

**SPECIAL NOTICE REQUIREMENT FOR PLANS IN NEITHER ENDANGERED NOR
CRITICAL STATUS AS A RESULT OF FREEZE ELECTION FOR THE
CEMENT MASONS LOCAL NO. 43 PENSION PLAN**

To: All Participants;
Beneficiaries;
Bargaining Parties;
Pension Benefit Guaranty Corporation; and
the Secretary of Labor.

Since the plan sponsor of this plan has elected to freeze the plan's section 432 status for the election year (2009) as neither endangered nor critical, despite an actuarial certification of endangered or critical status for the election year, the plan sponsor is required to provide you with this special notice including the following information:

Plan Name: Cement Masons Local No. 43 Pension Plan

EIN of Plan Sponsor: 52-6111323

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Plan Number: 001

An election has been made under section 204 of Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA") to treat the plan as being neither in endangered nor critical status for the plan year beginning on January 1, 2009.

The plan's endangered or critical status for the election year as certified by the plan's actuary (that is, the plan's status if no section 204 election were made) is Endangered.

The election applies only for the current plan year (2009) and if the plan is certified to be in endangered or critical status for the 2010 plan year, the plan sponsor will provide notice of the plan's status (i.e., endangered or critical) for that 2010 plan year and steps will have to be taken to improve the plan's funded situation, which steps may include increases in contributions and reductions in future benefit accruals.

Please contact the plan administrator, if you would like to obtain additional information about the election:

Board of Trustees of the Cement Masons Local No. 43 Pension Plan
Attention: David Jensen
c/o Benefit Systems Management, Inc.
6650 Belair Road, Suite 1
Baltimore, Maryland 21206
410-254-4800
davidj@benefitsystems.info