

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.

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.

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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.

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.

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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.

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.

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.

PART 1: CLAIMANT INFORMATION (continued)

1. Are you the claimant's Legal Representative? Yes No
2. If you are the claimant's 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.
3. If you are submitting a claim on behalf of a dead claimant, you must submit a copy of the death certificate and answer the following questions:
- a. Is the claimant's death certificate included with this Claim Form? Yes No
- b. If an estate exists for the claimant, please provide the Estate Taxpayer ID Number:

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PART 2: TIER SELECTION

There are three tiers, which are described immediately below: TIERS: 1(a), 1(b), and 2. You must select one.

What can I get if I file a successful claim?

There are three tiers for payments. Each tier provides for a different payment amount and requires that you send in, along with this completed and signed Claim Form, a different amount or type of evidence to prove your claim.

Payment Awards

TIER 1(a). If you are successful under Tier 1(a), you will receive:

- A cash award of up to \$50,000, depending on the number of successful claims;
- Debt forgiveness from USDA for some or all of your eligible USDA/FSA Farm Loan Program debt; and
- A tax payment to the IRS of 25% of the total of the cash award and debt relief.

TIER 1(b). If you are successful under Tier 1(b), you will receive:

- A cash award for proven actual damages (that is, for the losses you can prove) of up to \$250,000; and
- Debt forgiveness from USDA for some or all of your eligible USDA/FSA Farm Loan Program debt.
- The USDA will not make any tax payment to the IRS on your behalf. You will have to pay the IRS yourself for any taxes due on your award.

TIER 2. If you are successful under Tier 2, you will receive:

- A \$50,000 cash award;
- Debt forgiveness from USDA for some or all of your eligible USDA/FSA Farm Loan Program debt; and
- A tax payment to the IRS of 25% of the total of the cash award and debt relief.

Go to Attachment 4 – DESCRIPTION OF TIERS – in your Claims Package for a detailed description of the Tiers.

What documents must I send with this form?

Each tier requires that you submit a different set of documents proving your claim. You also must sign and send in a Settlement Agreement (Attachment 1) included in the Claims Package.

Tier 1(a) Required Documents:

Did you submit a written farm loan or loan servicing application to USDA? If so, you must submit:

- This Claim Form and the Settlement Agreement.

Did you try to apply for a USDA loan or loan servicing, but did not submit a written application to USDA? If so, you must submit:

- This Claim Form and the Settlement Agreement; **AND**
- A sworn, verified, or notarized written witness statement from someone who witnessed USDA's discrimination against you; **OR**
- A written complaint of discrimination that you or your representative filed with the USDA within one (1) year of when you tried to apply; **OR**
- A letter or other document from a non-family member to you, or from you to a non-family member, that was written and dated within one year of when you tried to apply for a loan and that shows that you tried to apply for a farm loan or loan servicing; that you had a farm business plan which included specific crops, equipment, and the general location of the acreage; and that a USDA official actively discouraged you from applying for the farm loan or loan servicing.

PART 2: TIER SELECTION (continued)

What documents must I send with this form? (continued)

Tier 1(b) Required Documents:

- This Claim Form and the Settlement Agreement; **AND**
- A copy of the farm loan or servicing application or other documents from USDA showing that you submitted the application; **AND**
- A copy of your discrimination complaint you sent to USDA or a copy of a document from USDA or another U.S. Government official showing that they received your discrimination complaint; **AND**
- The name of a farmer who is similarly situated to you, except that person is non-Hispanic White (if you are Hispanic/Latino) or male (if you are female); **AND**
- Documents showing any actual economic damages you suffered (that is, that you spent, lost or did not make money) because of USDA's treatment of your farm loan or loan servicing application.

Tier 2 Required Documents:

- This Claim Form and the Settlement Agreement; **AND**
- A copy of the farm loan or servicing application or other documents from USDA showing that you submitted the application; **AND**
- A copy of your discrimination complaint you sent to USDA or a copy of a document from USDA or another U.S. Government official document showing that USDA received your discrimination complaint.

Please select your tier

ONCE YOU SUBMIT THE CLAIM FORM, YOUR SELECTION IS FINAL AND CANNOT BE CHANGED. However, persons who select Tier 2 and are not eligible for an award under Tier 2 will automatically be considered for an award under Tier 1(a).

- **I SELECT (Choose One):** TIER 1(a) **OR** TIER 1(b) **OR** TIER 2.

PART 3: CLAIM INFORMATION

We need to know more about you and your farm to process your claim.

