

**IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
30TH JUDICIAL DISTRICT, MEMPHIS**

IN RE JERNIGAN CAPITAL, INC., )  
SHAREHOLDER LITIGATION )

Lead Case No. CH-20-1472-II

\_\_\_\_\_ )  
This Document Relates To: )

CLASS ACTION

ALL ACTIONS. )  
\_\_\_\_\_ )

**PLAINTIFFS’ MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT; PRELIMINARY APPROVAL OF SETTLEMENT CLAIMS  
PROCEDURE; CERTIFICATION OF SETTLEMENT CLASS; APPROVAL OF  
PROPOSED FORM AND METHOD OF CLASS NOTICE; AND SCHEDULING  
OF FAIRNESS HEARING**

To the Chancellors of the Chancery Court for the Thirtieth Judicial District:

Lead Plaintiffs and proposed class representatives Louis Lane, Mary Pat Forkin Arthur, and Sherry Grosse (collectively “Plaintiffs”) move the Court, pursuant to Rule 23.05 of the Tennessee Rules of Civil Procedure, for an Order:

1. Preliminarily approving the proposed settlement under the terms set forth in the Stipulation and Agreement of Compromise, Settlement, and Release (the “Settlement Agreement”) entered into between Plaintiffs and defendants John A. Good, Mark O. Decker, James Dondero, Howard A. Silver, Harry J. Thie, and Rebecca Owen, and defendant Jernigan Capital, Inc. (collectively “Defendants”), dated August 12, 2024, attached as an exhibit to the memorandum in support filed contemporaneously herewith;

2. Certifying a Settlement Class for the purposes of settlement only, under TRCP 23.02(3);

3. Approving the proposed form and method of Notice to the proposed Settlement Class, attached as Exhibit A to the Settlement Agreement; and

4. Scheduling a hearing date for final consideration of the Settlement Agreement and Release.

In further support of this motion, Plaintiffs' counsel states that they have conferred with counsel for Defendants, and there is no opposition to the Motion. Plaintiffs' contemporaneously filed Memorandum of Law sets forth the factual and legal basis for this Motion.

Dated: August 16, 2024

Respectfully submitted,

/s/ J. Gerard Stranch, IV

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*Lead Counsel for Plaintiffs and the Putative Class*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the foregoing document has been forwarded, via U.S. mail and e-mail, to the following on this 16th day of August 2024.

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*/s/ J. Gerard Stranch, IV*  
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