

## UTAH BAKERS PENSION TRUST FUND

### Notice of Election under Section 204 of the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA")

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This Notice is to inform you that an election has been made under Section 204 of WRERA to treat the Utah Bakers Pension Trust Fund (Plan Number: 001, EIN: 87-6128330) (the "Fund") as being neither in endangered nor critical status for the plan year beginning on February 1, 2009.

The Pension Protection Act of 2006 ("PPA") provides rules for multiemployer defined benefit plans. In particular, the PPA provides that the plan actuary must certify as to the plan's "status" (i.e., whether the plan is in endangered status, critical status, or neither status) for the plan year. If a plan is certified to be in either endangered or critical status, the plan sponsor must take certain measures to improve the funding of the plan.

WRERA provides that a multiemployer plan sponsor may elect, notwithstanding the actuarial certification of the plan's status for the plan year for which the election is made ("election year"), to temporarily freeze the plan's status so that it is the same as the plan's status for the plan year immediately prior to the election year ("prior year").

Notwithstanding the election made under WRERA described above, which retains the plan's status as neither endangered nor critical, the Fund has been determined by the actuary to be in critical status as of February 1, 2009.

You should be aware of the following: (1) the election applies only for the current plan year; and (2) if the Fund is certified to be in endangered or critical status for the year following the election year, the Fund will provide notice of the plan's status (i.e., endangered or critical) for that year and steps will have to be taken to improve the Fund's funded situation, which steps may include increases in contributions and reductions in future benefit accruals.

If the Fund is certified to be in critical status for the year following the election year, the steps that will have to be taken to improve the Fund's funded situation will include a surcharge on employer contributions and may include amendments to reduce early retirement benefits or other adjustable benefits for individuals who commence receiving benefits after notice is provided of the Fund's critical status.

If you have any questions regarding this notice, please contact the Plan Administrator:

Utah Bakers Pension Trust Fund  
 4885 S. 900 E., Suite 202  
 Holladay, UT 84117  
 1-800-435-4584 or (1-801-266-3271 in Utah)

Sincerely,

BOARD OF TRUSTEES OF THE  
 UTAH BAKERS PENSION TRUST FUND