



**LEGAL SERVICES
TRUST FUND
SUMMARY PLAN DESCRIPTION**

UFCW LOCAL 1500 LEGAL SERVICES TRUST FUND

425 Merrick Avenue
Westbury, NY 11590
(516) 214-1310

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LEGAL SERVICES PLAN

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Lynn M. Shiels

Union Trustees

August 1, 2019

Dear Participant,

We are happy to provide this new booklet describing the rules and regulations of the UFCW Local 1500 Legal Services Plan (“the Plan”). Please read this booklet thoroughly.

This booklet is intended to fully describe the various provisions of the Plan, as in effect as of August 1, 2019.

The booklet has two parts.

General Plan Information regarding the rules and benefits of the Plan, *and*

ERISA Information-this section is provided to you pursuant to the Employee Retirement Income Security Act of 1974 (ERISA), as amended, and contains additional important information about the Plan. It is intended to ensure that you will be able to enjoy all the rights to which you are entitled under the provisions of the Plan.

You should discuss this booklet with your family and keep it in a safe place for future reference. It will help you make the fullest possible use of your Legal Services benefit.

If you have any questions or desire any additional information, please do not hesitate to call or write to the Fund Director at the address/number on page 6.

Sincerely,

Board of Trustees

UFCW Local 1500

Legal Services Trust Fund

PART A

GENERAL PLAN INFORMATION

Financing & Operations

If you have any questions about this statement or about your rights under the Employee Retirement Income Security Act of 1974, as amended (ERISA), you should contact the nearest office of the U.S. Department of Labor, Employee Benefits Security Administration (EBSA). See pages 17-19.

What is the purpose of the Plan?

The purpose of the Plan is to assist you in paying the cost of eligible and necessary personal legal services.

Who is responsible for the operation of the Plan?

The Board of Trustees, which is composed of an equal number of persons appointed by UFCW Local 1500, AFL-CIO ("Local 1500") and by contributing employers to the UFCW Local 1500 Legal Services Trust Fund ("Fund"), is responsible for the operation of the Fund and its Plan.

Who pays for the Plan?

The Plan is paid for by employers who have collective bargaining agreements and/or written agreements with Local 1500, which provide for contributions to the Fund.

How is the Fund's money managed?

All of the Fund's assets are held in trust by the Board of Trustees for the participants and beneficiaries of the Plan. The Board of Trustees has the ultimate responsibility for management of Fund money.

Plan Participation

How do I become a participant in the Plan?

You become a participant in the Plan under any of the following circumstances:

- A. If your employer is required to make contributions to the Fund on behalf of employees in your job classification as provided in a collective bargaining agreement between your employer and Local 1500;
- B. If you are an employee of Local 1500 for whom contributions to the Fund are made;
- C. If you are receiving a pension from the UFCW Local 1500 Pension Plan or are eligible to receive such pension and your fully complete pension application has been submitted and filed with the Pension Fund office.

For purposes of this Summary Plan Description, individuals who become participants as a result of “A” or “B” above will be referred to as “employee participants.” Persons who become participants as a result of “C” above will be referred to as “retiree participants.”

When do I become a participant?

A. If you are a full-time employee, in a job classification for which your employer is required to make contributions to the Fund, you become a participant in the Plan on the first day of the month following your completion of 60 days of employment.

Full-time employment is determined according to the collective bargaining agreement by and between your employer and Local 1500.

B. If you are a part-time employee, in a job classification for which your employer is required to make contributions to the Fund, you become a participant in the Plan on the first day of the month following your completion of six (6) months of employment.

Part-time employment is determined as per the collective bargaining agreement by and between your employer and Local 1500.

C. If you are receiving a pension from the UFCW Local 1500 Pension Plan or if you are eligible to receive a pension from the UFCW Local 1500 Pension Plan, you automatically become a participant on the date your fully completed pension application is filed with the Pension Fund office.

Eligibility for Benefits

What benefits am I eligible for as a participant in the Legal Services Plan?

“Employee participants” are eligible for both the Consultation/Document Review Benefits and for the Reimbursement Benefit. These benefits are fully described on pages 6-12 of this booklet.