A. IDENTITY

1. Are you Hispanic/ Latino? Yes No
2. Are you female? Yes No

B. WHEN DID YOU OPERATE, OR TRY TO OPERATE, A FARM?

1. If you are Hispanic/Latino or female, did you farm, or try to farm, between January 1, 1981, and December 31, 1996? Yes No
2. If you are Hispanic/Latino, did you farm, or try to farm, between October 13, 1998, and October 13, 2000? Yes No
3. If you are female, did you farm, or try to farm, between October 19, 1998 and October 19, 2000? Yes No
4. If you answered "Yes" to any part of Question B above, please describe your farming operation or your effort to farm, including the type and amount of crops and/or livestock. (Attach additional pages if necessary):

C. WHEN AND WHERE DID YOU OWN OR RENT, OR TRY TO OWN OR RENT, FARM LAND?

1. If you are Hispanic/Latino or female, did you own or rent, or try to own or rent, farm land between January 1, 1981, and December 31, 1996? Yes No
2. If you are Hispanic/Latino, did you own or rent, or try to own or rent, farm land between October 13, 1998, and October 13, 2000? Yes No
3. If you are female, did you own or rent, or try to own or rent, farm land between October 19, 1998, and October 19, 2000? Yes No
4. Please check each box that applies: Owned Tried to Own Rented Tried to Rent
5. If you answered "Yes" to any part of Question C above, please describe in detail the farm land that you owned or rented or tried to own or rent, including the a) location (the full address, the crossroads, and/or the legal description), b) the type of land, and c) the acreage. (Attach additional pages if necessary).

6. If available, please provide any documentation showing that you owned or rented the farm land such as a deed, a lease, an easement, a purchase agreement, equipment receipts, or other proof. (Attach additional pages if necessary).

If you answered "No" to all the questions in Questions A, B & C above, you are not eligible for this claims process.

PART 3: CLAIM INFORMATION (continued)

We need to know more about your application or attempts to apply.

D. DID YOU COMPLETE AND SUBMIT A LOAN APPLICATION TO USDA?

1. Did you complete and submit a written application to USDA for one or more farm loans or for farm loan servicing during any of the following time periods:
 - a. If you are Hispanic/Latino or female, between January 1, 1981, and December 31, 1996? Yes No
 - b. If you are Hispanic/Latino, between October 13, 1998, and October 13, 2000? **OR** Yes No
 - c. If you are female, between October 19, 1998, and October 19, 2000? Yes No
2. If you answered "Yes" to any part of Question D, did you withdraw the application before USDA made a decision on the application? Yes No
3. **TIER 1(b) and TIER 2 ONLY:** If you seek payment under Tier 1(b) or Tier 2, and you answered "Yes" to any part of Question D above, you must:
 - a. Attach a copy of the farm loan or loan servicing application or other documents from USDA showing that you submitted the application; **AND**
 - b. You must also attach a sworn statement, signed under the penalty of perjury, swearing that the document is authentic, and stating when you submitted it to USDA, or when you received it from USDA.

E. ATTEMPTED APPLICATION - TIER 1(a) ONLY

1. **If you seek payment under Tier 1(a) and you answered "No" to all parts of Question D**, did you try to submit a written application to USDA for one or more farm loans or for farm loan servicing during any of the following time periods:
 - a. If you are Hispanic/Latino or female, between January 1, 1981, and December 31, 1996? Yes No
 - b. If you are Hispanic/Latino, between October 13, 1998, and October 13, 2000? **OR** Yes No
 - c. If you are female, between October 19, 1998, and October 19, 2000? Yes No
2. For each time you tried to apply, please provide the following information:
 - a. The year(s) and month(s) you tried to apply;

 - b. How you planned to use the funds (i.e., identify crops, livestock, equipment, acreage, etc. that you would have farmed or purchased for your farm business);

 - c. The location of the FSA or Farmers Home Administration ("FmHA") county office where you sought the loan(s);

 - d. The name of any commercial or agricultural banks in the area that denied you a loan(s):

PART 3: CLAIM INFORMATION (continued)

We need to know more about your application or attempts to apply.

e. When you tried to apply, did a USDA official state that:

- i. There were no funds available and no application would be provided; Yes No
- ii. There were no application forms available; Yes No
- iii. USDA was not accepting or processing applications; OR Yes No
- iv. You would not qualify for a loan or loan servicing and therefore should not apply? Yes No

3. If you answered "Yes" to any of the subparts (i.) through (iv.) above, please describe in detail each incident, including when you asked for an application, and what USDA told you. (Attach additional pages if necessary):

4. If you answered "Yes" to any of the subparts (i.) through (iv.) above, you must attach one of the following documents:

- A sworn, verified, or notarized written witness statement from someone who witnessed USDA's discrimination against you; **OR**
- A written complaint of the alleged discrimination that you or your representative filed with the USDA within one (1) year of when you tried to apply; **OR**
- A letter or other document from a non-family member to you, or from you to a non-family member, that was written and dated within one year of when you tried to apply for a loan and that shows that you tried to apply for a farm loan or loan servicing; that you had a farm business plan which included specific crops, livestock, equipment, and the general location of the acreage; and that the USDA official actively discouraged the application in the manner you describe above.

