

SEBRING STRONG SURVIVORS FUND

FINAL PROTOCOL

March 26, 2019

The Final Protocol governing the Sebring Strong Survivors Fund (the “Fund”), was developed by the National Compassion Fund (“Administrator”), incorporating feedback from the Community Steering Committee (“The Committee”), the Greater Community, and the general public; including those present at the Public Meeting held by the Administrator on March 25, 2019.

All aspects of this Protocol including, without limitation, the classifications of applicants, the distribution criteria, the application process, timetable, and amounts to be awarded, may be revised, and are subject to the full and complete discretion of the Administrators.

On January 23, 2019, an attack occurred at the SunTrust Bank branch located at 1901 U.S. Highway 27 South Sebring, Florida, at approximately 12:36 p.m. (the “Sebring Attack”). The Sebring Strong Survivors Fund (the “Fund”) was established with the financial assistance of the SunTrust Foundation, SunTrust Bank and its employees, and was enhanced through the generosity of businesses, foundations, and individual donors. The Fund will be used to assist the family members of those who were killed and others identified in the Protocol, collectively “Victims”. Victims may submit an application for benefits (“Application”) from the Fund, which is managed and administered by The National Compassion Fund, LLC, Federal Tax ID #30-0022798, a subsidiary of the National Center for Victims of Crime, a 501(c)(3) nonprofit organization, Federal Tax ID #30-0022798.

ALL APPLICATIONS MUST BE SUBMITTED NO LATER THAN APRIL 23, 2019.

A PARENT OR GUARDIAN MUST APPLY ON BEHALF OF VICTIMS UNDER THE AGE OF 18.

BENEFIT ALLOCATION

Benefits from the Fund are to be apportioned to the Victims in accordance with the severity of the injuries arising from the Sebring Attack.¹

¹ Determination of the amounts for each eligible applicant will depend upon the following: (1) the balance in the Fund on April 30, 2019; (2) completion of the review of all submitted applications; and (3) review and approval by the Administrators.

CATEGORIES OF ELIGIBLE APPLICANTS

There shall be only one Application per Victim. The type of Application falls into two categories.

Category 1 – Applicants on Behalf of the Deceased

Category 1 applicants are those filing on behalf of an immediate family member killed as a result of the Sebring Attack. This Application is for the total death benefits for the Victims associated with a single death.

The eligible applicant shall be the spouse or legal partner of the deceased or the personal representative of the estate of the deceased.

All Category 1 benefit payouts will be of an equal amount. Category 1 benefit payouts shall be the highest category of payment under the scope of this Protocol.

Category 2 – Applicants Present During the Attack and/or Employed Full-Time at the Sebring Mid-Town Branch as of January 23, 2019

Any individual who was physically present at the SunTrust Sebring Mid-Town branch during the Attack, or any individual employed full-time at the SunTrust Sebring Mid-Town branch as of January 23, 2019 is eligible to apply for benefits under this protocol. Category 2 benefit payouts shall be less than Category 1 payouts under the scope of this Protocol. Applicants in Category 2 may have different levels of payout.

A final determination of payments will be made upon receipt of all pertinent data and is subject to all comments above.

APPLICATION PROCESS

An Application must be filed in order to receive a payment from the Fund.

Only Category 1 and Category 2 applicants are eligible and a single Application for benefits should be submitted for each deceased victim or eligible applicant. The purpose of the application is to validate the identification of individual, and their category classification.

FILING AN APPLICATION

Online -Access to the Online Application System will be available **beginning April 9, 2019** at <https://nationalcompassionfund.org>

Phone -Applicants without internet access are invited to call toll-free 855-4VICTIM (855-484-2846) for guidance on alternative filing assistance.

Questions – Assistance and inquiries can be sent to Sebring@NationalCompassionFund.org or by calling 855-4VICTIM (855-484-2846)

The Application may require supporting documentation and is considered complete only when all required material has been received by the Fund Administrator.

Note: In the event that an applicant submits an incomplete or deficient Application (*e.g.*, the applicant failed to include required documentation or failed to fully complete the Application), a representative from the Fund Administrators' office will contact the applicant in an effort to cure any such deficiencies.

THE APPLICATION MUST BE SUBMITTED BY THE DEADLINE OF APRIL 23, 2019.

APPLICATION REQUIREMENTS

Category 1 – Applicants on Behalf of the Deceased

Category 1 Applications require the spouse or legal partner's signature if the deceased individual was married at the time of death, and shall also include information pertaining to individuals (*e.g.*, spouse, children, parents, siblings) who may be eligible to receive compensation under Florida law. In cases where the deceased was not married, the personal representative legally authorized to administer the estate must submit the Application. If the deceased did not leave a Will, the personal representative must prepare a proposed plan of distribution of the funds among the decedent's legal heirs and beneficiaries. In circumstances where the decedent was, at the time of their death, engaged to be married, cohabitating with an intimate partner, or separated from a spouse, the Administrator may, in its discretion, require a fiancé, intimate partner, or children of the deceased to be included in the proposed distribution plan. The proposed plan will be distributed to legal heirs, beneficiaries, fiancé or cohabitating intimate partner, each of whom must consent to the proposed distribution. If agreement among the heirs cannot be reached as to who will serve as the personal representative, or with regard to the proposed distribution, the applicants will be required to obtain legal authorization from the Circuit Court in and for Highlands County, Florida to determine who is the legally-responsible person eligible to file the Application. Under those circumstances, the Fund Administrators will, in their discretion, withhold funds until an agreement is reached, or deposit the affected funds with the Court, to be held in a separate account, and to be distributed only upon resolution in accordance with a valid court order.

