

MAY 19 2026

RICK WARREN
COURT CLERK

106 _____

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

TAMI BERNIER, ON BEHALF OF
HERSELF AND ALL OTHERS SIMILARLY
SITUATED,

PLAINTIFFS,

V.

CHICKASAW COMMUNITY BANK,

DEFENDANT.

CASE NO. CJ-2024-5672

PRELIMINARY APPROVAL ORDER

This matter is before the Court on the unopposed motion of Plaintiff Tami Bernier, pursuant to O.S. § 12-2023(E), for preliminary approval of the class action Settlement Agreement and Release (the “Settlement”)¹, and the Court, being duly advised, now finds that the motion should be, and hereby is GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED as follows:

1. Terms capitalized herein and not otherwise defined shall have the meanings ascribed to them in the Settlement.
2. This Court has jurisdiction over the subject matter of this lawsuit and jurisdiction over the Plaintiffs and Defendant in the above-captioned case (the “Parties”).

¹ The Settlement was attached as Exhibit 1 to the Declaration of Martin F. Schubert filed on April 30, 2026.

3. The Court finds that, solely for the purposes of notice and settlement, the requirements of O.S. § 12-2023(A) and (B)(3) are met with respect to the following Classes (collectively, the “Settlement Classes”):

Account Balance Class

All persons who have or have had accounts with Defendant who were charged an Overdraft fee on a transaction that did not overdraw the account during the Class Period of September 4, 2019, through December 31, 2025.

Multiple NSF Class

All persons who have or have had accounts with Defendant who were assessed OD Fees and NSF Fees on an item coded or classified as having previously incurred an NSF Fee during the Class Period of September 4, 2019, through December 31, 2025.

Specifically, the Court finds that:

- The Settlement Classes are so numerous that joinder of all members is impracticable, as there are hundreds of members.
- There are questions of law and fact common to the Class Members because the claims stem from allegations regarding Defendant’s fee practices relative to Defendant’s account agreement documents.
- The Plaintiff’s claims are typical of the claims of the Settlement Classes as Plaintiff’s claims stem from the same course of conduct.
- The Plaintiff is an adequate representative of the Settlement Classes in that she has no interests antagonistic to the Settlement Classes and has retained counsel competent to handle prosecution of the litigation.
- The issues common to the Class Members predominate over any individual issues as the overwhelming issue of whether Defendant was permitted to charge the fees at issue under its standard account agreement documents is at the center of the litigation.
- A class action is superior because the individual claims of the Class Members are small in value but the controversy impacts hundreds of persons.

The Court therefore certifies the Settlement Classes defined above pursuant to O.S. § 12-2023(A) and (B)(3). The Court appoints Plaintiff as Class Representative of the Settlement Classes and appoints Plaintiff's counsel as Class Counsel for the Settlement Classes.

4. The Court finds that the terms of the proposed Settlement are within the range of possible final approval as being a "fair, reasonable, and adequate" compromise. The Court therefore grants preliminary approval to the Settlement and directs the parties to the Settlement to perform and satisfy the terms and conditions of the Settlement that are triggered by preliminary approval.

5. The Court finds that the form and contents of the notices attached to the Settlement reasonably apprise Class Members of the terms of the Settlement and their rights to object or opt out and that the notice complies with Due Process. The Court also finds that the method of disseminating the notice—mail or email from the Settlement Administrator and posting to the Settlement Website—constitute reasonable notice. The Court therefore approves the notice plan and directs the parties to implement the notice plan. The Settlement Administrator shall send notice to the Class Members no later than 30 days from the date of this order, or as otherwise ordered by the Court. Class Members shall have 30 days from the first date on which notice is sent to object to, or opt out of, the Settlement, as set forth in the Settlement and notice.

6. A final approval hearing (the "Final Approval Hearing") shall be held before the undersigned at 1:30 o'clock, on 8/24/2026 2026, in person or via video or teleconference, for the purpose of: (a) determining whether the Settlement Agreement is fair, reasonable, and adequate and should be finally approved; (b) determining whether a Final Approval Order should be entered; and (c) considering Class Counsel's application for an award of attorneys' fees from the Settlement Fund. The Court may adjourn, continue, and reconvene the

Final Approval Hearing pursuant to oral announcement without further notice to the Classes, and the Court may consider and grant final approval of the Settlement Agreement, with or without minor modification and without further notice to the Classes.

IT IS SO ORDERED this 15 day of May, 2026.

NATALIE MAI

Honorable Judge, District Court

APPROVED BY:



Matthew J. Sill, OBA #21547
Jacob L. Rowe, OBA #21797
Andrea R. Rust, OBA #30422
FULMER SILL
1101 N. Broadway Avenue, Suite 102
Oklahoma City, OK 73103
Telephone (405) 509-6300
Fax: 1.800.978.1345
msill@fulmersill.com
jrowe@fulmersill.com
arust@fulmersill.com

Lynn A. Toops, *pro hac vice*
COHENMALAD, LLP
One Indiana Square, Suite 1400
Indianapolis, IN 46204
Telephone: 317-636-6481
Facsimile: 317-636-2593
ltoops@cohenmalad.com

CERTIFIED COPY
AS FILED OF RECORD
IN DISTRICT COURT

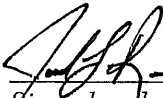
MAY 19 2026

RICK WARREN COURT CLERK
Oklahoma County



Gerard Stranch, IV, *pro hac vice*
Martin F. Schubert, *pro hac vice*
STRANCH, JENNINGS, & GARVEY. PLLC
223 Rosa L. Parks Avenue, Suite 200
Nashville, Tennessee 37203
Telephone: (615) 254-8801
Facsimile: (615) 255-5419
gstranch@stranchlaw.com
mschubert@stranchlaw.com

Attorney for Plaintiff and the Classes

 *Michael Burage*
signed on behalf of Counsel
Michael Burage, OBA # 1350
Patricia A. Sawyer, OBA # 30712
Whitten Burrage
512 N. Broadway Avenue, Suite 300
Oklahoma City, Oklahoma 73102
mburrage@whittenburrage.com
psawyer@whittenburrage.com

Attorneys for Defendant