

BACSAVE-Bricklayers & Trowel Trades International Retirement Savings Fund

620 F Street, N.W., Suite 700 Washington, D.C. 20004
Phone: 202-638-1996 Fax: 202-347-7339 www.ipfweb.org

APPLICATION FOR BENEFITS

1. PERSONAL DATA:

Name _____ Phone No. _____

Address _____ Date of Birth _____
Street & Number

City _____ State _____ Zip _____ Local Union _____
State

SSN _____ I.U. No. _____ e-mail address _____

Last Employer _____

Date of Last IPF Covered Employment _____

2. FORM OF BENEFIT:

I wish to apply (withdraw) \$ _____ from my account in the Bricklayers and
Trowel Trades Retirement Savings Plan for the following reason: **(Check A, B, or C)**

A. **Retirement:**

IPF Pension Effective Date _____

Disability Pension (Check One) Yes No

B. **Inactive:**

No employer contributions made on my behalf for at least a 24 month period
constituting a break in service. Date of Last Employment: _____

C. **Financial Hardship*** (Specify type and verify)

- *Expenses related to the purchase of a principal residence
- *Expenses to prevent eviction or foreclosure of principal residence
- *Paid funeral expenses of close relative
- *Unreimbursed medical expenses of participant or close relative
- *Educational expenses of a dependent child
- *Other extraordinary financial hardship

*You must attach proof of the expenses for a withdrawal. The withdrawal is requested as you do not have the available resources to satisfy your financial need and is limited to the amount of the expense or your account balance as of the immediately preceding valuation date - whichever is less. A Hardship Withdrawal must be paid directly and not as a rollover to a financial institution.

3. TAX WITHHOLDING:

Your **Retirement or Inactive Withdrawal** is subject to 20% federal income tax withholding unless you elect a direct rollover and indicate a financial institution on the attached form.

- Withhold 20% federal income tax from my withdrawal.
- Do not withhold federal taxes. I have indicated a financial institution on the attached form to have my withdrawal transferred to.

Your **Hardship Withdrawal** is considered a Non-Eligible Distribution and is subject to 10% federal income tax withholding unless you elect to not have federal income tax withheld. If you are under age 59 1/2 your hardship withdrawal may be subject to an additional 10% tax penalty. Please read the attached mandatory hardship notice and check one:

- Withhold 10% federal income tax from my Hardship Withdrawal.
- Do not withhold any tax from my Hardship Withdrawal. I am aware that this withdrawal cannot be rolled over and I may be responsible for taxes at tax time.

4. BENEFICIARY DESIGNATION:

Name _____ Relation _____

SSN _____

Address _____
Street & Number City State Zip Code

5. MARITAL STATUS: (Check one and attach proof. Please refer to Section 9 for detailed instructions)

- Single*
- Married**
- Married and Previously Married***
- Separated**
- Divorced****
- Widow(er) *****

*If you were never married, a Notary Public must witness your signature in Section 7.
**If you are married (including common law marriage) or separated and do not wish to receive a Joint & Survivor Annuity, you and your spouse must sign in Section 7 below in the presence of a Notary Public.
***If you were previously married, you must also submit a copy of your previous divorce decree including your property settlement agreement with your application.
****If you are divorced, you must also sign in Section 7 below in the presence of a Notary Public and you must send a copy of your divorce decree including your property settlement agreement with your application.
*****If you are widowed, you must send a copy of your spouse's death certificate with your application.

6. FORM OF PAYMENT:

- Lump Sum*
 - 50% Joint and Survivor Annuity
 - 100% Joint and Survivor Annuity
 - Fixed Monthly Annuity (over 10 years only)
 - Fixed Monthly Annuity (over 5 years only)
 - Lifetime Annuity
- *Lump Sum Rollovers see attached Rollover Election Form*

7. SPOUSE AUTHORIZATION:

The following must be completed and notarized if you do not wish to receive your withdrawal in a monthly Qualified Joint and Survivor Annuity form (50% Joint and Survivor Annuity or 100% Joint and Survivor Annuity) or if you are single or if you are unable to locate your spouse.

