

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

_____	X
GRAND LODGE OF PENNSYLVANIA,	:
and All Others Similarly Situated,	:
	:
Plaintiff,	:
	:
vs.	: No. 8:07-cv-479-T-26EAJ
	: <b>(Consolidated)</b>
	:
BRIAN P. PETERS, BRIAN F. GRIMES,	: <u>CLASS ACTION</u>
JUSTIN D. LOCKE, ANNE V. LEE, and	:
COAST FINANCIAL HOLDINGS, INC.,	:
	:
Defendants.	:
_____	X

**PROOF OF CLAIM AND RELEASE**

**NOTE:** You are urged to read carefully the accompanying Notice of Pendency and Proposed Settlement of Class Action (the "Notice"). In order to be eligible to participate in the settlement described in the Notice (the "Settlement"), Class Members or their authorized representatives must complete this Proof of Claim and Release ("Proof of Claim"), sign it and mail it, sufficient postage pre-paid, to the Claims Administrator **postmarked no later than July 6, 2009. If you need assistance filling out this Proof of Claim, please contact the Claims Administrator.**

**I. GENERAL INSTRUCTIONS FOR THIS PROOF OF CLAIM**

1. Please read the instructions to this Proof of Claim very carefully. If you do not accurately and timely submit this Proof of Claim, you may be prohibited from participating in the Settlement. Even if this occurs, you will still be bound by the terms of the Settlement and any orders and judgments of the Court unless you exclude yourself from the Settlement as provided in the Notice.

2. In order to be eligible to participate in the Settlement in Grand Lodge of Pennsylvania v. Peters, et al., Case No. 8:07-cv-479-T-26EAJ (the "Litigation"), you must have purchased the common stock of Coast Financial Holdings, Inc. ("Coast") during the period January 21, 2005 through January 22, 2007, inclusive (the "Class Period"). Even if you purchased Coast common stock during the Class Period, you are excluded from participation in the settlement if you are (a) one of the defendants in the Litigation, (b) a partner, officer, director, or affiliate of any of the defendants in the Litigation, (c) a member of the immediate family (parent, spouse, sibling, or child) of any of the defendants in the litigation, or (d) are an entity in which any of the defendants in the Litigation have a controlling interest. **If you did not purchase Coast common stock during the Class Period, or are excluded from participation in the settlement as described in this paragraph, please do NOT submit this Proof of Claim.**

3. To be eligible to participate in the Settlement, you must truthfully and accurately complete and, on page 17 hereof, sign this Proof of Claim. **YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM AND RELEASE POST-MARKED ON OR BEFORE JULY 6, 2009, ADDRESSED AS FOLLOWS:**

*Coast Securities Litigation*  
Claims Administrator  
c/o RSM McGladrey, Inc.  
P.O. Box 1367  
Blue Bell, PA 19422

If you do not truthfully or accurately complete this Proof of Claim, or if you do not mail your Proof of Claim to the Claims Administrator **on or before July 6, 2009**, you will not be entitled to participate in the Settlement, but you will still be bound by the terms of the Settlement and any orders of the Court.

4. Submission of this Proof of Claim, however, does not assure that you will share in the proceeds of settlement in the Litigation.

5. If you are a member of the Class and you have not timely requested exclusion, you are bound by the terms of any judgment entered in the Litigation, **whether or not you submit this Proof of Claim.**

## II. INSTRUCTIONS FOR PART I OF THIS PROOF OF CLAIM – CLAIMANT IDENTIFICATION

1. This claim must be filed by the actual beneficial purchaser of Coast common stock or the legal representative of the actual beneficial purchaser, and not by the record purchaser of the stock. If you purchased Coast common stock and held the certificate(s) in your own name, then you are the beneficial purchaser of the stock. If you purchased Coast common stock and the certificate(s) were registered in the name of a third party, such as a nominee or brokerage firm, you are still the beneficial purchaser, but the third party is the record purchaser.

