

Fiduciary Duty #24

As you may recall from our last memo regarding the topic of the Fiduciary Duties that confront you, we wanted to visit each of the 22 documents that the Dept. of Labor can request in the event that you have been chosen to undergo an audit under their oversight.

Should you be the recipient of such a notice, we wanted to let you know what each of the requests would entail, thereby enabling you to prepare accordingly.

As such, the next item on their list would be a request for:

ANY AND ALL DOCUMENTS WHICH DESCRIBE THE PLAN'S COMPLIANCE WITH ERISA REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, ERISA COMPLIANCE POLICIES AND PROCEDURES, NAMES OF EMPLOYEES RESPONSIBLE FOR ERISA COMPLIANCE, ANY ERISA COMPLIANCE AUDIT, REVIEWS OR EXAMINATIONS, AND ANY DOCUMENTS WHICH DESCRIBE ANY ERISA COMPLIANCE VIOLATION AND CORRECTION OF THE VIOLATION.

Question: if asked, could you locate these documents and make them available within 10 days?

If so, terrific.

If not, what steps do you need to take in order to be in a position to deliver these, if asked?

If we can be of any assistance in this matter, please be sure to let us know.

Mike & Matt Callan