A complaint "filed with the USDA" includes a complaint sent to another person if you can show that the person who received the complaint forwarded it to USDA. The Claims Adjudicator will consider all available evidence, including statements made to you about forwarding the complaint to USDA and the way that government officials normally conduct business.

F. IN WHAT CAPACITY DID YOU APPLY?

1. If you applied or tried to apply for USDA farm loans or loan servicing, did you do so:

- a. For yourself (individually)? Yes No
- b. As a sole proprietor? Yes No
- c. On behalf of a corporation, business partnership, or other business entity? Yes No
 - i. If so, please state the form of business: _____
- d. With a spouse or other person? Yes No

PART 3: CLAIM INFORMATION (continued)

Co-Applicant Information - For Claimants who applied for USDA loans with any other person(s).

2. If you applied with a spouse or any other person, please provide the following information:

If applicable, list each individual who was, or would have been, a co-applicant to the loan application that is the subject of this claim of unfavorable treatment.

First Co-Applicant

First Name	MI	Last Name
<input type="text"/>	<input type="text"/>	<input type="text"/>
SSN or Taxpayer ID Number	Date of Birth	
<input type="text"/>	<input type="text"/> - <input type="text"/> - <input type="text"/>	
Mailing address, including apartment, unit or box number		
<input type="text"/>		
City	State	Zip
<input type="text"/>	<input type="text"/>	<input type="text"/>
Phone Number	Relationship to Claimant (if any)	
<input type="text"/>	<input type="text"/>	

Second Co-Applicant

First Name	MI	Last Name
<input type="text"/>	<input type="text"/>	<input type="text"/>
SSN or Taxpayer ID Number	Date of Birth	
<input type="text"/>	<input type="text"/> - <input type="text"/> - <input type="text"/>	
Mailing address, including apartment, unit or box number		
<input type="text"/>		
City	State	Zip
<input type="text"/>	<input type="text"/>	<input type="text"/>
Phone Number	Relationship to Claimant (if any)	
<input type="text"/>	<input type="text"/>	

If you had more than two co-applicants, please provide the same categories of information for all other co-applicants on extra pages.

3. If you applied with a spouse, you must also answer the following questions:

- a. Were you and your spouse the only operators of the farm business? Yes No
- b. Did you (and not your spouse) do most of the work on the farm operation, including both the labor and management, as well as providing the operating funds? Yes No
- c. Were you (and not your spouse) the primary applicant for the farm loan or loan servicing? Yes No
- d. Did you list your spouse as a co-borrower on the application for a USDA farm loan or loan servicing? Yes No
- e. Did both you and your spouse choose not to be treated as a partnership? Yes No

PART 3: CLAIM INFORMATION (continued)

We need to know more about the loan you were seeking and the potential discrimination.

G. WHAT TYPE OF LOAN(S) OR LOAN SERVICING DID YOU SEEK FROM USDA?

1. Identify the type of farm loan(s) that you requested or tried to request from USDA:

- | | | |
|---------------------------------------------------|----------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Operating Loan (OL) | <input type="checkbox"/> Soil and Water (SW) | <input type="checkbox"/> Economic Emergency (EE) |
| <input type="checkbox"/> Farm Ownership Loan (FO) | <input type="checkbox"/> Emergency Loan (EM) | |

2. When did you apply or try to apply for the loan? (Attach additional pages if necessary).

3. Where was the USDA office located? (Attach additional pages if necessary).

4. Identify the type of loan servicing that you requested or tried to request from USDA.

- | | |
|------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Consolidation | <input type="checkbox"/> Deferral of payments |
| <input type="checkbox"/> Restructuring | <input type="checkbox"/> Rescheduling |
| <input type="checkbox"/> Other (explain below) | |

5. When did you apply or try to apply for the loan servicing? (Attach additional pages if necessary).

6. Where was the USDA office located? (Attach additional pages if necessary).

PART 3: CLAIM INFORMATION (continued)

We need to know more about the loan you were seeking and the potential discrimination.

H. DID YOU MEET BASIC USDA LOAN ELIGIBILITY REQUIREMENTS?

1. At the time you applied or tried to apply for a USDA farm loan:

a. Did you have prior experience owning a farm, running a farm, working on a farm, managing a farm business, or did you have farm training or education? Yes No

b. If you answered "YES" above, please describe your prior farm experience(s), training or education. (Attach additional pages if necessary).

