

SOUTHERN CALIFORNIA PIPE TRADES DEFINED CONTRIBUTION FUND

SUPPLEMENT #12

To: All Participants

From: Board of Trustees

Date: September 2009

Re: Waiver of Minimum Required Distributions for Calendar
Year 2009

**PLEASE INSERT THIS NOTICE IN YOUR
YOUR SUMMARY PLAN DESCRIPTION BOOK**

In accordance with Section 201 of the Worker, Retiree, and Employer Recovery Act of 2008 (“WRERA”), which establishes a temporary waiver of the Internal Revenue Code Section 401(a)(9) required minimum distribution rules for defined contribution plans, Section 7.07 of the Southern California Pipe Trades Defined Contribution Plan has been amended to waive the required minimum distributions for calendar year 2009.

Background: Pursuant to IRS Code Section 401(a)(9) and regulations promulgated thereunder, the Defined Contribution Plan requires certain Participants and Beneficiaries to take a distribution from the Plan regardless of whether or not they have applied for a benefit. The general rule is that a Participant must begin to take distributions, in an amount no less than the minimum calculated pursuant to IRS rules, from the Plan no later than the April 1st immediately following the calendar year in which the Participant attained age 70 ½. Generally, a Surviving Spouse must begin to take a distribution no later than the December 31 of the calendar

year in which the Participant would have attained age 70½ and a non-spouse beneficiary must begin to take a distribution no later than December 31st of the calendar year following the calendar year in which the Participant died.

The Amendment: Under Section 201 of WRERA, the required minimum distribution rules are waived for calendar year 2009. 2009 calendar year distributions may be made through April 1, 2010. In compliance with WRERA, the Plan permits the waiver of these distributions and establishes the process by which these distributions may be waived.

A Participant or Beneficiary who has received a required minimum distribution for a calendar year prior to the 2009 calendar year and who, without the application of Section 201 of WRERA, would be required to receive a required minimum distribution for the 2009 calendar year, will receive the distribution for calendar year 2009 unless the Participant or Beneficiary affirmatively elects in writing to waive the distribution in accordance with the procedures established by the Plan. A Participant or Beneficiary who for the first time would be required, without the application of Section 201 of WRERA, to take a required minimum distribution for calendar year 2009, will have the distribution automatically waived unless the Participant or Beneficiary affirmatively elects in writing to receive the distribution in accordance with procedures established by the Plan. Affected Participants and Beneficiaries have already been sent information by the Plan explaining the waiver procedures.