

E-SIGN Consent Agreement

This E-SIGN Agreement (“Agreement”) allows us to provide you with electronic versions of important notices and documents associated with opening an account at Merchants & Marine Bank (“M&M Bank”). Certain laws and regulations require us to provide notices and disclosures to you in “writing” (traditionally this is defined as a paper notice); with your consent, the E-SIGN Act allows us to provide these documents to you electronically.

Definitions

The words “we,” “our,” and “us” mean M&M Bank, affiliates, successors, and assigns.

The words “you” and “your” mean each applicant, account owner and anyone else with access to the account. If there is more than one owner, then these words mean each account owner separately, and all account owners jointly.

“Access device” means any electronic device you use to access your account and view electronic documents. This includes, but is not limited to: a traditional computer such as a desktop or laptop computer; or a mobile device such as a tablet computer or a smartphone.

Scope of this Agreement

This Agreement applies to all initial disclosures, notices, and terms and conditions related to opening an account at M&M Bank. This consent will remain effective through the account application process or until expressly withdrawn by you. This consent does not apply to account documentation during the lifetime of the account (e.g., electronic account statements) nor does it apply to future account applications. Your consent does not mean that we must provide documents electronically, but instead that we may deliver some or all of those documents electronically.

Electronic Delivery of Documents

Electronic documents will be delivered to you within the application process in a .pdf document. You must download and open the electronic documents to proceed with your application and you are strongly encouraged to save or print the documentation for future reference.

Confirmation

By electing to have your records provided to you in an electronic form, you agree to confirm your ability to receive these records electronically by following any procedures specified by us, from time to time. When we notify you of any system changes, you must reconfirm your consent according to the instructions provided at the time, or withdraw your consent.

Requesting Paper Copies of Documents

You agree and understand that paper versions of electronically presented documents may not be mailed unless you specifically request it. To request a paper copy of any disclosure, notice, or other document, contact us at 228-934-1323 or 866-223-9512. Copies of disclosures, service agreements, and account agreements will be mailed at no charge.

Maintaining a Valid Email Address

It is important that you maintain a valid email address so that we may contact you regarding your account. If you change your email address or other contact information, you must provide us with your new email address or other contact information. You may update your email address during the application process or by contacting us at 228-934-1323 or 866-223-9512. The change will not be effective until we receive it and have had a reasonable opportunity to act upon it.

System Requirements

By consenting to this agreement, you confirm that your Access Device meets the minimum specifications and requirements necessary to view and retain your electronic documents. Linked below are the necessary system requirements you must have in order to receive and retrieve records electronically.

<https://helpx.adobe.com/sign/system-requirements.html>

Enforceability

Whenever possible each provision of this Agreement will be interpreted in such manner as to be effective and valid under applicable law. If any provision of this Agreement is prohibited by or invalidated under applicable law, such provision will be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Agreement.

Governing Law

This Agreement is governed by the laws of the state in which the account(s) is opened except to the extent that federal law is controlling.

Withdrawal of Consent

You may withdraw your consent to this Agreement at any time. To withdraw your consent prior to completing your application, simply exit this session prior to accepting this Agreement. To withdraw your consent after you have already submitted your application, you must call us at 228-934-1323 or 866-223-9512. Your withdrawal of consent will not be effective until we receive it and have had a reasonable opportunity to act upon it. **If you withdraw your consent to this Agreement, you will no longer receive the electronic presentment of any documents.**

Multiple Access Devices

Your acceptance of this Agreement on one Access Device constitutes your acceptance on all Access Devices you use. For example, if you view and accept this Agreement on a mobile device, the terms of this Agreement will apply to electronic documents accessed on a traditional computer (or vice versa).

Additionally, by viewing and accepting this Agreement on any Access Device, you are reasonably demonstrating your ability to access and view electronic documents in the format that the services are provided on that Access Device and all subsequent Access Devices. If you change Access Devices (or use multiple Access Devices), it is your responsibility to ensure that the new Access Device meets the applicable system requirements and that you are still able to access and view electronic documents on the subsequent Access Device. Continuing your application on other Access Devices is your reaffirmation of this Agreement.

Please contact us at 228-934-1323 or 866-223-9512 if you have difficulties accessing or viewing electronic documents on your selected Access Device.

Acknowledgment and Acceptance

You will be asked to acknowledge your acceptance of these terms by checking the box before you are able to continue with your application. In doing so, you are confirming that you meet the system requirements described above, that you have demonstrated your ability to receive, retain, and view electronic documents on your Access Device, and that you have an active and valid email address.

By accepting this E-SIGN Consent Agreement, you acknowledge that you have read, understood, and agree to the above provisions.