

CLAIM FORM FOR DEATH BENEFITS

INTERMOUNTAIN IRONWORKERS' TAX DEFERRAL PLAN

A. Participant Information

Name: _____

Social Security # _____

Date of Birth: _____

Date of Death: _____

(You must attach a copy of the death certificate)

Designated Beneficiary(ies) of record: _____

To be completed by the Administrator _____

B. Claimant Information (beneficiary of the participant)

Name: _____

Social Security # _____

Date of Birth: _____

Telephone #: _____

Address: _____

Relationship to the Participant: _____

C. Form of Benefit

If your claim is approved, your benefit will be distributed in a single lump sum payment. If you are the Participant's spouse, you may elect to have all or a part of your distribution transferred in a direct rollover to another eligible employer plan that accepts rollovers, or to a traditional IRA (pre-tax) or Roth IRA (after-tax). Otherwise, you may only elect a direct rollover to a traditional IRA or Roth IRA that qualifies as an "inherited IRA" under applicable tax rules. Any amounts paid directly to you (not rolled over) are subject to 20% federal income tax withholding and any required state law tax withholding. See the enclosed *Special Tax Notice Regarding Plan Payments* for important details.

I elect the following form of benefit (**choose one**):

- Option 1 – Direct Payment:** Pay the benefit to me in one lump sum cash payment (subject to 20% federal income tax withholding and any applicable state law taxes – Complete Section D)
- Option 2 – Full rollover:** I elect to have the entire benefit rolled over to the traditional IRA (pre-tax), Roth IRA(after-tax) or eligible employer plan listed below.
- Option 3 – Partial rollover:** I elect to have \$ _____ OR _____ % of the benefit rolled over to the traditional IRA (pre-tax), Roth IRA (after-tax) or eligible employer plan listed below, and to have the remainder paid directly to me in a lump sum payment (subject to 20% federal income tax withholding and any applicable state law taxes.)

Eligible employer plan or IRA to receive rollover (complete for Option 2 or 3 above).

Name of Institution: _____

Check should be made payable as follows: _____

Account Number: _____ Telephone Number: _____

Mailing Address: _____

D. Income Tax Withholding Election

Complete this section if you elect a lump sum payment or a direct rollover to a Roth IRA (after-tax).

Federal Tax withholding

We are required to withhold 20% for federal taxes. This cannot be waived. If you wish to have any additional federal taxes withheld, please complete the following:

I elect to have an additional \$ _____ OR _____ % withheld for federal taxes.

State Tax withholding

Note: Your election will be in effect ONLY if your state permits voluntary withholding elections from a lump sum payment.

I elect to have \$ _____ OR _____ % withheld for the state of _____

E. Claimant's Statement

I, the undersigned claimant, certify and warrant that I am the surviving beneficiary of the above named Participant and I hereby make claim for a death benefit under the Intermountain Ironworkers Tax Deferral Plan ("Plan").

The basis for my status as the Participant's beneficiary is as follows: (check one)

- I am the Participant's designated beneficiary of record on the beneficiary designation form on file with the Administrative Office. *(Check this box only if your name appears under "Designated beneficiary(ies) in section A above.)*
- There is no surviving beneficiary of record and I am the Participant's default beneficiary determine under Plan rules, which is the person or persons in the first of the following classes of successive preference beneficiaries to survive the Participant: (a) the spouse; (b) children, equally; (c) parents, equally; (d) brothers and sisters, equally; or (e) estate. I certify that to the best of my knowledge and belief, that no other beneficiaries are in a successive class ahead of me.

