

LEGAL FUND MEETING

UFCW & FELRA LEGAL FUND

AGENDA

AUGUST 28, 2013

- I. CALL TO ORDER**
- II. MINUTES (pg. 1 – 4)**
 - A. REGULAR MEETING- MAY 22, 2013**
- III. FINANCIAL REPORT - PNC BANK**
- IV. ATTORNEY'S REPORT**
- V. ADMINISTRATIVE MANAGER'S REPORT - 1Q13 (pg. 5 – 18)**
- VI. INVOICES (pg. 19)**
- VII. OTHER FUND BUSINESS**
 - A. 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 MAY 22, 2013
IN LANDOVER, MARYLAND**

The following Committee Members were present:

Union Committee Members

J. Harrison
J. Lewis

Employer Committee Members

J. Champion
L. Madert

Also present were:

M. Akman – Akman & Associates
M. Boyle – UFCW Local 400
H. Burton - Fund Co-Counsel
M. Federici – UFCW 400
J. Freeman – UFCW Local 27
M. Herwig – PNC Bank
T. Hipkins – UFCW Local 27
W. Jensen - Associated Administrators, LLC
R. Matty – Robert A. Ades & Associates
C. Murphy – Associated Administrators, LLC
G. Murphy – UFCW Local 27
J. Paradis – Ahold, USA
F. Stegman – Safeway Stores
B. Slevin - Fund Co-Counsel
L. Walsh – Associated Administrators, LLC

I. CALL TO ORDER

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

Mr. Jensen reported that written notification was provided by Mr. Tim Goins giving his proxy to Committee Member Ms. Jennifer Harrison to act on his behalf for all matters before the Committee at this meeting.

II. MINUTES

The Committee Members reviewed the minutes of the meeting held on December 20, 2012, which had been pre-circulated.

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

RESOLVED that the minutes of the meeting held on December 20, 2012 are 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, 2013 through March 31, 2013. Such report indicated a beginning market balance of \$701,619, earnings of \$590, receipts of \$1,155,939, and disbursements of \$1,129,730, producing an ending balance of \$728,418 as of March 31, 2013.

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

IV. ATTORNEY REPORT

Mr. Burton and Mr. Slevin said that there were no legal matters to report at this time.

V. ADMINISTRATIVE MANAGER'S REPORT

Mr. Jensen presented the Administrative Manager's Report for the fourth quarter of 2012. Such report indicated employer contribution income of \$1,150,823, employee contributions of \$0, and interest and dividend income of \$36, producing a total income of \$1,150,859. Expenses totaled \$1,119,648, producing a net surplus of \$31,211 for the quarter. Mr. Jensen noted contributions were made on behalf of 18,224 plan participants.

VI. INVOICES

Mr. Jensen presented a list of invoices dated May 22, 2013. 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 May 22, 2013 are recommended for approval as presented.

VII. OTHER BUSINESS

A. Service Provider Questionnaire

Mr. Jensen reported that the 2012 Schedule C, Service Provider Questionnaire for the 5500 had been sent to all vendors on March 18, 2013.

B. Legal Contribution Rate

Mr. Jensen reported that the 2013 Legal Contribution rate had been approved between meetings, and the participating employers were notified.

VIII. ANNUAL REPORT

A. Akman and Associates

The Committee Members welcomed Matt Akman of Akman and Associates to the meeting. He presented the 2012 legal provider utilization report covering the Local 27 participants. Such report indicated a total of 1,770 cases opened in 2012, compared to 1526 cases in 2011. He reviewed the cases by category of law. There were a total of 12,216.95 attorney hours and 10,163.02 paralegal hours expended in 2012.

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

B. Robert A. Ades & Associates

The Committee Members welcomed Robert Matty of Robert A. Ades and Associates to the meeting. Mr. Ades presented the 2012 legal provider utilization report covering the Local 400 participants. Mr. Ades noted that there were 4,222 cases opened in 2012. He reviewed the percentage utilization by category of law. Mr. Ades reported that there were 29,676.5 attorney hours and 16,948.2 paralegal hours expended in 2012 by Robert A. Ades and Associates.

