



DESERT STATES EMPLOYERS AND UNITED FOOD & COMMERCIAL WORKERS UNIONS PENSION PLAN

NOTICE TO ALL PRESENT EMPLOYEES COVERED BY A COLLECTIVE BARGAINING AGREEMENT PURSUANT TO WHICH THE DESERT STATES EMPLOYERS & UFCW UNIONS PENSION PLAN IS MAINTAINED

The Board of Trustees of the Desert States & UFCW Unions Pension Plan will file the application on behalf of the Plan on January 27, 2010 with Internal Revenue Service, Attention: Processing, P.O. Box 12192, Covington, Kentucky 41012-0192. In the application, the Trustees will request a determination as to whether the Plan meets the qualification requirements of sections 401 or 403(a) of the Internal Revenue Code of 1986, with respect to the Plan's continued qualification.

The Internal Revenue Service has issued a favorable determination letter with respect to the qualification of this Plan.

RIGHTS OF INTERESTED PARTIES

As an interested party, you have the right to submit to EP Determinations Internal Revenue Service ("EP Determinations"), at the address below, either individually or jointly with other interested parties, your comments as to whether the Plan meets the qualification requirements of the Internal Revenue Code.

You may instead, individually or jointly with other interested parties, request the Department of Labor to submit, on your behalf, comments to EP Determinations regarding qualification of the Plan. If the Department of Labor declines to comment on all or some of the matters you raise, you may, individually, or jointly if your request was made to the Department of Labor jointly, submit your comments on these matters directly to EP Determinations.

Comments to EP Determinations should include the name of the Plan and Plan number, and the name, address and EIN of the Plan and should be addressed as follows:

EP Determinations
Internal Revenue Service
P.O. Box 12192
Covington, KY 41012-0192

REQUESTS FOR COMMENTS BY THE DEPARTMENT OF LABOR

The Department of Labor may not comment on behalf of interested parties unless requested to do so by the lesser of ten employees or 10% of the employees who qualify as interested parties. The number of persons needed for the Department to comment with respect to this Plan is ten. If you request the Department to comment, your comment must be in writing and must specify the matters upon which comments are requested, and must also include:

1. the name of the Plan and the Plan number;
2. the name, address and EIN of the Applicant; and
3. the number of persons needed for the Department of Labor to comment.

A request to the Department to comment should be addressed as follows:

Deputy Assistant Secretary
Employee Benefits Security Administration
ATTN: 3001 Comment Request
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

COMMENTS TO THE INTERNAL REVENUE SERVICE

Comments submitted by you to EP Determinations must be in writing and received by EP Determinations by March 15, 2010, the 45th day after the application is received by EP Determinations. However, if there are matters that you request the Department of Labor to comment upon on your behalf, and the Department of Labor declines, you may submit comments on these matters to EP Determinations to be received by them within 15 days from the time the Department of Labor notifies you that it will not comment on a particular matter, or by March 15, 2010, the 45th day after the application is received by the EP Determinations, whichever is later, but not after March 29, 2010, the 60th day after the application is received by EP Determinations. A request to the Department of Labor to comment on your behalf must be received by the Department of Labor by February 11, 2010, the 15th day after EP Determinations receives the application, if you wish to preserve your right to comment on a matter upon which the Department of Labor declines to comment, or by February 22, 2010, the 25th day after EP Determinations receives the application if you wish to waive that right.

ADDITIONAL INFORMATION

Detailed instructions regarding the requirements for notification of interested parties may be found in sections 17 and 18 of Revenue Procedure 2009-6. Additional information concerning this application (including, where applicable, an updated copy of the Plan and related trust; the application for determination; any additional documents dealing with the application that have been submitted to the EP Determinations; and a copy of section 17 of Revenue Procedure 2009-6) are available at the Plan office between the hours of 8:30 a.m. and 4:30 p.m. for inspection and copying. (There is a nominal charge for copying and/or mailing.)

Plan Name:	Desert States Employers & UFCW Unions Pension Plan
Plan Identification Number:	001
Employer Identification Number:	84-6277982
Address for Additional Information:	2400 West Dunlap, Suite 250 Phoenix, AZ 85021-2811
Name of Plan Administrator:	Board of Trustees of the Desert States Employers & UFCW Unions Pension Plan
Requirements for Plan Participation:	An Employee shall become a Participant on the January 1 or July 1 immediately following the last to occur of: <ol style="list-style-type: none">1. the date for which the first contribution in his behalf is due to the Plan; and2. his becoming 21 years old; and3. the last day of a 12-month period commencing on his date of hire and anniversaries thereof during which he has completed 520 Hours of Service.