2. If you are a record purchaser or nominee for a beneficial purchaser of Coast common stock, then you must, within ten (10) days after receiving the Notice, either (a) send a copy of the Notice and this Proof of Claim by first class mail to all beneficial purchasers during the Class Period of Coast common stock for whom you hold as a record purchaser or nominee or (b) provide a list of the names and addresses of all beneficial purchasers of such Coast common stock to the Claims Administrator. Additional information about these issues is included in Section 27 of the Notice.

3. If you are a beneficial purchaser of Coast common stock during the Class Period, please use Part I of this form entitled “Claimant Identification” to provide information identifying yourself. Where indicated in Part I, you should also identify any record purchaser or nominee for the shares of Coast common stock to which this Proof of Claim pertains, if that record purchaser or nominee is different from the beneficial purchaser of the Coast common stock.

4. If the shares of Coast common stock to which this Proof of Claim pertains were owned jointly, each joint purchaser must complete and sign this Proof of Claim.

5. Executors, administrators, guardians, conservators and trustees must complete and sign this Proof of Claim on behalf of persons represented by them, and they must identify the persons or entities whom they represent and provide proof of their authority (e.g., powers of attorney or currently effective letters testamentary or letters of administration) to submit this Proof of Claim. The Social Security (or 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.

6. Please complete and submit a separate Proof of Claim for each differently named account or form of ownership, such as an individual account, an IRA account, a joint account, a custodial account, etc. Joint tenants, co-owners, or UGMA custodians should file a single claim. Persons who file more than one claim (e.g., one in the person’s name and one for an IRA or joint account) must identify the other claims filed.

## III. INSTRUCTIONS FOR PART II OF THIS PROOF OF CLAIM – SCHEDULE OF TRANSACTIONS IN COAST COMMON STOCK

1. Use Part II of this form entitled “Schedule of Transactions in Coast Common Stock” to supply all required details of your transaction(s) in Coast common stock. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.

2. On the schedules, provide all of the requested information with respect to *all* of your purchases and *all* of your sales of Coast common stock which took place at any time between January 21, 2005 through January 22, 2007, inclusive, whether such transactions resulted in a profit or a loss. Failure to report all such transactions may result in the rejection of your claim.

3. List each transaction in the Class Period separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day and year of each transaction you list.

4. The date of purchase and/or sale of shares of Coast common stock is the “trade” date and not the “settlement” date.

5. The date of covering a “short sale” is deemed to be the date of purchase of Coast common stock. The date of a “short sale” is deemed to be the date of sale of Coast common stock.

6. You must attach to this Proof of Claim copies of brokerage confirmations, monthly statements, or other documentation evidencing your transactions in Coast common stock during the Class Period in order for your claim to be valid. **Please do not attach original documents.**

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

*Grand Lodge of Pennsylvania v. Peters, et al.,*  
No. 8:07-cv-479-T-26EAJ

**PROOF OF CLAIM**

Must Be Postmarked No Later Than:  
July 6, 2009

Please Type or Print

**PART I: CLAIMANT IDENTIFICATION**

Name(s) of Beneficial Owner(s):

Street No. and Street

City  State  Zip Code  -

Foreign Province  Foreign Country

Taxpayer I.D. No.   
or  
Social Security No.

Claimant's Capacity:  Individual  Corporation  Joint  Partner  IRA  
 Trust  Other (specify) \_\_\_\_\_

Telephone Number:  -  (work)

Telephone Number:  -  (home)

Email Address:

Record Owner's Name (if different from Beneficial Owner listed above):

**PART II: SCHEDULE OF TRANSACTIONS IN COAST COMMON STOCK**

A. Number of shares of Coast common stock held at the beginning of trading on January 21, 2005:

B. Purchases (January 21, 2005 – January 22, 2007, inclusive) of Coast common stock:

Trade Date Month/Day/Year	Number of Shares Purchased	Purchase Price Per Share	Total Purchase Price
1. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>
2. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>
3. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>
4. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>
5. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>

