

APRIL 2008

LABORERS LOCAL 35 PENSION PLAN

NOTICE OF ENDANGERED STATUS

This is to inform you that on March 30, 2008 the Plan actuary certified to the U.S. Department of the Treasury, and also to the Plan Trustees, that the Plan is in endangered status for the Plan year beginning January 1, 2008. Federal law requires that you receive this notice.

ENDANGERED STATUS

The Plan is considered to be in endangered status because its funded percentage is less than 80% (the Fund is at 76%).

FUNDING IMPROVEMENT PLAN

Federal law requires pension plans in endangered status to adopt a funding improvement plan, in accordance with the provisions of the Pension Protection Act, aimed at improving the financial health of the Plan. The Trustees have started the studies needed to develop such a plan.

WHERE TO GET MORE INFORMATION

For more information about this Notice, you may contact the Board of Trustees at the Plan Office:

Laborers Local 35 Pension Plan  
Board of Trustees  
P.O. Box 121  
Utica, New York 13503 – 0121  
888-398-2424 or 315-797-6008

You have a right to receive a copy of the funding improvement plan when it is completed.

Sincerely,

Board of Trustees

Copies to:  
Laborers Local 35  
Contributing employers  
PBGC  
Secretary of Labor