

YOU HAVE CHOICES

At M&T, we believe that one of the ways we can meet your needs is by making you aware of products and services we offer, endorse or sponsor that may help you achieve your financial goals. So we do our best to let you know about them. If we can't do so in person, we (or our product and service partners) may send you a letter or an e-mail, or perhaps even call you from time to time. You may have a preference about how we contact you about special offers and information that may be beneficial to you. If so, just let us know at any time, and we will honor your request.

Of course, we know that you probably also receive mail and phone calls from other companies, many of whom you or we don't do business with. What you may not know is that you can limit the solicitations you receive from these other companies if they are members of the Direct Marketing Association.

To reduce the amount of direct mail you receive from other companies, you may register with the Direct Marketing Association's Mail Preference Service (MPS). To register, visit www.dmachoice.org.

To reduce the number of telemarketing calls you receive from other companies, you can register with the FTC's National Do Not Call Registry at www.donotcall.gov or by calling 1-888-382-1222.

As we've explained in this policy, M&T is committed to safeguarding your personal information, and strictly controls the information that is collected, accessed and disclosed. However, you can also choose to limit information that is shared within the M&T family of companies and/or outside it, except for information permitted to be disclosed by law.

COMPANIES OUTSIDE THE M&T FAMILY

In this policy, we've described how we may share some information about you with carefully selected companies outside the M&T family in order to offer you products and services we don't offer, endorse or sponsor ourselves. If you'd prefer, you can direct us not to share any information for this purpose, and we will honor your request.

WITHIN THE M&T FAMILY

As we've described, the companies in the M&T family may share some information about you with each other to provide you with products and services to help meet your needs, and to make your banking more convenient. But if you prefer, you can direct us not to share certain information within the M&T family of companies – namely, credit-related information from other financial institutions or information that you have provided to us – and we will honor your request. Please note that if you exercise this option, we may still share some information within the M&T family, but only to the extent allowed by law, such as that which relates to your transactions and experiences with us.

MAKING YOUR CHOICES

If you'd like to limit the amount of your information shared within the M&T family and/or with outside companies, visit our website at www.mtb.com (and click on the "privacy" link) or call us at 1-800-785-3162. You will need to provide your M&T account number and your Social Security number to put the limitation on information sharing into effect.

Marketing Opt Out provided by the M&T family of companies. Federal law also gives you the right to limit some but not all marketing offers from the M&T family of companies. We are required by Federal law to let you know of your choice to limit marketing offers. You may limit M&T family affiliates such as M&T Securities, Inc. from marketing their products and services to you based on your personal information that they receive from other members of the M&T family. This information may include income data, account history or your credit score. If you would like to limit marketing offers from M&T family affiliates, visit our website at www.mtb.com (and click on the "privacy" link) or call us at 1-800-785-3162

When we receive your request, we will process it promptly. Please note that at the time you make your request, programs that involve information sharing may already be underway, but your name will be removed from such programs in the future.

You can opt out of information sharing or marketing at any time, but you only need to do so once, regardless of the number of accounts you have with us. Your decision to opt out will be honored for as long as you have any accounts with any of the companies within the M&T family – and even after you close your accounts with us – unless

you advise us in writing to remove the limitations.

(Please note that this policy, including sections relating to information that we share, applies to former customers to the same extent as existing customers.)

If you choose to opt out, it will apply only to your personal accounts at M&T. If you own an M&T account jointly with another person, you or any of the other joint account owners can direct us to limit the sharing of information relative to that account. The joint account owner who directs us to do so will automatically have that limitation applied to all M&T accounts he or she owns. If the other joint account owner(s) wish to opt out on their other M&T accounts, they need to contact us individually with that request.

NOTICE TO CALIFORNIA, VERMONT AND NEW MEXICO RESIDENTS

Residents of the states of California, Vermont and New Mexico are provided additional rights according to state law. As a result, residents of California and Vermont do not have to take any further action to limit the sharing of information – such limits are already in place. M&T will not share any of your non-public personal financial information (other than as permitted by law) within the M&T family of companies, or with outside companies, unless you first authorize us to do so. Residents of the state of New Mexico do not have to take any further action to limit the sharing of information with outside companies – such limits are already in place. M&T will not share any of your non-public personal financial information (other than as permitted by law) with outside companies, unless you first authorize us to do so.

This policy went into effect on July 1, 2001 and replaces all previous versions. It also supersedes anything to the contrary in your account documentation from any of the companies within the M&T family.

We hope this insight as to how M&T uses and protects your personal and financial information is helpful. We value your business and we are committed to earning and keeping your trust. Thank you for giving us that opportunity.

 **M&T Bank Corporation**

 **www.mtb.com** ©2010 M&T Bank. Member FDIC. BR-742A (1/10)

Consumer Information Policy

Protecting your privacy

At M&T, we are committed to safeguarding your financial information and maintaining your privacy. That has always been a priority for us. So we have policies and procedures in place to ensure that your financial information is protected and used responsibly.

Those policies and procedures are detailed here in our "privacy policy." Please take a few moments to review it, then simply keep it for your records.

Please note: We are required by federal law to send you a copy of our privacy policy each year.

If you have already provided us with your information sharing preferences (by "opting out"), you do not have to do so again.

 **M&T Bank Corporation**

OVERVIEW

In this privacy policy, we describe:

- the kind of financial information we gather and how we use it,
- how information is shared within the M&T Bank Corporation family of companies and with companies outside the M&T family,
- how we protect your financial information,
- what you can do to protect yourself from being a victim of fraud or identity theft, and
- how to opt out of information sharing within the M&T family of companies and with companies outside of M&T.

