

_____	X
In re JERNIGAN CAPITAL, INC. SECURITIES	: Master File No. 1:20-cv-09575-JLR-KHP
LITIGATION	: : : : <u>CLASS ACTION</u>
_____	:
This Document Relates To:	:
ALL ACTIONS.	:
_____	X

**PROOF OF CLAIM AND RELEASE**  
**I. GENERAL INSTRUCTIONS**

1. To recover as a Class Member based on your claims in the action titled *In re Jernigan Capital, Inc. Securities Litigation*, No. 1:20-cv-09575-JLR-KHP (S.D.N.Y.) (the “Action”), you must complete and, on page 6 hereof, sign this Proof of Claim and Release form (“Claim Form” or “Proof of Claim”). If you fail to submit a properly addressed (as set forth in paragraph 3 below) Proof of Claim, postmarked or received by the date shown below, your claim may be rejected and you may be precluded from any recovery from the Net Settlement Fund created in connection with the proposed Settlement of the Litigation.<sup>1</sup>

2. Submission of this Proof of Claim, however, does not assure that you will share in the proceeds of the Settlement.

3. YOU MUST MAIL OR SUBMIT ONLINE YOUR COMPLETED AND SIGNED CLAIM FORM, ACCOMPANIED BY COPIES OF THE DOCUMENTS REQUESTED HEREIN, **NO LATER THAN JUNE 10, 2025**, TO THE COURT-APPOINTED CLAIMS ADMINISTRATOR, AT THE FOLLOWING ADDRESS:

*Jernigan Securities Settlement*  
Claims Administrator  
c/o Verita Global  
P.O. Box 301135  
Los Angeles, CA 90030-1135  
Online Submissions: [www.JerniganSecuritiesSettlement.com](http://www.JerniganSecuritiesSettlement.com)

4. Do not mail or deliver your Proof of Claim to the Court, the parties to the Litigation, or their counsel. Submit your Proof of Claim only to the Claims Administrator at the address set forth above. If you are NOT a Class Member, as defined in the Notice of Pendency and Proposed Settlement of Class Action (“Notice”), DO NOT submit a Proof of Claim.

5. If you are a Class Member and you do not validly and timely request exclusion, you will be bound by the terms of any judgment entered in the Action, including the releases provided therein, **WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM.**

6. It is important that you completely read and understand the Notice that accompanies this Proof of Claim, including the Plan of Allocation of the Net Settlement Fund set forth in the Notice. The Notice describes the proposed Settlement, how Class Members are affected by the Settlement, and the manner in which the Net Settlement Fund will be distributed if the proposed Settlement and Plan of Allocation are approved by the Court. The Notice also contains the definitions of many of the defined terms (which are indicated by initial capital letters) used in this Proof of Claim. By signing and submitting this Proof of Claim, you will be certifying that you have read and that you understand the Notice, including the terms of the releases described therein and provided for herein.

<sup>1</sup> This Claim Form incorporates by reference the definitions in the Stipulation of Settlement (“Stipulation”), which can be viewed and/or obtained at [www.JerniganSecuritiesSettlement.com](http://www.JerniganSecuritiesSettlement.com).

## II. CLAIMANT IDENTIFICATION

You are a member of the Class if you: held shares of Jernigan common stock as of September 11, 2020, the record date for eligibility to vote on the Transaction, and your shares were sold for \$17.30 in the Transaction. Excluded from the Class are: (a) Defendants, their Immediate Family Members, any legal representatives, heirs, successors or assigns of the Defendants and/or their Immediate Family Members, and any entity in which Defendants and/or their Immediate Family Members have or had a controlling interest; and (b) the officers and directors of the Company at all relevant times, their Immediate Family Members, any legal representatives, heirs, successors or assigns of the officers and directors of the Company at all relevant times and/or their Immediate Family Members, and any entity in which the officers and/or directors of the Company at all relevant times and/or their Immediate Family Members have or had a controlling interest. Also excluded from the Class are those Persons who timely and validly request exclusion from the Class in accordance with the requirements set forth in the Notice.

Use Part I of this form entitled "Claimant Identification" to identify each holder of record ("nominee"), if different from the beneficial owner of the common stock which forms the basis of this claim. **THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL OWNER(S) OR THE LEGAL REPRESENTATIVE OF SUCH OWNER(S) OF THE JERNIGAN COMMON STOCK UPON WHICH THIS CLAIM IS BASED.**

All joint owners must sign this Claim Form. Executors, administrators, guardians, conservators, and trustees must complete and sign this Claim Form on behalf of persons represented by them and their authority must accompany this Claim Form and their titles or capacities must be stated. The last four digits of the Social Security Number (or full Taxpayer Identification Number) and telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

If you are acting in a representative capacity on behalf of a member of the Class (for example, as an executor, administrator, trustee, or other representative), you must submit evidence of your current authority to act on behalf of that member of the Class. Such evidence would include, for example, letters testamentary, letters of administration, or a copy of the trust documents.

