

News Release



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Labor Department Obtains Judgments Restoring Employee Contributions of Tulsa Engineering Company 401(k) Plan

TULSA, Okla. –The U.S. Department of Labor obtained consent judgments and orders on May 9, 2003, in which the trustees of the P&C Engineering Consultants 401(k) plan of Tulsa, Okla. agreed to the offset of their pension accounts to reimburse the plan for employee contributions that were retained in the company's general account.

The judgments bar trustees Clarence W. Dill and Connie Sanders, who also were corporate officers, for five years from acting in any capacity to employee benefit plans governed by the Employee Retirement Income Security Act. They also agreed to allow their participant interests in the plan assets to be applied toward the \$55,000 in losses the department alleges are due to the plan. The court actions were entered in federal district court in Tulsa.

The department also filed an order to prevent the defendant Dill from discharging any debt owed to the plan in U.S. Bankruptcy Court in the Northern District of Oklahoma in order to protect the benefits of participants and beneficiaries.

P&C Engineering Consultants, also known as PatClar Enterprises, was a subchapter S Corporation engaged in the business of aeronautical engineering support services. It is no longer in business since filing for Chapter 7 bankruptcy on July 31, 2002. The plan had 27 participants and assets of \$48,088.38 as of Sept. 16, 2002.

“We took this legal step to get back monies owed the plan as a part of our ongoing effort to protect the hard-earned benefits of American workers,” said Steve Eischen, director of the department's Dallas regional office of the Employee Benefits Security Administration, which investigated the case.

Employers and workers can contact the EBSA Dallas regional office at (214) 683-6831 or EBSA's toll free number, 1-866-444-EBSA (3272), for help with any problems relating to private-sector pension and health plans.

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(Chao v. Dill)
Civil Action No.: 03-CV-312PJ