

***E-Statement* SUPPLEMENTAL AGREEMENT**

The following provisions constitute an amendment to the deposit agreement of PlainsCapital Bank (hereinafter referred to as “we”, “our”, “us”, and “Bank”) concerning electronic delivery of statements and notices concerning accounts, including time deposits, maintained by any individual, corporation, partnership, association, or other legal entity (herein “you” and “yours” refer to the depositor or authorized party to the account as defined in the deposit agreement). With regard to *E-Statements* only, to the extent there is any conflict between any statement made in this Supplemental Agreement (the “Agreement”) and the deposit agreement, this Agreement shall control.

1. ELECTION AND AUTHORIZATION FOR ELECTRONIC DELIVERY

By signing the *E-Statement* Enrollment Form, you affirmatively consent and agree to permit the Bank to make disclosures and provide notices to you in electronic form, in lieu of providing such notices and disclosures in written form. Your consent and agreement shall relate to all forms of disclosures and notices required under applicable law as a result of the various agreements between you and the Bank and shall remain valid until such time as you exercise your right to revoke this consent. You elect and authorize us, at our discretion, to electronically deliver your account statement(s) and notices that we are required to provide to you under applicable Federal and State statutes and their implementing regulations, as amended from time to time, including:

Truth in Lending Act
Trust in Savings Act
Fair Credit Reporting Act
Electronic Funds Transfer Act
Home Mortgage Disclosure Act
Fair Housing Act
Equal Credit Opportunity Act
Consumer Leasing Act
National Bank Act
Texas Banking Act
Privacy of Consumer Financial Information

Other Federal and State statutes may be enacted or amended in the future to provide for electronic delivery of account statements and notices. Your signature on the e-statement Enrollment Form also authorizes us, at our discretion, to provide electronic delivery of such statements and notices pursuant to these statutes after they become effective. If there is more than one Depositor that is a party to the account, notice to any one Depositor will be effective for all. To revoke this consent or to request a paper copy of any electronic disclosure or notice provided pursuant to this consent, write to Customer Service, PlainsCapital Bank, P.O. Box 271, Lubbock, TX 79408, or fax your request to (806) 791-6866. You may also visit any of our branch locations and speak with one of our Customer Service Representatives for assistance. Refer to Paragraph 3 for a description of the hardware and software requirements for access to and retention of electronic disclosures and/or notices.

2. SECURITY MEASURES

We will use commercially reasonable measures, consistent with industry standards, to maintain a reasonable level of security over the information contained in the electronically delivered account statement(s) and notices. Upon your election of the *E-Statement* service, the Bank will “prenote” your e-mail address by sending you a test e-mail. Our security consists of 128-bit encryption of the data on the e-statements to protect it while in transit over the Internet. Subject to Paragraph 7 below, once you receive and open an e-statement, it is decrypted by use of Acrobat Reader 5.0 or higher and a unique password until such time that you exit the e-statement, when it is once again encrypted at the 128-bit level and password protected. *When communicating with you electronically, no one from PlainsCapital Bank will ask you for your password or account number.*

YOU UNDERSTAND THAT THESE INDUSTRY STANDARDS ARE DYNAMIC AND CONSTANTLY DEVELOPING. BY SIGNING THE ENROLLMENT FORM FOR *E-Statement* SERVICE, YOU ACKNOWLEDGE AND UNDERSTAND THAT THERE ARE RISKS TO ELECTRONIC DELIVERY OF ACCOUNT STATEMENT(S) AND NOTICES, INCLUDING, BUT NOT LIMITED TO, DELAY OR FAILURE OF DELIVERY DUE TO TECHNICAL DIFFICULTIES, WEATHER CONDITIONS, AND MATTERS BEYOND OUR REASONABLE CONTROL AND FIND THAT OUR SECURITY MEASURES ARE REASONABLE. IN REACHING THIS CONCLUSION, YOU HAVE CONSIDERED THE HISTORICAL AND POTENTIAL FUTURE CONTENT OF YOUR ACCOUNT STATEMENT(S), THE RISKS ASSOCIATED WITH ELECTRONIC DELIVERY OF ACCOUNT STATEMENT(S) AND OUR SECURITY PROCEDURES. IF YOU CONCLUDE THAT OUR SECURITY PROCEDURES CEASE TO BE REASONABLE IN THE FUTURE, YOU MUST TERMINATE THIS AGREEMENT IMMEDIATELY IN ACCORDANCE WITH PARAGRAPH 10 BELOW.