I, _____, do not wish to receive annuity payments in the Qualified Joint and Survivor Annuity form. I understand that rejecting this form of payment means NO benefits will be paid to my spouse by the Bricklayers and Trowel Trades International Retirement Savings Plan after my death unless my spouse is designated as my beneficiary above and there is a balance remaining in my account after my death.

- I hereby swear that the person co-signing this document is my current and legal spouse.
- I hereby swear that I am not legally married at this time.
- I hereby swear that I am unable to locate my spouse.

Applicant's Signature

Date

Spouse's Consent

I, _____, am the spouse of _____. I understand that I have the right to have the Bricklayers and Trowel Trades International Retirement Savings Plan pay my spouse's retirement benefits in the Qualified Pre-Retirement Survivor Annuity (QPSA) and/or Qualified Joint and Survivor Annuity (QJSA) form and I agree to give up that right. I understand that by signing this agreement, I may receive less money than I would have received under the QPSA or QJSA form and I may receive nothing after my spouse dies, depending on the payment form or beneficiary that my spouse chooses. **I agree that my spouse can receive retirement benefits in the form of a lump-sum payment, fixed annuity, or a lifetime annuity.** I also agree to my spouse's choice of beneficiary who will receive one hundred percent of survivor benefits from the plan, if applicable, after my spouse dies. I understand that my spouse cannot choose a different form of retirement benefit or a different beneficiary unless I agree to that change. I understand that I do not have to sign this agreement. I am signing this agreement voluntarily. I understand that if I do not sign this agreement then I will receive the QPSA benefit if my spouse dies before he or she begins to receive retirement benefits or my spouse and I will receive payments from the Plan in the QJSA form.

(Signature of Spouse)

On the _____ day of _____ 20_____

before me came _____ and _____
Applicant Spouse (if married)

known to me to be the persons described in and acknowledged to me that he and she executed the foregoing statements and he and she duly acknowledged to me that he and she executed the same.

Notary Public Name / My Commission Expires

8. COVERED EMPLOYMENT CERTIFICATION

The following is a summary of the Rules and Regulations of the International Retirement Savings Plan regarding Noncovered Masonry Employment. Make sure you read this summary and indicate your compliance by signing at the bottom of this form. WE CANNOT PROCESS YOUR APPLICATION UNLESS YOU PROVIDE THIS SIGNED FORM.

Noncovered Masonry Employment means employment in the Masonry Industry on or after the first contribution was made on your behalf to the Plan, for an employer which does not have, or self-employment which is not covered by, a collective bargaining agreement between the Union and the employer.

Under the Plan rules, for every calendar quarter in which an employee or former employee performed at least one hour of Noncovered Masonry Employment, the date they will become eligible to receive payment is automatically postponed six months.

I hereby apply for benefits from the Bricklayers and Trowel Trades International Retirement Savings Plan. I have read and understand the above rules on Noncovered Masonry Employment. This is to certify that I have not engaged in Noncovered Masonry Employment since my participation in the Plan. I realize that any false statement by me may cause me to delay my entitlement to benefits from the Bricklayers and Trowel Trades International Retirement Savings Plan.

Signature of Applicant

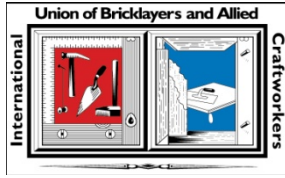
Date

9. PROOF OF MARITAL STATUS & FORM OF PAYMENT ELECTION (DETAILED INSTRUCTIONS)

To be eligible for benefits, you must provide proof of your marital status and elect a form of payment. Instructions for providing your marital status, and electing a form of payment in Section 5 of the application as follows:

