

LEGAL FUND MEETING

UFCW & FELRA LEGAL FUND

AGENDA

DECEMBER 20, 2012

- I. CALL TO ORDER**
 - A. TRUSTEE APPOINTMENTS**
- II. MINUTES (pg. 1 – 3)**
 - A. REGULAR MEETING- JULY 18, 2012**
- III. FINANCIAL REPORT - PNC BANK**
- IV. ATTORNEY'S REPORT**
- V. ADMINISTRATIVE MANAGER'S REPORT - 2Q12 & 3Q12 (pg. 4 - 31)**
- VI. INVOICES (pg. 32)**
- VII. OTHER FUND BUSINESS (pg. 33)**
 - A. 2013 CONTRIBUTION RATE**
 - B. MISCELLANEOUS CORRESPONDENCE**
- VIII. NEXT MEETING DATES AND LOCATION**
- IX. ADJOURNMENT**

MINUTES

**United Food and Commercial Workers
and Food Employers Labor Relations Association
Legal Benefits Fund**

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*A Program of the
FELRA and UFCW
Health & Welfare
Fund*

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**MINUTES OF THE MEETING OF THE
COMMITTEE MEMBERS
OF THE UFCW & FELRA LEGAL BENEFITS FUND
HELD ON JULY 18, 2012
IN LANDOVER, MARYLAND**

The following Committee Members were present:

Union Committee Members

T. McNutt - Secretary
T. Goins

Employer Committee Members

D. Gillis - Chairman
F. Stegman
D. White

Also present were:

M. Boyle -- UFCW Local 400
H. Burton - Fund Co-Counsel
M. Federici -- UFCW 400
S. Goodman -- Slevin & Hart, P.C.
T. Hipkins -- UFCW Local 27
W. Jensen - Associated Administrators, LLC
I. Kress -- Ahold, USA
L. Madert -- Safeway, Inc.
E. Masten -- UFCW Local 27
J. Paradis -- Ahold, USA
B. Slevin - Fund Co-Counsel
L. Walsh -- Associated Administrators, LLC

I. CALL TO ORDER

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

A. Removal of Committee Member

Mr. Jensen reported that he had received correspondence from UFCW Local 400 notifying his office that as of July 18, 2012, Christian Sauter was removed as a Committee Member.

B. Proxy

Mr. Jensen reported that Ms. Harrison's proxy was given to Mr. Goins to act in all matters coming before the Committee Members.

II. MINUTES

The Committee Members reviewed the minutes of the meetings held on November 30, 2011 and April 5, 2012, which had been previously circulated.

On Motion made and seconded the Committee Members voted unanimous approval of the following resolution:

RESOLVED that the minutes of the meetings held on November 30, 2011 and April 5, 2012 were approved as presented.

III. FINANCIAL REPORT

The Committee Members welcomed Mr. Michael Herwig of PNC Bank to the meeting. He presented a Summary of Activity report for the period January 1, 2012 through June 30, 2012. Such report indicated a beginning market balance of \$566,176, earnings of \$165, receipts of \$2,386,578, and disbursements of \$2,303,701, producing an ending balance of \$649,218 at June 30, 2012.

The Committee thanked Mr. Herwig for his report and he was excused from the meeting.

IV. ATTORNEY REPORT

Mr. Burton and Ms. Goodman advised that they had nothing to report.

V. ADMINISTRATIVE MANAGER'S REPORT

Mr. Jensen presented the Administrative Manager's Report for the first quarter of 2012. Such report indicated employer contribution income of \$1,190,914 and interest and dividend income of \$38, producing a total income of \$1,190,952. Expenses totaled \$1,158,453, producing a net surplus of \$32,499 for the quarter. Mr. Jensen noted contributions were made on behalf of 18,861 plan participants.

VI. INVOICES

Mr. Jensen presented a list of invoices dated July 18, 2012. He noted there were no additions, deletions or changes to the list.

On Motion made and seconded, the Committee Members voted unanimous approval of the following resolution:

RESOLVED that the invoices on the list dated July 18, 2012 are recommended for approval as presented.

VII. OTHER FUND BUSINESS

Mr. Jensen reported that the legal service Amendment No. 4 to the Akman & Associates agreement and Amendment No. 3 to the Robert A. Ades Associates agreement had been executed between meetings.

VIII. ADJOURNMENT

There being no further business to come before the Committee Members, the meeting was adjourned.

