

August 28, 2009

**Notice of Election to Freeze Pension Protection Act Status
For
Toledo Painters and Allied Trades Pension Plan**

EBSA/PUBLIC DISCLOSURE
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This notice, which federal law requires, includes important information about the funding level of the Toledo Painters and Allied Trades Pension Plan (“Fund”), Plan Number 001, Employer Identification Number 34-6682353 (Plan and Plan Sponsor). In 2006 the Pension Protection Act (“PPA”) was enacted. Beginning with the 2008 Plan Year, that law requires the annual certification of the plan’s funding status as critical, endangered or neither, generally referred to as red, yellow or green, respectively.

For the 2008 Plan Year, the Fund’s actuary has certified that the Plan was in the green zone – the best of the three zones. The Plan was considered to be in the green zone because the funded percentage was 84.5% on May 1, 2008 and there were no projected funding deficiencies. The funded percentage is the percentage of earned benefits that could be funded with existing Plan Assets. A projected funding deficiency is a sign that the anticipated liabilities of the Fund are outpacing its assets.

On July 29, 2009, the fund’s actuary certified the Plan’s funding status as yellow for the 2009 Plan Year. The Plan is considered to be in the yellow zone because the funding percentage was 76.4%, even though the fund’s actuary determined that there are no projected funding deficiencies until the end of the 2016-2017 Plan Year. The decline in these results is largely a result of the current crisis in the financial markets. Federal law requires pension plans in the yellow zone to adopt a funding improvement plan aimed at restoring the financial health of the Plan.

Pursuant to Section 204 of the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA), which allows the Board of Trustees to freeze the PPA funding status from the prior year, effective August 28, 2009, the Board of Trustees elected to freeze the 2008 certification of green for the Plan Year beginning on May 1, 2009. An election to freeze the PPA funding status does not restrict the Board of Trustee’s ability to improve the Plan’s funding status. The Board of Trustees remains committed to the proper funding of your pension benefits and will take appropriate actions to meet this goal.

The decision to freeze the PPA funding status applies only for the 2009 Plan Year. If the Plan is certified to be in yellow or red zone for the 2010 Plan Year, the Board of Trustees will provide notice of the plan’s status on or before August 28, 2010, and additional steps will be taken to improve the Plan’s funding, which may include additional increases in contributions and/or reductions in benefits.

Where to Get More Information

For more information about this Notice, you may contact the Board of Trustees of the Toledo Painters and Allied Trades Pension Plan at (419) 248-2401 or P.O. Box 697, 1600 Madison Avenue, Suite 300, Toledo, Ohio 43697-0697.