Category 2 – Applicants Present During the Attack and/or Employed Full-Time at the Sebring Mid-Town Branch as of January 23, 2019

Category 2 Applications must have such claim corroborated by employment records or law enforcement records. The Fund Administrators will be responsible for obtaining this information, not the applicant.

Applications for a minor child must be submitted and signed by a parent or legal guardian. For Applications for incompetent adults, the Application will require proof of representative capacity, such as a power-of-attorney, guardianship, and appointment of guardian or attorney *ad litem*.

ADMINISTRATOR REQUIREMENTS

Funds Distribution Protocol

The Fund Administrators published the Draft Protocol on February 25, 2019 and invited input and comments from potential applicants and the general public. Those public comments were considered in the adoption of the Final Protocol.

A public meeting was held by the Fund Administrators at the following time and location:

Highlands County Government Center
(Board of County Commissioners' Meeting Room)
Monday, March 25, 2019
6 p.m. – 7 p.m.
600 S. Commerce Ave. in Sebring, Florida

Information collected from these group meetings, various communications, and correspondence between the applicants, other interested parties, and the Fund Administrators was considered in adopting the Final Protocol.

Final Protocol

The Final Protocol and Application information is being disseminated to all known victims who have registered with the National Compassion Fund via the online contact form, and made available on the National Compassion Fund website (<https://nationalcompassionfund.org>) beginning March 29.

The Fund Administrators will work directly with applicants as requested so that Applications are submitted by the April 23 deadline.

Victim Contact And Outreach

The *National Compassion Fund* will make its best effort to conduct outreach to victims of the Sebring Attack by telephone, mail, in person, and other forms of electronic communication to provide them with information on the Application process, to answer questions related to the filing of Applications, to assist victims in curing deficiencies on Applications, and to work to ensure that all eligible persons who wish to submit Applications are able to do so before the April 23, 2019, filing deadline. The *National Compassion Fund* does not guarantee that all who may be eligible will be contacted successfully, nor does it guarantee that all persons who are in contact with the *National Compassion Fund* are eligible persons as defined in the Protocol. It is the responsibility of the eligible applicants to file an Application to make sure that the Application is timely filed and received. Contact information that is held by law enforcement is not accessible by the Administrator, and there should be no assumption that anyone who is eligible will be contacted simply because they have shared their contact information with either law enforcement or the Florida Crime Victim Compensation Program, without sharing it with National Compassion Fund via the online contact form.

Payment Administration & Governance

Payments will be issued shortly after the deadline for submission of all contributions and the final review and determination of all eligible Applications by the Fund Administrators. The Fund Administrators will submit final payment determinations to the Steering Committee for approval

of transmission of the payments, by check or electronic bank wire, to each eligible applicant. In the event sufficient contributions are received after the final payment determinations, a supplemental distribution may be made to eligible applicants.

Tax Advice

The Fund cannot provide tax advice to those receiving payments from the Fund. The Fund Administrators recommend you consult your tax advisor for any questions regarding tax liability for these payments.

Auditing

A full audit of the Sebring Strong Victims' Fund will be conducted by an independent auditing firm as soon as possible after the final distribution of all benefits. The results of this audit will be made available to all applicants, donors, and the general public, along with a Final Report from the Fund Administrators at (<https://nationalcompassionfund.org>)

TIMELINE:

- January 23, 2019—Senseless attack at Sun Trust Bank Branch in Sebring, FL
- January 27, 2019—Sun Trust and NCF complete agreement to support survivors
- January 28, 2019—Sun Trust and NCF launch the Sebring Strong Survivors Fund
- February 5, 2019—Finalize membership of Community Steering Committee
- February 8, 2019—Publish Membership of Community Steering Committee
- February 12, 2019 - First meeting of Community Steering Committee
- February 19, 2019 - Issue media release; publish/post Draft Protocol and Public Comment Period begins
- March 25, 2019 – Public Comment Period Ends
- March 25, 2019—Town Hall Meeting
- March 26, 2019 – Community Steering Committee meets to approve Final Protocol
- March 29, 2019 – Final Protocol published. These documents will be made available on the Fund website for families and all interested parties.
- April 9, 2019 – Application Portal Opens. Application instructions will be disseminated to all known applicants and potential applicants who registered through the Fund website.
- April 9 – April 23, 2019 – Applications completed and submitted to the Fund Administrators along with the required documentation.
- April 23, 2019 – Deadline for submission of Application for Benefits.
- April 26, 2019 – Deadline for contributions
- April 23—May 3, 2019: All applications reviewed by the Fund Administrators and recommendations for payments to eligible applications submitted to the Steering Committee for review and approval.
- Week of May 9, 2019 Distribution Plan Approval
- May 13, 2019: Payment Distribution to approved eligible beneficiaries begins on a rolling basis.
- After June 15, 2019: Independent Audit begins.