

MEMORANDUM

FROM: Hank Sanders, Andy Marks, and Greg Francis

TO: Invitees of the 2018 Black Farmers Phase II Conference and Others

SUBJECT: Black Farmers Discrimination Litigation - Cy Pres Phase II

DATE: July 1, 2019

During the Black Farmers Phase II Conference last year in Atlanta, Georgia, we considered how best to go forward with the Phase II cy pres funds. Many ideas were advanced. At the conclusion of the Conference, an eight (8) member Council was selected by the Conference attendees to work with Class Counsel on the next steps. Class Counsel requested these representatives to develop a proposal for the use of the remaining cy pres funds. The Council worked during the past year, meeting by conference call and/or in person.

The Council has now transmitted to Class Counsel an initial proposal and Class Counsel has had an initial conference call with Council members to discuss this proposal. Class Counsel had a number of questions and still have many questions. After some consideration, we have decided to share the initial proposal with the leaders who gathered at the conference in Atlanta and perhaps other leaders in the Black Farmers Community.

We hope you will review the attached proposal and share with us your thoughts over the next few weeks. Please understand that this is not a request for either approval or disapproval as this proposal is not yet fully developed. Rather this is just an opportunity for input. Ultimately, any proposal for the use of the remaining cy pres funds must be fully developed, recommended by Class Counsel and approved by the Court.

Your comments at this point in time will be most helpful if:

1. Your comments are brief - ideally no more than a page or two.
2. Your comments focus on the substance of the proposal and not on issues related to process.
3. You provide your comments by no later than July 19.

Please send any comments or reactions you have to this proposal to submissions@blackfarmercypres.com.

We very much look forward to your responses.