

STATE OF \_\_\_\_\_ COUNTY/PARISH OF \_\_\_\_\_

AFFIDAVIT OF \_\_\_\_\_ SSN: \_\_\_\_\_

CLAIMANT \_\_\_\_\_ RELATION TO: \_\_\_\_\_

CASE/TRACKING NO. \_\_\_\_\_ MEMBER NO. \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn, upon oath, under penalties of perjury, hereby depose and say:

1. That your Affiant currently resides at \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

2. That your Affiant/Deponent files this affidavit as a "Claimant and/or Submitter" as set forth in the "Framework for Hispanic or Female Farmers' Claims Process" (Framework), that the United States has established a voluntary administrative Claims Process to resolve claims of certain Hispanic and/or female farmers who allege discrimination by the USDA in responding to applications for farm loans or loan servicing (credit-related discrimination) during certain times.

Moreover, Section 14011 (SENSE OF CONGRESS RELATING TO CLAIMS BROUGHT BY SOCIALLY DISADVANTAGED FARMERS OR RANCHERS) states in pertinent parts: It is the sense of Congress that all pending claims and class actions brought against the Department of Agriculture by socially disadvantaged farmers or ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)), including Native American, Hispanic, and female farmers or ranchers, based on racial, ethnic, or gender discrimination in farm program participation should be resolved in an expeditious and just manner.

3. That your ("CLAIMANT") died a resident citizen of the State of \_\_\_\_\_. See Attached Certificate of Death marked as **Exhibit** \_\_\_\_\_.

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4. That your ("CLAIMANT") was denied the constitutional right of being notified of the Black Farmers lawsuit; as originally certified by this Honorable Court on April 14, 1999; that the subsequent congressional passage of the Food, Conservation, and Energy Act of 2008 (June 18, 2008) intends that this ("CLAIMANT") should be included in the class of claimants otherwise being able to show that I/he was a victim of racial discrimination by USDA during the relevant time period; therefore have a meritorious claim for consideration by the Adjudicator(s) in this current matter as set forth in No. 2, hereinabove.

5. That your ("CLAIMANT") has a legal and constitutional right to have this Affidavit attached to the CLAIM FORM or any other application and/or FORM(s) to be submitted to the Adjudicator(s) in this matter.

6. Your ("CLAIMANT") acknowledges that between January 1,1981 and December 31, 2000, the following type of federal farm program was applied for, *or attempted to apply*:

- |                             |                                   |                            |
|-----------------------------|-----------------------------------|----------------------------|
| <i>Operating Loan</i>       | <i>Farm Ownership Loan</i>        | <i>Emergency Loan</i>      |
| <i>Youth Operating Loan</i> | <i>Non-credit Benefit Program</i> | <i>Soil and Water Loan</i> |
| <i>Housing Loan</i>         |                                   |                            |

7. Your ("CLAIMANT") either owned or leased, or attempted to own or lease, farm land.

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8. Your ("CLAIMANT") applied for a specific *credit transaction* at a USDA county/Parish office during the period identified in ¶ 6 above;

a. The loan encumbered by *restrictive conditions*? (*Tier 1(b) and Tier 2 only*).

b. USDA Did Not Provide Appropriate *Loan Services*. (*Tier 1(b) and Tier 2 only*).

c. The loan was denied, provided late, approved for a lesser amount that requested, encumbered by restrictive conditions, or USDA failed to provide appropriate loan service, and such treatment was less favorable than that accorded specifically identified, similarly situated White farmers (*this White farmer information is for Tier 1(b) claimants only*).

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(i).....White farmer \_\_\_\_\_ received an operating and/or emergency loan: as per the filing of USDA's UCC-1 (Exhibit \_\_) and/or subordination of credit agreement (File No. \_\_) in and around the general time that claimant's request for a similar crop/ownership loan(s) was denied by the same USDA employees.

(ii).....White farmer \_\_\_\_\_ received an operating and/or emergency loan: as per the filing of USDA's UCC-1 (Exhibit \_\_) and/or subordination of credit agreement (File No. \_\_) in and around the general time that claimant's request for a similar crop/ownership loan(s) was denied by the same USDA employees.

(iii).....White farmer \_\_\_\_\_ received an operating and/or emergency loan: as per the filing of USDA's UCC-1 (Exhibit \_\_) and/or subordination of credit agreement (File No. \_\_) in and around the general time that claimant's request for a similar crop/ownership loan(s) was denied by the same USDA employees.

**9. NARRATIVE STATEMENT:**

If you are asserting an ECOA (Equal Credit Opportunity Act - 15 U.S.C. Section 1691) claim, explain below, in your own words, the relationship between the act or acts of discrimination which you allege above and how you suffered economic damages.

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10. USDA's treatment of the loan application led to *economic damage* to the class member.

**Economic damages are as follow:**

**Total loss:**

**FURTHER YOUR AFFIANT SAYETH NAUGHT.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Affiant's Signature

SUBSCRIBED and SWORN to before me:

\_\_\_\_\_  
NOTARY PUBLIC in and for said County and State

SIGNATURE OF NOTARY \_\_\_\_\_

My Commission Expires: \_\_\_\_\_, 20\_\_\_\_\_