2. Were you: a citizen of the United States? Yes No or a legal resident alien? Yes No

a. If you were not a U.S. citizen or a legal resident alien, please explain your immigration status when you applied or tried to apply for the loan.

3. Were you over 18 years old? Yes No

4. Were you delinquent or late on any federal debt? Yes No

5. Had you ever received debt forgiveness (write-down or write-off your loan) from USDA? Yes No

a. If you received debt forgiveness, please list all instances when USDA provided loan forgiveness or write-downs of the loans, except when your debt was paid off by USDA to resolve a discrimination claim by you. (Attach additional pages if necessary).

6. Had you ever been convicted of planting, cultivating, growing, producing, harvesting, or storing an illegal substance (for example, marijuana or another drug) under federal or state law? Yes No

a. If you had been convicted of any such crime, please provide a brief explanation of what happened. (Attach additional pages if necessary).

PART 3: CLAIM INFORMATION (continued)

We need to know more about the loan you were seeking and the potential discrimination.

I. WHAT WAS THE RESULT OF THE LOAN APPLICATION?

1. If you completed and submitted an application to USDA for one or more farm loans or for loan servicing, do any of the following apply?
 - a. Your application for a farm loan was denied. Yes No
 - b. You were approved for a loan amount that was less than you requested or was approved late. Yes No
 - c. The loan you were approved for had restrictive conditions. Yes No
 - d. USDA failed to provide appropriate loan servicing on your existing USDA loan. Yes No
2. If you answered "YES" to any subpart of Question I, please provide specific facts about USDA's response to the loan or loan servicing application. (Attach additional sheets if necessary.)

J. DO YOU BELIEVE THAT USDA DISCRIMINATED AGAINST YOU?

1. Do you believe that USDA discriminated against you because you are Hispanic or Latino? Yes No
2. Do you believe that USDA discriminated against you because you are female? Yes No
3. **If you seek payment under Tier 2**, you must list specific facts showing that USDA's action was due to discrimination. Describe the reasons why you believe USDA discriminated against you, including anything USDA said or wrote to you or actions USDA took. (Attach additional pages if necessary).

4. **For Tier 1(b) claimants only.** If you seek payment under Tier 1(b), do you believe that USDA treated a similarly situated non-Hispanic White farmer (if you are Hispanic), or a similarly situated male farmer (if you are female) better than you? Yes No

PART 3: CLAIM INFORMATION (continued)

We need to know more about the loan you were seeking and the potential discrimination.

5. If you seek payment under Tier 1(b), please:

- a. Identify the similarly situated farmer(s): _____
- b. Explain in detail how you were like that person with respect to your farm operation; **AND**

- c. Describe how USDA's treatment of your loan application was less favorable than the way USDA treated that farmer. You may meet this requirement with a signed statement based on personal knowledge from someone who is not your family member. (Attach additional pages if necessary.)

K. DID YOU SUFFER ECONOMIC DAMAGE?

- 1. Did USDA's treatment of the loan or loan servicing application(s) or of the attempt to apply, cause you economic damage (that is, to spend, lose or not make money)? Yes No
- 2. If you answered "YES" to Question K, please explain the type of economic damages that you suffered. (Attach additional sheets if necessary.)

3. If you seek payment under Tier 1(b), please specify the amount of damages you suffered and the facts involved.

- 4. Please also list below any documents supporting the amount of economic damages you believe you suffered. Also, attach the documents to your Claim Form. To meet the documentation requirement for Tier 1(b), you may provide the written testimony of an expert witness that you hire to help support your damages claim.

L. DID YOU FILE A DISCRIMINATION COMPLAINT WITH USDA?

- 1. **If you seek payment under Tier 1(a) or Tier 2**, did you file a written discrimination complaint about your loan or loan servicing application with USDA or with a U.S. Government official during the period January 1, 1981, through June 30, 1997 or during the periods October 13, 1998 through October 13, 2000 (Hispanic farmers) or October 19, 1998 through October 19, 2000 (female farmers) regarding USDA's treatment of you in response to the application? This may include discrimination complaints that you filed yourself or that someone else filed for you. Yes No
- 2. If you answered "YES," state when you or your representative filed the complaint, which U.S. Government official or agency you filed it with, and the outcome (if any).

PART 3: CLAIM INFORMATION (continued)

We need to know more about the loan you were seeking and the potential discrimination.

