

THE CLAIMS DEADLINE IS MARCH 25, 2013

Si desea una copia de este paquete de reclamación en español, por favor llame gratis al 1-888-508-4429.

INSTRUCTIONS

Please follow the instructions below in completing your Claim Form:

1. **You must complete all five (5) parts of the Claim Form and sign it, provide all requested documents and sign the Settlement Agreement for your claim to be considered for an award.**
2. When completing the Claim Form, print clearly using blue or black ink. Please do not staple.
3. Never send originals of any documents you include – submit copies. Clearly label any documents you enclose with your name and SSN.
4. **Your Claim Form must be returned postmarked no later than March 25, 2013 to:**

Claims Administrator
PO Box 4540
Portland, OR 97208-4540

5. The return date is (i) the date of postmark if sent via first-class mail, or (ii) the date of deposit if sent by courier or overnight delivery.
6. Claims are limited to one (1) per farm operation.
7. For any of your answers or statements, you may attach additional sheets for your explanation, as necessary. Clearly label any additional sheets with your name and SSN.
8. If you have questions, please contact the Claims Administrator toll-free at **1-888-508-4429**.

SUMMARY

This summary provides an overview of the five (5) parts of the Claim Form:

PART 1 – CLAIMANT INFORMATION

1. This section asks for basic information about the Claimant.
2. You must complete the Claimant Information section about the person seeking to participate in the Claims Process.
3. You must keep the Claims Administrator informed about any changes in your mailing address and telephone number because that is the information that the Claims Administrator will use to contact you about your claim.

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THE CLAIMS DEADLINE IS MARCH 25, 2013

SUMMARY (continued)

4. Please complete the Submitter Information with your information if the Claimant is dead or unable to fill out his or her own Claim Form due to a disability.
5. If you are the Claimant's Legal Representative, you must submit the Court Order appointing you as the Claimant's Legal Representative or executor of the will, power of attorney documents, or other proof of guardianship.
6. If you are submitting a claim on behalf of a dead Claimant, you must submit a copy of the death certificate.

PART 2 – TIER SELECTION

1. There are three tiers for payments. In this part, you must make your selection. **Once you submit the Claim Form, your selection is final.**
2. You may only choose to participate in one (1) Tier.

PART 3 – CLAIM INFORMATION

1. Please answer all questions and provide details to support your claim.
2. Please provide all requested documents.

PART 4 – ACKNOWLEDGEMENTS

You must agree to all eight (8) statements in the Claim Form for your claim to be considered:

1. Acknowledgement A – Finality - This acknowledgement states that all decisions by the Administrator (Epiq Systems, Inc.) or the Adjudicator (JAMS, Inc.) are final. Neither the Claimant nor USDA can appeal decisions made by the Administrator or the Adjudicator.
2. Acknowledgement B – Release of rights - This acknowledgement states that you give up the right to file a lawsuit on your claims of USDA farm loan discrimination that arose during the same time period covered by this Claims Process. You must sign the Settlement Agreement included in your Claim Package.
3. Acknowledgement C – Awards - This acknowledgement states the maximum monetary award depending on the Tier you choose. It also states that successful Claimants who currently hold debt with the Farm Service Agency ("FSA") may be eligible for debt forgiveness on certain qualifying loans.
4. Acknowledgement D – Taxes - This acknowledgement states that successful Claimants may receive an additional payment for taxes under Tiers 1(a) and 2. This payment is not intended to pay all of your taxes.

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THE CLAIMS DEADLINE IS MARCH 25, 2013

SUMMARY (continued)

5. Acknowledgement E – Documentation - If specific documentation is required on the Claim Form, you must submit the documentation.
6. Acknowledgement F – Single recovery - An individual who is both Hispanic and female can only recover once in this process.
7. Acknowledgement G – One Claim - The Claims Process provides for only one payment for each farm operation with a successful claim.
8. Acknowledgement H – Other Actions - If you, a spouse, or anyone on your behalf has already participated in Pigford I, In re Black Farmers Discrimination Litigation, or Keepseagle by filing a claim, then you cannot participate in this program and any claim filed will be denied.

PART 5 – DECLARATION

1. In this part, you must sign the Claim Form.
2. If an attorney assists you in completing and submitting this Claim Form, the attorney must also sign the Claim Form. Note that you are not required to have an attorney assist you.

DEFINITIONS

Administrator (also referred to as the Claims Administrator) – The neutral party who will process the Claim Package that you submit. For this process, the Administrator is Epiq Systems, Inc.

Adjudicator (also referred to as the Claims Adjudicator) – The neutral party who will decide whether Claimants in this Claims Process will receive an award and if so, what type of award (cash award, debt relief, tax relief) and how much. For this process, the Adjudicator is JAMS, Inc.

Co-Applicant – An individual who jointly applied to the USDA for a farm loan or loan servicing with a Claimant to this Claims Process. Claims from individuals who jointly own and operate a farm together will be treated as one claim in this process.

Debt forgiveness – USDA actions to cancel all, or part of, your existing farm loan debt.

Economic damages – Include any amount of money that you had to spend, lost or did not make because of the alleged USDA discrimination.

Farm/Farmer – Ranch operations and ranchers are also eligible for this Claims Process. Where farm or farmers appears in this Claim Form, it also includes ranches and ranchers.

Loan Servicing – USDA actions on an existing USDA farm loan, including loan consolidation, restructuring, rescheduling, deferral of payments, or other services.

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THE CLAIMS DEADLINE IS MARCH 25, 2013

DEFINITIONS (continued)

Participation in other USDA settlements or other proceedings – “Participated in” means that you, a spouse, or anyone on your behalf asserted a claim in Pigford I, In re Black Farmers Discrimination Litigation (“Pigford II”), or Keepseagle. Claim Packages submitted for consideration in this Claims Process by persons who participated in Pigford I or Pigford II will be disallowed by the Claims Administrator. Native American farmers who are also Hispanic or female cannot participate in this Claims Process and Keepseagle with respect to the same underlying claim of discrimination. “Participated in” also means that a farmer asserted a claim in any other administrative or civil proceeding alleging lending discrimination by USDA during the Relevant Period and received a final resolution of the claim. The Claims Administrator will check your name and the address of your farm to determine whether you filed a claim or a claim was filed on your behalf in these other cases or other administrative or civil proceedings.

Preponderance of the evidence standard – Evidence (for example, documents or sworn statements) that proves that something is more likely true than not true.

Relevant Period for Discrimination –

January 1, 1981 – December 31, 1996 – All Claimants

October 13, 1998 – October 13, 2000 – Hispanic Claimants only

October 19, 1998 – October 19, 2000 – Female Claimants only

Settlement Agreement – A document contained in your Claim Package that you must sign and submit for your claim to be considered. By signing the Settlement Agreement, you are waiving your right to sue USDA or the U.S. Government for lending discrimination that happened during the same time period covered by this Claims Process.

Similarly situated farmer or rancher – It means a farmer or rancher who is like you and had a similar farm or ranch, but is of a different race, ethnicity or gender.

Sole proprietor – Someone who owns and runs a business by himself or herself.

Substantial evidence standard – Evidence that a reasonable person might accept as adequate to support a conclusion after taking into account other evidence that does not support that conclusion.

Sworn, verified, or notarized written witness statement – A document that states facts that an individual swears to be true and accurate. Such statements are often signed and stamped by a notary public.