

**LABORERS' DISTRICT COUNCIL PENSION FUND
FOR
BALTIMORE AND VICINITY**
(plan no. 001; EIN 52-6135360)

9/25 10:01

Notice of Election to Continue Funding Status

The Board of Trustees of the Laborers District Council Pension Fund have elected under Section 204 of the Worker, Retiree and Employer Recovery Act of 2008 to treat the Pension Plan as not in endangered or critical funding status for the plan year beginning January 1, 2009. The Trustees were able to make the Section 204 election because the Pension Plan's actuary certified that the Plan was not in endangered or critical funding status for the plan year that began January 1, 2008.

If the Section 204 election had not been made, then according to a new certification by the Pension Plan's actuary, the Plan would be in critical funding status for the plan year beginning January 1, 2009.

The Section 204 election only applies for the plan year beginning January 1, 2009. If the Pension Plan is certified to be in endangered or critical funding status for the plan year beginning January 1, 2010, the Trustees will notify you of that status and the steps that will have to be taken to improve the Plan's funded situation. Those steps may include increases in employer contributions and reductions in the pension benefits that can be earned in the future.

If the Pension Plan is certified to be in critical funding status for the plan year beginning January 1, 2010, the steps that will have to be taken to improve the Plan's funded situation will include a surcharge on employer contributions, the suspension of accelerated distributions for individuals who start receiving benefits after notice of critical status is provided, and may include amendments to reduce early retirement benefits and other adjustable benefits for such individuals.

Additional information about the Section 204 election described above can be obtained from the Board of Trustees by calling the Pension Fund Office at 410-254-4800, or by coming to the Fund Office at 6650 Belair Road, Suite One, Baltimore MD 21206-1874.