3. **If you seek payment under Tier 2 and you answered "Yes" to Question L.1.,** you must attach a copy of the complaint or of a document from USDA or another U.S. Government official showing that they received your discrimination complaint.
4. **If you seek payment under Tier 1(b),** did you complain about discrimination to a U.S. Government official before July 1, 1997, or during the period of January 1, 1981, through June 30, 1997 or the periods October 13, 1998 through October 13, 2000 (Hispanic farmers) or October 19, 1998 through October 19, 2000 (female farmers) before July 1, 1997, about your loan or loan servicing application? Yes No
- a. If you answered "Yes" to this question:
- You must attach a copy of a written complaint that you sent to a U.S. Government official, or of a document from a U.S. Government official showing that they received your complaint; **OR**
 - You must attach a signed statement by someone who is not your family member who has personal knowledge about your discrimination complaint.

M. HAVE YOU FILED A COMPLAINT IN COURT REGARDING USDA LOAN DISCRIMINATION?

1. Have you filed a discrimination complaint against USDA in any court or tribunal regarding a loan application? Yes No
2. If you answered "YES," please provide the following information:
- a. Date of your court or tribunal complaint - -
- b. Name of court or tribunal
- c. Docket Number
- d. Has your complaint been heard and decided, adjudicated, resolved or dismissed? Yes No
- e. If available, please attach copies of your court complaint, any dismissal of that complaint, and/or any final decision regarding your complaint.

N. HAS YOUR SPOUSE, OTHER FAMILY MEMBER, OR OTHER PERSON ON YOUR BEHALF SUBMITTED A CLAIM IN ANOTHER USDA SETTLEMENT PROGRAM?

1. Has your spouse or any other family member, or any other person acting for you filed a claim with USDA or in a court or tribunal, or filed a claim in a settlement seeking relief for discrimination, concerning the same loan or loan service you are complaining about in this Claim Form? Yes No
2. If you answered "YES," please provide the case number, a copy of the claim if available, or any other information about that claim and any final decision on it. (Attach additional pages if necessary).

PART 4: ACKNOWLEDGEMENTS

Information you must understand and agree to.

In order to participate in this claims process, you must agree to the following requirements. After you review each requirement, please indicate whether you agree by checking the box to the right of it.

A. Your claim(s) will be processed by the Administrator and will be decided by the Adjudicator, and their decisions will be binding and final. You waive the right to seek review of these determinations in any court or before any tribunal. Yes, I agree.

B. In order to participate in the claims process, you must give up all claims of lending discrimination against USDA that arose during the time period covered by the claims process. If you are claiming discrimination based on being Hispanic, that time period is between January 1, 1981, and December 31, 1996, or between October 13, 1998, and October 13, 2000. If you are claiming discrimination based on being a woman, that time period is between January 1, 1981, and December 31, 1996, or between October 19, 1998, and October 19, 2000. A Settlement Agreement (Attachment 1) waiving such claims is included in the Claims Package. You must also dismiss with prejudice any claims you have filed against USDA in any court or administrative proceeding alleging the same discrimination as alleged in this Claim Form. This means that you must give up your complaint and will not be able to file another case based on the same claim(s) in any court or before any tribunal. Yes, I agree.

C. If your claim is approved, you may receive a cash award of up to \$250,000, depending upon the Tier you choose. If you currently have debt with USDA/Farm Service Agency from the time period in Acknowledgment B (above), you may also be eligible for debt relief for part or all of that debt. Such relief may not cancel your remaining debts to USDA/FSA in full. Yes, I agree.

D. If your claim is approved, an additional payment may be made on your behalf to the IRS to reduce the taxes you may owe on the cash award and any debt relief you receive, depending upon the Tier under which you seek to recover. This payment is not intended to completely pay off all taxes that you may owe as a result of a successful claim. It is your responsibility to pay any taxes that result from a successful claim. Yes, I agree.

E. You must complete the Claim Form and provide all necessary documentation. Yes, I agree.

F. If you are both Hispanic and female, you can file only one claim in this claims process. If your claim is approved, you can receive only one recovery through the claims process. Yes, I agree.

G. If more than one claimant operates a single farm operation, only one claim can be filed, and only one recovery is available through the claims process. Yes, I agree.

H. No claim will be accepted if you, your spouse, or anyone on your behalf participated in any of the following cases or settlements: *Pigford v. Glickman*, Nos. 97-1978, 98-1693 (D.D.C.) ("*Pigford*"); *In re Black Farmers Discrimination Litigation*, No. 08-0511 (D.D.C.) ("*Pigford II*"); *Keepseagle v. Vilsack*, No. 99-3119 (D.D.C.) ("*Keepseagle*"). Yes, I agree.

PART 5: DECLARATION

Claimant's Declaration

Pursuant to 28 U.S.C. § 1746, I swear under penalty of perjury that the information contained in the foregoing Claim Form is true and correct, and that any documents submitted along with the Claim Form are true and accurate copies of such documents.