3. YOUR COMPUTER'S SPECIFICATIONS

In order to receive e-statement services, your computer hardware and software must meet the following specifications:

PC/Windows Users

- Pentium Class Computer
- 64 MB RAM
- Microsoft Windows 95 or higher
- Windows NT 4.0 with Service Pack 5
- Windows 2000, or
- Windows XP
- Acrobat Reader 5.0 or greater (install requires 24 MB of free disk space)
(User needs will dictate amount of free disk space needed for e-statement retention)
- Internet Service Provider (ISP)
- Must allow e-mail attachments up to 500KB
- Must allow .PDF extension through firewall
- Mailbox must have 1MB of free space

MAC Users

- PowerPC Processor
- 64 MB RAM
- MAC OS 8.6*, 9.0.4, 9.1, or MAC OS X*
- Acrobat Reader 5.0 or greater (install requires 24 MB free disk space)
(User needs will dictate amount of free space needed for e-statement retention)
*Some Acrobat Reader 5.0 features may not be available.
- Internet Service Provider (ISP)
- Must allow e-mail attachments up to 500KB
- Must allow .PDF extension through firewall
- Mailbox must have 1MB of free space

PC/Linux Users

- Linux 2.2 kernel on X86 computer
- 64 MB RAM
- Acrobat Reader 5.0 or greater (install requires 26 MB of free disk space)
(User needs will dictate amount of free space needed for e-statement retention)
- Internet Service Provider (ISP)
- Must allow e-mail attachments up to 500KB
- Must allow .PDF extension through firewall
- Internet Service Provider (ISP)
- Must allow e-mail attachments up to 500KB
- Must allow .PDF extension through firewall
- Mailbox must have 1MB of free space

Commercial Account Holders

In addition to the specifications outlined above, the following are required for commercial account holders. If you have questions about whether these additional requirements apply to you, please contact one of our Customer Service Representatives in person at any branch location or call 1-866-762-8392.

- Must allow email attachments up to 20MB
- Must have a Broadband connection
- Must have 250 MB of free disk space
- Mailbox must have 20 MB of free space

If a change in the hardware or software requirements needed to access or retain an E-Statement creates a material risk that you may not be able to access or retain a subsequent statement that was the subject of the consent, we will notify you of the revised hardware and/or software requirements. You may withdraw your consent without the imposition of any condition or consequence not previously disclosed in this agreement.

4. E-MAIL ADDRESS

We will send your periodic account statement(s) to you via e-mail to the last known e-mail address provided by you. You agree to notify us promptly, in writing, of any change in your email address, to Customer Service, PlainsCapital Bank, P.O. Box 271, Lubbock, TX 79408, or fax your request to (806) 791-6866. You may also visit any of our branch locations and speak with one of our Customer Service Representatives for assistance. For your protection and for security purposes, we will not accept any change of email address notices via email or telephone. If you have not notified us in writing of any change to your email address, you agree that your failure to provide us with a good email address is the lack of ordinary care on your part. If your e-statement is sent twice and returned undeliverable, you will be removed from the e-statement service. If we become aware that you are not receiving your *E-Statement(s)* and notices, we will send your *E-Statement(s)* and notices to you via U.S. Mail to your last address known to us. Your email address may be changed using the procedure described above by any authorized party to your account. THE BANK SHALL HAVE NO OBLIGATION OR LIABILITY TO ANY OF THE PARTIES TO A MULTIPLE-PARTY ACCOUNT IF THE EMAIL ADDRESS IS CHANGED USING THE PROCEDURES SET FORTH ABOVE.

