

IN THE DISTRICT COURT OF KINGFISHER COUNTY
STATE OF OKLAHOMA

WAYNE K. JANZEN; DUSTIN E COLE;)
MICHAEL ROSS; FOR THEMSELVES)
AND ALL OTHERS SIMILARLY SITUATED)

CJ-2004-181

Plaintiffs,)

v.)

GOLD BANK CORPORATION, INC.;)
GBC KANSAS, INC., AND GOLD BANK,)
A Kansas Bank.)

Defendants.)

NOTICE

If you are or were a borrower who obtained a Farm Service Agency Guaranteed Loan at any time between January 1, 1999 and February 29, 2004 from any of the following banks owned or operated by any of the Defendants, this Notice is important to you:

Gold Bank, an Oklahoma bank, Gold Bank, a Kansas bank, American Heritage Bank, People First Bank, First State Bank, Citizens Bank of Tulsa, Linn County Bank, First Business Bank of Kansas City, N.A., Exchange National Bank, Citizens State Bank & Trust Co., First National Bank in Alma, Farmers State Bank, Peoples State Bank, The First State Bank and Trust Co., Farmers National Bank, Peoples National Bank, Provident Bank f.s.b., and Gold Bank, N.A.

A lawsuit has been filed that may entitle you to damages if it is determined that you are a member of the class and have been damaged by Defendants' alleged unlawful activity.

This Notice explains:

- A. The lawsuit and the Court's rulings.
- B. The class members who might benefit from the case.
- C. Your right to choose to be a part of the case, or not to be a part of the case.



A. THE LAWSUIT AND THE COURT'S RULINGS

On September 10, 2004, three individuals, Wayne K. Janzen, Dustin E. Cole and Michael Ross, (Plaintiffs) for themselves and all others similarly situated, sued the Defendants to recover damages and attorneys' fees for breach of contract and other Violations of statutory and common law allegedly committed by the Defendants. The Plaintiffs contend that the Defendants engaged in a pattern and practice of charging interest rates and fees in excess of the interest rates and fees it charges to its average agricultural customer in conjunction with Farm Service Agency (FSA) Guaranteed Loans; in breach of its contracts and in violation of FSA rules and regulations and also seek to enjoin Defendants from such practices in the future. The Defendants deny the allegations of wrongdoing. The Class Representatives have asked the Court to allow them to represent others who obtained FSA Guaranteed Loans from the above-named Lenders between January 1, 1999 and February 29, 2004 and who were damaged.

This Notice is not to be understood as an expression of any opinion by the Court as to the merits of any of the claims or defenses asserted by either side in the lawsuit but is sent for the sole purpose of informing you of the pendency of this lawsuit so that you may make appropriate decisions as to steps you wish to take in relation to this lawsuit.

The class action seeks damages due to Defendant's alleged unlawful practices.

B. THE CLASS MEMBERS WHO MIGHT BENEFIT FROM THE CASE

All persons who obtained a FSA Guaranteed Loan from any of the Lenders described in the first paragraph of this Notice between January 1, 1999 and February 29, 2004.

C. YOUR RIGHT TO BE INCLUDED IN OR EXCLUDED FROM THE CLASS

1. HOW TO BE INCLUDED IN THE CLASS

- a. You will automatically be included in the class and part of this lawsuit if you do not notify the Court Clerk that you wish to be excluded by October 1, 2005.
- b. As a member of the class you may enter your own appearance or ask the Court to allow you to participate through your own attorney. The appearance of your own attorney is not necessary to remain a class member. If you want to appear through your own attorney, you must have your attorney file an appearance, or do so yourself, with the Clerk of the District Court of Kingfisher County by October 1, 2005.
- c. If you do not ask to be excluded, you will continue to be a member of the class and will be bound by the Court's final decision, whether the class representatives win or lose this case.

2. **HOW TO BE EXCLUDED FROM THE CLASS**

- a. If you wish to be excluded from the class and not a part of this case, you must notify the Court Clerk of Kingfisher County, P.O. Box 328, Kingfisher, Oklahoma 73750 by October 1, 2005. If you do not request exclusion, your interest will be represented by:

Susman Godfrey, L.L.P.
Terrell W. Oxford
Jonathan Bridges
901 Main Street, Suite 4100
Dallas, Texas 75202

Mitchell & DeClerck, P.L.L.C.
Michael C. Bigheart
Larry D. Lahman
Forrest L. Pepper DeVaughn
202 West Broadway
Enid, Oklahoma, 73701

All inquiries (other than requests for exclusion from the class) regarding the action should be addressed, in writing, to the above named attorneys for the plaintiffs' class representatives, at the above named addresses.

The Court papers filed in this case are available for inspection in the office of the Clerk of the District Court of Kingfisher County, 101 South Main, Kingfisher, Oklahoma 73750.

PLEASE DO NOT TELEPHONE JUDGE FRANKLIN OR THE CLERK OF THE COURT. They will not be able to answer your questions about this case.

DATED THIS 2 DAY OF August, 2005.



RONALD G. FRANKLIN
DISTRICT JUDGE