

Writer's direct phone  
(310) 201-5221

Writer's e-mail  
tmoskalenko@seyfarth.com

Writer's direct fax  
(310) 282-6921

April 25, 2008

**VIA CERTIFIED MAIL-RETURN RECEIPT REQUESTED  
AND EMAIL**

U.S. Department of Labor  
Employee Benefits Security Administration  
Public Disclosure Room, N-1513  
200 Constitution Avenue, NW.  
Washington, DC 20210

Multiemployer Program Division  
Pension Benefit Guaranty Corporation  
1200 K Street, NW., Suite 930  
Washington, DC 20005

**Re: Notice of Critical Status for the Southern California, Arizona, Colorado and  
Southern Nevada Glaziers, Architectural Metal and Glass Workers Pension  
Trust (EIN 51-6030005)**

To Whom It May Concern:

In accordance with ERISA section 305(b)(3)(D) and Code section 432(b)(3)(D), we are hereby providing you with notice of the critical status of the Southern California, Arizona, Colorado and Southern Nevada Glaziers, Architectural Metal and Glass Workers Pension Trust. Enclosed is a copy of the Plan's Notice of Critical Status.

If you have any questions or need any further information, please contact me at the above number or Mitchel Whitehead at (310) 277-7200.

Sincerely,

SEYFARTH SHAW LLP



Tanya Moskalenko

Enclosure

cc: Trustees (w/enclosure)  
Robert Rideout, PBGC (w/enclosure)  
John Foster, PBGC (w/enclosure)  
Lawrence E. Isaacs, IRS (w/enclosure)  
Cary Franklin, Horizon (w/enclosure)  
Beth McGoldrick, Horizon (w/enclosure)  
Doug Waite, Miller Kaplan (w/enclosure)  
Jeffrey L. Cutler, Esq. (w/enclosure)  
Mitchel D. Whitehead, Esq. (w/enclosure)

**Notice of Critical Status**  
**For**  
**Southern California, Arizona, Colorado and Southern Nevada Glaziers, Architectural  
Metal and Glass Workers Pension Trust**

As you have been informed in prior notices, the Plan is in severe financial distress and it is anticipated that the Plan will run out of assets some time in 2009. Accordingly, we expect that your benefit will be reduced beginning January 2009 to the monthly amount guaranteed by the Pension Benefit Guarantee Corporation (PBGC). The PBGC is the Federal agency that guarantees that at least some portion of your pension benefit will be paid. In the next few months, you will receive an estimate of what your monthly benefits for 2009 will be.

This notice is to inform you that on March 28, 2008 the Plan actuary certified to the U.S. Department of the Treasury, and also to the Plan sponsor, that the Plan is in critical status for the Plan year beginning January 1, 2008. Federal law requires that you receive this notice.

**Critical Status**

The Plan is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the Plan's actuary determined that the Plan has an accumulated funding deficiency for the current Plan year and the Plan is expected to exhaust its assets in 2009.

**Rehabilitation Plan and Reduction in Benefits**

Federal law generally requires pension plans in critical status to adopt a rehabilitation plan to address the Plan's financial distress. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" (defined below) as part of a rehabilitation plan. If the trustees of the Plan determine that benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions. Any reduction of adjustable benefits may only apply to participants and beneficiaries whose benefit commencement date is on or after April 26, 2008.

Please note, however, that the Plan will run out of assets regardless of any additional actions that can be taken to postpone its insolvency. Accordingly, any rehabilitation plan adopted is not expected to have any real impact on the Plan's ability to pay benefits or its upcoming insolvency. As the Plan's insolvency approaches, we will continue to provide you with additional status reports and information about how your benefits will be impacted. In addition, we have been in communication with the PBGC regarding the Plan's financial condition, and are doing all we can to make sure that the PBGC steps in to provide the federally guaranteed benefits when the Plan does go insolvent.

### **Adjustable Benefits**

The Plan offers the following adjustable benefits which may be reduced or eliminated as part of any rehabilitation plan the Plan may adopt:

- Sixty-month payment guarantees;
- Early retirement benefit or retirement-type subsidy; and
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA).

### **Employer Surcharge**

The law requires that all contributing employers pay to the Plan a surcharge contribution to help address the Plan's financial distress. The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the Plan under the applicable collective bargaining agreement. A 5% surcharge is applicable in the initial critical year and a 10% surcharge is applicable for each succeeding Plan year thereafter in which the Plan is in critical status.

Contributing employers are hereby notified that the 5% surcharge is effective beginning with contributions due on or after May 26, 2008. The 5% surcharge is due and payable on the same schedule as the contributions on which the surcharges are based. Any failure to make a surcharge payment timely shall be treated as a delinquent contribution, and fees and interest may apply. As required by law, the amount of any surcharges required due to the Plan's critical status will not be used as the basis for any benefit accruals under the Plan.

### **Where to Get More Information**

For more information about this Notice, you may contact Robert Glaza at (626) 279-3001, 4399 Santa Anita Avenue, Suite 205, El Monte, CA 91731. You have a right to receive a copy of any rehabilitation plan from the Plan.