



SAMPLE ABRIDGED VERSION OF CASH BALANCE SETTLEMENT AGREEMENT LANGUAGE IF THE PLAN IS A "CONVERSION" FROM A TRADITIONAL DEFINED BENEFIT PLAN

Retirement Benefits of Plaintiff

Plaintiff is a Participant under the [Insert Exact Name of Plan] (hereinafter referred to as Plan). Through a Qualified Domestic Relations Order "QDRO", Defendant is hereby granted a portion of the Plaintiff's retirement benefits under the Plan as specified below.

Amount of Defendant's Benefit: The Defendant will be assigned the following amounts from the Plan:

Defendant's Share of Opening Account Balance: The Defendant will be assigned an amount equal to [Insert % Amount] Percent of the "Marital Portion" of the Plaintiff's "Opening" Account Balance under the Plan as of the Cash Balance Plan Establishment Date (date the prior plan was converted to this cash balance plan). The Marital Portion of the Opening Account Balance shall be determined by multiplying such Opening Balance by a fraction the numerator of which is the number of months of the Plaintiff's credited service earned under the prior plan during the marriage from [Insert Marriage Date] to the Cash Balance Plan Establishment Date, and the denominator of which is the total number of months of the Plaintiff's credited service in the prior plan as of the Cash Balance Establishment Date.

Defendant's Share of the Contributions and Interest Credits: Additionally, the Defendant shall be entitled to receive [Insert % Amount] Percent of any and all

Plan Contributions and Interest Credits accumulated by the Plaintiff under the Plan from the Cash Balance Establishment Date to [Insert the Marriage End Date].

Death of Defendant: If the Defendant dies before the Plaintiff starts receiving benefits, the Defendant's award shall become payable to the Defendant's designated beneficiary (or estate).

Processing The Qualified Domestic Relations Order: Defendant's Attorney will be responsible of preparing, submitting and overseeing the approval of the QDRO until its final acceptance by the plan administrator as a QDRO. It is understood that Defendant's Attorney may employ a QDRO drafting company to assist in the preparation and submission of the Order to the plan administrator for approval as a QDRO.