Respectfully Submitted,

Thomas McNutt, Secretary

ADMINISTRATIVE MANAGER'S REPORT

**UFCW AND FELRA
LEGAL BENEFIT FUND
SECOND QUARTER 2012**

ADMINISTRATIVE MANAGER'S REPORT

FULL TIME
SECOND QUARTER 2012
CONTRIBUTIONS

<u>COMPANY</u>	<u>RATE</u>	<u>PARTICIPANTS</u>	<u>CONTRIBUTIONS</u>
LOCAL 400			
GIANT ¹	\$21.06	2,930	\$185,138
GIANT	11.81	13	461
FRESH & GREEN	21.06	12	737
LOCAL 400 STAFF	21.06	3	189
SAFEWAY ¹	21.06	2,016	127,392
SUBTOTAL		4,974	\$313,917

LOCAL 27			
GIANT ¹	\$21.06	1,187	\$74,995
METRO/BASICS	21.06	310	19,565
SAFEWAY ¹	21.06	713	45,026
SAFEWAY DELAWARE	21.06	77	4,845
SUBTOTAL		2,287	\$144,431

TOTAL		7,261	\$458,348
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AVERAGE MONTHLY CONTRIBUTION \$21.04

¹INCLUDES ADJUSTMENTS FOR PRIOR MONTHS

FULL TIME
SECOND QUARTER 2012
EXPENSES

PROVIDERS

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADES & ASSOCIATES	\$287,536		\$19.269		63.77%
AKMAN & ASSOCIATES	134,122		19.548		29.75%
SUBTOTAL	\$421,658		\$19.357		93.52%

OPERATING EXPENSES

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADMINISTRATION	\$27,224		\$1.250		6.04%
CONFERENCE	1,095		0.050		0.24%
LEGAL	613		0.028		0.14%
PNC	32		0.001		0.01%
POSTAGE	84		0.004		0.02%
PRINTING	157		0.007		0.03%
SUBTOTAL	\$29,205		\$1.340		6.48%
TOTAL	\$450,863		\$20.697		100%

FULL TIME
2012
QUARTERLY RECAPS

FIRST 2012 SECOND 2012 THIRD 2012 FOURTH 2012 TOTAL

EMPLOYER CONTRIB	\$455,592	\$458,348	\$0	\$0	\$913,940
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0

TOTAL INCOME	\$455,592	\$458,348	\$0	\$0	\$913,940
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EXPENSES

PROVIDERS	\$428,473	\$421,658	\$0	\$0	\$850,131
OPERATING	27,667	29,205	0	0	56,872

TOTAL EXPENSES	\$456,140	\$450,863	\$0	\$0	\$907,003
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TOTAL INCOME	\$455,592	\$458,348	\$0	\$0	\$913,940
TOTAL EXPENSES	\$456,140	\$450,863	\$0	\$0	\$907,003

SURPLUS (DEFICIT)	(\$548)	\$7,485	\$0	\$0	\$6,937
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AVERAGE INCOME	\$21.04	\$21.04	\$0.00	\$0.00	\$21.04
AVERAGE EXPENSES	\$21.06	\$20.70	\$0.00	\$0.00	\$20.88

SURPLUS (DEFICIT)	(\$0.02)	\$0.34	\$0.00	\$0.00	\$0.16
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TOTAL PARTICIPANTS	7,218	7,251	0	0	7,240
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FULL TIME
2011
QUARTERLY RECAPS

FIRST 2011 SECOND 2011 THIRD 2011 FOURTH 2011 TOTAL

EMPLOYER CONTRIB	\$502,972	\$493,279	\$463,517	\$453,251	\$1,913,019
EMPLOYEE CONTRIB	40	0	0	0	40
MISC. INCOME	0	0	0	0	0

TOTAL INCOME	\$503,012	\$493,279	\$463,517	\$453,251	\$1,913,059
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EXPENSES

PROVIDERS	\$480,168	\$474,490	\$439,262	\$422,793	\$1,816,713
OPERATING	31,157	30,553	28,197	28,768	118,675

TOTAL EXPENSES	\$511,325	\$505,043	\$467,459	\$451,561	\$1,935,388
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TOTAL INCOME	\$503,012	\$493,279	\$463,517	\$453,251	\$1,913,059
TOTAL EXPENSES	\$511,325	\$505,043	\$467,459	\$451,561	\$1,935,388

SURPLUS (DEFICIT)	(\$8,313)	(\$11,764)	(\$3,942)	\$1,690	(\$22,329)
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AVERAGE INCOME	\$20.49	\$20.48	\$20.48	\$20.48	\$20.48
AVERAGE EXPENSES	\$20.82	\$20.97	\$20.66	\$20.40	\$20.71

SURPLUS (DEFICIT)	(\$0.33)	(\$0.49)	(\$0.18)	\$0.08	(\$0.23)
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TOTAL PARTICIPANTS	8,185	8,027	7,543	7,377	7,783
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PART TIME
SECOND QUARTER 2012
CONTRIBUTIONS