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

IX. NEXT MEETING DATE AND LOCATION

The next meeting of the Committee is scheduled for August 28, 2013, immediately following the meeting of the Health and Welfare Fund in Landover, Maryland.

X. ADJOURNMENT

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

Respectfully Submitted,

William R. Jensen

FLEG052213(Orig: 06/06/13)(Rev: 00/00/00)

ADMINISTRATIVE MANAGER'S REPORT

**UFCW AND FELRA
LEGAL BENEFIT FUND
FIRST QUARTER 2013**

ADMINISTRATIVE MANAGER'S REPORT

FULL TIME
FIRST QUARTER 2013
CONTRIBUTIONS

<u>COMPANY</u>	<u>RATE¹</u>	<u>PARTICIPANTS</u>	<u>CONTRIBUTIONS</u>
LOCAL 400			
GIANT ²	\$21.12	2,857	\$181,040
GIANT	11.87	8	285
FRESH & GREEN	21.12	12	759
LOCAL 400 STAFF ²	21.12	2	126
SAFEWAY ²	21.12	1,838	116,455
SUBTOTAL		4,717	\$298,665

LOCAL 27			
GIANT ²	\$21.12	1,162	\$73,625
METRO/BASICS	21.12	301	19,092
SAFEWAY	21.12	670	42,430
SAFEWAY DELAWARE	21.12	69	4,371
SUBTOTAL		2,202	\$139,518
TOTAL		6,919	\$438,183

AVERAGE MONTHLY CONTRIBUTION \$21.11

¹RATE INCREASE EFFECTIVE JANUARY 2013

²INCLUDES ADJUSTMENTS FOR PRIOR MONTHS

FULL TIME
FIRST QUARTER 2013
EXPENSES

PROVIDERS

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADES & ASSOCIATES	\$282,630		\$19.972		63.87%
AKMAN & ASSOCIATES	131,524		19.910		29.72%
SUBTOTAL	\$414,154		\$19.952		93.6%

OPERATING EXPENSES

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADMINISTRATION	\$25,977		\$1.251		5.87%
CONFERENCE	1,585		0.076		0.36%
LEGAL	677		0.033		0.15%
OFFICE SUPPLIES	1		0.000		0.00%
POSTAGE	15		0.001		0.00%
PRINTING	71		0.003		0.02%
SUBTOTAL	\$28,326		\$1.364		6.40%
TOTAL	\$442,480		\$21.316		100%

FULL TIME
2013
QUARTERLY RECAPS

FIRST 2013 SECOND 2013 THIRD 2013 FOURTH 2013 TOTAL

EMPLOYER CONTRIB	\$438,183	\$0	\$0	\$0	\$438,183
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0

TOTAL INCOME	\$438,183	\$0	\$0	\$0	\$438,183
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EXPENSES

PROVIDERS	\$414,154	\$0	\$0	\$0	\$414,154
OPERATING	28,326	0	0	0	28,326

TOTAL EXPENSES	\$442,480	\$0	\$0	\$0	\$442,480
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TOTAL INCOME	\$438,183	\$0	\$0	\$0	\$438,183
TOTAL EXPENSES	\$442,480	\$0	\$0	\$0	\$442,480

SURPLUS (DEFICIT)	(\$4,297)	\$0	\$0	\$0	(\$4,297)
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AVERAGE INCOME	\$21.11	\$0.00	\$0.00	\$0.00	\$21.11
AVERAGE EXPENSES	\$21.32	\$0.00	\$0.00	\$0.00	\$21.32

SURPLUS (DEFICIT)	(\$0.21)	\$0.00	\$0.00	\$0.00	(\$0.21)
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TOTAL PARTICIPANTS	6,919				6,919
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FULL TIME
2012
QUARTERLY RECAPS

FIRST 2012 SECOND 2012 THIRD 2012 FOURTH 2012 TOTAL

EMPLOYER CONTRIB	\$455,592	\$458,348	\$447,351	\$439,133	\$1,800,424
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0

TOTAL INCOME	\$455,592	\$458,348	\$447,351	\$439,133	\$1,800,424
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EXPENSES

