⁾
i.3	Form of Incentive Stock Option Award under the 2004 Equity Incentive Plan. ⁽²⁾
i.4	Form of Nonstatutory Stock Option Award under the 2004 Equity Incentive Plan. ⁽²⁾
i.5	Form of Restricted Stock Award Agreement. ⁽⁴⁴⁾
i.6	Form of Performance Restricted Stock Unit Award Agreement. ⁽⁴⁴⁾
j	Form of Custody Agreement between the Company and Union Bank of California. ⁽²⁾
k.1	Form of Registrar Transfer Agency and Service Agreement between the Company and American Stock Transfer & Trust Company. ⁽²⁾
k.2	Warrant Agreement dated June 22, 2004 between the Company and American Stock Transfer & Trust Company, as warrant agent. ⁽¹⁾
k.3	Lease Agreement dated June 13, 2006 between the Company and 400 Hamilton Associates. ⁽⁹⁾
k.4	Form of Indemnification Agreement. ⁽⁴²⁾
k.5	Retention Agreement, dated as of October 26, 2017, by and between Hercules Capital, Inc. and Manuel Henriquez. ⁽⁵⁰⁾
k.6	Retention Agreement, dated as of October 26, 2017, by and between Hercules Capital, Inc. and Scott Bluestein. ⁽⁵⁰⁾
k.7	Asset Purchase Agreement, dated as of November 1, 2017 by and between Ares Capital Corporation, a Maryland corporation and, together with each Seller Designee permitted pursuant to the Agreement, and Bearcub Acquisitions LLC, a Delaware limited liability company. ⁽⁵¹⁾
k.8	Separation Agreement, dated as of November 2, 2017, by and between Hercules Capital, Inc. and Mark Harris. ⁽⁵²⁾
l.1	Opinion of Dechert LLP. ⁽⁴⁷⁾
l.2	Opinion of Dechert LLP. ⁽⁴⁸⁾
l.3	Opinion of Dechert LLP. ⁽⁴⁹⁾
n.1	Consent of PricewaterhouseCoopers LLP. ⁽⁴⁷⁾
n.2	Report of PricewaterhouseCoopers LLP. ⁽⁴⁷⁾
n.3	Consent of Dechert LLP (included in Exhibit l.1). ⁽⁴⁷⁾

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Number	Description
n.4	Consent of Dechert LLP (included in Exhibit 1.2). ⁽⁴⁸⁾
n.5	Consent of Dechert LLP (included in Exhibit 1.3). ⁽⁴⁹⁾
n.6*	Consent of PricewaterhouseCoopers LLP.
n.7*	Report of PricewaterhouseCoopers LLP.
p	Subscription Agreement dated February 2, 2004 between the Company and the subscribers named therein. ⁽²⁾
r	Code of Ethics. ⁽⁵³⁾
s.1	Form of Prospectus Supplement For Common Stock Offerings. ⁽³⁰⁾
s.2	Form of Prospectus Supplement For Preferred Stock Offerings. ⁽³⁰⁾
s.3	Form of Prospectus Supplement For Debt Offerings. ⁽³⁰⁾
s.4	Form of Prospectus Supplement For Rights Offerings. ⁽³⁰⁾
s.5	Form of Prospectus Supplement For Warrant Offerings. ⁽³⁰⁾
s.6	Form of Prospectus For At-the-Market Offerings. ⁽³⁰⁾
99.1	Statement of Computation of Ratios of Earnings to Fixed Charges. ⁽⁴⁷⁾

* Filed herewith.

(1) Previously filed as part of the Registration Statement on Form N-2 of the Company, as filed on February 22, 2005.

(2) Previously filed as part of Pre-Effective Amendment No. 1, as filed on May 17, 2005 (File No. 333-122950) to the Registration Statement on Form N-2 of the Company.

(3) Previously filed as part of Pre-Effective Amendment No. 2, as filed on June 8, 2005 (File No. 333-122950) to the Registration Statement on Form N-2 of the Company.

(4) Previously filed as part of Post-Effective Amendment No. 1, as filed on June 10, 2005 (File No. 333-122950) to the Registration Statement on Form N-2 of the Company.

(5) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on August 5, 2005.

(6) Previously filed as part of Post-Effective Amendment No. 3, as filed on March 9, 2006 (File No. 333-126604) to the Registration Statement on Form N-2 of the Company.

