

AUTOMOTIVE INDUSTRIES PENSION FUND

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NOTICE OF CRITICAL STATUS PENSION PLAN

April 30, 2010

TO: PARTICIPANTS AND BENEFICIARIES
CONTRIBUTING EMPLOYERS
LOCAL UNIONS
PENSION BENEFIT GUARANTY CORPORATION
SECRETARY OF LABOR

This is to inform you that on March 31, 2010 the Actuary for the Automotive Industries Pension Plan (the "Plan") certified to the U.S. Department of the Treasury, and to the Board of Trustees that the Plan is in critical status (the "red zone") for the Plan Year beginning January 1, 2010. Federal law requires that you receive this notice.

CRITICAL STATUS

The Plan is considered to be in critical status because it has funding problems or liquidity problems, or both. More specifically, the Plan's Actuary determined that:

- The Plan is projected to have an accumulated funding deficiency for the 2011, 2012 and 2013 plan years.
- The funded percentage of the Plan is 65% or less and over the next four plan years, the plan is projected to have an accumulated funding deficiency for the 2011, 2012, 2013 and 2014 plan years.
- The sum of the Plan's normal cost and interest on the unfunded benefits for the current plan year exceeds the present value of all expected contributions for the year; the present value of vested benefits of Inactive Participants is greater than the present value of vested benefits of Active Participants; and over the next four plan years, the Plan is projected to have an accumulated funding deficiency for the 2011, 2012, 2013 and 2014 plan years.
- The Plan was in critical status last year, and over the next 9 years, the Plan is projected to have an accumulated funding deficiency for the 2011 – 2019 plan years.

REHABILITATION PLAN

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the Plan. This is the third year the Plan has been in critical status. The law permits pension plans in the red zone to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. On March 28, 2008, you were notified that the Plan would reduce or eliminate the following benefits and reduce future accruals effective July 1, 2008:

- Early Retirement Benefit subsidy removed.
- Elimination of Unreduced “Rule of 85” Early Retirement Benefit
- Elimination of Disability Benefit
- Elimination of 36-Payment Pre-Retirement Death Benefit
- Elimination of 36-month and 120-month guarantee of payments for single life annuity payment forms
- Elimination of “pop-up” feature and subsidy connected with the 50% Automatic Joint and Survivor Benefit
- Elimination of 100% Full Joint and Survivor Annuity Option
- Elimination of Social Security Option
- Elimination of automatic cashout of benefits

In addition, you were notified that the Plan is not permitted to pay lump sum benefits (or any other payment in excess of the monthly amount paid under a single life annuity, such the Plan’s Social Security Option payment form).

If the Trustees of the Plan determine that further benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions. Any reduction of adjustable benefits (other than a repeal of any recent benefit increase made within 60 months of the January 1, 2008 plan year in which the Plan was first certified as being in critical status) will not reduce the level of a participant's basic benefit payable at normal retirement age. In addition, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after April 1, 2008.

EMPLOYER SURCHARGE

The law requires that all contributing employers pay to the Plan a surcharge to help correct the Plan's financial situation beginning 30 days after the employer is notified that the plan is in critical status. The surcharge is a percentage of an employer’s negotiated contribution rate. A 5% surcharge was applicable the first year in critical status. The surcharge went up to 10% for each succeeding plan year in which the plan is in critical status, until the employer agrees to a collective bargaining agreement that implements one of the schedules in the rehabilitation plan.

WHERE TO GET MORE INFORMATION

For more information about this notice or the Trust, contact the Administration Office at the following address or phone number:

Michael Schumacher
Associated Third Party Administrators
1640 South Loop Road
Alameda, CA 94502
(510) 433-4400

You have a right to receive a copy of the Rehabilitation Plan from the Pension Plan.

Sincerely,

Board of Trustees