

## **SUMMARY OF MATERIAL MODIFICATIONS**

### **Changes in the Hardship Distribution Rules**

Due to recent legislative and regulatory changes, we have amended the Plan's rules relating to Hardship distributions. These changes may affect your ability to receive Hardship distributions under the Plan. This Summary of Material Modification ("SMM") describes the recent Plan amendment and how the amendment may affect you. This SMM overrides any inconsistent information included in the Plan's Summary Plan Description (SPD) or other Plan forms.

#### **EARNINGS ON ACCOUNTS AVAILABLE FOR HARDSHIP DISTRIBUTIONS**

Effective for Plan Years beginning after December 31, 2018, your Hardship distribution will include earnings on the following Accounts:

- All Accounts eligible for Hardship distributions.

#### **NEED TO OBTAIN ALL AVAILABLE LOANS**

Effective for Plan Years beginning after December 31, 2018, if you request a Hardship distribution from any of the Accounts eligible for Hardship distributions, you are not required to first obtain all nontaxable loans available under the Plan and all other plans maintained by the Company.

#### **SUSPENSION OF ABILITY TO MAKE SALARY DEFERRALS**

If you take a Hardship distribution on or after January 1, 2020, you will not be suspended from making Salary Deferrals (or After-Tax Employee Contributions, if applicable) for any period of time after the receipt of the Hardship distribution.

#### **HARDSHIP DISTRIBUTION EVENTS**

To receive a distribution on account of Hardship, you must demonstrate one of the following Hardship events.

- (1) You need the distribution to pay unpaid medical expenses for yourself, your spouse or any dependent.
- (2) You need the distribution to pay for the purchase of your principal residence. You must use the Hardship distribution for the *purchase* of your principal residence. You may not receive a Hardship distribution solely to make mortgage payments.
- (3) You need the distribution to pay tuition and related educational fees (including room and board) for the post-secondary education of yourself, your spouse, your children, or other dependent. You may take a Hardship distribution to cover up to 12 months of tuition and related fees.
- (4) You need the distribution to prevent your eviction or to prevent foreclosure on your mortgage. The eviction or foreclosure must be related to your principal residence.
- (5) You need the distribution to pay funeral or burial expenses for your deceased parent, spouse, child or dependent.
- (6) You need the distribution to pay expenses to repair damage to your principal residence (provided the expenses would qualify for a casualty loss deduction on your tax return, without regard to 10% adjusted gross income limit).
- (7) You need the distribution to pay expenses and losses (including loss of income) incurred due to federally-declared disaster. Your principal residence or principal place of employment at the time of the disaster must be located in the federally-declared disaster area.

See the Plan Administrator for more information on whether you qualify for a Hardship distribution under any of these events.

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## **FINANCIAL REPRESENTATION**

To receive a Hardship distribution, you must represent, in writing, that you have insufficient cash or other liquid assets to satisfy your financial need.

## **ADDITIONAL INFORMATION**

If you have any questions about the information described in this SMM or about the Plan in general, you may contact the Plan Administrator.