

PORAC LEGAL DEFENSE FUND

**AMENDMENT NO. THREE TO THE LEGAL DEFENSE FUND PLAN
DOCUMENT**

(As restated January 19, 2024)

The Board of Trustees of the PORAC Legal Defense Fund, pursuant to Section 3 of Article VI of the Fund's Trust Agreement and pursuant to Article VII of the LDF Plan Document, hereby amends the LDF Plan Document as follows:

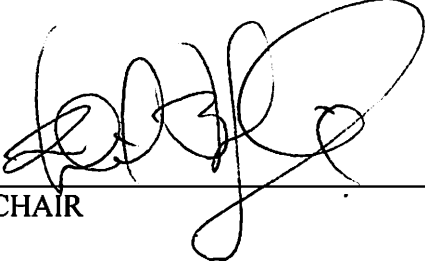
1. Restate Article V (Claims Procedures and Contractual Limitations Period), Section 6, in its entirety:
 6. **Appeal Procedures for Denials of Coverage Under Regular Coverage (Sections 1-5 and 11)**
 - (a) **Denial** – If a claim for Plan benefits under Sections 1-5, and 11 of Article III made by a Participant is wholly or partially denied, the Legal Administrator shall give written notification of such denial to the Participant within ninety (90) days of receipt of the Participant's claim for benefits. If coverage is discontinued in whole or partially, the discontinuation of said coverage is deemed a denial of benefits. In the event the Legal Administrator does not provide written notice of its decision within ninety (90) days of the Participant's claim, the claim shall be deemed denied. (A claim shall not be considered to have been received by the Legal Administrator until receipt of any transcripts required by Article IV of the Plan.) The notification shall include the following information:
 - (1) The specific reason(s) for such denial;
 - (2) Specific reference to the Plan provisions upon which the denial is based;
 - (3) A description of any additional material or information which may be needed to clarify or complete the claim and an explanation of why such information is required; a statement of Participant's right to bring an action under ERISA section 502(a);
 - (4) An explanation of the Plan's review procedure with respect to the denial of benefits; and
 - (5) A statement that the Participant is entitled to receive upon request and free of charge reasonable access and copies of documents, records, and other information relevant to the Participant's claim.

(b) Request for Hearing


- (1) Any Participant whose claim has been denied or whose coverage has been discontinued may appeal to the Trustees to conduct a hearing in the matter, provided that he or she requests the hearing in writing within sixty (60) calendar days after being notified of the denial; and provided further that the request for a hearing explains to the degree possible why the reasons for the denial are inapplicable. The Participant may request and examine documents pertinent to the denial and may submit written issues and comments to the Trustees.
- (2) The Trustees shall conduct a hearing after receipt of the Participant's complete written request for a hearing. The Board meets regularly on a periodic basis, at least quarterly. The Board shall conduct the Participant's hearing during a regularly scheduled Board meeting as follows:
 - (i) If the Participant's request is received more than thirty (30) days from the next scheduled meeting of the Board, the hearing will be held at that first meeting after receipt of the written request.
 - (ii) If the Participant's request for review is received within thirty (30) days of the date of that first meeting, the Trustees may hear the request at the second scheduled meeting following receipt of the request.
 - (iii) A hearing extension of not later than the third meeting of the Trustees following the date of receipt of the written appeal may be allowed due to special circumstances; prior to the commencement of such extension, the Legal Administrator shall provide the appellant with written notice of the extension, describing the special circumstances and the date when the benefit determination will be made.
- (3) Within five (5) days of the conclusion of the hearing on the Participant's appeal, the Trustees shall issue a written decision, affirming, modifying, or setting aside the Legal Administrator's decision.
- (4) The Participant shall be entitled to present his or her position and any evidence in support thereof at the hearing. The Participant may be represented at the hearing by an attorney or any other representative of his or her choosing at the Participant's expense.

2. The effective date of this Amendment No. Three is October 8, 2024.

This amendment was adopted by the Board of Trustees at a regular meeting held in Sacramento on October 8, 2024.



CHAIR



VICE-CHAIR