



First Bank of Highland Park

**Notice of Amendment to First Bank of Highland Park's
Commercial Online Banking Agreement & Disclosures
Effective January 24, 2019**

This amendment (the "Amendment") to First Bank of Highland Park's (the "Bank") Commercial Online Banking Agreement & Disclosures ("Agreement") is being made to add provisions to the Agreement as set forth below. This Amendment is effective January 24, 2019. The Bank urges its customers to carefully read this Amendment to the Agreement and to retain it for future reference. Any customers with questions may call the Bank at 1-847-897-7600.

Under Section 44 of the Agreement, the Bank may change or amend the Agreement but is required to provide its customers with advance notice of such changes or amendments to the extent required by applicable law. The changes set forth in this Notice of Amendment are those changes that are new to the current version of the Agreement, effective October 1, 2018. Pursuant to Section 44 of the Agreement, your use of Commercial Online Banking after any change or amendment constitutes your acceptance of and agreement to the amendment set forth below.

1. Section 2 (DEFINITIONS) of the Agreement is amended and modified to add the following new definition (new language underlined):

"Positive Pay" means an automated fraud detection tool for commercial accounts for both check and automated clearing house ("ACH") transactions intended to protect against (1) altered, forged, and counterfeit checks by verifying the accuracy of the checks you have written to checks submitted to clear your account, and (2) fraudulent or unauthorized ACH transactions by allowing you to approve certain companies authorized to submit ACH debits to your commercial account.

2. Section 26 (YOUR LIABILITY IN CASE OF LOSS, THEFT OR UNAUTHORIZED TRANSACTIONS) of the Agreement is amended and modified to add the following provisions to the end of Section 26 (new language underlined):

In connection with the account(s) that you are establishing or earlier established at First Bank of Highland Park, the Bank offers Positive Pay to you, a product which the Bank believes serves to reduce the possibility of any loss to you or the Bank as a result of fraudulent activity on your account(s).

WHILE YOU ARE NOT REQUIRED TO ACCEPT AND OR USE THE PRODUCT, IF YOU CHOOSE NOT TO ACCEPT AND USE POSITIVE PAY IN CONNECTION WITH YOUR ACCOUNT(S), YOU SHALL BE RESPONSIBLE FOR ANY/ALL LOSSES THAT COULD HAVE BEEN PREVENTED IF YOU HAD ACCEPTED AND USED POSITIVE PAY, AND YOU AGREE THAT YOU WILL INDEMNIFY AND HOLD THE BANK HARMLESS FROM ALL LOSSES RESULTING FROM SUCH FRAUDULENT ACTIVITY, INCLUDING ALL LEGAL FEES AND COSTS THAT IT MIGHT INCUR, OTHER THAN LOSS RESULTING FROM THE BANK'S GROSS NEGLIGENCE.

Should you wish to start the onboarding process for Positive Pay, you may:

- Contact your Relationship Officer, or
- Contact Treasury Management Client Care at tmanagement@firstbankhp.com or 1-847-897-7600.

In addition, First Bank of Highland Park wants to remind customers who previously executed the Bank's eCorp Agreement for onboarding that their decision regarding Positive Pay, and their corresponding liability based on such decision, remains in effect until and unless the customer contacts the Bank to change such selection.