

Lower Ohio Valley District Council Pension Trust Fund

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NOTICE TO PLAN PARTICIPANTS

For

LOWER OHIO VALLEY DISTRICT COUNCIL PENSION TRUST FUND

This is to inform you that the enrolled actuary for this fund recently certified to the US Department of the Treasury, and also to the plan sponsor, that the Fund is in endangered status for the Plan Year beginning October 1, 2009.

Federal law requires that you receive this notice. Endangered is a legal term that the law requires us to use. We understand that legally required notices like this one can create concern about the Fund; however, the Board of Trustees remains committed to provide the Fund with secure retirement benefits.

Endangered Status

Due to the magnitude of the unexpected investment losses in the last two plan years, the Fund's status for the 2009-2010 plan year has been certified as endangered. This Fund is considered endangered because, based on the Pension Protection Act of 2006 (PPA) funding measures, the Fund will have an accumulated funding deficiency by the end of the plan year beginning September 30, 2013.

The Board of Trustees is required to develop a Funding Improvement Plan (FIP) to improve the Fund's funding status and is in the process of doing so. The FIP will be finalized and provided to the necessary parties within the required time frame. It is the Fund's goal to remain on track with the FIP however, there are several variables beyond the Fund's control, which will be monitored yearly, including market volatility and changes in participation and/or Employers. The PPA requires the funding status be reviewed and certified annually and notices like this one, explaining the outcome, will be sent each year as necessary.

Where to Get More Information

For more information about this notice, you may contact American Benefit Corporation, at 304-525-0331 ext 309 or e-mail mcarlton@americanbenefitcorp.com.

For identification purposes, the official plan number is 001 and the plan sponsor's employer identification number or "EIN" is 35-6077238.