

DECLARATION OF ED LETTE

Pursuant to 28 U.S.C. § 1746 and LCvR 11.2, I hereby declare as follows:

1. I am the founder, President, and CEO of the Business Bank of Texas. I also serve as the Bank's chairman of the Board. I have extensive experience in the banking industry and have been the chief financial officer of five national banks during my 50-year career in the industry. I have been a licensed CPA since 1983. I was the 2005-2006 President of the San Antonio Chapter of the Texas Society of CPA's and served on the 2009-2010 Executive Board of the Texas Society of CPA's. I served as a director of the Texas Bankers Association District 4, and a director of Independent Bankers Association of Texas and as the chairman of the Executive Advisory Council to the School of Business at Texas Lutheran University.

2. Business Bank of Texas had a long-standing and mutually beneficial banking relationship with Power Finance Texas, a Texas-based payday lending company. Over the course of our three-year relationship, Power Finance Texas fully cooperated with every request that our bank made for information needed for compliance purposes.

3. Business Bank of Texas conducted significant due diligence into Power Finance Texas and concluded that our customer relationship with Power Finance Texas would not affect the safety and soundness of our bank. We also concluded that the relationship would not affect the bank's reputation. Business Bank of Texas inspected three years of financial statements and tax returns of all Mr. Elkins businesses related to Power Finance and his personal financial statement and personal tax returns as part of this due diligence. Each of Power Finance Texas' operating companies was licensed by the Office of the Consumer Credit Commissioner in the State of Texas and provided copies of their licenses that our Bank kept on file. To my

knowledge, we had received no customer complaints about Power Finance Texas, and Power Finance Texas never violated the NACHA rules nor any banking regulations. They were an ideal customer.

4. Power Finance Texas maintained significant deposits at Business Bank of Texas and the bank generated significant fee income from the ACH services that it provided to Power Finance Texas.

5. Nonetheless, Business Bank of Texas was forced to end this long-standing and beneficial relationship with Power Finance Texas by the Office of the Comptroller of the Currency.

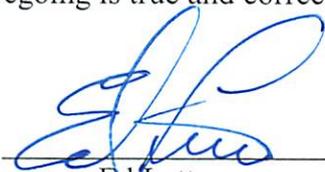
6. During a recent meeting with Scott Ward, an Assistant Deputy Comptroller in the OCC's San Antonio office, Mr. Ward pressured our bank to end our relationship with Power Finance Texas.

7. Mr. Ward told me that, if Business Bank of Texas continued to provide ACH services to Power Finance Texas and other small lenders, the bank would incur a significant reputational risk.

8. Although I completely disagreed with this assessment, Mr. Ward left no doubt that the relationship would have to be ended. The pressure that was brought to bear on our bank by our regulator left us with no choice but to drop Power Finance Texas as a customer and close its accounts.

9. In the absence of this regulatory pressure, we would not have closed Power Finance Texas' accounts. In the absence of continuing regulatory pressure, I am confident that we would restore ACH and other banking services to Power Finance Texas.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
November 23, 2016.



Ed Lette



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October 20, 2016

Mr. Gary Elkins, Manager
Power Finance Texas Companies

Dear Mr. Elkins,

We appreciate and understand that you would like to reinstate your ACH privileges with our bank, however as part of a now published consent order with the Office of the Comptroller of the Currency we have agreed not to process third party payment processors and consumer lending companies.

Our Assistant Deputy Comptroller for the San Antonio North Field Office stated that if we continued processing third party payment processors and consumer lending companies we were placing our reputation at risk. Therefore as part of the consent order with the office of the comptroller of the Currency we required all third party payment processors and consumer lending customers to move their accounts.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ed Lette", is written over a light blue horizontal line.

Ed Lette, Chairman

Business Bank of Texas, N.A.
