

## RMK Closed End Funds Class Action Settlement

January 25, 2013

Claimants in this settlement should know that Morgan Keegan is not involved in the distribution process for the RMK Closed End Funds Class Action Settlement. The firm and our advisors are able to provide only limited information to claimants who purchased the funds through a Morgan Keegan account in order to assist them with the filing of a claim. We appreciate your understanding in this matter and ask that you carefully review the materials provided to you by the fund administrator, Garden City Group, regarding the process for filing a claim.

### OVERVIEW

A proposed settlement agreement in the RMK Closed End Funds class action and derivative case was approved in Federal Court on January 4, 2013. With this approval, the claims process has begun. Payment of claims is subject to final court approval of the settlement agreement following a fairness hearing tentatively scheduled for April 12, 2013.

### WHO IS ELIGIBLE TO PARTICIPATE IN THE CLASS SETTLEMENT?

Everyone who purchased or otherwise acquired shares of the publicly-traded RMK closed end funds listed below during the time frames noted is considered a class member, unless they take steps to opt-out of the settlement or are an excluded person (see details in the settlement agreement):

- RMK High Income Fund, Inc. (RMH or HIH Helios High Income) between June 24, 2003 and July 14, 2009
- RMK Strategic Income Fund, Inc. (RSF or HSA Helios Strategic Income) between March 18, 2004 and July 14, 2009
- RMK Advantage Income Fund, Inc. (RMA or HAV Helios Advantage Income) between November 8, 2004 and July 14, 2009
- RMK Multi-Sector High Income Fund, Inc. (RHY or HMH Helios Multi-Sector High Income) between January 19, 2006 and July 14, 2009

### HOW TO CONTACT THE FUND ADMINISTRATOR

The claims process will be administered solely by the settlement fund administrator assigned by the court -- Garden City Group. Morgan Keegan is not involved in the processing of claims or distribution of funds. Detailed information about the distribution plan and the claims process will be publicly available around February 1 through Garden City Group. Claimants should contact the fund administrator for assistance with claims:

#### RMK Closed End Settlement Fund Claims Administrator

Toll free calls: **1 (888) 895-9227**

Web site: [www.rmkclosedendfundsettlement.com](http://www.rmkclosedendfundsettlement.com)

### ASSISTANCE FOR SHAREHOLDERS WHO PURCHASED RMK FUND SHARES THROUGH MORGAN KEEGAN

The claim form requires claimants to complete transaction detail and to provide supporting documentation of their investments in the RMK closed end funds during the claims period. The filing deadline is May 20, 2013.

In order to assist claimants who purchased RMK shares in a Morgan Keegan account, Morgan Keegan is able to provide a detailed activity report showing only transactions in the RMK closed end funds in a particular account during the applicable class periods. The settlement fund administrator has agreed to accept this documentation prepared by Morgan Keegan in lieu of account statements which will simplify the claims process for these claimants.

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**When received, the activity report and cover letter provided by Morgan Keegan should be attached to the claim form as instructed in the cover letter.**

Shareholders who purchased fund shares through Morgan Keegan may request the fund activity reports through their current Morgan Keegan financial advisor or by contacting:

**RMK Class Action Settlement Help Line for Morgan Keegan Clients  
901-579-3553 • 800-774-1503**

**Note: Morgan Keegan is not able to file claims on behalf of shareholders.**

**If shares of the eligible funds were not purchased through a Morgan Keegan account, we are not able to provide the required supporting documentation. You should contact the brokerage firm through which these shares were purchased.**

## **QUESTIONS AND ANSWERS ABOUT THE SETTLEMENT CLAIMS PROCESS**

### **How does a shareholder file a claim?**

To qualify for a payment, eligible shareholders must send a completed Proof of Claim as instructed in the Notice to Shareholders and distribution plan. Remember to:

- Carefully follow the instructions to complete the claim form, and keep a copy for reference.
- Include all the necessary supporting documents. If using the Morgan Keegan activity report described above as documentation, **be sure to attach both the report and the cover letter to the claim form.** Do not send original account documents or stock certificates.
- Per the instructions in the claim form, claimants should include transactions in all individually held accounts on a single proof of claim form. If Funds were also owned in a separate IRA or joint account, separate claim forms should be submitted for those accounts. Additional forms can be printed from [www.rmkclosedendfundsettlement.com](http://www.rmkclosedendfundsettlement.com).
- If the person executing the claim is acting in a representative capacity, a certification of his/her current authority to act on behalf of the class member must be included.
- **Mail the form with a postmark no later than May 20, 2013.** Claimants may wish to mail via a service that provides proof of receipt, such as: registered or certified mail, return receipt requested, or express mail that does not waive signature.

### **What if an eligible shareholder doesn't receive a claim form in the mail or needs an extra one?**

Claim forms are available through the fund administrator. The form can be printed from the web site, [www.rmkclosedendfundsettlement.com](http://www.rmkclosedendfundsettlement.com), or requested in hard copy by calling: 1 (888) 895-9227.

### **Does participation in the SEC and State Fair Fund settlements affect eligibility for claims in this class action settlement?**

No, this is a separate settlement with unique eligibility requirements. The settlement funds are not exclusive -- shareholders who meet the eligibility requirements may file claims even if they have received payment from the State Fair Fund.

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### **How much money can a claimant expect to recover in this settlement?**

There is no way to predict how much a claimant may recover. Many factors affect the amounts that will ultimately be paid out to eligible claimants, including among others: which fund(s) were purchased; when the shares were purchased and sold and at what price; the amount of dividends received on the investment; and the number of claimants who participate in the settlement. See the settlement agreement for a detailed explanation of how payment amounts will be determined by the fund administrator.

### **Which shareholders will be excluded from participating in the settlement?**

- Shareholders who have filed a FINRA arbitration or state court action against the named defendants that has not been resolved in a manner that specifically allows them to participate.
- Anyone who submits a valid and timely request to opt-out from the class, as described in the Settlement Notice.
- A small group of parties related to the defendants in this case as described in the Settlement Notice.

### **What if a shareholder is still not sure if they are included in the class?**

Shareholders with questions about their eligibility to file a claim should call 1 (888) 895-9227 or visit [www.rmkclosedendfundsettlement.com](http://www.rmkclosedendfundsettlement.com) for more information.

### **What happens if a shareholder does nothing at all?**

To share in the settlement fund, shareholders must submit a Proof of Claim. Shareholders who do not file a claim or take action to be excluded will get no money from this settlement and will be precluded from filing an individual claim against defendants and the other parties about the claims.

### **When are payments from the settlement fund to be paid out?**

The Court will hold a final settlement hearing on April 12, 2013, to decide whether to approve the settlement. Even if the Court approves the settlement, there may still be appeals, which can take time to resolve, perhaps more than a year.

**Additional information regarding the RMK Closed End Funds Class Action settlement can be found at:  
[WWW.rmkclosedendfundsettlement.COM](http://WWW.rmkclosedendfundsettlement.COM)**