5. PROMPT REVIEW of E-Statements

Your e-statement will be dated the day it is sent to you by email (the "e-mail date"). You must promptly review your *E-Statement* and any accompanying items and notify us in writing at Customer Service, PlainsCapital Bank, P.O. Box 271, Lubbock, TX 79408 or via email at estatements@plainscapital.com (within the applicable time periods specified in your deposit agreement) of any error, unauthorized signature, lack of signature, alteration or other irregularity. Any applicable time periods within which you must notify us of any errors on your account statement(s) shall begin on the e-mail date regardless of when you receive and/or open the statement.

6. CHANGING YOUR PASSWORD

If you would like to change your password, you must notify us in writing to request the password change at Customer Service, PlainsCapital Bank, P.O. Box 271, Lubbock, TX 79408, or fax your request to (806) 791-6866. You may also visit any of our branch locations and speak with one of our Customer Service Representatives for assistance. For your protection and for security purposes, we will not accept any change of password notices via email or telephone. The procedure for changing your current password is to simply set forth in a letter your new password. We will then notify you via email delivery of your most recent statement to verify the change to your new password.

If you have a multiple-party account, your password may be changed using the procedure described above by any authorized party to your account. THE BANK SHALL HAVE NO OBLIGATION OR

LIABILITY TO ANY OF THE PARTIES TO A MULTIPLE-PARTY ACCOUNT IF THE PASSWORD IS CHANGED USING THE PROCEDURES SET FORTH ABOVE.

You agree that the Bank has no control as to the persons who have access to your personal computer and your password once it is in your possession. The Bank will not be liable for any authorized access to your personal computer using your password. You agree that it is your responsibility to initiate and maintain adequate procedures to prevent any unauthorized access to your personal computer or authorized use of your password.

7. DISCLAIMER OF WARRANTY

WE MAKE NO WARRANTIES OF ANY KIND WITH RESPECT TO THE SOFTWARE PROGRAM USED TO ACCESS THE *E-Statement* SERVICES. WE DO NOT WARRANT THAT THE SOFTWARE PROGRAM OR THAT *E-Statement* SERVICES WILL MEET YOUR SPECIFIC REQUIREMENTS. WE MAKE NO WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED, WITH RESPECT TO THE USE AND ADEQUACY OF THE SOFTWARE PROGRAM OR THE *E-Statement* SERVICES WE PROVIDE UNDER THIS AGREEMENT. WE DISCLAIM ANY AND ALL IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

8. NOTICE OF UNAUTHORIZED ACCESS

If you believe your e-statement is lost or that someone has obtained access to your e-statement without your permission, write to us at Customer Service, PlainsCapital Bank, P.O. Box 271, Lubbock, TX 79408, or send a fax to (806) 791-6866. You may also contact one of our Customer Service Representatives, in person at any branch location or call 1-866-762-8392.

9. LIABILITY; INDEMNIFICATION

NOTWITHSTANDING ANY PROVISIONS TO THE CONTRARY CONTAINED IN THIS AGREEMENT, WE SHALL BE RESPONSIBLE ONLY FOR PERFORMING THE *E-Statement* SERVICES AS EXPRESSLY PROVIDED FOR IN THIS AGREEMENT.

