

**CEMENT MASONS LOCAL NO. 886/404 PENSION PLAN**  
**2010 NOTICE OF ENDANGERED STATUS**  
*October 27, 2010*

This Notice is to inform you that on September 28, 2010 the Plan Actuary certified to the U.S. Department of the Treasury and the Plan Sponsor ("Board of Trustees"), that the Cement Masons Local No. 886/404 Pension Plan ("Plan") is considered Endangered for the Plan Year beginning July 1, 2010 and ending June 30, 2011. Federal law requires that you receive this Notice.

**Pension Protection Act of 2006**

In accordance with the Pension Protection Act of 2006 (PPA), multiemployer pension plans are required to be certified by their actuaries as being in one of four funded categories for Plan Years beginning on or after January 1, 2008 based on specific funding criteria in the Internal Revenue Code. These four funded categories are:

- *Neither Endangered nor Seriously Endangered nor Critical*
- *Endangered*
- *Seriously Endangered*
- *Critical*

While the trustees of plans that are not endangered, seriously endangered, or critical must continue to exercise diligence to protect the funded position of their plans, the law does not require them to take any specific actions or adopt particular programs to maintain or improve plan funding. Trustees of plans that are endangered, seriously endangered, or critical must take specific actions spelled out in the law. Endangered or seriously endangered plans must adopt a "funding improvement plan," while critical plans must adopt a "rehabilitation plan." These plans are designed to restore the plan's funded status over a period of time called a "funding improvement period."

**Endangered Status**

The Plan is considered to be in endangered status because the Plan's actuary has determined that the Plan is projected to have an accumulated funding deficiency for the 2014 Plan Year. A funding deficiency means that expected contributions to the Plan will not be sufficient to meet the government's minimum contribution requirements for funding purposes. It does not mean that the Plan will be insolvent in the 2014 Plan Year.

**Funding Improvement Plan**

Federal law requires pension plans in endangered status to adopt a funding improvement plan aimed at improving the Plan's funded percentage over time. A funding improvement plan may include increases in the hourly contribution rate and/or a reduction in future benefit accruals. If the Board of Trustees determines that any benefit reductions are necessary, you will receive a separate Notice in the future identifying and explaining the effect of any changes.

### Where to Get More Information

Once a funding improvement plan has been adopted, you can request a copy of the funding improvement plan and the actuarial and financial data that demonstrate any action taken by the Plan toward fiscal improvement. You will be able to request this information by contacting the Cement Masons Local No. 886/404 Pension Plan at 33 Fitch Boulevard, Austintown, OH 44515 or by calling 1-800-435-2388. For identification purposes, the official plan number is 001 and the plan sponsor's employer identification number or "EIN" is 34-1290577.