

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA

IN RE NETBANK, INC.  
SECURITIES LITIGATION

Civil Action No.  
1:07-cv-2298-TCB  
JURY TRIAL DEMANDED

**SUMMARY NOTICE OF PROPOSED SETTLEMENT, MOTION FOR ATTORNEYS' FEES AND EXPENSES, AND HEARING THEREON**

TO: ALL PERSONS WHO PURCHASED THE PUBLICLY-REGISTERED COMMON STOCK OF NETBANK, INC. ("NETBANK") DURING THE PERIOD BEGINNING MARCH 16, 2005 THROUGH MAY 21, 2007, AND HELD THOSE SHARES ON MAY 21, 2007

YOU ARE HEREBY NOTIFIED, pursuant to an Order of the United States District Court for the Northern District of Georgia, that a hearing will be held on November 9, 2011, at 10 a.m., in Courtroom 2106, before the Honorable Timothy C. Batten, Sr., at the United States Courthouse, 75 Spring Street, SW, Atlanta, GA 30303-3309, for the purpose of determining: (1) whether the proposed settlement of the claims in the above-referenced litigation (the "Litigation") for the principal amount of \$12,500,000, plus accrued interest, should be approved by the Court as fair, reasonable and adequate; (2) whether a Final Judgment and Order of Dismissal should be entered by the Court dismissing the Litigation with prejudice; (3) whether the Plan of Allocation is fair, reasonable and adequate and therefore should be approved; and (4) whether the application of Plaintiff's Lead Counsel for the payment of attorneys' fees and reimbursement of expenses and the Lead Plaintiff's expenses incurred in connection with this Litigation should be approved.

If you purchased or acquired the publicly-registered common stock of NetBank during the period beginning March 16, 2005 through May 21, 2007, your rights may be affected by the settlement of this Litigation. If you have not received a detailed Notice of Proposed Settlement, Motion for Attorneys' Fees and Expenses, and Hearing Thereon ("Notice"), which more completely describes the settlement and your rights thereunder, and a copy of the Proof of Claim and Release, you may obtain copies of these documents by writing to *In re NetBank, Inc. Securities Litigation*, c/o Heffler, Radetich & Saitta L.L.P., P.O. Box 58999, Philadelphia, PA 19102-8999, by calling 1-800-768-8450, or on the internet at <http://www.hrsclaimsadministration.com>. If you are a Class Member, in order to share in the distribution of the Net Class Settlement Fund, you must submit a Proof of Claim and Release postmarked no later than December 10, 2011, establishing that you are entitled to recovery.

If you desire to be excluded from the Class, you must submit a Request for Exclusion to be received by October 11, 2011, in the manner and form explained in the detailed Notice referred to above. All Members of the Class who have not timely and validly requested exclusion from the Class will be bound by any Judgment entered in the Litigation pursuant to the Stipulation of Settlement and an Order of the Court.

Any objection to the settlement must be received by the following no later than October 11, 2011:

United States District Court  
for the Northern District of Georgia - Clerk's Office  
2211 Richard B. Russell Federal Building and United States Courthouse  
75 Spring Street, SW, Atlanta, GA 30303-3309

*Lead Counsel for Plaintiff:*  
BERGER & MONTAGUE, P.C.  
Merrill G. Davidoff, Esq.  
Michael Dell'Angelo, Esq.  
1622 Locust Street  
Philadelphia, PA 19103

*Counsel for Defendants:*  
KING & SPALDING LLP  
Michael R. Smith, Esq.  
Benjamin A. Lee, Esq.  
1180 Peachtree Street, N.E.  
Atlanta, GA 30309-3521

**PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE REGARDING THIS NOTICE.** If you have any questions about the settlement, you may contact the Claims Administrator or Plaintiff's Lead Counsel at the addresses listed below:

NetBank Securities Litigation  
Merrill G. Davidoff, Esq.  
Michael Dell'Angelo, Esq.  
Bergner & Montague, P.C.  
1622 Locust Street  
Philadelphia, PA 19103  
Tel: 215-875-3000

NetBank Securities Litigation  
Claims Administrator  
c/o Heffler, Radetich & Saitta LLP  
P.O. Box 58999  
Philadelphia, PA 19102-8999  
Toll-free Tel: 1-800-768-8450

Dated: August 12, 2011

BY ORDER OF THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA