

Fordyce Survivors Fund Final Protocol Overview

The Fordyce Survivors Fund (the Fund) will distribute funds as gifts to victims and survivors of the June 21, 2024, shooting at Mad Butcher Grocery Store in Fordyce, Arkansas. The funds may be used however the recipients wish.

Decisions about eligibility and distribution are made by the local Steering Committee with intentions of transparency, integrity, compassion, and fairness. This Final Protocol constitutes the rules governing this Fund and was informed by the experience of numerous similar efforts after mass casualty events.

The Final Protocol includes four categories of eligibility:

- Legal heirs of those who were killed as a direct result of the shootings
- Those who were physically injured by gunshot wound in the shooting
- Those who suffered some other type of physical injury during the shooting
- Those who were present at the time of the shooting and suffered psychological trauma

An online application will then be available online around October 9, 2024.

All interested parties should sign up for the Fund's contact list by filling out and submitting the form on www.SurvivorsFund.org/Fordyce. Emails will be sent regarding:

- When the Final Protocol for the Fund is available
- When the application is available
- When the deadline for submitting an application is approaching

Representatives from the Fund are available to help throughout this process through meetings or phone calls. Email Fordyce@SurvivorsFund.org with any questions or to set up a meeting.

Fordyce Survivors Fund Local Steering Committee

Candace McCullom, Chair	
Leslie Ford	Behavioral Health Director, Dallas County Medical Center
Major Mike Foster	Dallas County Sheriff's Office
Jim Hulse	Fordyce Bank and Trust
David Mantz	Dallas County Medical Center CEO
Nicole McGhee	Fordyce School District
John McNichol	Mayor, City of Fordyce
Tiffany Nutt	Nutt Law Firm
Larry Stacy	Fordyce Mayor's Chief of Staff
Marjorie Weldele	Survivor of Collierville, TN mass shooting

Fordyce Survivors Fund Final Protocol

September 23, 2024

This is the Final Protocol, which governs distribution of the Fordyce Survivors Fund (the Fund). It was developed by the Fund Administrators, incorporating relevant and appropriate feedback from the Steering Committee, the survivors and victims, and the general public, including those present at the Town Hall meeting held by the Administrators on September 17, 2024.

The money paid by the fund is a gift to which no person has a legal claim or entitlement. All aspects of this Draft Protocol including, without limitation, the classifications of applicants, distribution criteria, application process, and timetable, may be revised and are subject to the full and complete discretion of the Fund Administrator. The level of benefits paid within each category of eligibility is determined by the steering committee.

The Fund was created by the Arkansas Community Foundation and is administered by the Mass Violence Survivors Fund. The Fund was enhanced through the generosity of businesses, foundations, and individual donors. It will be used to assist the families of the victims who were killed, the victims who were physically injured requiring hospitalization, the victims who were physically injured and treated on an outpatient basis, and the victims who were present at Mad Butcher Grocery Store during the shooting (the Shooting) on June 21, 2024. The Arkansas Community Foundation is a 501(c)(3) nonprofit organization (Federal Tax ID #52-1055743). The Mass Violence Survivors Fund is a 501(c)(3) nonprofit organization (Federal Tax ID #93-4383141).

ALL APPLICATIONS MUST BE SUBMITTED ONLINE NO LATER THAN OCTOBER 30, 2024, TO BE ELIGIBLE TO RECEIVE PAYMENT. IF THE VICTIM IS UNDER THE AGE OF 18 OR IS A VULNERABLE ADULT, A PARENT OR GUARDIAN MUST APPLY ON THE VICTIM'S BEHALF.

The amounts awarded from the Fund will take into consideration variables that include: (1) the balance in the Fund when it is closed for donations on November 20, 2024; (2) the completion of the review of all submitted applications; and (3) the review and approval by the Administrators. Amounts awarded are not in any way based upon need, economic loss or reimbursement of expenses. Gifts from the fund are a symbolic and compassionate recognition of psychological trauma, emotional distress, and other noneconomic harm endured by the survivors. The Administrators reserve all rights to determine the validity of all information submitted by applicants.