1. **Single** (i.e., never married) A Notary Public must witness your signature in Section 7 of the application.
2. **Married**-You must provide a copy of your marriage certificate or a church record (if you are married and previously divorced you must also provide a copy of your Divorce Decree including any property settlement agreement) and may elect the Joint and Survivor Annuity, Lump Sum, Fixed Monthly Annuity (over 5 or 10 years), or Lifetime Annuity as follows:
 - A. Joint and Survivor Annuity-You must check either the 50% Joint and Survivor Annuity or the 100% Joint and Survivor Annuity in Section 6 and sign your name where it says "signature of applicant." It is not necessary to go to a Notary Public for this option.
 - B. If you are married and elect Lump Sum, Fixed Monthly Annuity (over 5 or 10 years), or Lifetime Annuity, you and your spouse must go to a Notary Public and complete section 7 of the application in his or her presence. Your spouse must sign and date the application in the presence of the Notary Public and the Notary must specifically indicate your spouse appeared in person. Also, the Notary seal or stamp must be impressed upon the form including the expiration date of their commission.
3. **Separated** - You must provide spouse authorization in the presence of a Notary Public or notarized evidence that your spouse cannot be located, including the date of separation, to receive the Lump Sum, Fixed Monthly Annuity (over 5 or 10 years), or Lifetime Annuity.
4. **Divorced** - You must provide a copy of your Divorce Decree including any property settlement agreement to elect the Lump Sum, Fixed Monthly Annuity (over 5 or 10 years), or Lifetime Annuity.
5. **Widow(er)** - You must provide a copy of your spouse's death certificate to elect the Lump Sum, Fixed Monthly Annuity (over 5 or 10 years), or Lifetime Annuity.
6. **Common-Law Marriage** - If you reside in a state that recognizes such, you should provide copies of income tax returns for at least 2 years showing you and your common-law-spouse are filing joint returns. If these are not available, you should provide a notarized statement in which you and your spouse affirm your common-law-marriage including when it started. You may elect either form of pension payment. If you have questions regarding proof of marital status or electing a form of payment, please contact the Fund office.

Revised 04/21/09



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Bricklayers and Trowel Trades International Pension Fund/ Bricklayers and Trowel Trades International Retirement Savings Plan

Rollover Election Form

Before completing this form you must read the special tax notice regarding plan payments. You may wish to consult a tax advisor before making this election. If you check box B or C below, you and your spouse must complete page 2 of this form in the presence of a Notary Public. If your spouse is not available you must verify that fact.

You may elect to have part or all of the lump sum transferred directly to an Individual Retirement Account (IRA) or to another qualified retirement plan (if it accepts rollovers). If you choose not to have an eligible rollover distribution transferred directly to an IRA or other retirement plan, the Fund is required to withhold 20% of the payment for Federal income taxes. This withholding does not increase your taxes, but will be credited against any income tax you owe. This is explained in detail in the attached Special Tax Notice Regarding Plan Payments.

Check below to indicate whether or not you elect a direct rollover of your lump sum.

A. I do not want to roll over any of my payment to an IRA or qualified retirement plan. Pay me the full lump sum after withholding 20% for federal income tax as required by law.

Signature of Applicant

Date

B. I want to roll over my lump sum directly to an IRA or other qualified retirement plan that accepts rollovers. Please make payment on my behalf to the IRA or retirement plan named below.

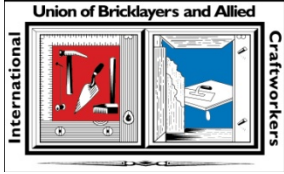
C. I would like to have part of my lump sum directly rolled over. Please roll over \$_____ to the IRA or qualified retirement plan named below and pay the remainder of my benefit to me, after withholding 20% for Federal income taxes as required plan.

If you elected a direct rollover, you must provide all of the following information (until you provide this information, no direct rollover can be made):

Name of IRA Trustee or Qualified Retirement Plan

Account Number

Mailing Address



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Certification

Marital Status (Check one and attach proof). I hereby swear that I am:

Single* Married Separated Divorced Widow(er)

*If never married sign below in the presence of Notary Public

Please read and sign the following statement:

I (we) certify that the recipient of a direct rollover that I (we) have named above is an Individual Retirement Account, an Individual Retirement Annuity, of a qualified retirement plan that accepts rollovers. I (we) understand that payment of this benefit to the bank, IRA or Qualified Retirement Plan named will release the Trustees of the Bricklayers and Trowel Trades International Retirement Savings Plan/Bricklayers and Trowel Trades International Pension Fund from any further obligations or responsibilities with respect to the benefits paid, **including monthly benefits in the husband and wife form of payment.** Further, the Trustees shall not in any way be responsible for or accountable for future earnings or losses on the principal amount or monies so transferred.

