

SPECIAL NOTICE

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For

Retirement Benefit Plan of the Newspaper and Magazine Drivers, Chauffeurs and Handlers Union Local 473

This special notice provides the information required under Section 204 of the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA") relating to the actuarial certification of funded status for the Retirement Benefit Plan of the Newspaper and Magazine Drivers, Chauffeurs and Handlers Union Local 473 ("Plan"). This special notice is for the plan year beginning January 1, 2009 and ending December 31, 2009.

The Plan this Notice applies to is the Retirement Benefit Plan of the Newspaper and Magazine Drivers, Chauffeurs and Handlers Union Local 473, Employer Identification Number 34-6514567, Plan Number 001.

The Board of Trustees ("Trustees") has made an election under Section 204 of WRERA to freeze the Plan status under Internal Revenue Code ("Code") Section 432 as being neither in endangered nor critical status for the plan year beginning on January 1, 2009.

However, if this election was not made under Section 204 of WRERA, the actuary has certified that the Plan's Code Section 432 status would be "critical" for the plan year beginning January 1, 2009.

This election applies only to the current 2009 plan year. The Plan's actuary is required to make a determination of the Plan's Code Section 432 status each plan year. The Trustees will provide you with a notice of the Plan's Code Section 432 status for the plan year beginning January 1, 2010 after the actuarial certification is made. In the event that the actuary determines that the Plan is in either endangered or critical status for the plan year beginning 2010, the Trustees will be required to take certain steps to improve the plan's funding situation, which may include increases in contributions and/or reductions in future benefit accruals.

As stated above, without the WRERA Section 204 election to freeze the status of the Plan, this Plan would be considered in critical status for the plan year beginning January 1, 2009. If the Plan is also certified to be in critical status for the plan year beginning January 1, 2010, the Trustees will need to take a series of steps in order to improve the Plan's funding situation. As a first step, the Plan must impose a surcharge on employer contributions beginning thirty days following the notice of critical status. Additionally, the Trustees may have to adopt a formal funding plan which includes amendments to reduce early retirement benefits or other adjustable benefits for individuals who commence receiving benefit payments after the notice of critical status is provided.

The Trustees feel that by using this election under Section 204 of WRERA, they will have valuable time to plan a strategy to work through the significant impact that the recent declines in the financial market have had on all retirement savings including this Plan in 2008.

If you have any questions relating to this special notice and the WRERA Section 204 election, please contact Ms. Mary Jo Halenar at the Plan Office, 6511 Eastland Road, Suite 140, Brook Park Ohio 44142, telephone (440) 234-0473.