

PRIVACY POLICY - HOW WE USE AND PROTECT CUSTOMER INFORMATION

At PlainsCapital Bank, we have made the decision to not share information about our customers outside of our corporate family unless it is permitted (or required) by applicable laws and regulations. You do not need to take any further action.

PlainsCapital Bank recognizes and respects your personal privacy rights. We realize that you entrust us with personal information, and we take this trust very seriously. It is our policy to maintain your information in a confidential manner and we are committed to providing our customers with the highest level of security and privacy regarding the collection and use of personal information. Although we are bankers, we are also consumers, and we strive to treat our customers in the same way that we want to be treated.

We want you to understand what information we collect, how we use it, and what we do to keep it secure.

INFORMATION WE COLLECT

We collect publicly available information and nonpublic personal information about you from the following sources:

- Information we receive from you on applications or other forms;
- Information about your transactions with us, our affiliates, or others;
- Information we receive from others, such as credit bureaus, appraisers, or employers;
- Information about other credit relationships when we verify personal information you have provided us.

HOW WE USE YOUR INFORMATION

We use the information we collect to service your account and administer your customer relationship. Information may be shared or used within our family of companies for a number of authorized purposes, such as:

- To protect your accounts from unauthorized use or identify theft;
- To process transactions that you have requested;
- To service your account;
- To offer our own products and services when we feel that our customers would benefit from knowing about such products and services.

HOW WE PROTECT YOUR INFORMATION

We limit access to customer information to only those employees who need the information to perform their specific responsibilities. Access is permitted on a "need to know" basis. We have and use internal policies and electronic safeguards that prevent the sharing of information that is not required by an employee to complete their job functions. We train our employees on how to safeguard customer information and also incorporate internal policies that cover the unauthorized disclosure or use of that information. We require companies that we do business with to also adhere to these standards.

DISCLOSURES PERMITTED BY LAW

We do not disclose any customer information to affiliated or nonaffiliated third parties except as permitted by law. The primary laws that govern this issue on the federal level are the Gramm-Leach-Bliley Act of 1999; Regulation P, "Privacy of Consumer Financial Information"; and The Fair Credit Reporting Act. We will be happy to provide further information about these laws if you desire.

WEBSITE PRIVACY POLICY

Visitors to the PlainsCapital website remain anonymous. We do not collect identifying information about visitors to our site. We may use standard software to collect non-identifying information about our visitors, such as:

- Date and time our site was accessed
- IP address
- Web browser used
- City, state and country

We use this information to create summary statistics and to determine the level of interest in information available on our site. Visitors may elect to provide us with personal information via email, online registration forms or our guest book. This information is used internally, as appropriate, to handle the sender's request. It is not disseminated or sold to other organizations. Some areas of our website may use a "cookie" temporarily stored in the visitor's computer memory (RAM) to allow the web server to log the pages the visitor uses within the site and to know if the site has been visited previously.

SHARING WITH NONAFFILIATED COMPANIES

From time to time, we will share customer information with those companies, which are not affiliated with our corporation, in order to provide the products and services that you have requested or already have with us. These companies may include (but are not limited to) financial service providers such as insurance companies, payment or data processing companies, check printing companies, retailers, non-profit organizations, etc. These companies assist us in fulfilling and maintaining your service requests, processing your transactions, or mailing account statements. We make sure that each company is contractually obligated to keep our customer's information confidential, and use of the information is strictly limited to providing the services we have asked them to perform for you and us.

SHARING WITH AFFILIATED COMPANIES

Under certain circumstances, customer information is shared with other groups within PlainsCapital Corporation (holding company for PlainsCapital Bank and its subsidiaries) to ensure we are considering your entire relationship with us when making decisions about your products. We might also share information with these companies in order to provide services necessary to maintain your accounts. Through the normal course of business and better serving your financial needs, PlainsCapital Bank will continue to share transaction and account experience information, as well as other general information among our family of companies as permitted or required by law.

AFFILIATE SHARING OPT-OUT

The Fair Credit Reporting Act allows you the opportunity to limit the sharing of "non-experience" information within the PlainsCapital family of companies. Such information includes information that is used, expected to be used or collected for the purpose of establishing your eligibility for consumer credit and related products and services and is not related solely to your transactions or other communications with us. Examples of non-transaction, non-experience information could include data contained in a consumer credit report or application information such as income and assets.

If you would prefer that we not share "non-experience" information within the PlainsCapital family of companies, you may exercise your opt out provision below.

If you opt out of our sharing "non-experience" information within the PlainsCapital family, we may still share information with our affiliates relating solely to your transactions or other communications with us as disclosed in our Privacy Policy.

Yes, I choose to opt out of sharing my "non-experience" information within the PlainsCapital family.

Print Name

Signature

Date

Please email or mail a signed copy of this disclosure to the attention of the Note Department: optout@plainscapital.com or Note Department, PlainsCapital Bank, PO Box 93600, Lubbock, Texas 79493-3600

IMPORTANT INFORMATION

PlainsCapital Bank is chartered under the laws of the State of Texas and by state law is subject to regulatory oversight by the Texas Department of Banking. Any consumer wishing to file a complaint against PlainsCapital Bank should contact the Texas Department of Banking through one of the means indicated below.

In person or by U.S. Mail:

2601 North Lamar Blvd., Suite 300
Austin, Texas 78705-4294

Phone: 877-276-5554
Fax: 512-475-1313

consumer.complaints@banking.state.tx.us
www.banking.state.tx.us

FAMILY OF COMPANIES

The following is a list of affiliated companies of PlainsCapital Corporation and PlainsCapital Bank, as of January 2009, to which this privacy policy applies:

- PrimeLending, A PlainsCapital Company
- PlainsCapital Mortgage Services
- Hester Capital Management
- PlainsCapital Equity Partners
- PlainsCapital Securities
- PlainsCapital Leasing
- First Southwest Holdings