Signature of Applicant

Date

Signature of Spouse

Date

State of _____

SSN:

County of _____

On the _____ day of _____ of 20__ before me came _____

and _____ to me known and known to me to be the persons described in and who executed the foregoing statements and he and she duly acknowledged to me that he and she executed the same

(Notary Public)

**SAFE HARBOR EXPLANATION FOR PLANS
QUALIFIED UNDER SECTION 401(a),
SECTION 403(a) ANNUITY PLANS, OR
SECTION 403(b) TAX SHELTERED
ANNUITIES**

**SPECIAL TAX NOTICE REGARDING PLAN
PAYMENTS**

This notice explains how you can continue to defer federal income tax on your retirement savings in the **Bricklayers and Trowel Trades International Pension Fund/Bricklayers and Trowel Trades International Retirement Savings Plan** (the "Plan") and contains important information you will need before you decide how to receive your Plan benefits.

This notice is provided to you by **David F. Stupar** (your "Plan Administrator") because all or part of the payment that you will soon receive from the Plan may be eligible for rollover by you or your Plan Administrator to a traditional IRA or an eligible employer plan. A rollover is a payment by you or the Plan Administrator of all or part of your benefit to another plan or IRA that allows you to continue to postpone taxation of that benefit until it is paid to you. Your payment cannot be rolled over to a Roth IRA, a SIMPLE IRA, or a Coverdell Education Savings Account (formerly known as an education IRA). An "eligible employer plan" includes a plan qualified under section 401(a) of the Internal Revenue Code, including a 401(k) plan, profit-sharing plan, defined benefit plan, stock bonus plan, and money purchase plan; a section 403(a) annuity plan; a section 403(b) tax-sheltered annuity; and an eligible section 457(b) plan maintained by a governmental employer (governmental 457 plan).

An eligible employer plan is not legally required to accept a rollover. Before you decide to roll over your payment to another employer plan, you should find out whether the plan accepts rollovers and, if so, the types of distributions it accepts as a rollover. You should also find out about any documents that are required to be completed before the receiving plan will accept a rollover. Even if a plan accepts rollovers, it might not accept rollovers of certain types of distributions, such as after-tax amounts. If this is the case, and your distribution includes after-tax amounts, you may wish instead to roll your distribution over to a traditional IRA or split your rollover amount between the employer plan in which you will participate and a traditional IRA. If an employer plan accepts your rollover, the plan may restrict subsequent distributions of the rollover amount or may require your spouse's consent for any subsequent distribution. A subsequent distribution from the plan that accepts your rollover may also be subject to different tax treatment than distributions from this Plan. Check with the administrator of the plan that is to receive your rollover prior to making the rollover.

If you have additional questions after reading this notice, you can contact your plan administrator at **1-888-880-8222**.

SUMMARY

There are two ways you may be able to receive a Plan payment that is eligible for rollover:

- (1) Certain payments can be made directly to a traditional IRA that you establish or to an eligible employer plan that will accept it and hold it for your benefit ("DIRECT ROLLOVER"); or
- (2) The payment can be PAID TO YOU.

If you choose a DIRECT ROLLOVER:

- Your payment will not be taxed in the current year and no income tax will be withheld.
- You choose whether your payment will be made directly to your traditional IRA or to an eligible employer plan that accepts your rollover. Your payment cannot be rolled over to a Roth IRA, a SIMPLE IRA, or a Coverdell Education Savings Account because these are not traditional IRAs.
- The taxable portion of your payment will be taxed later when you take it out of the traditional IRA or the eligible employer plan. Depending on the type of plan, the later distribution may be subject to different tax treatment than it would be if you received a taxable distribution from this Plan.