“Retiree participants” are eligible for the Consultation/Document Review Benefit. “Retiree participants” are not eligible for the Reimbursement Benefit except for reimbursement of claims for the following benefits:

- drafting and executing of wills;
- powers of attorney;
- health care proxies; and
- living wills.

These benefits are fully described on pages 6-12 of this booklet.

Are there any circumstances under which my spouse or other dependents may be eligible for a benefit from the Plan?

Spouses and Dependents of “Employee Participants”

Spouses of “employee participants” are eligible for the same benefits. Dependent children of “employee participants” are eligible for the Plan’s Consultation/Document Review Benefit only. Dependent children are not eligible for the Reimbursement Benefits of the Plan.

Spouses and Dependents of “Retiree Participants”

Spouses of “retiree participants” are eligible for the Plan’s Consultation/Document Review Benefit. The spouse of a “retiree participant” is eligible only for the following Reimbursement Benefits: drafting and executing of a will, power of attorney, health care proxy and living will. Dependent children of “retiree participants” are not eligible for any benefits from the Plan.

How is the term “spouse” defined?

A spouse is an individual who is legally married to the participant and who is not legally separated from that participant.

How is the term “dependent children” defined?

“Dependent children” are the unmarried children (including adopted, step and foster children) under 19 years of age who reside with the participant and are dependent upon the participant for support and maintenance.

When does my eligibility for benefits terminate?

If you are an “employee participant,” benefits for you and your eligible covered dependents terminate the last day of the month in which you are employed in covered employment and/or as per the terms of your collective bargaining agreement or other written agreement.

If you are a “retiree participant,” benefits for you and your eligible covered spouse cease when you are no longer receiving a pension from the UFCW Local 1500 Pension Plan.

If you have any questions about your eligibility for coverage, contact the Fund Office.

Plan Benefits

What benefits does the Legal Services Plan provide?

The Plan provides three (3) types of benefits:

- A. Consultation;
- B. Document Review Benefit; *and*
- C. Reimbursement Benefit.

What is the Consultation Benefit?

The Board of Trustees of the Fund has retained Nicole Norris, Esq. as the Director and Administrator of the Fund. As such, Ms. Norris will consult with plan participants and their eligible dependents regarding any personal legal problem or question about rights under the law which such covered persons may have. Each eligible person is entitled to four thirty (30) minute consultation sessions or two sixty (60) minute consultation sessions each calendar year. There are certain matters about which the attorney cannot advise you. Those matters are set forth on pages 12-13 of this Summary Plan Description.

What is the Document Review Benefit?

As Director and Administrator of the Fund, Ms. Norris provides this benefit to plan participants. The Document Review Benefit provides professional review and interpretation of legal documents. These documents may include warranties, wills, guarantees, installment purchase agreements, loans, leases, domestic relations documents and agreements, and insurance policies. There are documents which may relate to the types of legal matters excluded from coverage. These documents cannot be reviewed by Ms. Norris. Excluded matters are set forth on pages 12-13 of this Summary Plan Description.

Is there any cost to me for utilizing the Consultation/Document Review Benefit?

No. There will be no charge to you, your spouse or your eligible dependent children.

How do I receive my Consultation/Document Review Benefit?

In order to receive the Consultation and/or Document Review Benefit, you must call the offices of the Plan and request a consultation and/or document review. Ms. Norris will advise you by telephone, when appropriate. When required, Ms. Norris will arrange an appointment for the consultation.

To receive this benefit, please call the Plan office at (516) 214-1310. You may also write to the Plan. All correspondence should be addressed to:

UFCW Local 1500 Legal Services Plan
425 Merrick Avenue
Westbury, New York 11590.

What is the Reimbursement Benefit?

If, after you have utilized the Fund's Consultation and/or Document Review Benefit, it is determined that further legal assistance is required, you will be so advised. You will also be advised whether the legal issue is one for which reimbursement is available from the Fund. If the matter is one for which reimbursement is available from the Fund, you may hire a lawyer of your choice or you may choose an attorney from an attorney referral list maintained by the Fund. Once an attorney is retained and paid by you and your matter is complete, you can submit a request for reimbursement. The procedure for requesting reimbursement appears later in the Summary Plan Description.