PROVIDERS	\$428,473	\$421,658	\$416,928	\$407,549	\$1,674,608
OPERATING	27,667	29,205	27,590	26,383	110,845

TOTAL EXPENSES	\$456,140	\$450,863	\$444,518	\$433,932	\$1,785,453
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TOTAL INCOME	\$455,592	\$458,348	\$447,351	\$439,133	\$1,800,424
TOTAL EXPENSES	\$456,140	\$450,863	\$444,518	\$433,932	\$1,785,453

SURPLUS (DEFICIT)	(\$548)	\$7,485	\$2,833	\$5,201	\$14,971
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AVERAGE INCOME	\$21.04	\$21.04	\$21.04	\$21.05	\$21.04
AVERAGE EXPENSES	\$21.06	\$20.70	\$20.91	\$20.80	\$20.87

SURPLUS (DEFICIT)	(\$0.02)	\$0.34	\$0.13	\$0.25	\$0.17
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TOTAL PARTICIPANTS	7,218	7,261	7,087	6,954	7,130
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PART TIME
FIRST QUARTER 2013
CONTRIBUTIONS

<u>COMPANY</u>	<u>RATE¹</u>	<u>PARTICIPANTS</u>	<u>CONTRIBUTIONS</u>
LOCAL 400			
GIANT ²	\$21.12	5,090	\$322,196
GIANT	11.87	11	393
FRESH & GREEN	21.12	26	1,668
SAFEWAY ²	21.12	2,498	158,295
SUBTOTAL		7,625	\$482,552
LOCAL 27			
GIANT ²	\$21.12	2,201	\$139,434
METRO/BASICS	21.12	548	34,742
SAFEWAY ²	21.12	893	56,602
SAFEWAY DELAWARE	21.12	117	7,413
SUBTOTAL		3,759	\$238,191
TOTAL		11,384	\$720,743

AVERAGE MONTHLY CONTRIBUTION \$21.10

¹RATE INCREASE EFFECTIVE JANUARY 2013

²INCLUDES ADJUSTMENTS FOR PRIOR MONTHS

PART TIME
FIRST QUARTER 2013
EXPENSES

PROVIDERS

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADES & ASSOCIATES	\$441,202		\$19.288		62.99%
AKMAN & ASSOCIATES	212,625		18.855		30.36%
SUBTOTAL	\$653,827		\$19.145		93.35%

OPERATING EXPENSES

	<u>AMOUNT</u>		<u>AVERAGE COST</u>		<u>PERCENTAGE</u>
ADMINISTRATION	\$42,755		\$1.252		6.10%
CONFERENCE	2,586		0.076		0.37%
LEGAL	1,104		0.032		0.16%
OFFICE SUPPLIES	1		0.000		0.00%
POSTAGE	24		0.001		0.00%
PRINTING	115		0.003		0.02%
SUBTOTAL	\$46,585		\$1.364		6.65%
TOTAL	\$700,412		\$20.509		100%

PART TIME 2013 QUARTERLY RECAPS
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	FIRST 2013	SECOND 2013	THIRD 2013	FOURTH 2013	TOTAL
EMPLOYER CONTRIB	\$720,743	\$0	\$0	\$0	\$720,743
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
TOTAL INCOME	\$720,743	\$0	\$0	\$0	\$720,743
EXPENSES					
PROVIDERS	\$653,827	\$0	\$0	\$0	\$653,827
OPERATING	46,585	0	0	0	46,585
TOTAL EXPENSES	\$700,412	\$0	\$0	\$0	\$700,412
TOTAL INCOME	\$720,743	\$0	\$0	\$0	\$720,743
TOTAL EXPENSES	\$700,412	\$0	\$0	\$0	\$700,412
SURPLUS (DEFICIT)	\$20,331	\$0	\$0	\$0	\$20,331
AVERAGE INCOME	\$21.10	\$0.00	\$0.00	\$0.00	\$21.10
AVERAGE EXPENSES	\$20.51	\$0.00	\$0.00	\$0.00	\$20.51
SURPLUS (DEFICIT)	\$0.59	\$0.00	\$0.00	\$0.00	\$0.59
TOTAL PARTICIPANTS	11,384				11,384