If you choose to have a Plan payment that is eligible for rollover PAID TO YOU:

- You will receive only 80% of the taxable amount of the payment, because the Plan Administrator is required to withhold 20% of that amount and send it to the IRS as income tax withholding to be credited against your taxes.
- The taxable amount of your payment will be taxed in the current year unless you roll it over. Under limited circumstances, you may be able to use special tax rules that could reduce the tax you owe. However, if you receive the payment before age 59 1/2, you may have to pay an additional 10% tax.
- You can roll over all or part of the payment by paying it to your traditional IRA or to an eligible employer plan that accepts your rollover within 60 days after you receive the payment. The amount rolled over will not be taxed until you take it out of the traditional IRA or the eligible employer plan.
- If you want to roll over 100% of the payment to a traditional IRA or an eligible employer plan, you must find other money to replace the 20% of the taxable portion that was withheld. If you roll over only the 80% that you received, you will be taxed on the 20% that was withheld and that is not rolled over.

Your Right to Waive the 30-Day Notice Period.

Generally, neither a direct rollover nor a payment can be made from the plan until at least 30 days after your receipt of this notice. Thus, after receiving this notice, you have at least 30 days to consider whether or not to have your withdrawal directly rolled over. If you do not wish to wait until this 30-day notice period ends before your election is processed, you may waive the notice period by making an affirmative election indicating whether or not you wish to make a direct rollover. Your withdrawal will then be processed in accordance with your election as soon as practical after it is received by the Plan Administrator.

MORE INFORMATION

I. PAYMENTS THAT CAN AND CANNOT BE ROLLED OVER

II. DIRECT ROLLOVER

III. PAYMENT PAID TO YOU

IV. SURVIVING SPOUSES, ALTERNATE PAYEES, AND OTHER BENEFICIARIES

I. PAYMENTS THAT CAN AND CANNOT BE ROLLED OVER

Payments from the Plan may be "eligible rollover distributions." This means that they can be rolled over to a traditional IRA or to an eligible employer plan that accepts rollovers. Payments from a plan cannot be rolled over to a Roth IRA, a SIMPLE IRA, or a Coverdell Education Savings Account. Your Plan administrator should be able to tell you what portion of your payment is an eligible rollover distribution.

After-tax Contributions. If you made after-tax contributions to the Plan, these contributions may be rolled into either a traditional IRA or to certain employer plans that accept rollovers of the after-tax contributions. The following rules apply:

- a. Rollover into a Traditional IRA. You can roll over your after-tax contributions to a traditional IRA either directly or indirectly. Your plan administrator should be able to tell you how much of your payment is the taxable portion and how much is the after-tax portion.
If you roll over after-tax contributions to a traditional IRA, it is your responsibility to keep track of, and report to the Service on the applicable forms, the amount of these after-tax contributions. This will enable the nontaxable amount of any future distributions from the traditional IRA to be determined.
Once you roll over your after-tax contributions to a traditional IRA, those amounts CANNOT later be rolled over to an employer plan.
- b. Rollover into an Employer Plan. You can roll over after-tax contributions from an employer plan that is qualified under Code section 401(a) or a section 403(a) annuity plan to another such plan using a direct rollover if the other plan provides separate accounting for amounts rolled over, including separate accounting for the after-tax employee contributions and earnings on those contributions. You can also roll over after-tax contributions from a section 403(b) tax-sheltered annuity to another section 403(b) tax-sheltered annuity using a direct rollover if the other tax-sheltered annuity provides separate accounting for amounts rolled over, including separate accounting for the after-tax employee contributions and earnings on those contributions. You CANNOT roll over after-tax contributions to a governmental 457 plan. If you want to roll over your after-tax contributions to an employer plan that accepts these rollovers, you cannot have the after-tax contributions paid to you first. You must instruct the Plan Administrator of this Plan to make a direct rollover on your behalf. Also, you cannot first roll over after-tax contributions to a traditional IRA and then roll over that amount into an employer plan.
- c. The following types of payments **cannot** be rolled over:

Payments Spread over Long Periods. You cannot roll over a payment if it is part of a series of equal (or almost equal) payments that are made at least once a year and that will last for:

- your lifetime (or a period measured by your life expectancy), or
- your lifetime and your beneficiary's lifetime (or a period measured by your joint life expectancies), or
- a period of 10 years or more.