How does the attorney referral list work?

The referral list contains names of attorneys and their area of practice from various New York counties. The referral list is not a comprehensive list and it is the responsibility of the participant to be satisfied with the attorney that he or she selects. The Fund will not recommend an attorney even if so requested. The attorney referral list is strictly for the convenience of the participants and their eligible dependents.

When using an attorney from the referral list, the Fund makes no guarantees nor takes any responsibility with respect to services rendered by any counsel chosen by the participant and/or eligible dependent.

There are no forwarding or referral fees made to the Fund or its Director/Administrator or Trustees from the attorneys on the referral list.

Can I use my own attorney?

Yes. You are entitled to use your own attorney. The Plan will reimburse your eligible legal expenses regardless of whether you use your own attorney or an attorney you choose from the referral list.

Are all of my legal fees reimbursed by the Plan?

No. The Plan will only reimburse you for those matters covered in the Schedule of Benefits and only for the amount paid, up to the amount stated in that schedule for that service. You are responsible for all legal fees in excess of those for which a reimbursement is available.

Additionally, the Plan only covers personal legal expenses. Legal expenses incurred for business or commercial matters are not eligible for coverage. The Plan also excludes consultation services for any business or commercial matter. Please see the Plan Exclusions beginning on page 12 of this Summary Plan Description.

How do I use my Reimbursement Benefit?

Before you retain an attorney, you must call the Fund office and utilize the Consultation Benefit, as described on page 6. If the Fund Director advises you that further legal reimbursement is required and that such services are eligible for reimbursement under the Schedule of Benefits, you may retain an attorney and submit a claim for reimbursement. If you are advised that the legal service you require is not a covered item, you may still retain an attorney. However, the Fund will not reimburse you for any fees you incur. The decision to retain counsel is strictly yours to make.

After the legal work is completed, you may contact the Fund and request an application for reimbursement of eligible expenses under the Plan. You must complete and sign the application and provide it, along with a copy of your paid attorney's bill on the attorney's stationery, to the Fund Office. You may be required to submit additional documentation if necessary. If the Fund requires additional information, you will be notified in writing of the information needed. Failure to provide any information requested will be cause to deny your benefit.

Are there types of legal services which are excluded from reimbursement under the terms of the Plan?

The Plan only reimburses for those personal legal services listed in the Schedule of Benefits. The Plan pays actual fees charged, up to the Maximum Benefit Payment noted in the Schedule of Benefits.

There are specific matters which are excluded from coverage. Among the most common and important exclusions are:

- A. The Plan only covers you for personal legal expenses; legal expenses in connection with a business are not reimbursable.
- B. Consultation fees are not reimbursable.
- C. With respect to real estate transactions, the following are not reimbursable:
 - (1) The attorney’s fees of the attorney representing the institution which gives you a mortgage;
 - (2) Title charges or pre-paid interest;
 - (3) Legal fees incurred for the purchase, sale or refinancing of a second home, vacation home, vacant land, or income-producing property, other than a two or three family home which is actually your primary residence.
- D. Legal fees incurred in connection with problems arising on your job, either with management, fellow employees or Local 1500.
- E. Legal fees in connection with problems involving any employee benefit fund affiliated with Local 1500.

A complete list of Plan exclusions appears on pages 12-13.

Schedule of Benefits

**Maximum
Benefit
Payment**

1. Administrative Hearings

Limit of two (2) per calendar year per Participant.

Covers the legal fee for services required by the Participant at a municipal, county, state or federal administrative board, agency or commission, to include attending hearings with school districts to discuss special education services for Participants’ children.

Coverage for representation, per matter..... \$1,000.00

Exclusions: There is no coverage for administrative proceedings involving a business or tax matter of any kind or any proceeding involving a contributing employer or Local 1500 (e.g., Workers’ Compensation).

**Maximum
Benefit
Payment**

2. Adoptions

Covers the fee for the adoption of a child by a participant and/or covered spouse.

Coverage per matter \$1,250.00

3. Bankruptcy (Personal Only)

(a) Individual..... \$800.00

(b) Individual and Spouse \$950.00

4. Change of Name

Covers the fee for a change of name proceeding for the participant and eligible spouse only.

