

**Notice of Critical Status
For
Cement Masons Local Union #681 Pension Plan**

This is to inform you that on December 23, 2010 the plan actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan remains in critical status for the plan year beginning October 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 or liquidity problems, or both. More specifically, the plan's actuary determined that the plan's funded percentage for the plan year beginning October 1, 2010 is less than 65%, and the sum of the fair market value of its current assets plus the present value of expected employer contributions through September 30, 2017 is less than the present value of all benefits projected to be payable (plus administrative expenses) through September 30, 2017.

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 plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. On October 25, 2010, you were notified that the plan reduced or eliminated adjustable benefits. On January 24, 2009, you were notified that as of January 24, 2009, 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) while it is in critical status. If the trustees of the plan determine that future benefit reductions are necessary, you will receive a separate notice identifying and explaining the effect of those reductions. Any reduction of adjustable benefits will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after January 24, 2009.

Adjustable Benefits

The plan offers the following adjustable benefits which may be reduced or eliminated as part of any rehabilitation plan the pension plan may adopt:

- Post-retirement death benefits;
- Sixty-month payment guarantees;
- Disability benefits (if not yet in pay status);
- Early retirement benefit or retirement-type subsidy;
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA);
- Recent benefit increases (i.e. occurring in past 5 years);
- Other similar benefits, rights, or features under the plan such as the lump sum death benefit or the lump sum option for the Cash Balance Account

Employer Surcharge

The law requires that all contributing employers pay to the plan a surcharge to help correct the plan's financial situation. The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the plan under the applicable collective bargaining agreement. With some exceptions, a 5% surcharge is applicable in the initial critical year and a 10% surcharge is applicable for each succeeding plan year thereafter in which the plan is in critical status. Since this is the third year that the plan has been certified in critical status, any employer who has not yet adopted the rehabilitation plan will be subject to 10% surcharge on contributions.

Where to Get More Information

For more information about this Notice, you may contact

Board of Trustees of the Cement Masons Local Union #681 Pension Plan
c/o Benefit Resources, Inc.
8441 Gulf Freeway, Suite 304
Houston, TX 77017

(713) 643-9300

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You have a right to receive a copy of the rehabilitation plan from the plan.