

Notice of Critical Status For
UFCW UNIONS & FOOD EMPLOYERS
PENSION PLAN OF CENTRAL OHIO

This is to inform you that on January 28, 2010, 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, 2010. 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 sum of the Plan's normal cost and interest on the unfunded benefits for the current Plan year exceeds the present value of all expected contributions for the year; the present value of vested benefits of inactive participants is greater than the present value of vested benefits of active participants; and over the next four Plan years, the Plan is projected to have an accumulated funding deficiency for the Plan year ending December 31, 2014.

Rehabilitation Plan and Possibility of Reduction in Benefits

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. The Trustees of the Plan have determined that benefit reductions are necessary. A "Notice of Reduction in Adjustable Benefits" identifies and explains the effect of those reductions. Any reduction of adjustable benefits will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, the reductions only apply to participants and beneficiaries whose benefit commencement date is on or after January 31, 2010. But you should know that, effective as of January 31, 2010, the Plan is not permitted to pay lump sum benefits or level income forms of benefit (or any other payment in excess of the monthly amount paid under a single life annuity) while it is in critical status, though the 50% Husband and Wife benefit, providing a pension to a surviving spouse, remains available.. If the Trustees of the Plan determine that further benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions.

Adjustable Benefits

The Plan offers the following adjustable benefits which are subject to reduction or elimination as part of any rehabilitation plan the Plan may adopt:

- Disability benefits (if not yet in pay status);
- Early retirement benefit or retirement-type subsidy;
- Benefit payment options other than a qualified joint and survivor annuity (QJSA);
- Recent benefit increases (*i.e.*, occurring in past five years, if applicable); and
- Other similar benefits, rights or features under the Plan.

Employer Surcharge

The law requires that all contributing employers pay to the Plan a surcharge to help correct the Plan's financial situation. 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. With some exceptions, 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.

Where to Get More Information

For more information about this Notice, you may contact Lloyd Blake, at UFCW Unions & Food Employers Pension Plan of Central Ohio, 4150 East Main Street, Ohio 43213, (614) 237-7423 (toll free at (800) 282-6483). You have a right to receive a copy of the rehabilitation plan from the Plan.