By signing this Claim Form, I certify that:

1. The number shown on this Claim Form is the claimant's correct Social Security Number or Taxpayer Identification Number, **AND**
2. The claimant is NOT subject to backup withholding because: (a) the claimant is exempt from backup withholding, or (b) the claimant has not been notified by the Internal Revenue Service (IRS) that the claimant is subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified the claimant that he or she is no longer subject to backup withholding; **AND**
3. The claimant is a U.S. citizen or other U.S. person.

Note: You must cross out item 2 above, if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return.

The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

Signature of Claimant/Submitter

Signed: - -
 MM DD YY

Attorney's Declaration

If the claim is filed by an attorney on behalf of a claimant:

I swear under penalty of perjury, that to the best of my knowledge, information, and belief formed after an inquiry reasonable under the circumstances, the claim is supported by existing law, and the factual contentions have evidentiary support.

Signature of Attorney

Today's Date: - -
 MM DD YY

Attorney First Name

MI

Last Name

Firm Name (if applicable)

Mailing Address

City

State

Zip Code

Phone Number

 - -

Alternate Phone Number

 - -

Email Address (optional)

INTRODUCTION

This Settlement Agreement (Agreement) is entered into by and between the undersigned (Claimant) and the United States Department of Agriculture (USDA) (collectively, the Parties).

As set forth in the "Framework for Hispanic or Female Farmers' Claims Process" (Framework), the United States has established a voluntary administrative claims process (Claims Process) to resolve claims of certain Hispanic or female farmers who allege discrimination by the USDA in responding to applications for farm loans or loan servicing (credit-related discrimination) during certain time periods.

Claimant, a farmer who alleges credit-related discrimination due to being female or Hispanic by USDA during those time periods, desires to participate in the Claims Process by filing a Claim in accordance with the terms and conditions of the Framework.

It is in the Parties' mutual interests to resolve such allegations and claims through the Claims Process.

Accordingly, the Parties agree as follows:

TERMS

- 1. Submission of Claim.** Within the time allowed under the Framework, Claimant will submit a completed and signed Claim Form and all documents and information required by the Framework (Claim Package), including the original of this Agreement. If any claims of credit-related discrimination by Claimant against USDA are pending in any court or administrative proceeding, this Claim Package must also include a signed Stipulation or Notice of Dismissal with Prejudice, whichever is appropriate, for such claims. For Claim Packages that have been forwarded by the Administrator to the Adjudicator, the Administrator will file the Stipulation or Notice of Dismissal in the court or other tribunal.
- 2. Ruling on Claim.** The decisions made by the Administrator and the Adjudicator on the Claim are final and binding upon Claimant and USDA, and neither party shall have a right of appeal to any court or other entity. Claimant's participation in the Claims Process in accordance with the Framework is the sole consideration from USDA to Claimant under this Agreement. Claimant will not seek any payment of compensation or damages, attorneys' fees, costs or expenses beyond that which is available through this Claims Process as set forth in the Framework.
- 3. Release.** In exchange for the consideration described in the foregoing Paragraphs, Claimant and his or her heirs, administrators, successors, assigns and representatives hereby release and forever discharge the United States, USDA and any department, agency, or establishment thereof, and any current or former officers, employees, agents, or successors thereof, in their official and individual capacities, from any credit-related discrimination claims, whether known or unknown, suspected or unsuspected, for compensation or damages, attorneys' fees, expenses or costs incurred. If a Claim Package is rejected by the Administrator as untimely, or is determined by the Administrator to be timely but incomplete, and Claimant does not submit a complete Claim Package within the time allowed under the Framework, such claims against USDA will not be released.
- 4. Merger.** The Terms of this Agreement constitute the entire agreement of the Parties with respect to compensation or damages, attorneys' fees, expenses and costs; and no statement, remark, agreement, or understanding, oral or written, that is not contained herein shall be recognized or enforced.
- 5. No Admissions.** This Agreement enables the Parties to resolve, without the time and expense of litigation, their dispute regarding Claimant's allegations and claims of credit-related discrimination by USDA.

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.

THE CLAIMS DEADLINE IS MARCH 25, 2013

This Agreement is not intended, and shall not be construed, as an admission by USDA of the truth of any allegation or of the validity of any claim asserted by Claimant, or liability on such claim; nor is it a concession or an admission by USDA of any fault or omission in any act or failure to act. Neither shall any of the terms hereof be offered or received in evidence, or filed or referred to in any court or administrative proceeding, or construed for any purpose whatsoever as an admission or presumption of wrongdoing on the part of USDA or its agents or employees.

6. Amendments. If the Claim Package is forwarded by the Administrator to the Adjudicator, this Agreement shall not be modified or amended except by an instrument in writing signed by the Parties; nor shall any provision hereof be waived other than by a writing expressly setting forth such waiver and signed by the Party to be charged with such waiver.