PART TIME
2012
QUARTERLY RECAPS

	<u>FIRST 2012</u>	<u>SECOND 2012</u>	<u>THIRD 2012</u>	<u>FOURTH 2012</u>	<u>TOTAL</u>
EMPLOYER CONTRIB	\$735,322	\$747,104	\$729,557	\$711,690	\$2,923,673
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
TOTAL INCOME	\$735,322	\$747,104	\$729,557	\$711,690	\$2,923,673
EXPENSES					
PROVIDERS	\$657,659	\$666,041	\$657,905	\$642,950	\$2,624,555
OPERATING	44,654	47,586	44,978	42,766	179,984
TOTAL EXPENSES	\$702,313	\$713,627	\$702,883	\$685,716	\$2,804,539
TOTAL INCOME	\$735,322	\$747,104	\$729,557	\$711,690	\$2,923,673
TOTAL EXPENSES	\$702,313	\$713,627	\$702,883	\$685,716	\$2,804,539
SURPLUS (DEFICIT)	\$33,009	\$33,477	\$26,674	\$25,974	\$119,134
AVERAGE INCOME	\$21.05	\$21.05	\$21.06	\$21.05	\$21.05
AVERAGE EXPENSES	\$20.11	\$20.11	\$20.29	\$20.28	\$20.20
SURPLUS (DEFICIT)	\$0.94	\$0.94	\$0.77	\$0.77	\$0.85
TOTAL PARTICIPANTS	11,643	11,828	11,550	11,270	11,573

COMBINED
2013
QUARTERLY RECAP

	FIRST 2013	SECOND 2013	THIRD 2013	FOURTH 2013	TOTAL
EMPLOYER CONTRIB	\$1,158,926	\$0	\$0	\$0	\$1,158,926
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
INTEREST & DIVIDENDS	49	0	0	0	49
TOTAL INCOME	\$1,158,975	\$0	\$0	\$0	\$1,158,975
EXPENSES					
PROVIDERS	\$1,067,981	\$0	\$0	\$0	\$1,067,981
OPERATING	\$74,911	\$0	\$0	\$0	74,911
TOTAL EXPENSES	\$1,142,892	\$0	\$0	\$0	\$1,142,892
TOTAL INCOME	\$1,158,975	\$0	\$0	\$0	\$1,158,975
TOTAL EXPENSES	\$1,142,892	\$0	\$0	\$0	\$1,142,892
SURPLUS (DEFICIT)	\$16,083	\$0	\$0	\$0	\$16,083
TOTAL PARTICIPANTS	18,303	0	0	0	18,303
FUND RESERVE	\$728,433				

COMBINED
2012
QUARTERLY RECAP

	FIRST 2012	SECOND 2012	THIRD 2012	FOURTH 2012	TOTAL
EMPLOYER CONTRIB	\$1,190,914	\$1,205,452	\$1,176,908	\$1,150,823	\$4,724,097
EMPLOYEE CONTRIB	0	0	0	0	0
MISC. INCOME	0	0	0	0	0
INTEREST & DIVIDENDS	38	37	38	36	149
TOTAL INCOME	\$1,190,952	\$1,205,489	\$1,176,946	\$1,150,859	\$4,724,246
EXPENSES					
PROVIDERS	\$1,086,132	\$1,087,699	\$1,074,833	\$1,050,499	\$4,299,163
OPERATING	\$72,321	\$76,791	\$72,568	\$69,149	290,829
TOTAL EXPENSES	\$1,158,453	\$1,164,490	\$1,147,401	\$1,119,648	\$4,589,992
TOTAL INCOME	\$1,190,952	\$1,205,489	\$1,176,946	\$1,150,859	\$4,724,246
TOTAL EXPENSES	\$1,158,453	\$1,164,490	\$1,147,401	\$1,119,648	\$4,589,992
SURPLUS (DEFICIT)	\$32,499	\$40,999	\$29,545	\$31,211	\$134,254
TOTAL PARTICIPANTS	18,861	19,089	18,637	18,224	18,703
FUND RESERVE	\$609,529	\$649,218	\$462,129	\$701,619	

UTILIZATION
FIRST QUARTER 2013

ADES & ASSOC.