<u>COMPANY</u>	<u>RATE</u>	<u>PARTICIPANTS</u>	<u>CONTRIBUTIONS</u>
LOCAL 400			
GIANT	\$21.06	5,252	\$331,821
GIANT	11.81	6	213
FRESH & GREEN	21.06	27	1,707
SAFEWAY ¹	21.06	2,623	165,699

SUBTOTAL		7,908	\$499,440
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LOCAL 27			
GIANT ¹	\$21.06	2,283	\$144,240
METRO/BASICS	21.06	555	35,064
SAFEWAY ¹	21.06	956	60,421
SAFEWAY DELAWARE	21.06	126	7,939
SUPER FRESH	21.06		

SUBTOTAL		3,920	\$247,664
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TOTAL		11,828	\$747,104
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AVERAGE MONTHLY CONTRIBUTION \$21.05

¹INCLUDES ADJUSTMENTS FOR PRIOR MONTHS

PART TIME
SECOND QUARTER 2012
EXPENSES

PROVIDERS

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADES & ASSOCIATES	\$444,801		\$18.749		62.33%
AKMAN & ASSOCIATES	221,240		18.813		31.00%
SUBTOTAL	\$666,041		\$18.770		93.33%

OPERATING EXPENSES

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADMINISTRATION	\$44,353		\$1.250		6.215%
CONFERENCE	1,786		0.050		0.250%
LEGAL	1,001		0.028		0.140%
PNC	52		0.001		0.007%
POSTAGE	138		0.004		0.019%
PRINTING	256		0.007		0.036%
SUBTOTAL	\$47,586		\$1.340		6.67%
TOTAL	\$713,627		\$20.110		100%

PART TIME 2012 QUARTERLY RECAPS

	FIRST 2012	SECOND 2012	THIRD 2012	FOURTH 2012	TOTAL
EMPLOYER CONTRIB	\$735,322	\$747,104	\$0	\$0	\$1,482,426
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
TOTAL INCOME	\$735,322	\$747,104	\$0	\$0	\$1,482,426
EXPENSES					
PROVIDERS	\$657,659	\$666,041	\$0	\$0	\$1,323,700
OPERATING	44,654	47,586	0	0	92,240
TOTAL EXPENSES	\$702,313	\$713,627	\$0	\$0	\$1,415,940
TOTAL INCOME	\$735,322	\$747,104	\$0	\$0	\$1,482,426
TOTAL EXPENSES	\$702,313	\$713,627	\$0	\$0	\$1,415,940
SURPLUS (DEFICIT)	\$33,009	\$33,477	\$0	\$0	\$66,486
AVERAGE INCOME	\$21.05	\$21.05	\$0.00	\$0.00	\$21.05
AVERAGE EXPENSES	\$20.11	\$20.11	\$0.00	\$0.00	\$20.11
SURPLUS (DEFICIT)	\$0.94	\$0.94	\$0.00	\$0.00	\$0.94
TOTAL PARTICIPANTS	11,643	11,828	0	0	11,736

PART TIME 2011 QUARTERLY RECAPS
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FIRST 2011 SECOND 2011 THIRD 2011 FOURTH 2011 TOTAL

EMPLOYER CONTRIB	\$765,788	\$777,675	\$728,157	\$709,453	\$2,981,073
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0

TOTAL INCOME	\$765,788	\$777,675	\$728,157	\$709,453	\$2,981,073
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EXPENSES

PROVIDERS	\$696,886	\$707,975	\$667,608	\$636,211	\$2,708,680
OPERATING	47,408	48,102	44,259	45,006	184,775

TOTAL EXPENSES	\$744,294	\$756,077	\$711,867	\$681,217	\$2,893,455
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TOTAL INCOME	\$765,788	\$777,675	\$728,157	\$709,453	\$2,981,073
TOTAL EXPENSES	\$744,294	\$756,077	\$711,867	\$681,217	\$2,893,455

SURPLUS (DEFICIT)	\$21,494	\$21,598	\$16,290	\$28,236	\$87,618
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AVERAGE INCOME	\$20.50	\$20.49	\$20.50	\$20.49	\$20.50
AVERAGE EXPENSES	\$19.92	\$19.92	\$20.04	\$19.68	\$19.89

SURPLUS (DEFICIT)	\$0.58	\$0.57	\$0.46	\$0.81	\$0.61
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TOTAL PARTICIPANTS	12,454	12,649	11,842	11,539	12,121
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COMBINED
2012
QUARTERLY RECAP

