

Employers and Local 534 Grocery Employees Pension Fund

Notice of Election under Section 204 of the Worker, Retiree, and Employer Recovery Act of 2008

Name of Plan: Employers and Local 534 Grocery Employees Pension Fund

Plan & Plan Sponsor EIN: 37-0904699

Plan Number: 001

As you may know, Congress passed and the President signed into law legislation commonly known as the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA). One of the purposes of this legislation was to provide certain types of relief for Pension Plans.

This notice serves to inform you that the Trustees of the above referenced Pension Plan have made an election under Section 204 of WRERA to treat the Plan as neither in Endangered nor Critical status for the plan year beginning January 1, 2009. Absent this election, the Plan would be in Critical status for 2009.

This election applies only for 2009. If the Plan is certified to be in Endangered or Critical status for 2010, you will be notified of the status, and steps will have to be taken to improve the Plan's funded status, which may include increases in contributions and reductions in future benefit accruals. Additional steps may also apply in the event of critical status including a surcharge on employer contributions and the suspension of the payment of lump sums and similar accelerated distributions for individuals who continue receiving benefits after notice is provided of the plan's critical status, and may include amendments to reduce early retirement benefits or other adjustable benefits for such individuals.

For more information about this notice, you may contact Zenith Administrators, Inc. at 502 Earth City Expressway, Suite 203, Earth City, MO 63045 or by phone at (314) 344-8899.