

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

R. ALEXANDER ACOSTA, : CIVIL ACTION
SECRETARY OF LABOR, UNITED :
STATES DEPARTMENT OF LABOR :
 :
 :
v. :
 :
 :
JOHN J. KORESKO, V, et al. : NO. 09-988

NOTICE TO PLAN SPONSORS
OF PLAN SPECIFIC ACCOUNTING
FOR DISTRIBUTION OF TRUST ASSETS

ELIZABETH T. HEY, U.S.M.J.

June 9, 2017

This Notice has been mailed to the Plan Sponsors of all Plans that are “Open” for purposes of the Unified Model for Equitable Distribution that has been adopted by the Court, and is issued in connection with the second phase of the distribution process announced in the September 12, 2016 Order on Distribution Timeline and Initial Notice to Plans.¹ You should read this Notice carefully in its entirety.

On Monday, June 12, 2017, Marcum LLP, the court-appointed forensic accountant, will send via email two documents to you as the Plan Sponsor of an Open Plan.² The first document is an Explanation of Distribution of Account Statements, which contains a brief explanation of the Unified Model for Equitable Distribution, and more detailed explanations of the Plan Sponsor Statement and the Policy Purchase Option.

The second document is a Plan Sponsor Statement. This document is Plan-specific, and contains a summary of the assets and liabilities subject to distribution, a summary of the assets and liabilities of each Plan, the calculations of the value of each

¹This Notice and other relevant orders and documents, including a complete description of the Unified Model for Equitable Distribution, are posted to the “Perez v. Koresko” page of the Court’s website, www.paed.uscourts.gov.

²If you as Plan Sponsor do not receive an email from Marcum, you may email Marcum at KoreskoPlan@MarcumLLP.com to provide your preferred email address.

Plan under the Unified Model and its associated insurance policies, the transaction record for each Plan, and instructions for electing the Plan's distribution (cash and/or policies). The amounts shown in the statements are estimates only and will change when the actual distribution occurs.

If you, as Plan Sponsor, object to the Plan Sponsor Statement in any respect, you must submit a written objection. If you do not do so, your objection is waived and the Plan's distribution will be made based on the Plan Sponsor Statement. All objections must be **mailed and postmarked no later than June 26, 2017**, including copies of any evidence supporting the objection, to the following address:

Clerk's Office – United States District Court
James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106
Attn: Koresko Plan Sponsors

You may not submit objections via email.

The Court will hold a series of hearings on July 10, 11, and 12, 2017, to address objections, and Plan Sponsors may be required to be present. Each objecting Plan Sponsor will be contacted if their presence is required.

You, as the Plan Sponsor, must complete the Plan Sponsor Declaration/Distribution Request Form, which is attached to your Plan Sponsor Statement, and **return it by June 26, 2017, to Marcum via email or U.S. Mail postmarked no later than June 26, 2017**, at the address contained in the form. As explained in Marcum's Explanation of Distribution of Account Statements, each plan has the option of purchasing the insurance policy/policies related to its plan. Therefore, you must complete the Declaration/Distribution Request Form to indicate what form your Plan's distribution should take – cash distribution, policy distribution, or some combination. The Court will attempt to honor each Plan's request to purchase its policy(ies), but cannot guarantee that all such requests can be honored. If any payment is due to purchase the policy(ies) related to your Plan, such payment must be made by October 11, 2017.

BY THE COURT:

/s/ Elizabeth T. Hey

ELIZABETH T. HEY, U.S.M.J.