	FIRST 2012	SECOND 2012	THIRD 2012	FOURTH 2012	TOTAL
EMPLOYER CONTRIB	\$1,190,914	\$1,205,452	\$0	\$0	\$2,396,366
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
INTEREST & DIVIDENDS	38	37	0	0	75
TOTAL INCOME	\$1,190,952	\$1,205,489	\$0	\$0	\$2,396,441
EXPENSES					
PROVIDERS	\$1,086,132	\$1,087,699	\$0	\$0	\$2,173,831
OPERATING	\$72,321	\$76,791	\$0	\$0	149,112
TOTAL EXPENSES	\$1,158,453	\$1,164,490	\$0	\$0	\$2,322,943
TOTAL INCOME	\$1,190,952	\$1,205,489	\$0	\$0	\$2,396,441
TOTAL EXPENSES	\$1,158,453	\$1,164,490	\$0	\$0	\$2,322,943
SURPLUS (DEFICIT)	\$32,499	\$40,999	\$0	\$0	\$73,498
TOTAL PARTICIPANTS	18,861	19,089	0	0	18,975
FUND RESERVE	\$609,529	\$649,218			

COMBINED
2011
QUARTERLY RECAP

	FIRST 2011	SECOND 2011	THIRD 2011	FOURTH 2011	TOTAL
EMPLOYER CONTRIB	\$1,268,760	\$1,270,954	\$1,191,674	\$1,162,704	\$4,894,092
EMPLOYEE CONTRIB	40	0	0	0	40
MISC. INCOME	0	0	0	0	0
INTEREST & DIVIDENDS	67	30	32	31	160
TOTAL INCOME	\$1,268,867	\$1,270,984	\$1,191,706	\$1,162,735	\$4,894,292
EXPENSES					
PROVIDERS	\$1,177,054	\$1,182,465	\$1,106,870	\$1,059,004	\$4,525,393
OPERATING	\$78,565	\$78,655	\$72,456	\$73,774	303,450
TOTAL EXPENSES	\$1,255,619	\$1,261,120	\$1,179,326	\$1,132,778	\$4,828,843
TOTAL INCOME	\$1,268,867	\$1,270,984	\$1,191,706	\$1,162,735	\$4,894,292
TOTAL EXPENSES	\$1,255,619	\$1,261,120	\$1,179,326	\$1,132,778	\$4,828,843
SURPLUS (DEFICIT)	\$13,248	\$9,864	\$12,380	\$29,957	\$65,449
TOTAL PARTICIPANTS	20,639	20,676	19,385	18,916	19,904
FUND RESERVE	\$564,388	\$576,839	\$546,867	\$566,176	

UTILIZATION
SECOND QUARTER 2012

ADES & ASSOC.

CODE	TYPE	OPEN CASE	ATTORNEY HOURS	PARALEGAL HOURS	SURCHG
01	FAMILY	253	1,736.80	656.00	\$800
02	PROBATE	30	380.00	264.00	
03	WILL	151	456.40	377.00	
04	NEGLIGENCE	21	523.00	161.00	
05	REAL ESTATE	80	469.00	230.00	
06	CONSUMER	106	459.00	438.00	
07	CRIMINAL	30	617.00	245.00	\$2,250
08	TRAFFIC	84	612.00	233.00	
09	LANDLORD/TENANT	64	486.00	332.00	
10	ADMINISTRATION	111	590.00	558.00	
11	IMMIGRATION	8	94.00	7.40	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	23	367.00	306.00	
15	CIVIL LITIGATION	103	779.00	474.00	
16	T CASES	0	0.00	0.00	

TOTAL	1,064	7,589.20	4,261.40	\$3,050
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ALL HOURS	11,850.60
ADJUSTED HOURS	9,709.90
PAYMENT	\$732,337
COST PER HOUR	\$75.42

AKMAN & ASSOC.

CODE	TYPE	OPEN CASE	ATTORNEY HOURS	PARALEGAL HOURS	SURCHG
01	FAMILY	48	686.90	661.25	\$5,884
02	PROBATE	8	252.35	242.35	
03	WILL	50	177.00	151.15	
04	NEGLIGENCE	9	208.30	235.80	
05	REAL ESTATE	21	104.55	56.65	
06	CONSUMER	71	506.35	457.15	\$200
07	CRIMINAL	36	284.60	89.85	
08	TRAFFIC	41	308.65	100.65	
09	LANDLORD/TENANT	19	75.70	83.55	\$69
10	ADMINISTRATION	0	0.00	0.00	
11	IMMIGRATION	0	0.00	0.00	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	17	135.55	55.50	
15	CIVIL LITIGATION	0	0.00	0.00	
16	T CASES	115	226.80	261.05	

TOTAL	436	2,966.75	2,394.95	\$6,153
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ALL HOURS	5,361.70
ADJUSTED HOURS	4,164.23
PAYMENT	\$355,362
COST PER HOUR	\$85.34