IMPORTANT: Identify by number listed above all purchases in which you covered a "short sale": \_\_\_\_\_

C. Sales (January 21, 2005 – January 22, 2007, inclusive) of Coast common stock:

Trade Date Month/Day/Year	Number of Shares Sold	Sales Price Per Share	Total Sales Price
1. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>
2. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>
3. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>
4. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>
5. <input type="text"/> - <input type="text"/> - <input type="text"/>	<input type="text"/>	\$ <input type="text"/> . <input type="text"/>	\$ <input type="text"/> . <input type="text"/>

D. Number of shares of Coast common stock held at close of trading on January 22, 2007: \_\_\_\_\_

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page.

**YOU MUST READ THE RELEASE AND YOUR SIGNATURE ON PAGE 17 WILL CONSTITUTE YOUR ACKNOWLEDGMENT OF THE RELEASE.**

**IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS**

I (We) submit this Proof of Claim under the terms of the Stipulation described in the Notice. I (We) also submit to the jurisdiction of the Middle District of Florida, Tampa Division, with respect to my (our) claim as a Class Member and for purposes of enforcing the release set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in the Litigation. I (We) agree to furnish additional information to the Claims Administrator or Lead Counsel to support this claim if required to do so. I (We) have not submitted any other claim covering the same purchases or sales of Coast common stock during the Class Period and know of no other Person having done so on my (our) behalf.

**V. RELEASE**

1. By signing this Proof of Claim, and in consideration of the establishment of the Settlement Fund as described in the Notice, I (We), on behalf of myself (ourselves) and my (our) heirs, executors, administrators, successors, assigns, representatives, and all other persons who may claim by or through me (us), do hereby fully, finally and forever settle, release, any and all Released Persons from any and all Released Claims. By signing this Proof of Claim, I (we) also covenant and agree to refrain from instituting, commencing, prosecuting, or participating in, either directly, indirectly, representatively, or in any other capacity, any and all Released Claims against any and all Released Persons.

2. For purposes of this Proof of Claim and the release contained herein, "Released Claims" means any and all claims, rights, demands, obligations, controversies, debts, damages, losses, actions, causes of action, and liabilities of any kind or nature whatsoever (collectively, "Claims") whether in law or equity, whether based on federal, state, local, statutory, or common law or any other law, whether accrued or unaccrued, fixed or contingent, or matured or unmatured, including both known and Unknown Claims, that have been or could have been asserted by the Lead Plaintiffs or the Class Members, or any of them, or the heirs, executors, successors, or assigns of any of them, directly, derivatively, or in any representative or other capacity, in the Litigation or any other forum at any point from the beginning of time to the date of the Stipulation's execution arising out of, based upon, or in any way related to the purchase of Coast common stock during the Class Period (including the sale or holding of any shares purchased during the Class Period) and the allegations, transactions, facts, events, matters, occurrences, acts, representations, or omissions involved in, set forth in, or referred to in the Complaint or that could have been asserted in the Complaint, including, without limitation, Claims for negligence, gross negligence, breach of fiduciary duty, breach of the duty of care, breach of the duty of loyalty, breach of the duty of candor, fraud, fraud in the inducement, negligent misrepresentation, or violations of any state or federal securities laws.

3. For purposes of this Proof of Claim and the release contained herein, "Unknown Claims" means any and all Released Claims that I (we) do not know or suspect to exist in my (our) favor at the time of the release of the Released Parties from the Released Claims which, if known by me (us), might have affected my (our) decisions with respect to the Settlement with and release of the Released Persons, or might have affected my (our) decision not to object to the Settlement. With respect to any and all Released Claims, I (we) expressly waive the provisions, rights and benefits of California Civil Code §1542, which provides:

**A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.**

I (we) also expressly waive 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. I (we) acknowledge that I (we) may hereafter discover facts in addition to or different from those which I (we) now know or believe to be true with respect

to the subject matter of the Released Claims, but I (we) nonetheless expressly fully, finally and forever settle and release, any and all Released Claims, 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. I (we) acknowledge that the foregoing waiver and inclusion of Unknown Claims in the definition of Released Claims was separately bargained for and a key element of the Settlement of which this release is a part.