Coverage per matter \$500.00

5. Civil Court Proceedings

Covers the fee for the defense of a civil action against the participant and/or covered spouse.

(a) Consumer contract suits (Small Claims Court)..... \$200.00

(b) Lower courts (District, Justice, City, etc.)

Coverage is 50% of fee, up to a maximum of..... \$600.00

(c) Courts of general jurisdiction (Supreme Court, etc.)

Coverage is 50% of fee, up to a maximum of..... \$750.00

6. Criminal Court Proceedings

Covers the legal fee for the defense of criminal proceedings noted below, brought against a participant and/or covered spouse.

Exclusions: violations (penal, traffic or other) and all additional costs, such as bail, fines and penalties.

Coverage is 50% of legal fees, up the maximum amounts noted below:

(a) Defense of driving while intoxicated or while ability impaired, including representation before the Motor Vehicle Bureau:

(1) Arraignment, appearance, bail hearing, plea negotiation and disposition \$400.00

(2) Trial \$250.00

(b) Defense of Misdemeanors:

(1) Pre-Trial \$400.00

(2) Trial \$250.00

**Maximum
Benefit
Payment**

(c) Defense of Felonies..... \$1,000.00

7. Deeds

Covers the legal fee for the preparation and execution of a deed transferring, without consideration, the Participant's primary residence.

Coverage per matter \$300.00

8. Family Court Proceedings

Covers the fee for any of the following proceedings brought by or against the participant and/or spouse. Proceedings limited to: support, custody, visitation, paternity, neglect and family offenses (including but not limited to orders of protection and/or assault).

Coverage per matter \$1,000.00

9. Guardian for an Adult

Covers an attorney's fee for preparation and filing of papers in connection with an application and/or appointment of a guardian for an intellectually and/or developmentally disabled individual, as well as, an individual who has suffered a traumatic head injury who cannot manage his/her affairs, as defined under NYS Article 17A SCPA.

Coverage per matter \$400.00

10. Health Care Proxy

Covers the legal fee for the preparation and execution of said proxy from the participant, a retired participant and/or their spouses.

Coverage per matter \$75.00

11. Immigration

Limit of one (1) matter per calendar year per participant.

Covers the legal fee for a change in status of the participant and/or eligible spouse or proceeding involving entry into the United States of a covered spouse.

Coverage per matter \$1,000.00

12. Landlord-Tenant Matters

Covers the legal fee for the defense of a residential summary proceeding brought against the tenant-participant and/or covered spouse.

Coverage is as follows:

- (a) Landlord-Tenant Court (Defense of Action)
Coverage per matter \$750.00
- (b) Lower Court (District, Civil, City, etc.) suits for rent owed on residential leases.
Coverage per matter: 50% up to \$750.00

13. Living Will

Covers the legal fee for the preparation and execution of said document by the participant, retired participant and/or covered spouse.

Coverage per matter \$75.00

14. Matrimonial Proceedings

Covers the legal fee in any of the actions noted below or proceedings brought by or against the Participant and/or covered spouse.

- (a) Preparation of Separation Agreement..... \$650.00
- (b) Action for Divorce, Separation or Annulment
 - (1) Contested \$2,000.00
 - (2) Uncontested \$750.00
- (c) Support Proceedings \$450.00
- (d) Modification and enforcement proceedings \$2,000.00

Limitation: The Plan will not reimburse fees when there is a recovery of counsel fees from the other party. Applicant for reimbursement must submit bill and final agreement, stipulation and/or other paperwork with claim for counsel fee reimbursement.

15. Mortgages

Covers legal fees expended in connection with the renegotiation of the participant's loan on his/her primary residence.

Coverage per matter \$450.00

16. Power of Attorney

Covers the legal fee for the preparation and execution of said document for the participant, retired participant and/or covered spouses.

Coverage per matter \$100.00

17. Real Estate Transactions

Covers the legal fee for your attorney for the sale or purchase of your primary residence (Single, Two or Three family dwelling).

Coverage per matter:

60% of 1% of the sale or purchase price, up to \$850.00

18. Wills

Covers the legal fee for the preparation and execution of an individual or reciprocal will for participants, retired participants and covered spouse.