UTILIZATION
SECOND QUARTER 2012
COMBINED

CODE	TYPE	OPENED CASES	ATTORNEY HOURS	PARALEGAL HOURS	SURCHARGE
01	FAMILY	301	2,423.70	1,317.25	\$6,684
02	PROBATE	38	632.35	506.35	
03	WILL	201	633.40	528.15	
04	NEGLIGENCE	30	731.30	396.80	
05	REAL ESTATE	101	573.55	286.65	
06	CONSUMER	177	965.35	895.15	
07	CRIMINAL	66	901.60	334.85	2,250
08	TRAFFIC	125	920.65	333.65	
09	LANDLORD/TENANT	83	561.70	415.55	
10	ADMINISTRATION	111	590.00	558.00	
11	IMMIGRATION	8	94.00	7.40	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	40	502.55	361.50	
15	CIVIL LITIGATION	103	779.00	474.00	
16	T CASES	115	226.80	261.05	

TOTAL

1,499	10,535.95	6,676.35	\$8,934
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ALL HOURS
ADJUSTED HOURS
PAYMENT
COST PER HOUR

17,212.30
13,874.13
\$1,087,699
\$78.40

SECOND QUARTER 2012
DELINQUENCIES

NONE

**UFCW AND FELRA
LEGAL BENEFIT FUND
THIRD QUARTER 2012**

ADMINISTRATIVE MANAGER'S REPORT

FULL TIME
THIRD QUARTER 2012
CONTRIBUTIONS

<u>COMPANY</u>	<u>RATE</u>	<u>PARTICIPANTS</u>	<u>CONTRIBUTIONS</u>
LOCAL 400			
GIANT ¹	\$21.06	2,910	\$183,853
GIANT	11.81	12	414
FRESH & GREEN	21.06	11	675
LOCAL 400 STAFF	21.06	4	231
SAFEWAY ¹	21.06	1,909	120,590
SUBTOTAL		4,846	\$305,763

LOCAL 27			
GIANT ¹	\$21.06	1,168	\$73,794
METRO/BASICS	21.06	304	19,206
SAFEWAY ¹	21.06	694	43,827
SAFEWAY DELAWARE	21.06	75	4,761
SUBTOTAL		2,241	\$141,588

TOTAL		7,087	\$447,351
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AVERAGE MONTHLY CONTRIBUTION \$21.04

¹INCLUDES ADJUSTMENTS FOR PRIOR MONTHS

FULL TIME
THIRD QUARTER 2012
EXPENSES

PROVIDERS

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADES & ASSOCIATES	\$285,571		\$19.643		64.24%
AKMAN & ASSOCIATES	131,357		19.538		29.55%
SUBTOTAL	\$416,928		\$19.610		93.79%

OPERATING EXPENSES

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADMINISTRATION	\$26,572		\$1.250		5.98%
LEGAL	942		0.044		0.21%
PNC	32		0.002		0.01%
POSTAGE	14		0.001		0.00%
PRINTING	30		0.001		0.01%
SUBTOTAL	\$27,590		\$1.298		6.21%
TOTAL	\$444,518		\$20.908		100%

FULL TIME 2012 QUARTERLY RECAPS
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	FIRST 2012	SECOND 2012	THIRD 2012	FOURTH 2012	TOTAL
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EMPLOYER CONTRIB	\$455,592	\$458,348	\$447,351	\$0	\$1,361,291
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0

TOTAL INCOME	\$455,592	\$458,348	\$447,351	\$0	\$1,361,291
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EXPENSES

PROVIDERS	\$428,473	\$421,658	\$416,928	\$0	\$1,267,059
OPERATING	27,667	29,205	27,590	0	84,462

TOTAL EXPENSES	\$456,140	\$450,863	\$444,518	\$0	\$1,351,521
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TOTAL INCOME	\$455,592	\$458,348	\$447,351	\$0	\$1,361,291
TOTAL EXPENSES	\$456,140	\$450,863	\$444,518	\$0	\$1,351,521

SURPLUS (DEFICIT)	(\$548)	\$7,485	\$2,833	\$0	\$9,770
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AVERAGE INCOME	\$21.04	\$21.04	\$21.04	\$0.00	\$21.04
AVERAGE EXPENSES	\$21.06	\$20.70	\$20.91	\$0.00	\$20.89

SURPLUS (DEFICIT)	(\$0.02)	\$0.34	\$0.13	\$0.00	\$0.15
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TOTAL PARTICIPANTS	7,218	7,261	7,087	0	7,189
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FULL TIME 2011 QUARTERLY RECAPS

	FIRST 2011	SECOND 2011	THIRD 2011	FOURTH 2011	TOTAL
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EMPLOYER CONTRIB	\$502,972	\$493,279	\$463,517	\$453,251	\$1,913,019
EMPLOYEE CONTRIB	40	0	0	0	40
MISC. INCOME	0	0	0	0	0