If I am the Participant's default beneficiary, I further certify that to the best of my knowledge and belief (check one):

- The Participant was *not* survived by any other relatives in the same class as me (e.g., if I am the Participant's child, there are no other surviving children).
- The Participant was survived by other relatives in the same class as me. Their names and contact information are as follows (attach additional sheets if necessary):

F. Representative's Information

If you are completing this Claim Form on behalf of the claimant listed above (for example, because you are parent or guardian of a claimant who is a minor), please provide the following information. If you are the claimant, skip this section

Your Name: _____

Your Telephone Number_____

Your relationship to the claimant: _____

Proposed method of distribution on behalf of claimant (check one and attach supporting documentation):

- Rollover to an inherited IRA
- Distribution to UTMA account
- Distribution to conservator/guardian of the claimant's estate
- Distribution to trust for the benefit of the claimant
- Other (describe and provide documentation)_____

G. Claimant's Certification

I certify and warrant that the information I have provided in this *Claim Form* is true and correct to the best of my knowledge and belief. I understand that a false statement may disqualify me from receiving benefits under the Plan, and that the Trustees shall have the right to recover any payments made to me because of a false statement.

I understand I may delay distribution of my benefit to the extent permitted by the Plan. By submitting this *Claim Form*, I am applying to receive my benefit as soon as administratively practicable. I understand I should not submit this *Claim Form* now if I wish to delay distribution.

I received the *Special Tax Notice Regarding Plan Payments* on _____, 20_____. I understand I have a right to consider and revoke my rollover election for at least 30 days after that date. Unless I check the box below, the 30-day period will be waived. This allows my distribution to be made as early as 7 days after the date the Plan receives my completed claim (provided my claim is approved), and I may revoke my rollover election anytime during this 7-day period by submitting any paperwork required by the Plan.

- I do not elect to waive the 30-day period. I understand this means that my payment cannot be made until after the 30-day period ends.

Signature of Claimant

Date

Witness of Signature

I, _____ (name of notary), do hereby certify that _____, the above named claimant, personally appeared before me, signed this *Claim Form* and acknowledged the same to be his/her own free act and deed.

Subscribed and sworn to before me this _____ day of _____, 20_____.

Signature of Notary Public

Affix notary seal/stamp in space to right

SPECIAL TAX NOTICE REGARDING PLAN PAYMENTS

INTERMOUNTAIN IRONWORKERS[®] TAX DEFERRAL PLAN

This notice explains how you can continue to defer federal income tax on your retirement savings in the Intermountain Ironworkers' Tax Deferral 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 the Board of Trustees for the Intermountain Ironworkers' Tax Deferral Plan (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 or Roth 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. (Unless otherwise specified, the term "IRA", as used in this notice, refers to both traditional and Roth IRAs.) Your payment cannot be rolled over to 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 or Roth IRA or split your rollover amount between the employer plan in which you will participate and a traditional or Roth 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:

Intermountain Ironworkers Pension Trust
P.O. Box 30580
Salt Lake City, UT 84130-0580
Phone: (801) 904-4897
Toll Free: (888) 867-9510

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 or Roth 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:

- Unless you roll over your payment to a Roth IRA, your payment will not be taxed in the current year and no income tax will be withheld.
- If you roll over your payment to a Roth IRA, the taxable portion of your distribution will be includable in gross income at the time of the rollover, but mandatory income tax withholding will not apply. Later distribution from the Roth IRA will not be taxable.
- You choose whether your payment will be made directly to your traditional or Roth IRA or to an eligible employer

plan that accepts your rollover. Your payment cannot be rolled over to a SIMPLE IRA or a Coverdell Education Savings Account because these are not traditional or Roth 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 to a traditional IRA or an eligible employer plan. 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 or Roth IRA or to an eligible employer plan that accepts your rollover within 60 days after you receive the payment. The amount rolled over to a traditional IRA or eligible employer plan will not be taxed until you take it out of the traditional IRA or the eligible employer plan. Except for any after-tax amounts, the amount rolled over to a Roth IRA will still be taxed in the current year.
- If you want to roll over 100% of the payment to a traditional or Roth IRA or an eligible employer plan, *you must find other money to replace the 20% of the taxable portion that was withheld*. With a traditional IRA, 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. With a Roth IRA, you will be taxed on the amount rolled over except for any after-tax amounts.

