



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

201510061

TAX EXEMPT AND  
GOVERNMENT ENTITIES  
DIVISION

DEC 12 2014

SE: T: EP: RA: T2

Significant Index Number: 412.06-00

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In re: \*\*\*\*\* (Plan No. \*\*\*\*)  
EIN: \*\*\*-\*\*\*\*\*  
Company = \*\*\*\*\*  
Plan = \*\*\*\*\*

Dear \*\*\*\*\*:

This letter constitutes notice that a waiver of the minimum required contribution for the Plan for the plan year ending May 31, has been approved subject to the conditions listed below. The waiver is for the required minimum contribution for the above listed plan year; all waiver amortization payments representing this waiver still must be paid as stated in section 412(c)(1)(C) of the Code:

1. Under section 412(c)(7) of the Code, the Company is restricted from amending the Plan to increase benefits and/or Plan liabilities while any portion of the waived funding deficiency remains unamortized, with only certain exceptions as defined in section 412(c)(7)(B);
2. The Company makes contributions to the Plan in an amount sufficient to meet the minimum funding requirements for the Plan for the plan years ending May 31, 2015, through 2019, by February 15, 2016 through 2020, respectively;
3. Starting with the quarterly contribution due on March 15, 2015, the Company makes the required quarterly contributions to the Plan in a timely fashion while the Plan is subject to a waiver of the minimum funding standard. For this purpose, the total amount of each quarterly contribution will be determined in accordance with section 430(j)(3)(D) and section 430(j)(3)(E) of the Code, and

can be comprised of several installments made prior to the respective due date of the quarterly contribution;

- 4. The Company provides proof of payment of all contributions described above in a timely manner to the Service using the fax number or address below.

IRS - EP Classification

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Fax: \*\*\*\*\*

The Company has suffered a substantial business hardship due to problems arising from a change in its largest customer's business model, which has caused a change in the Company's methods of doing business. This has forced the Company to make significant investments in its sales infrastructure, which has reduced Company's net income and cash flows. The Company has also undertaken additional steps to improve its overall financial standing.

Your attention is called to section 412(c)(7) of the Code and section 302(c)(7) of ERISA which describe the consequences that would result in the event the plan is amended to increase benefits, change the rate in the accrual of benefits or to change the rate of vesting, while any portion of the waived funding deficiency remains unamortized. Please note that any amendment to a profit sharing plan or any other retirement plans (covering employees covered by this plan) maintained by the Company, to increase, or any action by the Company or its authorized agents or designees (such as a Board of Directors or Board of Trustees) that has the effect of increasing the liabilities of those plans would be considered an amendment for purposes of section 412(c) of the Code and section 302(c)(7) of ERISA. Similarly, the establishment of a new profit sharing plan or any other retirement plan by the Company (covering employees covered by this plan) would be considered an amendment for purposes of section 412(c)(7) of the Code and section 302(c)(7) of ERISA.

This ruling is directed only to the taxpayer that requested it. Section 6110(k)(3) of the Code provides that it may not be used or cited by others as precedent.

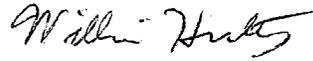
When filing Form 5500 for the plan year ending May 31, , the date of this letter should be entered on Schedule SB (Actuarial Information). For this reason, we suggest that you furnish a copy of this letter to the enrolled actuary who is responsible for the completion of the Schedule SB.

We have sent a copy of this letter to the Manager, EP Classification in Baltimore, Maryland, to the Manager, EP Compliance Unit in Chicago, Illinois.

201510061

If you require further assistance in this matter, please contact \*\*\*\* \* at (\*\*\*\*) \*\*\*\*-  
\*\*\*\*\*.

Sincerely,



William Hulteng, Manager  
Employee Plans Technical

CC:

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