One Claim Form should be submitted for each separate legal entity. Separate Claim Forms should be submitted for each separate legal entity (e.g., a claim from joint owners should not include separate transactions of just one of the joint owners, and an individual should not combine his or her IRA transactions with transactions made solely in the individual's name). Conversely, a single Claim Form should be submitted on behalf of one legal entity, including all transactions made by that entity on one Claim Form, no matter how many separate accounts that entity has (e.g., a corporation with multiple brokerage accounts should include all transactions made in all accounts on one Claim Form).

## III. CLAIM FORM

Use Part II of this form entitled "Holdings in Jernigan Common Stock" to state the number of shares of Jernigan common stock you held as of September 11, 2020, and to state the number of shares that were sold for \$17.30 in the Transaction.

You must provide copies of broker information or other documentation of your holdings in Jernigan common stock as attachments to your claim. If any such documents are not in your possession, please obtain a copy or equivalent documents from your broker because these documents are necessary to prove and process your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

**NOTICE REGARDING ELECTRONIC FILES:** Certain claimants with large numbers of transactions may request to, or may be requested to, submit information regarding their transactions in electronic files. All such claimants **MUST** also submit a manually signed paper Claim Form listing all their transactions whether or not they also submit electronic copies. If you wish to submit your Claim Form electronically, you must contact the Claims Administrator at [edata@veritaglobal.com](mailto:edata@veritaglobal.com) to obtain the required file layout. Any file not in accordance with the required electronic filing format will be subject to rejection. Only one Claim Form should be submitted for each separate legal entity (see above) and the complete name of the beneficial owner(s) of the securities must be entered where called for. Distribution payments must be made by check or electronic payment payable to the Authorized Claimant (beneficial account owner). The third-party filer shall not be the payee of any distribution payment check or electronic distribution payment. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the claimant a written acknowledgement of receipt and acceptance of electronically submitted data. Do not assume that your file has been received until you receive this notification.

Official  
Office  
Use  
Only

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
*In re Jernigan Capital, Inc. Securities Litigation*  
No. 1:20-cv-09575-JLR-KHP (S.D.N.Y.)  
**PROOF OF CLAIM AND RELEASE**

**Must Be Postmarked (if Mailed)  
or Received (if Submitted Online)  
No Later Than June 10, 2025**

**JER**

Please Type or Print in the Boxes Below  
Must use Black or Blue Ink or your  
claim may be deemed deficient.

**REMEMBER TO ATTACH COPIES OF BROKER CONFIRMATIONS OR OTHER DOCUMENTATION OF YOUR HOLDINGS IN JERNIGAN COMMON STOCK. FAILURE TO PROVIDE THIS DOCUMENTATION COULD DELAY VERIFICATION OF YOUR CLAIM OR RESULT IN REJECTION OF YOUR CLAIM.**

**PART I. CLAIMANT IDENTIFICATION**

Last Name	M.I.	First Name
Last Name (Co-Beneficial Owner)	M.I.	First Name (Co-Beneficial Owner)
<input type="radio"/> IRA <input type="radio"/> Joint Tenancy <input type="radio"/> Employee <input type="radio"/> Individual <input type="radio"/> Other _____		
Company Name (Beneficial Owner - If Claimant is not an Individual) or Custodian Name if an IRA (specify)		
Trustee/Asset Manager/Nominee/Record Owner's Name (If Different from Beneficial Owner Listed Above)		
Account#/Fund# (Not Necessary for Individual Filers)		

Last Four Digits of Social Security Number	or	Taxpayer Identification Number
Telephone Number (Primary Daytime)		Telephone Number (Alternate)
Email Address		

**MAILING INFORMATION**

Address		
Address (cont.)		
City	State	ZIP Code
Foreign Province	Foreign Postal Code	Foreign Country Name/Abbreviation

FOR CLAIMS PROCESSING ONLY	OB	CB	<input type="radio"/> ATP <input type="radio"/> KE <input type="radio"/> ICI	<input type="radio"/> BE <input type="radio"/> DR <input type="radio"/> EM	<input type="radio"/> FL <input type="radio"/> ME <input type="radio"/> ND	<input type="radio"/> OP <input type="radio"/> RE <input type="radio"/> SH	MM / DD / YYYY	FOR CLAIMS PROCESSING ONLY
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her, or its decision not to object to this Settlement or seek exclusion. Unknown Claims include those Released Plaintiff's Claims in which some or all of the facts comprising the claim may be suspected, or even undisclosed or hidden. With respect to any and all Released Plaintiff's Claims and the Released Defendants' Claims, upon the Effective Date, the Released Plaintiff's Persons and the Released Defendants' Persons shall be deemed to have, and by operation of the Order and Final Judgment, shall have, expressly waived to the fullest extent permitted by law, any and all provisions, rights, and benefits conferred by any law or any state or territory of the United States, or principle of common law or foreign law, which is similar, comparable, or equivalent to California Civil Code §1542, which provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