The policies and procedures detailed here apply to information associated with your personal accounts. Of course, we also treat business account information with great care, because we respect the privacy of all our customers.

INFORMATION: THE KEY TO MEETING YOUR NEEDS

M&T Bank Corporation is a family of companies that share a common goal – to meet your financial needs. At the heart of this commitment is information. Information enables us to provide you with responsive, personalized service, and allows us to offer you products and services that can help you achieve your goals.

Your information comes to us from a variety of sources:

- You provide much of it when you request information, fill out account opening and other forms, or apply for a loan – in person, over the phone or on our website. Information obtained at that time typically includes your social security number, employment history and income, among other things.
- Use of your M&T accounts generates information that we maintain, including account balances, payment history and transaction activity with M&T and others.
- Consumer reporting agencies provide information about your credit history – for example, when you apply for a loan or mortgage.
- Public sources of information, such as government records, may also be used. For example, we utilize public land records when you apply for a home equity loan.

Here's how we put information to use for you:

- **To provide you with the highest quality service.** Information allows us to respond quickly to your needs and to maintain accurate, up-to-date account records.
- **To protect you.** We use information to confirm your identity when you contact us, and to safeguard against unauthorized access to your accounts.
- **To make your banking more convenient.** Information makes it possible for you to do virtually all your banking when and where you want – at M&T ATMs and through our telephone and web banking services.
- **To make you aware of services that may be of value to you.** We use information to identify the most effective solutions to your financial needs.

We work hard to maintain complete and accurate information about you and your accounts. If you ever believe that our records contain inaccurate or incomplete information about you, please let us know immediately, so we can correct any inaccuracies.

Now that you know about the kind of personal and financial information M&T gathers and how we generally use it, we'd like to let you know more about who's involved in the process of meeting your needs as an M&T customer.

THE M&T BANK CORPORATION FAMILY

M&T Bank Corporation is made up of a number of companies, also known as affiliates. The M&T family of companies includes, among others:

- M&T Bank*
- M&T Bank, N.A.
- M&T Securities, Inc.
- Zirkin-Cutler Investments, Inc.

All the companies in the M&T family work together to provide you with the highest quality service and effective solutions to your financial needs. To do so, we may share some information we obtained about you (as previously described) within the M&T family. This gives us the ability to offer you the widest range of financial products and services, and it allows us to make access to them more convenient for you. For instance, you can access your M&T Bank deposit and loan accounts, and your MTB Money Market Fund from M&T Securities through a single source – M&T Web Banking. And if you have an

account with one of our companies and want to open an account with another, the two M&T companies may share information, saving you time in opening your new account.

**M&T Bank is the commonly used name for Manufacturers and Traders Trust Company.*

COMPANIES OUTSIDE THE M&T FAMILY

If we believe an outside company can help us meet your needs, we may hire it to perform specialized functions for us, such as printing checks or producing ATM and debit cards. We may also engage outside companies to assist us with activities such as data processing and collections, or in otherwise managing our business. Also, we may partner with other financial institutions to offer, endorse or sponsor financial products or services jointly. Other examples include our relationships with mortgage brokers and insurance agents. And sometimes we select companies to provide you with products and services we don't offer ourselves – products and services we believe are of value, such as credit insurance. In all the situations referenced here, we share the information we obtain about you (as described previously) only to the extent necessary to allow these companies to perform services for us, or to provide you with products or services.

We are extremely selective when choosing outside companies to become our partners. We realize that it's our relationship with you that's on the line – not theirs. So we require them to conform to our own strict confidentiality and privacy standards. An outside company is never allowed to sell your information, or to use it for any purpose other than providing the specific product or service we intended the company to provide.

In addition to sharing information with the outside companies we choose to work with, we may also share information with reputable consumer reporting agencies such as Experian, Trans Union or Equifax. And we may be obligated by law to disclose information under court orders or subpoenas or, in some cases, to other governmental agencies (such as the IRS for interest reporting).

HOW WE PROTECT YOUR INFORMATION

At M&T, we understand how important it is to protect your personal and financial information. That's why we have in place physical, electronic and procedural safeguards that meet federal standards.

Within M&T, we educate our employees about the importance of confidentiality and privacy, and we train them in related policies and procedures. We also take appropriate disciplinary measures whenever necessary to enforce these rules.

Due to the unique nature of Internet transactions, M&T has additional safeguards and procedures in place to protect your personal and financial information on the Internet. For more details, visit our website at www.mtb.com.

STEPS YOU SHOULD TAKE TO PROTECT YOURSELF

Because we value your trust, we have implemented the policies and procedures described here to safeguard your accounts and your personal and financial information. But there are also a few simple steps that you can take to protect yourself:

- Never disclose personal information, such as your Social Security number, credit card number, bank account number or personal identification number to anyone who should not have access to your accounts.
- Report lost or stolen checks or bank cards immediately.
- Memorize your personal identification number – don't carry it in your wallet.
- Review monthly financial statements promptly and report any discrepancies.
- Retain all receipts from ATM, debit and credit card transactions. When you're ready to dispose of them, make sure your account number is not readable.
- Be sure to sign new bank cards immediately.
- Report unusual telephone inquiries or other suspicious activity to your telephone company or local law enforcement authorities.
- If you believe you have been a victim of fraud related to your M&T accounts, notify us immediately, so that we can take action to help you. You should also report the crime to your local law enforcement agency and to the Federal Trade Commission (FTC).

You can reach the FTC at 1-877-438-4338 or at www.ftccomplaintassistant.gov.