

Pension Benefit Guaranty Corporation

75-103

November 25, 1975

REFERENCE:

[*1] 4021. Plans Covered
4041(g) Termination by Plan Administrator. Appointment of Trustee
4042 Termination by PBGC

OPINION:

This is in response to your letter of November 7, 1975.

As you have noted, we have determined that the * * * is not a plan covered by § 4021 of the Employee Retirement Income Security Act of 1974 (the "Act"). Accordingly, we are of the opinion that the United States District Court has no jurisdiction over the plan and its property under Sections 4041 (g) and 4042 of the Act. We are not aware of any other provisions of the Act which grant a United States District Court the power to appoint a trustee of a plan under Sections 4041(g) and 4042.

We hope this is of assistance.

Henry Rose
General Counsel