Coverage is as follows:

(a) Individual participant only \$125.00

(b) Reciprocal wills (participant and spouse) \$200.00

19. Filing Fees & Expenses

Limited to one (1) proceeding per calendar year per Participant.

Covers necessary filing fees for legal documents in connection with a pending action or proceeding. Filing fees are only payable for actions and/or proceedings that are eligible for coverage under the Plan.

Exclusion: No benefits are payable if fees are awarded to the covered person by the court or hearing agency.

Coverage per matter..... \$350.00

Plan Exclusions

Along with the exclusions noted on page 8, the Fund will not reimburse for legal expenses incurred in connection with any of the following matters.

1. Matters involving, as an adverse party, the Plan or any employee or agent of the Plan.
2. Matters involving, as an adverse party, Local 1500 or its officers, agents or.. employees.
3. Matters involving any fringe benefit program or plan or the Trustees, administrators or employees thereof, in which Local 1500 participates or has an interest.
4. Matters involving any contributing employer who is a party to a collective bargaining agreement and/or written agreement with Local 1500 or the Fund or any matter arising out of a participant's employment with said contributing employer.

5. Pending cases where counsel has already been retained at the time a participant or dependent becomes eligible to receive services under the Plan.
6. Any matter relating to proprietorships, partnerships, corporations or any business venture of any Participant or any other legal services, which are not personal legal services within the meaning of Section 120 of the Internal Revenue Code, as amended.
7. Matters relating to the preparation or filing of income tax returns and all patent, copyright and/or trademark matters.
8. Any class action, intervention or amicus curiae filings, or any legal services where the attorney is customarily paid by contingent fee or where the fee is provided pursuant to a statute or from a fund, or where the Participant's attorney's fee is paid or payable by a third party other than the Participant.
9. Any service not directly performed by an attorney or any service performed by a paralegal or legal assistant not under the direct supervision of a licensed attorney.
10. Any action, proceeding, or dispute where the participant or covered person is entitled to legal representation or reimbursement for the costs of legal representation from any other source.
11. Any action, controversy or proceeding that does not relate to the Participant or his/her dependents and does not concern the personal affairs of the participant or his/her dependents.

Anything not specifically covered under the "Schedule of Benefits" section shall be deemed to be excluded from the Plan coverage

Reimbursement Rules

1. No payment will be made for fines, penalties or any other amounts which the participant and/or spouse has been charged in a judgment, or for any payments in the nature of a tax as, for example, on the transfer of property.
2. The maximum reimbursement for all covered legal expenses is \$3,000 per calendar year for a participant and his/her covered spouse.
3. Only one benefit is payable for covered legal expenses incurred in a matter involving both a participant and his/her covered spouse. This rule applies even if both are covered as a participant in the Fund due to covered employment with a contributing employer. There is no duplication of benefits. Coverage includes the participant and spouse. However, no more than one benefit is payable for a single service.

Claim & Appeal Rules

1. Reimbursement for legal costs eligible for coverage under the Plan requires a covered individual to submit a signed, dated attorney's bill (on the attorney's stationery) indicating the nature of the services rendered, the fee charged and

all necessary supporting documents.

2. An application/claim for submitting your reimbursement is available, upon request, at the Local 1500 Legal Services Trust Fund office. You may call (516) 214-1310 and request the application/claim form be sent to you or you may write the Fund at 425 Merrick Avenue, Westbury, NY 11590.
3. All claims must be submitted within one (1) year from the date of the first attorney's bill related to the matter or within one (1) year from the completion of the matter, whichever is later. Claims submitted after this date will be denied as an untimely filing.
4. If your request for reimbursement is denied, in whole or part, you will be notified, in writing, of the denial and the reason for the denial. You may appeal the denial, in writing, to the Board of Trustees of the UFCW Local 1500 Legal Services Trust Fund at 425 Merrick Avenue, Westbury, NY 11590. All appeals must be filed within 60 days of the denial of benefits. You may submit written comments, documents, records and other information that you believe support your position on appeal and that are pertinent to your application for benefits.
5. You may request, in writing, copies of all documents, records and other information relevant to your application. If requested, the Fund will provide these documents to you free of charge.

