

# CONFIRMATION NOTICE 401(k) SAFE HARBOR CONTRIBUTION

\_\_\_\_\_  
(Company Name)

Effective January 1, 2004 our company implemented "Safe Harbor" contributions to our 401(k) Profit Sharing Plan.

If you are an eligible employee, the company may make a contribution to the plan to your account equal to 3% of your compensation for the plan year whether or not you elect to defer a portion of your compensation.

The firm must inform you by December 1<sup>st</sup> of its intention to make this contribution for the Plan year ending 12/31/2004.

The firm hereby notifies you that it

\_\_\_ DOES

\_\_\_ DOES NOT

intend to make this contribution for the Plan year ending 12/31/2004. (The firm must indicate for this Notice to be effective.)

You will immediately vest in the employer contributions described above. You can only receive a distribution of your employee deferrals or employer contributions from the plan in the event of:

- a) separation from service on account of termination, death or disability, or
- b) termination of the plan, or
- c) attainment of age 59 ½ (if the plan permits this), or
- d) a financial hardship (if the plan permits this. Please refer to the Plan Summary for rules regarding this.)

This notice is intended meet the Notice requirements of IRS Notice 98-52 and 2000-3, and is designed to provide a brief review of certain key aspects of the Plan. If there are discrepancies between the contents of this notice and the plan document, the terms of the plan shall govern.