**Warehouse Employees Union Local No. 730
and Contributing Companies' Prepaid
Legal Services Fund**

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MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE WAREHOUSE EMPLOYEES UNION LOCAL NO. 730 & CONTRIBUTING COMPANIES' PREPAID LEGAL SERVICES FUND MAY 2, 2013 LANDOVER, MARYLAND

The following Trustees were present:

UNION TRUSTEES
R. Brooks
R. Jackson
T. Richardson – Alternate

EMPLOYER TRUSTEES
M. Bull – Secretary
L. Johnson
J. Paradis

Also present were:

A. Cochran – Associated Administrators, LLC
M. DeLancey – Dickstein Shapiro, LLP
L. DuVall – Associated Administrators, LLC
R. Sichel – Investment Performance Services, LLC
S. Sindler – Law Offices of Steven Sindler

I. CALL TO ORDER

A quorum being present, the meeting was called to order.

II. MINUTES

The Trustees reviewed the minutes of the last regular meeting held January 25, 2013.

On MOTION made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED that the minutes of the last regular meeting held on January 25, 2013 were approved as presented.

III. FINANCIAL REPORT

The Trustees welcomed Mr. Rich Sichel of Investment Performance Services (IPS) to the meeting.

A. PNC Bank, NA

Ms. Cochran distributed the Summary of Activity report from PNC Bank for the period January 1, 2013 through March 31, 2013. Such report indicated a beginning market value of $814,961, receipts of $31,305, disbursements of $30,055, and an investment return of $3,175, producing an ending market value of $819,386.

B. Investment Performance Services

Mr. Sichel reviewed his report titled, "Investment Performance Analysis – March 31, 2013," beginning with IPS' market commentary. Mr. Sichel noted the asset allocation as follows: 92.3% in domestic fixed income and 7.7% in cash and equivalents. The Atlanta Capital Bond Fund held $756,491 in investments. The PNC Prime Money Market held $62,895.

The Trustees thanked Mr. Sichel for his report and he was excused from the meeting.

IV. COUNSEL REPORT

Ms. Cochran reported that Mr. DeLancey's rate increase effective January 1, 2013 was approved by the Trustees as interim action.

Mr. DeLancey said there were no other legal matters pending before the Board of Trustees at this time.

V. ADMINISTRATIVE MANAGER'S REPORT

Ms. Cochran presented the Administrative Manager's Report for the fourth quarter 2012. Such report showed employer contributions of $30,068, miscellaneous income of $315 and interest and dividend income of $4,510, producing a total income of $34,893 for the quarter. Benefit expenses were $44,166 and operating expenses were $13,936, producing a total expense of $58,102, resulting in a net deficit of $23,209 for the quarter. Ms. Cochran noted that contributions were made on behalf of 896 participants.

VI. INVOICES

Ms. Cochran presented a list of invoices dated May 2, 2013 for Trustee review. It was noted that there were no deletions or changes to the list.

On MOTION made and seconded, the Trustees voted unanimous approval of the following resolution:

> **RESOLVED that the list of invoices dated May 2, 2013 be approved for payment as presented.**

VII. PROVIDER REPORT

The Trustees welcomed Mr. Steven Sindler, of the Law Offices of Steven M. Sindler, to the meeting.

Mr. Sindler presented his report titled, "Annual Report – For the Reporting Period January 1, 2012 to December 31, 2012." He reviewed the quarterly and total annual utilization for each benefit category, including the new case count, hours, and charges. There were 270 new cases in the 2012 plan year, with 1,341.84 attorney hours, resulting in benefit payments totaling $107,347.

The Trustees thanked Mr. Sindler for his report and he was excused from the meeting.

VIII. OTHER FUND BUSINESS

A. Payroll Audit Status Update

Ms. Cochran reviewed the Payroll Audit Status Report as supplied by Calibre CPA Group, PLLC.

1. Giant Warehouse and Recycling Random Audit

The Bargaining Parties advised the Trustees that a Memorandum of Agreement (MOA) had been made regarding the findings of the random audit cycle related to the issue of truncating hours for the period January 2009 – December 2011. The bargaining parties distributed the MOA between Giant Food LLC Recycling Warehouse and Giant Food LLC, ("Company") and the Warehouse Employees Union, Teamsters Local No. 730, ("Union") effective January 1, 2013. The Bargaining Parties agreed to base contribution payments effective January 1, 2013 to the Fund upon the full and actual hours worked by an employee without truncating or rounding down hours actually worked.

After discussion, the Trustees voted by majority with Trustee Paradis abstaining approval of the following resolution:

> **RESOLVED that the MOA presented by the Bargaining Parties, effective January 1, 2013 between Giant Food LLC Recycling Warehouse and Giant Food LLC and the Warehouse Employees Union, Teamsters Local No. 730 is accepted as presented.**

2. Giant Vacation Relief Review

Ms. Cochran reported that after Calibre reviewed the payroll records provided by Giant, Calibre had in fact received the 2005 records. The records were mislabeled. Calibre reviewed the 2005 data provided in a timely fashion by Giant and found no reportable issues.

Ms. Cochran reported that Giant had agreed to pay the findings of the self audit totaling $1,971.63 to the Legal Fund. Ms. Cochran received confirmation from Giant that a check was in transit to the Fund Office.

B. Form 990, Form 5500, and 2012 Annual Audit

Ms. Cochran reported that Calibre had requested an extension to file the Form 990 and Form 5500 for the 2012 Plan year. Ms. Cochran stated Calibre sent an electronic mail requesting the extension due to the late scheduling of the 2012 annual audit and in order to have the Forms properly reviewed by the different levels of management.

On MOTION made and seconded, the Trustees voted unanimous approval of the following resolution:

> **RESOLVED to approve Calibre's request to file an extension for the Form 990 and Form 5500 on behalf of the Fund for the 2012 Plan Year.**

C. Trustee Expense Report

Ms. Cochran reviewed the 2012 Trustee Expense Report, a copy of which was contained in the meeting booklet.

D. *For Your Benefit* Newsletter

Ms. Cochran noted that the Fund Office mailed the January 2013 *For Your Benefit* newsletter to participants.

IX. NEXT MEETING DATE AND LOCATION

After discussion, the Trustees selected August 29, 2013 as their next regular meeting in Landover, Maryland.

X. ADJOURNMENT

There being no additional business to come before the Trustees, the meeting was adjourned.

Respectfully submitted,

Michael Bull
Secretary