Required Minimum Payments. Beginning when you reach age 70 1/2 or retire, whichever is later, a certain portion of your payment cannot be rolled over because it is a "required minimum payment" that must be paid to you. Special rules apply if you own more than 5% of your employer.

Hardship Distributions. A hardship distribution cannot be rolled over.

Corrective Distributions. A distribution that is made to correct a failed nondiscrimination test or because legal limits on certain contributions were exceeded cannot be rolled over.

The Plan Administrator of this Plan should be able to tell you if your payment includes amounts which cannot be rolled over.

II. DIRECT ROLLOVER

A DIRECT ROLLOVER is a direct payment of the amount of your Plan benefits to a traditional IRA or an eligible employer plan that will accept it. You can choose a DIRECT ROLLOVER of all or any portion of your payment that is an eligible rollover distribution, as described in Part I above. You are not taxed on any taxable portion of your payment for which you choose a DIRECT ROLLOVER until you later take it out of the traditional IRA or eligible employer plan. In addition, no income tax withholding is required for any taxable portion of your Plan benefits for which you choose a DIRECT ROLLOVER. This Plan might not let you choose a DIRECT ROLLOVER if your distributions for the year are less than \$200.

DIRECT ROLLOVER to a Traditional IRA. You can open a traditional IRA to receive the direct rollover. If you choose to have your payment made directly to a traditional IRA, contact an IRA sponsor (usually a financial institution) to find out how to have your payment made in a direct rollover to a traditional IRA at that institution. If you are unsure of how to invest your money, you can temporarily establish a traditional IRA to receive the payment. However, in choosing a traditional IRA, you may wish to make sure that the traditional IRA you choose will allow you to move all or a part of your payment to another traditional IRA at a later date, without penalties or other limitations. See IRS Publication 590, Individual Retirement Arrangements, for more information on traditional IRAs (including limits on how often you can roll over between IRAs).

DIRECT ROLLOVER to a Plan. If you are employed by a new employer that has an eligible employer plan, and you want a direct rollover to that plan, ask the plan administrator of that plan whether it will accept your rollover. An eligible employer plan is not legally required to accept a rollover. Even if your new employer's plan does not accept a rollover, you can choose a DIRECT ROLLOVER to a traditional IRA. If the employer plan accepts your rollover, the plan may provide restrictions on the circumstances under which you may later receive a distribution of the rollover amount or may require spousal consent to any subsequent distribution. Check with the plan administrator of that plan before making your decision.

DIRECT ROLLOVER of a Series of Payments. If you receive a payment that can be rolled over to a traditional IRA or an eligible employer plan that will accept it, and it is paid in a series of payments for less than 10 years, your choice to make or not make a DIRECT ROLLOVER for a payment will apply to all later payments in the series until you change your election. You are free to change your election for any later payment in the series.

Change in Tax Treatment Resulting from a DIRECT ROLLOVER.

The tax treatment of any payment from the eligible employer plan or traditional IRA receiving your DIRECT ROLLOVER might be different than if you received your benefit in a taxable distribution directly from the Plan. For example, if you were born before January 1, 1936, you might be entitled to ten-year averaging or capital gain treatment, as explained below. However, if you have your benefit rolled over to a section 403(b) tax-sheltered annuity, a governmental 457 plan, or a traditional IRA in a DIRECT ROLLOVER, your benefit will no longer be eligible for that special treatment. See the sections below entitled "Additional 10% Tax if You Are under Age 59 1/2" and "Special Tax Treatment if You Were Born before January 1, 1936."

III. PAYMENT PAID TO YOU

If your payment can be rolled over (see Part I above) and the payment is made to you in cash, it is subject to 20% federal income tax withholding on the taxable portion (state tax withholding may also apply). The payment is taxed in the year you receive it unless, within 60 days, you roll it over to a traditional IRA or an eligible employer plan that accepts rollovers. If you do not roll it over, special tax rules may apply.

