

2012 MAY -7 PM 3: 31

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April 30, 2012

**VIA CERTIFIED MAIL-RETURN RECEIPT REQUESTED  
AND EMAIL**

U.S. Department of Labor  
Employee Benefits Security Administration  
Public Disclosure Room, N-1513  
200 Constitution Avenue, N.W.  
Washington, DC 20210

Pension Benefit Guaranty Corporation  
ATTN: Multiemployer Data Coordinator  
1200 K Street, N.W., Suite 930  
Washington, DC 20005-4026

**Re: 2010 Notice of Critical Status for the Southern California, Arizona, Colorado  
and Southern Nevada Glaziers, Architectural Metal and Glass Workers  
Pension Trust (EIN 51-6030005)**

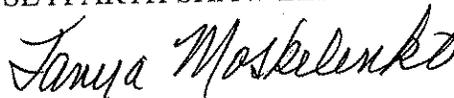
To Whom It May Concern:

In accordance with ERISA section 305(b)(3)(D)(i) and Internal Revenue Code section 432(b)(3)(D)(i), we are hereby providing you with a copy of the notice of critical status for the Southern California, Arizona, Colorado and Southern Nevada Glaziers, Architectural Metal and Glass Workers Pension Trust for 2012.

If you have any questions or need any further information, please contact me at the above number or Mitchel Whitehead at (310) 277-7200.

Sincerely,

SEYFARTH SHAW LLP



Tanya Moskalenko

Enclosure

cc: Trustees (w/enclosure)  
Demetrice Allison, PBGC (w/enclosure)  
Nick Novak, PBGC (w/enclosure)  
Lawrence E. Isaacs, IRS (w/enclosure)  
Bob Glaza, ATPA (w/enclosure)  
Cary Franklin, Horizon (w/enclosure)  
Beth McGoldrick, Horizon (w/enclosure)  
Doug Waite, Miller Kaplan (w/enclosure)  
Jeffrey L. Cutler, Esq. (w/enclosure)  
Mitchel D. Whitehead, Esq. (w/enclosure)

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**NOTICE OF  
CRITICAL STATUS  
FOR THE  
SOUTHERN CALIFORNIA, ARIZONA, COLORADO AND SOUTHERN NEVADA  
GLAZIERS, ARCHITECTURAL METAL AND GLASS WORKERS PENSION TRUST**

This notice is to inform you that on March 30, 2012 the Plan actuary certified to the U.S. Department of the Treasury, and also to the Plan sponsor, that the Plan is in critical status for the Plan year beginning January 1, 2012. Federal law requires that you receive this notice.

**Critical Status**

The Plan is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the Plan's actuary determined that the Plan has an accumulated funding deficiency for the current Plan year.

**Rehabilitation Plan and Reduction in Benefits**

Federal law generally requires pension plans in critical status to adopt a rehabilitation plan to address the Plan's financial distress. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" (defined below) as part of a rehabilitation plan. If the Trustees of the Plan determine that benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions. Any reduction of adjustable benefits may only apply to participants and beneficiaries whose benefit commencement date is on or after April 26, 2008. But you should know that whether or not the Plan reduces adjustable benefits in the future, effective as of April 26, 2008, the Plan is not permitted to pay any payment in excess of the monthly amount paid under a single life annuity while it is in critical status.

Please note, that the Plan is insolvent beginning with the 2009 plan year and benefits were reduced to the amounts guaranteed by the Pension Benefit Guaranty Corporation (PBGC) beginning January 1, 2010. The PBGC began providing financial assistance as of January 1, 2010. Any rehabilitation plan adopted is not expected to have any real impact on the Plan's ability to pay benefits or its insolvency.

**Adjustable Benefits**

The Plan offers the following adjustable benefits which may be reduced or eliminated as part of any rehabilitation plan the Plan may adopt:

- Sixty-month payment guarantees;
- Early retirement benefit or retirement-type subsidy; and
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA).

### **Employer Surcharge**

The law requires that certain contributing employers pay to the Plan a surcharge contribution to help address the Plan's financial distress. The surcharge does not apply to employers who signed the Alternative Withdrawal Liability Agreement (also referred to as the Settlement Agreement). The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the Plan under the applicable collective bargaining agreement. A 5% surcharge is applicable in the initial critical year and a 10% surcharge is applicable for each succeeding Plan year thereafter in which the Plan is in critical status. This is the fifth year that the Plan is in critical status.

The surcharge is due and payable on the same schedule as the contributions on which the surcharges are based. Any failure to make a surcharge payment timely shall be treated as a delinquent contribution, and fees and interest may apply. As required by law, the amount of any surcharges required due to the Plan's critical status will not be used as the basis for any benefit accruals under the Plan.

### **Where to Get More Information**

For more information about this Notice, you may contact Robert Glaza at (626) 279-3001, 4399 Santa Anita Avenue, Suite 200, El Monte, CA 91731. You have a right to receive a copy of any rehabilitation plan from the Plan.