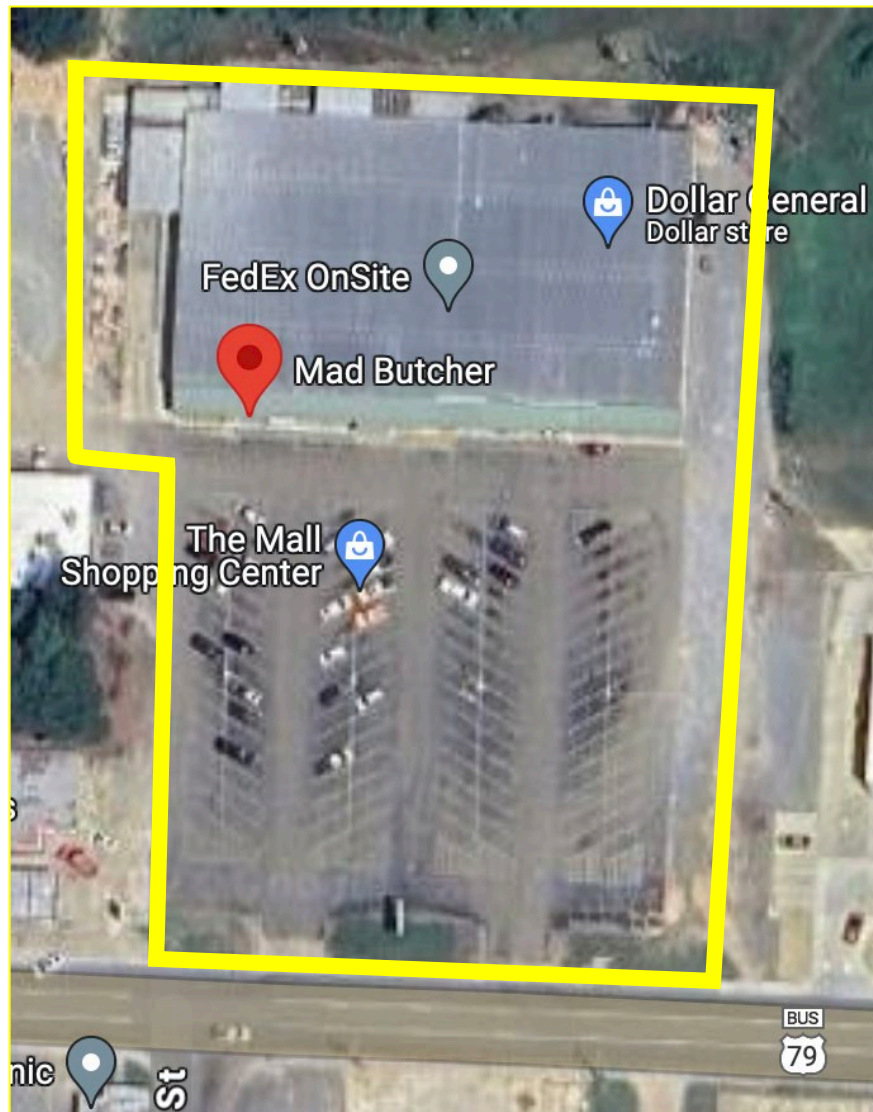
Neither citizenship nor immigration status will be considered in determining an applicant's eligibility.

SECTION ONE: ELIGIBILITY

AREA OF ELIGIBILITY

Individuals in the categories listed below, who are not first responders, will be deemed to have been "present" and eligible for payment if they were physically present inside Mad Butcher Grocery or Dollar General or in the parking lot of the Mad Butcher Grocery Store (as indicated by Figure 1 below) at the time of the shooting at 11:38 am.

Figure 1



CATEGORIES OF ELIGIBLE APPLICANTS (ELIGIBILITY IS LIMITED TO ONE CATEGORY)

A. Application for Legal Heirs of Those Killed

Eligible applicants for deceased victims killed as a result of the Shooting will receive the highest level of payment under the scope of this Draft Protocol. A final payment determination will be made upon receipt of all pertinent data and is subject to all comments above.

B. Individual Physical Injury Applications for Victims Wounded by Gunfire

Eligible applicants who were physically present within the area of eligibility designated in figure 1 above at the time of the Shooting and were physically injured by gunfire, which shall be defined as being hit by bullets or shrapnel, will receive payment under this Draft Protocol.

C. Individual Physical Injury Applications of Victims Treated on an Out-Patient Basis

Eligible applicants who were physically present within the area of eligibility designated in figure 1 above at the time of the Shooting, who suffered non-gunshot wound physical injuries as a result of the Shooting, and who received medical treatment no later than Friday, June 28, 2024 will receive a payment under this Draft Protocol.

D. Individuals Present at the Site Experiencing Psychological Trauma

Any individuals who were physically present within the area of eligibility designated in figure 1 above at the time of the Shooting and experienced psychological trauma are eligible to receive payment under this Draft Protocol.