(7) Previously filed as part of the Pre-Effective Amendment No. 1, as filed on October 17, 2006 (File No. 333-136918) to the Registration Statement on Form N-2 of the Company.

(8) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on December 6, 2006.

(9) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on August 1, 2006.

(10) Previously filed as part of the Current Report on Form 8-K of the Company, as filed March 9, 2007.

(11) Previously filed as part of the Current Report on Form 8-K of the Company, as filed May 4, 2007.

(12) Previously filed as part of the Pre-Effective Amendment No. 1, as filed May 15, 2007 (File No. 333-141828), to the Registration Statement on Form N-2 of the Company.

(13) Previously filed as part of the Securities to be Offered to Employees in Employee Benefit Plans on Form S-8, as filed October 2, 2007.

(14) Previously filed as part of the Pre-Effective Amendment No. 2, as filed June 5, 2008 (File No. 333-150403), to the Registration Statement on Form N-2 of the Company.

(15) Previously filed as part of the Annual Report on Form 10-K of the Company, as filed on March 16, 2009.

(16) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on November 4, 2011.

(17) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on April 11, 2011.

(18) Previously filed as part of the Registration Statement on Form N-2 of the Company, as filed on February 8, 2012 (File No. 333-179431).

(19) Previously filed as part of Post-Effective Amendment No. 1, as filed on April 17, 2012 (File No. 333-179431), to the Registration Statement on Form N-2 of the Company.

(20) Previously filed as part of Post-Effective Amendment No. 2, as filed on July 6, 2012 (File No. 333-179431), to the Registration Statement on Form N-2 of the Company.

(21) Previously filed as part of Post-Effective Amendment No. 5, as filed on September 24, 2012 (File No. 333-179431), to the Registration Statement on Form N-2 of the Company.

(22) Previously filed as part of Post-Effective Amendment No. 7, as filed on October 2, 2012 (File No. 333-179431), to the Registration Statement on Form N-2 of the Company.

(23) Previously filed as part of Post-Effective Amendment No. 3, as filed on July 12, 2012 (File No. 333-179431), to the Registration Statement of the Company.

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- (24) Previously filed as part of Post-Effective Amendment No. 8, as filed on October 17, 2012 (File No. 333-179431), to the Registration Statement on Form N-2 of the Company.
- (25) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on December 20, 2012.
- (26) Previously filed as part of Post-Effective Amendment No. 5, as filed on July 14, 2014 (File No. 333-187447), to the Registration Statement on Form N-2 of the Company.
- (27) Previously filed as part of Post-Effective Amendment No. 6, as filed on August 11, 2014 (File No. 333-187447), to the Registration Statement on Form N-2 of the Company.
- (28) Previously filed as part of Post-Effective Amendment No. 8, as filed on March 25, 2015 (File No. 333-187447), to the Registration Statement on Form N-2 of the Company.
- (29) Previously filed as part of the Registration Statement on Form N-2 of the Company, as filed on April 20, 2015 (File No. 333-203511).
- (30) Previously filed as part of Pre-Effective Amendment No. 1, as filed on June 8, 2015 (File No 333-203511), to the Registration Statement on Form N-2 of the Company.
- (31) Previously filed as part of the current report on Form 8-K of the Company, as filed on June 30, 2015.
- (32) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on November 13, 2015.
- (33) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on December 18, 2015.
- (34) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on February 25, 2016.
- (35) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on March 8, 2016
- (36) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on April 11, 2016
- (37) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on May 10, 2016.
- (38) Previously filed as part of Post-Effective Amendment No. 3, as filed on May 2, 2016 (File No. 333-203511), to the Registration Statement on Form N-2 of the Company.
- (39) Previously filed as part of Post-Effective Amendment No. 6, as filed on June 27, 2016 (File No. 333-203511), to the Registration Statement on Form N-2 of the Company.
- (40) Previously filed as part of Post-Effective Amendment No. 7, as filed on July 5, 2016 (File No. 333-203511), to the Registration Statement on Form N-2 of the Company.
- (41) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on July 19, 2016.
- (42) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on July 22, 2016.
- (43) Previously filed as part of Post-Effective Amendment No. 10, as filed on October 14, 2016 (File No. 333-203511), to the Registration Statement on Form N-2 of the Company.
- (44) Previously filed as part of the Current Report on Form 8-K of the Company, as filed on January 5, 2017.