4. For purposes of this Proof of Claim and the release contained herein, "Released Persons" means Coast, Brian P. Peters, Brian F. Grimes, James K. Toomey, Joseph Gigliotti, Kennedy Legler III, Paul G. Nobbs, Thomas M. O'Brian, John R. Reinemeyer, Michael T. Ruffino, M. Alex White, Sandler O'Neill & Partners, L.P., Sterne, Agee & Leach, Inc., and Hacker, Johnson & Smith, P.A. (collectively, the "Settling Defendants"), together with (i) each of the Settling Defendants' present or former immediate family members, heirs, executors, administrators, successors, assigns, employees, officers (including, but not limited to, former Coast officers Justin D. Locke and Anne V. Lee), directors, attorneys, legal representatives, insurers, reinsurers, accountants or auditors, banks, investment banks, underwriters, consultants, and agents, (ii) any person or entity which is or has been related to or affiliated with any Settling Defendant, including, but not limited to, any direct or indirect predecessor, successor, parent, subsidiary, or sister corporation or business organization of any Settling Defendant (including, but not limited to, Coast Bank of Florida, First Banks, Inc. and First Bank), and (iii) any person or entity in which any Settling Defendant has or had a controlling interest and the present and former parents, subsidiaries, divisions, affiliates, predecessors, successors, employees, officers, directors, attorneys, assigns, legal representatives, insurers, reinsurers, accountants or auditors, banks, investment banks, underwriters, consultants, and agents of any such person or entity.

5. This release shall be of no force or effect unless and until the Court approves the Stipulation and the Stipulation becomes effective on the Effective Date (as defined in the Stipulation).

## **VI. REPRESENTATIONS AND WARRANTIES**

1. I (we) represent and warrant that I (we) am (are) the sole and lawful owner of all right, title, and interest in the matters released pursuant to Section V of this Proof of Claim. If I (we) am (are) submitting this Proof of Claim in a representative capacity (e.g., executor, guardian, etc.), I (we) represent and warrant the persons or entities I (we) represent are the sole and lawful owner(s) of all right, title, and interest in the matters released pursuant to Section V of this Proof of Claim and that I (we) have all authority necessary to dispose of those matters. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to this release or any other part or portion thereof.

2. I (We) represent and warrant that I (we) am (are) fully authorized to execute and deliver this Proof of Claim.

3. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in Coast common stock which occurred during the Class Period as well as the number of shares of Coast common stock held by me (us) at the opening of trading on January 21, 2005 and at the close of trading on January 22, 2007.

**SUBSTITUTE FORM W-9**

**Request for Taxpayer Identification Number (“TIN”) and Certification**

**PART I**

NAME:

Check appropriate box:

- Individual/Sole Proprietor     Pension Plan  
 Corporation             Partnership             Trust  
 IRA                         Other

Enter TIN on appropriate line.

For individuals, this is your social security number (“SSN”).

For sole proprietors, you must show your individual name, but you may also enter your business or “doing business as” name. You may enter either your SSN or your Employer Identification Number (“EIN”).

For other entities, it is your EIN.

Social Security Number:  -  -   
(for individuals)

*OR*

Taxpayer Identification Number:  -   
(for estates, trusts, corporations, etc.)

**PART II**

For Payees Exempt from Backup Withholding

If you are exempt from backup withholding, enter your correct TIN in Part I and write “exempt” on the following line:

\_\_\_\_\_.