Income Tax Withholding:

Mandatory Withholding. If any portion of your payment can be rolled over under Part I above and you do not elect to make a DIRECT ROLLOVER, the Plan is required by law to withhold 20% of the taxable amount. This amount is sent to the IRS as federal income tax withholding. For example, if you can roll over a taxable payment of \$10,000, only \$8,000 will be paid to you because the Plan must withhold \$2,000 as income tax. However, when you prepare your income tax return for the year, unless you make a rollover within 60 days (see "Sixty-Day Rollover Option" below), you must report the full \$10,000 as a taxable payment from the Plan. You must report the \$2,000 as tax withheld, and it will be credited against any income tax you owe for the year. There will be no income tax withholding if your payments for the year are less than \$200.

Voluntary Withholding. If any portion of your payment is taxable but cannot be rolled over under Part I above, the mandatory withholding rules described above do not apply. In this case, you may elect not to have withholding apply to that portion. If you do nothing, an amount will be taken out of this portion of your payment for federal income tax withholding. To elect out of withholding, ask the Plan Administrator for the election form and related information.

Sixty-Day Rollover Option. If you receive a payment that can be rolled over under Part I above, you can still decide to roll over all or part of it to a traditional IRA or to an eligible employer plan that accepts rollovers. If you decide to roll over, you must contribute the amount of the payment you received to a traditional IRA or eligible employer plan within 60 days after you receive the payment. The

portion of your payment that is rolled over will not be taxed until you take it out of the traditional IRA or the eligible employer plan.

You can roll over up to 100% of your payment that can be rolled over under Part I above, including an amount equal to the 20% of the taxable portion that was withheld. If you choose to roll over 100%, you must find other money within the 60-day period to contribute to the traditional IRA or the eligible employer plan, to replace the 20% that was withheld. On the other hand, if you roll over only the 80% of the taxable portion that you received, you will be taxed on the 20% that was withheld.

Example: The taxable portion of your payment that can be rolled over under Part I above is \$10,000, and you choose to have it paid to you. You will receive \$8,000, and \$2,000 will be sent to the IRS as income tax withholding. Within 60 days after receiving the \$8,000, you may roll over the entire \$10,000 to a traditional IRA or an eligible employer plan. To do this, you roll over the \$8,000 you received from the Plan, and you will have to find \$2,000 from other sources (your savings, a loan, etc.). In this case, the entire \$10,000 is not taxed until you take it out of the traditional IRA or an eligible employer plan. If you roll over the entire \$10,000, when you file your income tax return you may get a refund of part or all of the \$2,000 withheld.

If, on the other hand, you roll over only \$8,000, the \$2,000 you did not roll over is taxed in the year it was withheld. When you file your income tax return, you may get a refund of part of the \$2,000 withheld. (However, any refund is likely to be larger if you roll over the entire \$10,000.)

Additional 10% Tax If You Are under Age 59 1/2.

If you receive a payment before you reach age 59 1/2 and you do not roll it over, then, in addition to the regular income tax, you may have to pay an extra tax equal to 10% of the taxable portion of the payment. The additional 10% tax generally does not apply to (1) payments that are paid after you separate from service with your employer during or after the year you reach age 55, (2) payments that are paid because you retire due to disability, (3) payments that are paid as equal (or almost equal) payments over your life or life expectancy (or your and your beneficiary's lives or life expectancies), (4) dividends paid with respect to stock by an employee stock ownership plan (ESOP) as described in Code section 404(k), (5) payments that are paid directly to the government to satisfy a federal tax levy, (6) payments that are paid to an alternate payee under a qualified domestic relations order, or (7) payments that do not exceed the amount of your deductible medical expenses. See IRS Form 5329 for more information on the additional 10% tax.

Special Tax Treatment If You Were Born before January 1, 1936.