SECTION TWO: PROCESS AND PROCEDURES

Eligible applicants must file an application in order to receive a payment from the Fund. **ALL APPLICATIONS MUST BE SUBMITTED BY THE DEADLINE OF OCTOBER 30, 2024; however, the Fund Administrators reserve the right in their sole discretion to grant a deadline extension.**

When completing the application, applicants will specify the category of the applicant: for deceased victims, for physical injury by gunfire, for other physical injury, or for psychological trauma. In their application, applicants must choose only one distribution category for which they are eligible.

Each eligible applicant should submit only one application per victim. An applicant may submit more than one application only on behalf of separate victims. For example, a person who was present or injured may submit their own application. They may also submit an application on behalf of a minor

(if that person is the designated parent or legal guardian of the minor) or on behalf of a family member who was killed (if they are the designated representative).

The process and procedures for consideration of eligible applications will be as follows:

A. The Final Protocol to govern the Fund and a link to submit an online application for benefits will be emailed to all known potential applicants who have signed up for the Fund's contact list on the Survivors Fund website (<https://www.SurvivorsFund.org/Fordyce>). The Final Protocol and information concerning the application process will also be available on the website beginning on or about October 9, 2024. Representatives from the Fund Administrators will administer and process the applications. Only one application should be submitted by, or on behalf of, each victim. All applications must be completed and submitted to the Fund Administrators (along with all required supporting documentation detailed in the application or such information curing any deficiencies in information) no later than October 18, 2024. Questions regarding the completion of an application should be sent via email to Fordyce@SurvivorsFund.org.

B. A public meeting was conducted by the Fund Administrators on Tuesday, September 17, at 6:00 p.m. at the Fordyce Civic Center. At the meeting, there was an explanation of the Draft Protocol and the application submission process, and Fund Administrators invited input and comments from potential applicants and the general public. Information collected from these group meetings, various communications, and correspondence between the applicants, other interested parties, and the Fund Administrators was considered in finalizing the Final Protocol.

C. Access to the application online will be available at <https://massviolencesurvivorsfund.org/fund/fordyce-survivors-fund> around October 9. Applicants who lack access to the internet are invited to call the applicant assistance number at 844-864-5200 extension 4, for guidance on alternative filing assistance.

D. 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 send an e-mail notification to the applicant in an effort to resolve any such deficiencies.

E. Shortly after the deadline for submission of all financial contributions and the final review and determination of all eligible applications by the Fund Administrators, payments will be issued. The Fund Administrators will submit final payment determinations to the Steering Committee for approval of transmission of the payments, by check or electronic transfer, to each eligible applicant. Applicants may not rely on the timing of any payment. The Administrators, the Steering Committee, and Arkansas Community Foundation shall have no liability whatsoever for any damage of any kind arising out of or resulting from the timing of any payment from the Fund.

F. Applications for Deceased Victims

1. Applications for deceased victims with a Last Will & Testament: If the deceased victim had a Last Will & Testament, the personal representative legally authorized to administer the Estate must submit the application, along with a copy of the Will and the Fund will issue payment in accordance with the Will.
2. Applications for deceased victims with no Last Will & Testament:
 - a. If a personal representative has been appointed to administer the Estate, such personal representative must submit the application and provide the information set out below.
 - b. If there is no court appointed personal representative and the deceased victim was married at the time of death, the deceased victim's spouse or legal partner will submit the application and provide the information set out below.
 - c. If there is no court appointed personal representative and the deceased victim was not married, one application should be submitted on behalf of all of the deceased victim's heirs and provide the information set out below.
 - d. For deceased victims who did not have a Last Will & Testament, the application shall include information pertaining to individuals (e.g. spouse, children, parents, siblings) who may be eligible to receive compensation under the local intestacy law of the jurisdiction where the deceased victim was domiciled.
 - e. In circumstances where the deceased was, at the time of their death, engaged to be married, cohabitating with an intimate partner, separated from a spouse, the Fund Administrators may, in their discretion, require a fiancé, intimate partner, or household member, to be included in the class of heirs for purposes of making a distribution from the Fund.
 - f. In circumstances where an adult: 1) resided with a minor for a significant period of time; 2) was engaged in consistent care taking of the minor; 3) established a bonded and dependent relationship the minor, which relationship was fostered or supported by another parent of the child and the person and the other parent have understood, acknowledged or accepted that or behaved as though the person is a parent of the minor; and 4) accepted full and permanent responsibilities as a parent of the minor without expectation of financial compensation, the Fund Administrators may, in their discretion, require such adult or a minor to be included in the class of heirs of the deceased for purposes of making a distribution from the Fund.
 - g. Each application for a deceased victim who did not have a Last Will & Testament must include a proposed plan of distribution of the funds among the deceased's legal heirs and beneficiaries. The proposed plan will be distributed to all known legal heirs, beneficiaries, fiancé or cohabitating intimate partner, and any others directed by the

administrators to be included, in the sole discretion of the administrator, as consistent with the deceased's family structure, each of whom must consent to the proposed distribution.

