

1 go to Alabama bankers who don't like black farmers generally
2 and don't like us in particular and borrow 3.5 million dollars,
3 and they don't make it easy. It's excruciatingly hard and
4 embarrassing, but we don't care. We believe in this case. We
5 believe in the people. We believe in what this Court has done
6 in this case.

7 It costs us, Your Honor, more than \$200,000 a year in
8 interest on loans that we have borrowed on behalf of this
9 class. That is money we can't recover from the Government and
10 don't want to recover. If it costs \$500,000 and we would pay
11 the Government the taxes owed it and still use it on behalf of
12 the class.

13 I want Your Honor to understand this class is not
14 about to fall apart, but there are problems. And I would have
15 to tell you, Your Honor, some of these problems derive from
16 maybe the thickness of my skull. When we were negotiating with
17 my dear dear friend, Mr. Sitcov, for the consent settlement,
18 had I had any inkling that each claim would be litigated almost
19 as if it was a class action unto itself I never would have
20 agreed to it. I don't know of any farmer who would have agreed
21 to that. If I had known I was negotiating a situation whereby
22 in Track B cases we would have these monumental struggles over
23 discovery, lengthy Hornbook motions to dismiss, I never would
24 have agreed to that. What I had in mind and what I mistakenly
25 thought everybody else had in mind was that we were talking