**PART III**

Certification

UNDER THE PENALTY OF PERJURY, I (WE) CERTIFY THAT:

1. The number shown on this form is my correct TIN; and
2. I (We) certify that I am (we are) NOT subject to backup withholding under the provisions of Section 3406 (a)(1)(C) of the Internal Revenue Code because: (a) I am (we are) exempt from backup withholding; or (b) I (we) have not been notified by the Internal Revenue Service that I am (we are) subject to backup withholding as a result of a failure to report all interest or dividends; or (c) the Internal Revenue Service has notified me (us) that I am (we are) no longer subject to backup withholding.

NOTE: If you have been notified by the Internal Revenue Service that you are subject to backup withholding, you must cross out Item 2 above.

**SEE ENCLOSED FORM W-9 INSTRUCTIONS**

The Internal Revenue Service does not require your consent to any provision of this document other than the certification required to avoid backup withholding.

I 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)

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

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

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

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

**ACCURATE CLAIMS PROCESSING TAKES A  
SIGNIFICANT AMOUNT OF TIME.  
THANK YOU FOR YOUR PATIENCE.**

Reminder Checklist:

1. Please sign the above release and declaration.
2. Remember to attach supporting documentation, if available.
3. Do not send original stock certificates.
4. Keep a copy of your claim form for your records.
5. If you desire an acknowledgment of receipt of your claim form, please send it Certified Mail, Return Receipt Requested.
6. If you move, please send us your new address.

# INSTRUCTIONS FOR COMPLETING SUBSTITUTE FORM W-9

## Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

**Use Form W-9 only if you are a U.S. person** (including a resident alien), to give your correct TIN to the person requesting it (the requester), and, when applicable, to:

1. Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

**If you are a foreign person, use the appropriate Form W-8. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Corporations.**

**Note:** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**What is backup withholding?** Persons making certain payments to you must withhold and pay to the IRS 28% of such payments under certain conditions. This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

If you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return, payments you receive will not be subject to backup withholding. **Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required (see the Part III instructions on page 2 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the Part II instructions and the separate **Instructions for the Requester of Form W-9**.

## Penalties

**Failure to Furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

**Name.** If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form.

**Sole proprietor.** Enter your **Individual** name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

**Limited liability company (LLC).** If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its own under Treasury regulations

section 301.7701-3, **enter the owner's name on the "Name" line.** Enter the LLC's name on the "Business name" line.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

**Other entities.** Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

## Part I — Taxpayer Identification Number (TIN)

**Enter your TIN in the appropriate box.**

If you are a **resident alien** and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see **How to get a TIN** below.

If you are a **sole proprietor** and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are an **LLC** that is **disregarded as an entity** separate from its owner (see **Limited liability company (LLC)** above), and are owned by an individual, enter your SSN (or "pre-LLC" EIN, if desired). If the owner of a disregarded LLC is a corporation, partnership, etc., enter the owner's EIN.

**Note:** See the chart on this page for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get **Form SS-5**, Application for a Social Security Card, from your local Social Security Administration office. Get **Form W-7**, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN or **Form SS-4**, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS's Internet Web Site at [www.irs.gov](http://www.irs.gov).

If you do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note:** Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

## Part II — For U.S. Payees Exempt From Backup Withholding

Individuals (including sole proprietors) are **not** exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. For more information on exempt payees, see the separate instructions for the Requester of Form W-9.

If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding. Enter your correct TIN in Part I, write "Exempt" in Part II, and sign and date the form.

If you are a nonresident alien or foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

## Part III — Certification

To establish the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required).

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you

have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified state tuition program payments, IRA or MSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

## Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to give your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

## What Name and Number To Give the Requester

For this type of account:	Give the name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship	The owner <sup>3</sup>
For this type of account:	Give name and EIN number of:
6. Sole proprietorship	The owner <sup>3</sup>
7. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
8. Corporate	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

<sup>4</sup> List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

**Note:** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

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