

NECA-IBEW MEMPHIS RETIREMENT PLAN

SUMMARY OF MATERIAL MODIFICATION TO THE NECA-IBEW MEMPHIS RETIREMENT PLAN

You are receiving this Summary of Material Modification (SMM) because you are a Participant of the NECA-IBEW Memphis Retirement Plan. Please keep a copy of this SMM with your Summary Plan Description (SPD).

As required by federal law, the Board of Trustees has established a claims and appeals procedure to ensure all Participants have a full and fair process to seek benefits from the Plan. These rules are being modified to make it clear that no Participant or Beneficiary can file a suit against the Plan before he or she has exhausted all internal claim and appeal procedures. This means you must follow the Plan rules, present evidence, and give the Trustees the opportunity to review your appeal before proceeding to federal court.

Additionally, the Board is also adopting a rule to require any legal action to be filed within two (2) years of the date a final appeal denial notice is received. Finally, if a Participant or Beneficiary intends to file suit against the Plan, the case must be brought in the United States Court for the Western District of Tennessee.

If you have any questions regarding this SMM, please contact the Benefit Office.

Sincerely,

Board of Trustees
NECA-IBEW Memphis
Retirement Plan