7. Acknowledgments. Claimant acknowledges that he or she has read this Agreement, understands its contents, and executes it of his or her own free act and deed.

CLAIMANT:

Signature _____ Date _____

Name: _____

Address: _____

Telephone: _____

Email: _____

If Claimant is represented by counsel:

BY COUNSEL FOR CLAIMANT:

Signature _____ Date _____

Name: _____

Address: _____

Telephone: _____

Email: _____

UNITED STATES OF AMERICA:

BY COUNSEL:

Signature _____ Date _____

Name: _____

Address: _____

Telephone: _____

Email: _____

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.

PART I. REQUEST TO UNITED STATES DEPARTMENT OF AGRICULTURE, FARM SERVICE AGENCY (USDA/FSA)

Claimant's Last Name:	Claimant's First Name:	Claimant's Middle Name:	Claimant's Suffix:
Claimant's Full Address (including zip code):			
Claimant's Social Security/Taxpayer I.D. Number:			
Address or Other Description of Farm Property that is the Subject of the Claim:			

I hereby request and authorize USDA/FSA to provide the information about my outstanding USDA/FSA Farm Loan Program loans to the Claims Administrator in the USDA Hispanic & Women Farmers and Ranchers Claims Resolution Process. I acknowledge and understand that filing a claim or submitting this form does not mean that USDA/FSA will reduce, discharge, or forgive my debt and that interest on my debt will continue to accrue unless and until I have paid the debt in full.

Claimant's Signature: _____ Date: _____

Contact Information for Claims Administrator (name, address, and phone number):
USDA Hispanic & Women Farmers and Ranchers, Claims Administrator, PO BOX 4540, Portland, Oregon 97208-4540 (toll free at 1-888-508-4429)

PART II. USDA/FSA RESPONSE TO CLAIMS ADMINISTRATOR

This Response is as of:

LOAN NUMBER	BORROWER CASE NUMBER	PRINCIPAL BALANCE	INTEREST BALANCE	TOTAL	DAILY INTEREST ACCRUAL

USDA/FSA Authorizing Official Signature: _____ Date Prepared: _____ Page # of # _____

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.

THE CLAIMS DEADLINE IS MARCH 25, 2013

Before submitting your Claim Form, please ensure that you have provided all the required documents. Failure to provide all the required documents may result in a delay or denial of your claim.

Proof of Identity

- Photocopies of two (2) forms of identification (see Acceptable Forms of Identification – Attachment 5 for specific requirements)

For Persons Submitting A Claim On Behalf Of Another Person

- Proof of Legal Representation
- Death Certificate, if applicable

Settlement Agreement

- Signed copy of the Settlement Agreement (Attachment 1)

Tier Election

- I selected either Tier 1(a), Tier 1(b), or Tier 2
- I did not select more than one

For All Tiers

- Documentation of farm land ownership interest, if available
- Copies of the Court Complaint, Dismissal, and/or Decision, if available
- Documentation of prior claims against USDA, if applicable
- Authorization to Disclose Debt Information Form (Attachment 2), if Debt Relief is requested
- Signed copy of the Stipulation or Notice of Dismissal with Prejudice for any claims pending in any court or tribunal, if applicable

Tier 1(a) (Attempted Application Only)

- A sworn, verified, or notarized witness statement, **OR** a contemporaneous written discrimination complaint to USDA, **OR** a document from a non-family member to you, or from you to a non-family member that supports your contentions

Tier 1(b)

- Copy of the Loan Application or a USDA document that shows that you applied **AND** a sworn statement that the document is authentic
- Copy of your discrimination complaint you sent to USDA or a copy of a document from USDA **OR** another U.S. Government official showing that they received your discrimination complaint **OR** a signed statement by someone who is not your family member who has personal knowledge about your discrimination complaint
- Documents showing the actual economic damages you suffered

Tier 2

- Copy of the Loan Application or a USDA document that shows that you applied **AND** a sworn statement that the document is authentic
- Copy of your discrimination complaint you sent to USDA or a copy of a document from USDA **OR** another U.S. Government official showing that they received your discrimination complaint

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.

THE CLAIMS DEADLINE IS MARCH 25, 2013

TIER 1(a)

To be eligible for payment under Tier 1(a), you must establish the elements in Section VIII.B. of the Framework by substantial evidence. If you establish the elements for Tier 1(a), you will receive:

- A cash award of up to \$50,000, depending on the number of successful claims;
- Debt relief from USDA for some or all of your eligible USDA/FSA Farm Loan Program debt; and
- A tax payment to the IRS of 25% of the total of the cash award and debt relief.