TOTAL INCOME	\$503,012	\$493,279	\$463,517	\$453,251	\$1,913,059
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EXPENSES

PROVIDERS	\$480,168	\$474,490	\$439,262	\$422,793	\$1,816,713
OPERATING	31,157	30,553	28,197	28,768	118,675

TOTAL EXPENSES	\$511,325	\$505,043	\$467,459	\$451,561	\$1,935,388
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TOTAL INCOME	\$503,012	\$493,279	\$463,517	\$453,251	\$1,913,059
TOTAL EXPENSES	\$511,325	\$505,043	\$467,459	\$451,561	\$1,935,388

SURPLUS (DEFICIT)	(\$8,313)	(\$11,764)	(\$3,942)	\$1,690	(\$22,329)
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AVERAGE INCOME	\$20.49	\$20.48	\$20.48	\$20.48	\$20.48
AVERAGE EXPENSES	\$20.82	\$20.97	\$20.66	\$20.40	\$20.71

SURPLUS (DEFICIT)	(\$0.33)	(\$0.49)	(\$0.18)	\$0.08	(\$0.23)
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TOTAL PARTICIPANTS	8,185	8,027	7,543	7,377	7,783
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PART TIME
THIRD QUARTER 2012
CONTRIBUTIONS

<u>COMPANY</u>	<u>RATE</u>	<u>PARTICIPANTS</u>	<u>CONTRIBUTIONS</u>
LOCAL 400			
GIANT	\$21.06	5,201	\$328,620
GIANT	11.81	8	296
FRESH & GREEN	21.06	26	1,665
SAFEWAY ¹	21.06	2,493	157,526
SUBTOTAL		7,728	\$488,107
LOCAL 27			
GIANT ¹	\$21.06	2,217	\$140,049
METRO/BASICS	21.06	547	34,559
SAFEWAY ¹	21.06	927	58,544
SAFEWAY DELAWARE	21.06	131	8,298
SUPER FRESH	21.06		
SUBTOTAL		3,822	\$241,450
TOTAL		11,550	\$729,557

AVERAGE MONTHLY CONTRIBUTION \$21.06

¹INCLUDES ADJUSTMENTS FOR PRIOR MONTHS

PART TIME
THIRD QUARTER 2012
EXPENSES

PROVIDERS

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADES & ASSOCIATES	\$439,707		\$18.966		62.56%
AKMAN & ASSOCIATES	218,198		19.030		31.04%
SUBTOTAL	\$657,905		\$18.987		93.60%

OPERATING EXPENSES

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADMINISTRATION	\$43,316		\$1.250		6.163%
LEGAL	1,537		0.044		0.219%
PNC	53		0.002		0.008%
POSTAGE	22		0.001		0.003%
PRINTING	50		0.001		0.007%
SUBTOTAL	\$44,978		\$1.298		6.40%
TOTAL	\$702,883		\$20.285		100%

PART TIME 2012 QUARTERLY RECAPS

	FIRST 2012	SECOND 2012	THIRD 2012	FOURTH 2012	TOTAL
EMPLOYER CONTRIB	\$735,322	\$747,104	\$729,557	\$0	\$2,211,983
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
TOTAL INCOME	\$735,322	\$747,104	\$729,557	\$0	\$2,211,983
EXPENSES					
PROVIDERS	\$657,659	\$666,041	\$657,905	\$0	\$1,981,605
OPERATING	44,654	47,586	44,978	0	137,218
TOTAL EXPENSES	\$702,313	\$713,627	\$702,883	\$0	\$2,118,823
TOTAL INCOME	\$735,322	\$747,104	\$729,557	\$0	\$2,211,983
TOTAL EXPENSES	\$702,313	\$713,627	\$702,883	\$0	\$2,118,823
SURPLUS (DEFICIT)	\$33,009	\$33,477	\$26,674	\$0	\$93,160
AVERAGE INCOME	\$21.05	\$21.05	\$21.06	\$0.00	\$21.05
AVERAGE EXPENSES	\$20.11	\$20.11	\$20.29	\$0.00	\$20.17
SURPLUS (DEFICIT)	\$0.94	\$0.94	\$0.77	\$0.00	\$0.88
TOTAL PARTICIPANTS	11,643	11,828	11,550	0	11,674