The Settling Parties shall expressly waive, and the Released Plaintiff's Persons and the Released Defendants' Persons shall be deemed to have, and by operation of the Judgment shall have, expressly waived any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States, or principle of common law, which is similar, comparable, or equivalent to California Civil Code §1542. The Released Plaintiff's Persons and the Released Defendants' Persons acknowledge that they may hereafter discover facts, legal theories, or authorities in addition to, or different from, those which he, she, it or their counsel now knows or believes to be true with respect to the subject matter of the Released Plaintiff's Claims or Released Defendants' Claims, but: (a) the Released Plaintiff's Persons shall expressly fully, finally, and forever waive, compromise, settle, discharge, extinguish and release, and each Released Plaintiff's Person shall be deemed to have waived, compromised, settled, discharged, extinguished, and released, and, upon the Effective Date, and by operation of the Judgment, shall have waived, compromised, settled, discharged, extinguished, and released, fully, finally, and forever, any and all Released Plaintiff's Claims against the Released Defendants' Persons, known or unknown, suspected or unsuspected, contingent or non-contingent, accrued or unaccrued, whether or not concealed or hidden, which now exist, or heretofore have existed, or may hereafter exist, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts, legal theories, or authorities; and (b) the Defendants shall expressly fully, finally, and forever waive, compromise, settle, discharge, extinguish and release, and, upon the Effective Date, and by operation of the Judgment, shall have waived, compromised, settled, discharged, extinguished, and released, fully, finally, and forever, any and all Released Defendants' Claims against the Released Plaintiff's Persons, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts, legal theories, or authorities. The Settling Parties acknowledge, and the Released Plaintiff's Persons and Released Defendants' Persons shall be deemed by operation of the Judgment to have acknowledged, that the foregoing waiver was separately bargained for and is an essential element of the Settlement of which this release is a part.

6. This Release shall be of no force or effect unless and until the Court approves the Stipulation and the Settlement becomes effective on the Effective Date.

7. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any claim or matter released pursuant to this release or any other part or portion thereof.

8. I (We) hereby warrant and represent that I (we) have included information (including supporting documentation) about the number of shares of Jernigan common stock held by me (us) on the Record Date and the number of shares of Jernigan common stock sold in the Transaction.

9. I (We) hereby warrant and represent that I am (we are) not a Defendant or other person excluded from the Class.

10. I (We) declare under penalty of perjury under the laws of the United States of America that the foregoing information supplied by the undersigned is true and correct.



Executed this \_\_\_\_\_ day of \_\_\_\_\_ in \_\_\_\_\_  
(Month/Year) (City/State/Country)

\_\_\_\_\_  
(Sign your name here)

\_\_\_\_\_  
(Sign your name here)

\_\_\_\_\_  
(Type or print your name here)

\_\_\_\_\_  
(Type or print your name here)

\_\_\_\_\_  
(Capacity of person(s) signing, e.g.,  
Beneficial Owner, Executor or Administrator)

\_\_\_\_\_  
(Capacity of person(s) signing, e.g.,  
Beneficial Owner, Executor or Administrator)

Reminder Checklist:

1. Please sign the above release and acknowledgment.
2. If this claim is being made on behalf of Joint Claimants, then both must sign.
3. Remember to attach copies of supporting documentation, if available.
4. **Do not send** originals of certificates or other documentation as they will not be returned.
5. Keep a copy of your Claim Form and all supporting documentation for your records.
6. If you desire an acknowledgement receipt of your Claim Form, please send it Certified Mail, Return Receipt Requested.
7. If you move, please send your new address to the address below.
8. **Do not use red pen or highlighter** on the Claim Form or supporting documentation. Must use Black or Blue Ink or your claim may be deemed deficient.

**THIS CLAIM FORM MUST BE SUBMITTED ONLINE OR MAILED  
NO LATER THAN JUNE 10, 2025, ADDRESSED AS FOLLOWS:**

*Jernigan Securities Settlement*  
Claims Administrator  
c/o Verita Global  
P.O. Box 301135  
Los Angeles, CA 90030-1135

Online Submissions: [www.JerniganSecuritiesSettlement.com](http://www.JerniganSecuritiesSettlement.com)