The dollar amount of Tier 1(a) cash awards will be the same for each successful Claimant, and will be determined after all Tier 1(a) claims have been adjudicated. The dollar amount for each award is subject to reduction from \$50,000 depending on the total number of successful claims under Tier 1(a). No payments will be made under Tier 1(a) until all Tier 1(a) claims have been decided. Tier 1(a) is the only Tier under which Claimants **who sought to apply for a USDA loan but were actively discouraged from submitting an application** may be eligible for payment.

TIER 1(b)

To be eligible for payment under Tier 1(b), you must establish the elements in Section VIII.C. of the Framework by a preponderance of the evidence and (except as provided below) through independent documentary evidence admissible under the Federal Rules of Evidence. You must also:

- 1) provide a copy of your application for USDA loan assistance, or a document from USDA showing that you submitted an application;
- 2) establish that you complained of discrimination to an official of the U.S. Government prior to July 1, 1997 or between October 13, 1998 through October 13, 2000 (Hispanic farmers) or October 19, 1998 through October 19, 2000 (female farmers);
- 3) establish that the treatment of your application for a loan or loan servicing was less favorable than that accorded a specifically identified, similarly situated non-Hispanic Caucasian farmer (if you are Hispanic) or male farmer (if you are female); and
- 4) establish that USDA's treatment of the loan or loan servicing application caused you economic damage.

You may submit expert testimony to explain the independent documentary evidence showing your economic damage. Items 2 and 3 may be established by a preponderance of the evidence with a sworn statement based on personal knowledge by an individual who is not a member of your family. Your loan application and supporting documents forming the basis of your claim are deemed admissible under the Federal Rules of Evidence upon a sworn statement by you that these documents were submitted to USDA contemporaneously with the date of the complete application. USDA documents that were provided to you in response to your loan application are also deemed admissible under the Federal Rules of Evidence upon a sworn statement by you that you received these USDA documents in response to your loan application contemporaneously with the date of the response.

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.

THE CLAIMS DEADLINE IS MARCH 25, 2013

TIER 1(b) (continued)

If you establish the elements for Tier 1(b), you will receive:

- A cash award of up to \$250,000 for proven actual damages; and
- Debt relief from USDA for some or all of your eligible USDA/FSA Farm Loan Program debt.
- No tax payment will be made.

Total payments under Tier 1(b) are subject to a \$100 million cap, and awards may be reduced from \$250,000 on a pro-rata basis depending on the number of successful Claimants and the total dollar amounts of their actual damages.

TIER 2

To be eligible for payment under Tier 2, you must establish the elements in Section VIII.A. of the Framework by substantial evidence, and also provide:

- 1) a copy of your application for USDA loan assistance, or a document from USDA showing that you submitted an application;
- 2) a copy of a discrimination complaint that was filed with USDA or a U.S. Government official by July 1, 1997 or between October 13, 1998 through October 13, 2000 (Hispanic farmers) or October 19, 1998 through October 19, 2000 (female farmers); or a document or correspondence from a U.S. Government agency acknowledging receipt (or otherwise reflecting the filing) of such complaint; and
- 3) specific facts showing that the USDA action was due to discrimination.

If you meet the elements for Tier 2, you will receive:

- A \$50,000 cash award;
- Debt relief from USDA for some or all of your eligible USDA/FSA Farm Loan Program debt; and
- A tax payment to the IRS of 25% of the total of the cash award and debt relief.

If you select Tier 2 and your claim is denied by the Claims Adjudicator, it will automatically be reviewed under Tier 1(a).

When submitting your Claim Form, you must include photocopies of TWO (2) acceptable forms of identification. The following are acceptable forms of identification:

- U.S. Passport
- Driver's License or ID card issued by a state or possession of the United States provided it contains a photograph
- U.S. Military ID card
- U.S. Military dependant's ID card
- U.S. Social Security Card issued by the Social Security Administration
- Original or certified copy of a Birth Certificate issued by a state, county, municipal authority, or outlying possession of the United States bearing an official seal
- U.S. citizen ID card (Form 1-197)
- ID Card for use of Resident Citizen in the United States (Form 1-179)
- Certification of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1350)
- Unexpired employment authorization document issued by the Department of Homeland Security
- Native American tribal document
- Voter registration card
- Tax bill issued within the last year showing current address
- Utility bill issued within the last 60 days showing current address
- Voided check imprinted with name and current address
- Bank statement issued within the last 60 days showing current address
- Government issued medical ID card showing current address
- Valid vehicle registration showing current address
- Vehicle insurance card
- Current pay stub, imprinted with company name, issued within the last 60 days and showing Claimant's name
- Rent receipt, imprinted with the property management company or apartment building name, issued within the last 60 days showing current address

If you have questions, please call the Claims Administrator at 1-888-508-4429, toll free, or reference www.farmerclaims.gov.