You can find additional information regarding the Fund's claim and appeal procedures on page 17.

Plan Interpretations & Determinations

Notwithstanding any other provisions of this Plan, the Board of Trustees is responsible for interpreting the Plan and for making determinations under the Plan. In order to carry out this responsibility, the Trustees shall have exclusive authority and discretion:

- To determine whether an individual is eligible for any benefits under the Plan;
- To determine the amount of benefits, if any, an individual is entitled to from the Plan;
- To determine or find facts relevant to any claim for benefits from the Plan;
- To interpret all of the Plan's provisions;
- To interpret all of the provisions of the Summary Plan Description;
- To interpret the provision of any collective bargaining agreement or written participation agreement which refer or relates to the Plan;
- To interpret the provisions of the Trust Agreement governing the operation of the Plan;
- To interpret all of the provisions of any other document or instrument which refers or relates to the Plan;
- To interpret all of the terms used in this Plan and all of the other previously mentioned agreements, documents and instruments and;

- To amend, modify, or discontinue all or part of the Plan whenever, in their sole and absolute discretion, conditions so warrant.

All such determinations and interpretations made by the Trustees:

- Shall be final and binding upon any individual claiming benefits under the Plan and upon all employees, all employers, the Union, and any party who has executed any agreement with the UFCW Local 1500 Legal Services Trust Fund, its Trustees or the Union;
- Shall be given deference in all courts of law to the greatest extent allowed by applicable law; and
- Shall not be overturned or set aside by any court of law unless the court finds that the Trustees, or their designee, acted in an arbitrary and/or capricious manner.

Incompetence

If the Trustees determine that a person entitled to benefits from the Plan is unable to care for his/her affairs because of illness, accident, or incapacity (either physical or mental), payment which would otherwise be made to that person shall be made to that person's duly appointed legal representative. In the event no legal representative shall have been appointed, such payment shall, in the discretion of the Trustees, be made to that person's spouse, child or such person who shall have care and custody of that person.

Cooperation

Every claimant will furnish to the Trustees all such information, in writing, as may be reasonably requested by them for the purpose of establishing, maintaining and administering the Plan. Failure on the part of the claimant to comply with such requests promptly and in good faith will be sufficient grounds for denying and/or delaying payments of benefits. The Trustees will be sole judges of the standard of proof required in any case, and they may, from time to time, adopt such formulas, methods and procedures as they consider advisable.

Mailing Address of Claimant

If a claimant fails to inform the Trustees of a change of address and the Trustees are unable to communicate with the claimant at the address last recorded by the Trustees and a letter sent by first class mail to such claimant is returned, any payments due the claimant will be held without interest until payment can be successfully made. Be sure to inform the Trustees immediately of any change of address.

Recovery of Payment

The Trustees have the right to recover any overpayment or payment made in error to you or any benefit payments made in reliance on any false or fraudulent statement, information or proof submitted. Such a recovery may be made by reducing other benefit payments made to you or on your behalf, by commencing a legal action or by such other methods as the Trustees, in their sole and absolute discretion, determine to be appropriate.

PART B

ERISA INFORMATION

ERISA Plan Information

- 1. Plan Name**
UFCW Local 1500 Legal Services Plan.
- 2. Edition Date**
This Summary Plan Description is produced as of August 1, 2019.
- 3. Plan Sponsor**
Board of Trustees of the UFCW Local 1500 Legal Services Trust Fund.
- 4. Plan Sponsor's Employer Identification Number (EIN)**
11-2531776.
- 5. Plan Number**
501(9).
- 6. Type of Plan**
Employee pre-paid legal services plan.
- 7. Plan Year**
The Plan year is January 1 – December 31.
- 8. Plan Administrator**
Board of Trustees of the UFCW Local 1500 Legal Services Trust Fund.
- 9. Agent for the Service of Legal Process**
The Board of Trustees is the agent for the legal service of process. Service may be made at the Fund's office at 425 Merrick Avenue, Westbury, NY 11590, or at the Trustees' address listed in this Summary Plan Description.
- 10. Type of Plan Administration**
The Plan is administered by a Joint Board of Trustees consisting of Union and contributing employer representatives. They can be contacted at the Fund Office.
- 11. Type of Funding**
Self-funded reimbursement of legal fees.
- 12. Sources of Contributions to the Fund**
Employers required to contribute to the Legal Services Trust Fund pursuant to and in accordance with the terms of collective bargaining agreements and/or written agreements with the UFCW Local 1500. A copy of these agreements may be obtained upon written request to the Plan Administrator at the Fund Office and are also available by you at the Fund Office.

