

SUMMARY OF MATERIAL MODIFICATIONS

TO

Company 401(k) Plan

SUMMARY PLAN DESCRIPTION

The Summary Plan Description of your company 401(k) Plan has been modified to add the following regarding involuntary cash outs:

The question, **“May I roll benefits into an IRA or another plan instead of having them paid directly to me?”** has been changed as follows:

If your distribution is an “eligible rollover distribution,” you may either have them paid directly to you or you may have them directly rolled over to another qualified plan or your IRA.

The Plan has been amended to require a distribution of your Vested Account Balance in the Plan after you terminate employment, if your balance is not more than \$5,000. Your prior consent to this distribution is *not* required. This is commonly referred to as an “involuntary cash out” provision.

If you do not provide us with written instructions indicating how you want this distribution to be handled, the law requires that the Plan directly transfer your Vested Account Balance to an individual retirement plan of a designated trustee or issuer. This is commonly referred to as an “automatic rollover” provision.

The automatic rollover provisions of this section will apply only to amounts over \$1,000, but not over \$5,000. If the amount is under \$1,000, unless you instruct us in writing to rollover such amount to either an IRA or another qualified retirement plan of your choice, you will receive a check representing your Vested Account Balance less the applicable 20% Federal income tax withholding.

At the appropriate time after you terminate employment, we will send you a distribution form for you to make an election as to how you would like your benefits paid. If you do not complete and return this form to us within a reasonable period of time, the Plan Administrator will proceed with an automatic rollover, as applicable, to the individual retirement plan. The Plan Administrator will send all information relating to any IRA established on your behalf to your last known mailing address. Should you not wish this automatic rollover to occur, it is imperative that you respond to all communications from the Plan Administrator regarding the disposition of your Plan Account.

The question **“How long can I keep my vested account balance in the Plan without having to make a withdrawal?”** is changed to read as follows:

Generally, you do not have to take a withdrawal until your “Required Beginning Date”, even if you have terminated employment. If you have terminated employment, your “Required Beginning Date” is the April 1st of the calendar year following the calendar year in which you attain age 70½. Also see the above question, **“May I roll my benefits into an IRA or into another plan instead of having them paid directly to me?”** and your Plan Administrator for more details.

NOTICE REGARDING AUTOMATIC ROLLOVER

This Notice is being provided to you regarding a new provision in the law. As the Summary of Material Modifications, previously provided to you explained, you have several choices with respect to the distribution you are receiving. You may either elect to take the distribution and include it in income or have the distribution rolled over to either a qualified retirement plan or an Individual Retirement Account (“IRA”). This additional Notice is being provided to you regarding a new provision in the law. If you do not elect either of these options, the Plan is required to make a direct rollover of your distribution to an IRA. You have thirty (30) days after receipt of this Notice to advise the Plan Administrator of your election. Under the law if you fail to notify the Plan Administrator we will roll over your Vested Account Balance into an IRA. The Plan Sponsor has the authority to execute the documents necessary to establish this account, using your most recent mailing address. Once established the Trustee/Issuer of the IRA will provide a Disclosure Statement to you, which will detail the terms and conditions as well as any fees imposed on the Account. It will also contain the procedures regarding the seven-day revocation period.

The Plan has selected the following Trustee/Issuer:

Name: _____

You will have the right to transfer your IRA to any other IRA provider, once the IRA has been established.

It is important that you respond to any correspondence received from the Plan Administrator and advise them of any change of address. Should you have any questions, please contact the Plan Administrator.

The Initial IRA setup fee shall be: _____.

The Initial IRA setup fee shall be paid by: The Participant's vested benefits.

The IRA Provider's annual fee shall be: _____.

The IRA funds shall be invested in _____.

For inquiries regarding the automatic rollover process, Participants can contact:

Name: D. Boyd Wagstaff

Address:
433 S. 400 East
Salt Lake City, Utah 84111

Phone No.: 801-595-1100