G. If a minor child's application must be submitted and signed by a parent or legal guardian. If an application is required for a vulnerable adult lacking legal capacity, it will require proof of representative capacity, such as a power-of-attorney, guardianship, and appointment of guardian or attorney *ad litem*. Minor beneficiaries will have funds paid to the minor's custodian for deposit into a custodial account pursuant to the Arkansas Uniform Transfer to Minors Act.

H. An application filed for a physical injury applicant must include an authorization to release medical information which confirms: (i) the date of initial treatment, (ii) the date of admission to the hospital if applicable, (iii) the date of discharge from the hospital if applicable, and (iv) the nature of the injury and contemporaneous evidence from the treating professional that the injury was sustained as a result of the Shooting.

I. An application filed for psychological trauma must have the applicant's presence in the designated areas of eligibility at the time of the Shootings corroborated by employment records or by law enforcement records. The Fund Administrators (rather than the applicant) will be responsible for validating this information.

J. Arkansas Community Foundation, Mass Violence Survivors Fund, the Fund Administrators, and the Steering Committee will use reasonable efforts to maintain confidentiality of all information submitted by applicants but cannot guarantee confidentiality. Applicants are asked to consider any personal ramifications should any information submitted under this Draft Protocol become publicly available.

K. The Fund cannot provide tax advice to those receiving payments from the Fund. The Fund Administrators recommend consulting a tax advisor for any questions regarding tax liability for these payments.

L. When all distributions of payments have been completed, a full examination of the Fund will be conducted according to Agreed Upon Procedures by an independent auditing firm. The results of these Agreed Upon Procedures will be made available to all applicants, donors, and the general public, along with a Final Report from the Fund Administrators.

SECTION THREE: OUTREACH AND COMMUNICATION

A. The Mass Violence Survivors Fund (MVSF) or its representatives may conduct outreach to victims of the Shooting 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 October 30, 2024 filing deadline. MVSF does not guarantee that all who may be eligible will be contacted, nor does it guarantee that all eligible persons who are in contact with MVSF will be included in the Final Distribution. It is the responsibility of the applicant to make sure that the application is timely filed and received. Contact information that is held by law enforcement or healthcare professionals is never shared with MVSF, 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, the Red Cross, or any other service provider. Contact information must be shared with MVSF via the Fund-specific online contact form.

B. Once finalized, the Final Protocol and application information will be disseminated to all known victims who have signed up for the online contact form on September 23, 2024. The Fund Administrators will work directly with applicants as requested so that applications are submitted by the October 30, deadline.

C. Applicants may request to schedule optional meetings face-to-face or by telephone with the Fund Administrators. All applications will be processed during the period between October 9 and November 30. All applicants requesting meetings with the Fund Administrators before the application is processed will be afforded such a meeting during the period between August 26, and October 30. Meetings will be scheduled at mutually convenient times and locations. To request a meeting, please email a request to Fordyce@SurvivorsFund.org.

PROPOSED FORDYCE TIMELINE

- June 21, 2024 – Shooting occurs
- July 1, 2024 (alt 11/2, 11/6)– Announce Fund and Chair of Steering Committee
- August 19, 2024 – Meeting of Steering Committee; approve Draft Protocol
- August 26, 2024 – Publish Draft Protocol and public comment period begins
- September 17, 2024 – Town Hall Meeting and feedback period ends
- September 19, 2024 – Steering Committee meets to approve Final Protocol
- September 23, 2024– Final Protocol published to website for survivors, victims, and interested parties
- October 9, 2024 – Application is available online. Application instructions are disseminated to all known applicants and potential applicants.
- **October 9–October 30, 2024 – Applications completed (with required documentation) and submitted to the Fund Administrators**
- August 26, 2024 – October 30, 2024 – All personal meetings requested with the Fund Administrators completed
- **October 30, 2024 – Deadline for submission of applications**
- November 20, 2024 – Fund closes to donations
- December 3, 2024 – Steering Committee approves Funds Distribution Plan

- December 10, 2024 – Distribution of payments to approved eligible beneficiaries begins on a rolling basis
- Three weeks after the end of the month in which all disbursements are completed – Independent auditing firm conducts examination of Fund per Agreed Upon Procedures.