WE SHALL BE LIABLE ONLY FOR MATERIAL LOSSES WHICH ARE THE DIRECT RESULT OF OUR OWN NEGLIGENCE OR INTENTIONAL MISCONDUCT IN PERFORMING THESE SERVICES. WE SHALL HAVE NO LIABILITY FOR FAILURE TO PERFORM ANY *E-Statement* SERVICES OR FOR ANY DISRUPTION OR DELAY IN PERFORMING SAID SERVICES IN THE EVENT SUCH FAILURE, DISRUPTION OR DELAY IS DUE TO CIRCUMSTANCES BEYOND OUR REASONABLE CONTROL (INCLUDING, BUT NOT LIMITED TO, FAILURE OR DISRUPTION OF ELECTRONIC POWER, COMPUTER EQUIPMENT, TELECOMMUNICATIONS SYSTEMS, YOUR ISP, OR WEATHER CONDITIONS). WE SHALL HAVE NO LIABILITY FOR ANY CONSEQUENTIAL, SPECIAL, PUNITIVE DAMAGES OR INDIRECT LOSS UNDER ANY CIRCUMSTANCES, EXCEPT TO THE EXTENT THAT WE ARE LIABLE UNDER THIS AGREEMENT. YOU AGREE TO INDEMNIFY AND HOLD US AND OUR DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS HARMLESS FROM ALL CLAIMS, DEMANDS, JUDGMENTS, AND EXPENSES (INCLUDING REASONABLE ATTORNEYS' FEES) ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THESE *E-Statement* SERVICES. YOU AGREE THAT THIS INDEMNIFICATION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

10. TERMINATION OF AGREEMENT

This Agreement shall remain in full force and effect until it is terminated by either party upon thirty (30) days' prior written notice to the other party. Please send requests to Customer Service, PlainsCapital Bank, P.O. Box 271, Lubbock, TX 79408, or fax your request to (806) 791-6866. You may also visit any of our branch locations and speak to one of our Customer Service Representatives for assistance. We also have the right to terminate this Agreement immediately, with or without cause, or if you fail to comply with the terms of this Agreement or any other agreement which you may have with us or any applicable rule or regulation which may govern your account(s), including the deposit agreement. If we terminate this Agreement for any of these reasons, such termination shall be effective on the effective date specified in a written notice mailed to you, and not on the date when the notice is mailed or received.



E-Statement Application and Change Request Form

Please complete all fields on this form. Incomplete applications cannot be processed.

Fax completed form to 806-791-6866 or mail to PlainsCapital Bank, Brendi Fennimore, E-statements, P.O. Box 271, Lubbock, TX 79408. For questions, call 866-762-8392.

New E-Statement application E-Statement change request

Business Name (if applicable)

Last Name

First Name

Middle Initial

SSN/TIN

Mailing Address

City State ZIP

Home Phone

Business Phone

DOB

E-Statement Delivery Information and Password Set-Up

List below all checking accounts for which you are an owner and would like to receive an e-statement. You can provide up to three email addresses for each account. Provide a password to access your statement(s) via email. You may use the same password for all accounts listed. Passwords must be **6 to 10 alphanumeric characters**. (Please print clearly)

Please close my e-statement on the last day of each month.

Account Number: _____

Add account to combined statement

Add Remove Email: _____ Password: _____

Add Remove Email: _____ Password: _____

Add Remove Email: _____ Password: _____

Account Number (Optional): _____

Add account to combined statement

Add Remove Email: _____ Password: _____

Add Remove Email: _____ Password: _____

Add Remove Email: _____ Password: _____

Account Number (Optional): _____

Add account to combined statement

Add Remove Email: _____ Password: _____

Add Remove Email: _____ Password: _____

Add Remove Email: _____ Password: _____

PLEASE READ BEFORE SIGNING:

PlainsCapital Bank customers are responsible for the safekeeping of their account numbers and passwords. It is recommended that you change your passwords periodically as a security precaution. Should you change your email address, you are required to notify the bank of your new address as soon as possible.

I certify that the information provided is true and correct. I authorize PlainsCapital Bank to verify information on this application and allow access to all the accounts listed above of which I am an owner. I, the under-signed, have read and agree to the terms and conditions as stated above.

Signature: _____ Date: _____

Signature: _____ Date: _____

Internal use only:						
Amarillo	Austin	Dallas	Fort Worth	Lubbock	San Antonio	Other _____