PART TIME 2011 QUARTERLY RECAPS

	FIRST 2011	SECOND 2011	THIRD 2011	FOURTH 2011	TOTAL
EMPLOYER CONTRIB	\$765,788	\$777,675	\$728,157	\$709,453	\$2,981,073
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
TOTAL INCOME	\$765,788	\$777,675	\$728,157	\$709,453	\$2,981,073
EXPENSES					
PROVIDERS	\$696,886	\$707,975	\$667,608	\$636,211	\$2,708,680
OPERATING	47,408	48,102	44,259	45,006	184,775
TOTAL EXPENSES	\$744,294	\$756,077	\$711,867	\$681,217	\$2,893,455
TOTAL INCOME	\$765,788	\$777,675	\$728,157	\$709,453	\$2,981,073
TOTAL EXPENSES	\$744,294	\$756,077	\$711,867	\$681,217	\$2,893,455
SURPLUS (DEFICIT)	\$21,494	\$21,598	\$16,290	\$28,236	\$87,618
AVERAGE INCOME	\$20.50	\$20.49	\$20.50	\$20.49	\$20.50
AVERAGE EXPENSES	\$19.92	\$19.92	\$20.04	\$19.68	\$19.89
SURPLUS (DEFICIT)	\$0.58	\$0.57	\$0.46	\$0.81	\$0.61
TOTAL PARTICIPANTS	12,454	12,649	11,842	11,539	12,121

COMBINED
2012
QUARTERLY RECAP

	FIRST 2012	SECOND 2012	THIRD 2012	FOURTH 2012	TOTAL
EMPLOYER CONTRIB	\$1,190,914	\$1,205,452	\$1,176,908	\$0	\$3,573,274
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
INTEREST & DIVIDENDS	38	37	38	0	113
TOTAL INCOME	\$1,190,952	\$1,205,489	\$1,176,946	\$0	\$3,573,387
EXPENSES					
PROVIDERS	\$1,086,132	\$1,087,699	\$1,074,833	\$0	\$3,248,664
OPERATING	\$72,321	\$76,791	\$72,568	\$0	221,680
TOTAL EXPENSES	\$1,158,453	\$1,164,490	\$1,147,401	\$0	\$3,470,344
TOTAL INCOME	\$1,190,952	\$1,205,489	\$1,176,946	\$0	\$3,573,387
TOTAL EXPENSES	\$1,158,453	\$1,164,490	\$1,147,401	\$0	\$3,470,344
SURPLUS (DEFICIT)	\$32,499	\$40,999	\$29,545	\$0	\$103,043
TOTAL PARTICIPANTS	18,861	19,089	18,637	0	18,862
FUND RESERVE	\$609,529	\$649,218	\$462,129		

COMBINED
2011
QUARTERLY RECAP

	<u>FIRST 2011</u>	<u>SECOND 2011</u>	<u>THIRD 2011</u>	<u>FOURTH 2011</u>	<u>TOTAL</u>
EMPLOYER CONTRIB	\$1,268,760	\$1,270,954	\$1,191,674	\$1,162,704	\$4,894,092
EMPLOYEE CONTRIB	40	0	0	0	40
MISC. INCOME	0	0	0	0	0
INTEREST & DIVIDENDS	67	30	32	31	160
TOTAL INCOME	\$1,268,867	\$1,270,984	\$1,191,706	\$1,162,735	\$4,894,292
EXPENSES					
PROVIDERS	\$1,177,054	\$1,182,465	\$1,106,870	\$1,059,004	\$4,525,393
OPERATING	\$78,565	\$78,655	\$72,456	\$73,774	303,450
TOTAL EXPENSES	\$1,255,619	\$1,261,120	\$1,179,326	\$1,132,778	\$4,828,843
TOTAL INCOME	\$1,268,867	\$1,270,984	\$1,191,706	\$1,162,735	\$4,894,292
TOTAL EXPENSES	\$1,255,619	\$1,261,120	\$1,179,326	\$1,132,778	\$4,828,843
SURPLUS (DEFICIT)	\$13,248	\$9,864	\$12,380	\$29,957	\$65,449
TOTAL PARTICIPANTS	20,639	20,676	19,385	18,916	19,904
FUND RESERVE	\$564,388	\$576,839	\$546,867	\$566,176	

UTILIZATION
THIRD QUARTER 2012

ADES & ASSOC.

CODE	TYPE	OPEN CASE	ATTORNEY HOURS	PARALEGAL HOURS	SURCHG.
01	FAMILY	290	1,850.50	817.70	\$2,500
02	PROBATE	26	340.00	206.00	
03	WILL	137	397.00	371.00	
04	NEGLIGENCE	30	599.00	250.00	
05	REAL ESTATE	92	466.00	356.00	
06	CONSUMER	85	338.00	329.00	
07	CRIMINAL	32	647.00	175.00	\$3,250
08	TRAFFIC	91	417.00	230.00	
09	LANDLORD/TENANT	75	448.00	289.00	
10	ADMINISTRATION	104	676.00	466.00	
11	IMMIGRATION	11	110.50	10.30	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	24	411.00	339.00	
15	CIVIL LITIGATION	132	856.00	609.00	
16	T CASES	0	0.00	0.00	

TOTAL	1,129	7,556.00	4,448.00	\$5,750
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ALL HOURS	12,004.00
ADJUSTED HOURS	9,780.00
PAYMENT	\$725,278
COST PER HOUR	\$74.16

AKMAN & ASSOC.

