

MARY SUSAN DARNELL SMITH
THROUGH HER AGENT
SUZANNE SMITH UPCHURCH

NUMBER: 520,113-B

VERSUS

FIRST JUDICIAL DISTRICT COURT

MCGUIRE FUNERAL HOME, INC.,
ET AL.

CADDO PARISH, LOUISIANA

NOTICE OF CLASS ACTION

YOU MAY BE A MEMBER OF A CERTIFIED CLASS OF INDIVIDUALS IN THE ABOVE CAPTIONED PROCEEDING.

THIS NOTICE EXPLAINS:

- A. The Lawsuit and the Relief Sought,
- B. Your Rights as a Class Member,
- C. Names and Addresses of Class Representatives,
- D. Name and Address of Class Counsel,
- E. Other Matters.

A. The Lawsuit and the Relief Sought

IF YOU BELIEVE YOU ARE A CLASS MEMBER, BUT YOU DID NOT RECEIVE A NOTICE OF THIS ACTION BY MAIL, YOU SHOULD CONTACT THE ATTORNEY FOR THE CLASS LISTED BELOW.

In March of 2008, Mary Susan Darnell Smith filed a class action complaint. As of the date of this Notice, the defendants in that class action complaint are McGuire Funeral Home, Inc., William J. (Jimmy) McGuire, Susan B. McGuire (referred to together as "McGuire"), Regions Bank ("Regions") and First Guaranty Bank ("First Guaranty"). Elbert Neuman Graves and Linda Wallace Hooper later joined the litigation as plaintiffs.

In this litigation, plaintiffs claim that McGuire sold prepaid funeral services to the plaintiffs and to class members and deposited their payments into certificates of deposit with Regions and First Guaranty. Plaintiffs further claim that McGuire later cashed those certificates of deposit without presenting to the banks a death certificate which plaintiffs claim the banks should have required pursuant to La. R.S. 37:861. Plaintiffs claim that McGuire and the banks are each liable for the loss sustained by each class member of the funds deposited by them for prepaid funeral expenses. Plaintiffs intend to seek a judgment from the court requiring McGuire, Regions, and First Guaranty to repay the monies with interest that Regions and First Guaranty allowed McGuire to withdraw.

As mentioned above the class representatives are Mary Susan Darnell Smith, Elbert Neuman Graves, and Linda Wallace Hooper. The class was certified in these proceedings on June 1, 2011.

B. Your Rights as a Class Member

To remain a member of the class and to participate in recovery, if any, resulting from this class action, you do not have to file any document with the court. You, or your attorney, may file

attorneys fees, costs, or expenses of the attorneys listed below. Any fees, costs, or expenses paid to the attorneys listed below must be approved by the court and if awarded will be paid out of the recovery had in this litigation. As a class member, you will be entitled to share in any monetary recovery obtained for the class. As a class member, you will be bound by any final determinations made by the court in this case, either favorable or unfavorable.

If recovery is obtained in this litigation, you may be required to take further actions as the court deems necessary, such as submitting a "Proof of Claim", in order to participate in any recovery had by the class.

You may exclude yourself from the class. If you exclude yourself from the class you will not be entitled to share in any recovery that may be obtained for the class and you will not be bound by any determination made in this case, nor will you be entitled to any further notice concerning these proceedings.

If you do not wish to be a member of this class, you may exclude yourself by filing a written request that you be excluded with the Clerk of Court at 501 Texas Street, Room 103, Shreveport, Louisiana 71101 and by mailing a copy to J. Patrick Hennessy, Attorney at Law, P.O. Box 91, Shreveport, Louisiana 71161-0091. You must include the caption of this litigation (contained in the heading of this Notice) and you must request exclusion on or before March 15, 2012.

C. Names and Addresses of Class Representatives

The class representatives are:

Mary Susan Darnell Smith, Elbert Neuman Graves, and Linda Wallace Hooper
c/o Law Office of J. Patrick Hennessy
P. O. Box 91
Shreveport, Louisiana 71161-0091

D. Name and Address of Class Counsel

Please mail any inquiries concerning this class to:

J. Patrick Hennessy
Law Office of J. Patrick Hennessy
P. O. Box 91
Shreveport, Louisiana 71161-0091
Telephone: 318-221-8000
Facsimile: 318-221-4300
www.jphlaw.net
Counsel for the plaintiff class

E. Other Matters

Please do not call the judge or the clerk of court; they will not be able to give you any information or any advice concerning this lawsuit. This Notice is only a summary of the lawsuit. All pleadings and documents filed in this matter is available for inspection in the offices of the Caddo Parish Clerk of Court, 501 Texas Street, Room 103, Shreveport, Louisiana 71101, during normal business hours.