

# If You Are a Native American Who Tried to Get a Farm Loan or Loan Servicing From the USDA,

## You Could Receive Benefits From a \$760 Million Class Action Settlement.

A class action Settlement with the United States Department of Agriculture (“USDA”) has been reached. The lawsuit claimed the USDA discriminated against Native Americans who applied for or tried to apply for farm loans or loan servicing. The USDA denies it did anything wrong.

### Am I included?

The Class includes all Native American farmers and ranchers who:

- Farmed or ranched or attempted to farm or ranch between January 1, 1981 and November 24, 1999;
- Tried to get a farm loan or loan servicing from the USDA during that period; **and**
- Complained about discrimination to the USDA either on their own or through a representative during the time period.

You are not eligible for this Settlement if you filed a claim, or intend to file a claim, in another USDA discrimination case like Pigford I or Pigford II (Black farmers), Garcia (Hispanic farmers) or Love (Women farmers).

Because of a law passed by Congress, you are also not eligible for this Settlement if you **either**:

- Experienced discrimination only between January 1 and November 23, 1997; **or**
- Complained of discrimination only between July 1 and November 23, 1997.

### What does the Settlement provide?

The \$760 million Settlement will pay cash to Class Members for valid claims as well as attorneys’ fees (between 4% and 8%, subject to Court approval) and awards. The Settlement includes up to \$80 million in USDA loan forgiveness for Class Members who qualify. The USDA will pay an additional \$20 million to implement the Settlement and will make some changes to their farm loan programs. Any money left after all payments and expenses have been made will be donated to one or more organizations that help Native American farmers and ranchers.

### What can I get from the Settlement?

The amount of money you will receive will depend on whether you file a claim under Track A or Track B. It will also depend on the total number of claims that are filed and approved.

**Track A** – You can get a payment up to \$50,000 for your discrimination claim plus an additional 25% paid to the IRS to reduce any income tax you may owe.

**Track B** – You can get the amount of your actual damages up to \$250,000. Track B requires more proof than Track A.

**USDA Loan Forgiveness** – Under both Track A and Track B you can get forgiveness on part or all of your eligible USDA farm loans plus an additional 25% paid to the IRS to reduce any income tax you may owe.

### How do I get benefits?

You will need to file a claim by **December 24, 2011** to get benefits. After the Court approves the Settlement, meetings will be held across the country to help Class Members file claims. You can register for a Claims Package at the website or by calling the toll-free number.

### What are my other rights?

- If you want to keep your right to sue the USDA about the claims in this Settlement, you must exclude yourself by **February 28, 2011**. Unless you exclude yourself, you will be bound by the terms of this Settlement.
- If you stay in the Settlement, you can object to or comment on it by **February 28, 2011**.

The Court will hold a hearing on **April 28, 2011** to consider whether to approve the Settlement and the attorneys’ fees. The Court has appointed attorneys to represent the Class. You or your own lawyer may ask to appear and speak at the hearing at your own expense.