13. Participating Employers

You may request, in writing from the Plan Administrator, information as to whether a particular employer is a contributing employer to the Fund, inclusive of address information.

14. Eligibility Requirements, Benefits and Termination Provisions

See Part A of this Summary Plan Description

15. How to File a Claim

Application for all benefits must be made, in writing, on forms that are obtained from the Fund Office. You may secure these forms by writing, telephoning or visiting (during the hours of 8:30 a.m. to 4:30 p.m. on regular business days) the Fund Office. The address is: 425 Merrick Avenue, Westbury, NY 11590; (516) 214-1310. No benefit payments will be made prior to the receipt by the Fund of a fully executed application.

16. Review of Claim Denial

If a claim is denied, in whole or part, you will be notified. If you submitted a claim and you have not received a response within ninety (90) days, you may assume that the claim has been denied. If a denial takes place, you are entitled to appeal the decision by writing to the Trustees at the Fund Office. All appeals must be made within 60 days of the date of the denial. You and/or your representative may review the pertinent records and documents and you and/or your representative may attend the review hearings. After the review, you will be notified, in writing, of the Trustees' determination of the appeal.

More specific information regarding this procedure may be obtained from the Plan Administrator.

ERISA Rights and Protections

As a Participant in the Plan, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974, as amended ("ERISA").

Receive Information About Your Plan and Benefits

ERISA provides that all Plan Participant will be entitled to:

- A. Examine, without charge, at the Plan Administrator's office, all Plan documents, including insurance contracts, collective bargaining agreements and copies of all documents filed by the Plan with the United States Department of Labor, such as detailed annual reports and Plan descriptions;
- B. Obtain copies of all Plan documents and other Plan information, upon written request, to the Plan Administrator. The Plan Administrator may make a reasonable charge for the copies;
- C. Receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each Participant with a copy of this Summary Annual Report.

Prudent Actions by Plan Fiduciaries

In addition to creating rights for Plan participants, ERISA imposes duties upon the people who are responsible for the operation of the Plan. The people who operate your plan, called “fiduciaries” of the Plan, have a duty to do so prudently and in the interest of you and other Plan participants and beneficiaries. No one, including your employer, your union, or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit or exercising your rights under ERISA.

Enforce Your Rights

If your claim for a benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time limits.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of Plan documents or the latest annual report from the Plan and do not receive them within 30 days, you may file suit in a Federal court. In such a case, the court may require the Plan Trustees to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Trustees. If you have a claim for benefits, which is denied or ignored, in whole or in part, you may file suit in a state or Federal court. In addition, if you disagree with the Plan’s decision or lack thereof concerning the qualified status of a medical child support order, you may file suit in Federal court. If it should happen that Plan fiduciaries misuse the plan’s money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a Federal court. The court will decide who should pay court costs and legal fees. If you are successful the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

Assistance with Your Questions

If you have any questions about your Plan, you should contact the Fund Office. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Plan, you should contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration. The toll-free telephone number is 1-866-444-EBSA (3272).

Board of Trustees

As of August 1, 2019, the Fund's Board of Trustee are as follows:

Employer Trustees	Union Trustees
Charles J. Farfaglia Fairway Group Holding Corp. 2284 12 th Avenue New York, NY 10027	Robert W. Newell, Jr. UFCW Local 1500 425 Merrick Avenue Westbury, NY 11590
Robert Spinella The Stop & Shop Supermarket Company 287 Bowman Avenue Purchase, NY 10577	Lynn M. Shiels UFCW Local 1500 425 Merrick Avenue Westbury, NY 11590

NOTES

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