If you receive a payment from a plan qualified under section 401(a) or a section 403(a) annuity plan that can be rolled over under Part I and you do not roll it over to a traditional IRA or an eligible employer plan, the payment will be taxed in the year you receive it. However, if the payment qualifies as a "lump sum distribution," it may be eligible for special tax treatment. A lump sum distribution is a payment, within one year, of your entire balance under the Plan

(and certain other similar plans of the employer) that is payable to you after you have reached age 59 1/2 or because you have separated from service with your employer (or, in the case of a self-employed individual, after you have reached age 59 1/2 or have become disabled). For a payment to be treated as a lump sum distribution, you must have been a participant in the plan for at least five years before the year in which you received the distribution. The special tax treatment for lump sum distributions that may be available to you is described below.

Ten-Year Averaging. If you receive a lump sum distribution and you were born before January 1, 1936, you can make a one-time election to figure the tax on the payment by using "10-year averaging" (using 1986 tax rates). Ten-year averaging often reduces the tax you owe.

Capital Gain Treatment. If you receive a lump sum distribution and you were born before January 1, 1936, and you were a participant in the Plan before 1974, you may elect to have the part of your payment that is attributable to your pre- 1974 participation in the Plan taxed as long-term capital gain at a rate of 20%.

There are other limits on the special tax treatment for lump sum distributions. For example, you can generally elect this special tax treatment only once in your lifetime, and the election applies to all lump sum distributions that you receive in that same year. You may not elect this special tax treatment if you rolled amounts into this Plan from a 403(b) tax-sheltered annuity contract, a governmental 457 plan, or from an IRA not originally attributable to a qualified employer plan. If you have previously rolled over a distribution from this Plan (or certain other similar plans of the employer), you cannot use this special averaging treatment for later payments from the Plan. If you roll over your payment to a traditional IRA, governmental 457 plan, or 403(b) tax-sheltered annuity, you will not be able to use special tax treatment for later payments from that IRA, plan, or annuity. Also, if you roll over only a portion of your payment to a traditional IRA, governmental 457 plan, or 403(b) tax-sheltered annuity, this special tax treatment is not available for the rest of the payment. See IRS Form 4972 for additional information on lump sum distributions and how you elect the special tax treatment.

IV. SURVIVING SPOUSES, ALTERNATE PAYEES, AND OTHER BENEFICIARIES

In general, the rules summarized above that apply to payments to employees also apply to payments to surviving spouses of employees and to spouses or former spouses who are "alternate payees." You are an alternate payee if your interest in the Plan results from a "qualified domestic relations order," which is an order issued by a court, usually in connection with a divorce or legal separation.

If you are a surviving spouse or an alternate payee, you may choose to have a payment that can be rolled over, as described in Part I above, paid in a DIRECT ROLLOVER to a traditional IRA or to an eligible employer plan or paid to you. If you have the payment paid to you, you can keep it or roll it over yourself to a traditional IRA or to an eligible employer plan. Thus, you have the same choices as the employee.

If you are a beneficiary other than a surviving spouse or an alternate payee, you cannot choose a direct rollover, and you cannot roll over the payment yourself.

If you are a surviving spouse, an alternate payee, or another beneficiary, your payment is generally not subject to the additional 10% tax described in Part III above, even if you are younger than age 59 1/2.

If you are a surviving spouse, an alternate payee, or another beneficiary, you may be able to use the special tax treatment for lump sum distributions and the special rule for payments that include employer stock, as described in Part III above. If you receive a payment because of the employee's death, you may be able to treat the payment as a lump sum distribution if the employee met the appropriate age requirements, whether or not the employee had 5 years of participation in the Plan.

HOW TO OBTAIN ADDITIONAL INFORMATION

This notice summarizes only the federal (not state or local) tax rules that might apply to your payment. The rules described above are complex and contain many conditions and exceptions that are not included in this notice. Therefore, you may want to consult with the Plan Administrator or a professional tax advisor before you take a payment of your benefits from your Plan. Also, you can find more specific information on the tax treatment of payments from qualified employer plans in IRS Publication 575, Pension and Annuity Income, and IRS Publication 590, Individual Retirement Arrangements. These publications are available from your local IRS office, on the IRS's Internet Web Site at www.irs.gov, or by calling 1-800-TAX-FORMS.