Your Rights to Waive the 30-Day Notice Period. Generally, neither a direct rollover over 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

Payments from the Plan may be "eligible rollover distributions." This means that they can be rolled over to a traditional or Roth IRA or to an eligible employer plan that accepts rollovers. Payments from a plan cannot be rolled over to 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 or Roth IRA or to certain employer plans that accept rollovers of the after-tax contributions. The following rules apply:

- a) Rollover into a Traditional or Roth IRA. You can roll over your after-tax contributions to a traditional or Roth 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 an 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 IRA to be determined.

Once you roll over your after-tax contributions to a traditional or Roth 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 rollover 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 an IRA and then roll over that amount into an employer plan.

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.

Loans Treated as Distributions. The amount of a plan loan that becomes a taxable deemed distribution because of a default cannot be rolled over. However, a loan offset amount is eligible for rollover, as discussed in Part III below. Ask the Plan Administrator of this Plan if distribution of your loan qualifies for rollover treatment.

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 or Roth 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 to a traditional IRA or eligible employer plan 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 to a traditional IRA or eligible employer plan. This Plan might not let you choose a DIRECT ROLLOVER if your distributions for the year are less than \$200. You are taxed on the portion of your payment for which you choose a DIRECT ROLLOVER to a Roth IRA, except for after-tax amounts. However, mandatory income tax withholding will not apply, and the additional 10% tax for certain distributions before age 59-1/2 is not applicable (subject to certain exceptions if you receive distribution from your Roth IRA within 5 years).

DIRECT ROLLOVER to a Traditional or Roth IRA. You can open a traditional or Roth IRA to receive the direct rollover. If you choose to have your payment made directly to a traditional or Roth 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 or Roth IRA at that institution. If you are unsure of how to invest your money, you can temporarily establish an IRA to receive the payment. However, in choosing an IRA, you may wish to make sure that the IRA you choose will allow you to move all or a part of your payment to another IRA at a later date, without penalties or other limitations.

Before January 1, 2010, a rollover to a Roth IRA will be allowed only if, for the tax year of the distribution, your adjusted gross income does not exceed \$100,000 and you are not a married individual filing a separate return. See IRS Publication 590, *Individual Retirement Arrangements*, for more information on traditional or Roth IRAs (including limits on how often you can roll over between IRAs). Please note that the Plan Administrator is not responsible for assuring your eligibility to make a rollover to a Roth IRA.

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 or Roth 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 or Roth 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 or Roth 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 or Roth 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, a Roth IRA (subject to the restrictions described in Part II, above), or to an eligible employer plan that accepts rollovers. *If you decide to rollover, you must contribute the amount of the payment you received to a traditional or Roth 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. A taxable payment rolled over to a Roth IRA is taxed at the time you received the payment.

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 or Roth 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. With a Roth IRA, you will be taxed on the amount rolled over except for any after-tax amounts.

Example of Traditional IRA: 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 or 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.

The additional 10% tax will not apply to distributions from a governmental 457 plan, except to the extent the distribution is attributable to an amount you rolled over to that plan (adjusted for investment returns) from another type of eligible employer plan or IRA. Any amount rolled over from a governmental 457 plan to another type of eligible employer plan or to a traditional IRA will become subject to the additional 10% tax if it is distributed to you before you reach age 59-1/2, unless one of the exceptions applies.

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 an order is 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 or Roth 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 or Roth 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 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 paid to you. If the payment is rolled over to a traditional or Roth IRA, it must be to a special type of IRA called an "inherited IRA." Assets held in an inherited IRA must be paid out based on the required minimum distribution rules that apply to distributions under the Plan. For example, if the participant died before distributions commenced, assets must be distributed from the inherited IRA within five years of the participant's death, or must begin within one year after the participant's death and be paid out over your life or life expectancy. Assets in an inherited IRA may not be further rolled over. If you have the payment paid to you, you cannot roll over the payment yourself. The mandatory tax withholding rules described in Part III, above, do not apply to you. 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, 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 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.