CODE	TYPE	OPEN CASE	ATTORNEY HOURS	PARALEGAL HOURS	SURCHG.
01	FAMILY	270	1,802.00	807.60	\$3,600
02	PROBATE	22	299.00	106.00	
03	WILL	155	381.00	268.00	
04	NEGLIGENCE	38	509.50	219.00	
05	REAL ESTATE	83	436.00	411.00	
06	CONSUMER	82	503.00	387.00	
07	CRIMINAL	35	667.00	213.00	\$3,000
08	TRAFFIC	90	451.00	210.00	
09	LANDLORD/TENANT	70	363.00	326.00	
10	ADMINISTRATION	124	871.00	646.00	
11	IMMIGRATION	3	45.00	3.40	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	27	472.00	211.00	
15	CIVIL LITIGATION	116	832.50	559.00	
16	T CASES	0	0.00	0.00	

TOTAL	1,115	7,632.00	4,367.00	\$6,600
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ALL HOURS	11,999.00
ADJUSTED HOURS	9,815.50
PAYMENT	\$723,832
COST PER HOUR	\$73.74

AKMAN & ASSOC.

CODE	TYPE	OPEN CASE	ATTORNEY HOURS	PARALEGAL HOURS	SURCHG.
01	FAMILY	47	548.15	412.50	\$4,188
02	PROBATE	5	215.10	187.60	
03	WILL	39	166.75	181.80	
04	NEGLIGENCE	6	190.45	257.90	
05	REAL ESTATE	17	88.00	50.70	
06	CONSUMER	55	555.30	436.60	
07	CRIMINAL	39	272.55	77.35	
08	TRAFFIC	51	308.80	93.95	
09	LANDLORD/TENANT	12	76.90	94.00	
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	13	85.15	72.30	
15	CIVIL LITIGATION	0	0.00	0.00	
16	T CASES	192	197.30	253.40	

TOTAL	476	2,704.45	2,118.10	\$4,188
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ALL HOURS	4,822.55
ADJUSTED HOURS	3,763.50
PAYMENT	\$344,149
COST PER HOUR	\$91.44

UTILIZATION
FIRST QUARTER 2013
COMBINED

CODE	TYPE	OPENED CASES	ATTORNEY HOURS	PARALEGAL HOURS	SURCHARGE
01	FAMILY	317	2,350.15	1,220.10	\$7,788
02	PROBATE	27	514.10	293.60	
03	WILL	194	547.75	449.80	
04	NEGLIGENCE	44	699.95	476.90	
05	REAL ESTATE	100	524.00	461.70	
06	CONSUMER	137	1,058.30	823.60	
07	CRIMINAL	74	939.55	290.35	3,000
08	TRAFFIC	141	759.80	303.95	
09	LANDLORD/TENANT	82	439.90	420.00	
10	ADMINISTRATION	124	871.00	646.00	
11	IMMIGRATION	3	45.00	3.40	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	40	557.15	283.30	
15	CIVIL LITIGATION	116	832.50	559.00	
16	T CASES	192	197.30	253.40	

TOTAL	1,591	10,336.45	6,485.10	\$10,788
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ALL HOURS	16,821.55
ADJUSTED HOURS	13,579.00
PAYMENT	\$1,067,981
COST PER HOUR	\$78.65

FIRST QUARTER 2013
DELINQUENCIES

NONE

INVOICES

UFCW & FELRA LEGAL BENEFIT FUND

INVOICES

AUGUST 28, 2013

1. **Morgan, Lewis & Bockius, LLP**

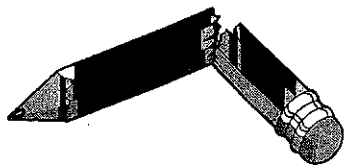
04/29/13	For Professional Services rendered through 03/31/13	\$	260.00
05/30/13	For Professional Services rendered through 04/30/13		455.00

2. **Slevin & Hart, P.C.**

07/23/13	For Professional Services rendered through 06/30/13	\$	1,503.27
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3. **UFCW Local 27**

08/12/13	J. Harrison – Reimbursement of airfare expenses for attendance at the IFEBP 59 th Annual Conference in Las Vegas, Nevada – 10/20/13 – 10/23/13	\$	360.80
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MEETING NOTES

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