CODE	TYPE	OPEN CASE	ATTORNEY HOURS	PARALEGAL HOURS	SURCHG.
01	FAMILY	48	448.55	493.05	\$7,669
02	PROBATE	8	212.90	197.45	
03	WILL	46	161.60	203.35	
04	NEGLIGENCE	10	203.80	349.05	
05	REAL ESTATE	20	88.75	54.80	
06	CONSUMER	67	699.00	501.70	
07	CRIMINAL	34	267.35	92.30	
08	TRAFFIC	46	290.60	99.80	
09	LANDLORD/TENANT	12	69.15	74.40	
10	ADMINISTRATION	0	0.00	0.00	
11	IMMIGRATION	0	0.00	0.00	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	12	115.40	68.05	
15	CIVIL LITIGATION	0	0.00	0.00	
16	T CASES	163	195.40	253.85	

TOTAL	466	2,752.50	2,387.80	\$7,669
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ALL HOURS	5,140.30
ADJUSTED HOURS	3,946.40
PAYMENT	\$349,555
COST PER HOUR	\$88.58

UTILIZATION
THIRD QUARTER 2012
COMBINED

CODE	TYPE	OPENED CASES	ATTORNEY HOURS	PARALEGAL HOURS	SURCHARGE
01	FAMILY	338	2,299.05	1,310.75	\$10,169
02	PROBATE	34	552.90	403.45	
03	WILL	183	558.60	574.35	
04	NEGLIGENCE	40	802.80	599.05	
05	REAL ESTATE	112	554.75	410.80	
06	CONSUMER	152	1,037.00	830.70	
07	CRIMINAL	66	914.35	267.30	3,250
08	TRAFFIC	137	707.60	329.80	
09	LANDLORD/TENANT	87	517.15	363.40	
10	ADMINISTRATION	104	676.00	466.00	
11	IMMIGRATION	11	110.50	10.30	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	36	526.40	407.05	
15	CIVIL LITIGATION	132	856.00	609.00	
16	T CASES	163	195.40	253.85	

TOTAL

1,595	10,308.50	6,835.80	\$13,419
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ALL HOURS
ADJUSTED HOURS
PAYMENT
COST PER HOUR

17,144.30
13,726.40
\$1,074,833
\$78.30

THIRD QUARTER 2012
DELINQUENCIES

NONE

INVOICES

UFCW & FELRA LEGAL BENEFIT FUND

INVOICES

DECEMBER 20, 2012

1. **UFCW Local 27**

11/13/12	J. Harrison - Reimbursement of airfare expenses for attendance at the IFEBP Annual Conference – November 2012	\$	466.60
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**OTHER FUND
BUSINESS**

MEMORANDUM

To: UFCW & FELRA Legal Benefit Fund Committee Members
From: Ryk Tierney
Date: November 30, 2012
Subject: Legal Contribution Rate for Calendar Year 2013

Rate Determination

Each year we take the bargained contribution rate for the legal providers and combine that amount with the estimated operating expenses to produce a rate for January 1st of the next year.

For the Calendar Year 2012, the legal contribution rate is currently \$21.06, of which \$19.75 is the legal provider fee. Effective January 1, 2013, the contractual rate paid to the legal providers will be \$20.25 per participant per month, an increase of \$0.50 per participant per month (PPPM). We have recalculated the operating expense component based on the last quarter of 2011 and first three quarters of 2012, and it is running at \$1.30 PPPM. We have used a projected trend factor of 5% for 2013, making the estimated operating expense component \$1.37 PPPM. The foregoing increases produce a projected contribution rate for 2013 of \$21.62, or a 2.7% increase over the current contribution rate, if approved by the Committee.

The contribution rate for the small unit (currently it consists of 20 participants with individual coverage only) is \$11.81 PPPM, of which \$10.50 is the legal provider rate. The new rate would be increased by \$0.50 for the provider rate increase, to \$11.00, and the same projected operating expense component as the regular plan, \$1.37. The new rate for the small unit would be \$12.37 PPPM, if approved by the Committee.

Rate Summary

	2012 PPPM Rate	2013 PPPM Rate
Regular Plan	\$21.06	\$21.62
Small Unit Plan	\$11.81	\$12.37

Effective Date

The contribution rates would be effective for January 2013 contribution as received in February 2013 from the employers.

Should you have questions, please feel free to contact me.



MEETING NOTES

[illegible]