



Urgent attention required: IRS qualified plan determination program deadline approaching

January, 2008

The IRS requires all sponsors of individually designed qualified plans (e.g. ESOPs, profit-sharing plans, 401(k) plans, etc.) to obtain a new determination letter for changes in the tax laws once every five years. The filing year for each plan is based on a qualified plan's "Remedial Amendment Cycle" (RAC), which is determined by the last digit of the company's Employer Identification Number ("EIN"). The current Cycle ("Cycle B"), applies to EINs ending in 2 or 7. Under the IRS program, the deadline date for resubmitting qualified plans falling within Cycle B to receive a new favorable determination letter is January 31, 2008.

If your company's EIN ends in either a 2 or 7 and your company's qualified plan has not yet been resubmitted to the IRS, you should notify Katherine Somervell at 503.499.4454 or your qualified plan counsel **immediately**, so that the proper forms can be completed and notice to interested parties given in time for the plan to be submitted by the January 31, 2008 deadline. If you have any questions, or if you wish to retain Bullivant to assist you in completing the necessary forms, you must contact us by Friday, January 18, 2008 or we will be unable to assist you in meeting the IRS deadline.