

IN THE _____ SUPERIOR COURT OF THE
STATE OF CALIFORNIA IN AND FOR _____ COUNTY

In re the Marriage of

Plaintiff,

Case No.

and

Defendant.

_____/

QUALIFIED DOMESTIC RELATIONS ORDER

The alternate payee will receive benefits from the participant's retirement plan pursuant to the participant's assignment of benefits to the alternate payee, in compliance with Sections 401(a)13 and 414(p) of the Internal Revenue Code of 1986, as amended, as follows:

1. The participant is (plan participant), who resides at (address). The alternate payee is (spouse of plan participant), who resides at (address). The alternate payee and the participant were married on (dated), and were separated on (date), (years and months) from the date of marriage.

2. The participant assigns to the alternate payee a portion of benefits from the participant's benefits from the following retirement plan in which (plan participant) is a participant and the following retirement plan will pay benefits to the alternate payee as provided in this order:

SACRAMENTO AREA ELECTRICAL WORKERS PENSION PLAN
c/o United Administrative Services
1120 S. Bascom Ave.
San Jose, CA 95128

3. The SACRAMENTO AREA ELECTRICAL WORKERS PENSION PLAN (the Plan), from which benefits are assigned under paragraph 2 above, will pay Plan benefits to

the alternate payee under the following formula. The Fund shall determine the account balance of the plan participant at the date of marriage (the "A" amount), the account balance of the plan participant at the date of separation (the "B" amount), and will allocate 50% of the sum determined by subtracting the "A" amount from the "B" amount. In addition, accrued interest on the account from the date of separation to the date of payout shall be divided between the plan participant and alternate payee on a pro rata basis bearing proportional representation to the accrued balance of the plan participant's share of the proceeds and alternate payee's share of the proceeds at date of separation. Additional interest attributable to the participant's contributions accruing post separation shall be entirely allocated to the participant. If possible, the Fund will establish a separate account for the alternate payee as of the date of separation and accrue interest on the separate account at the rate accrued for all plan participants.

4. The plan will pay benefits to the alternate payee from the amount set aside in any manner allowed by the Plan, i.e., lump sum or periodic payments.

5. The benefits payable to the alternate payee will commence when the participant begins to receive benefits under the plan unless alternate payee has earlier elected to take payments subject to applicable law or as affected by an earlier order of the Court under its powers of retained and reserved jurisdiction over division of the community interest in the plan. The date of benefits may also be affected by conditions affecting the date that participant begins to receive benefits as more particularly described in this order.

6. This assignment of benefits does not require the designated plan to provide any type of former benefit, or any option, not otherwise provided under the plan. This assignment does not require the plan to provide increased benefits. This assignment does

not require the plan to provide benefits to an alternate payee which are required to be paid to another alternate payee under another order previously determined to be a Division of Retirement Interests.

7. The participant, the alternate payee, and the Court intend this order to be a Qualified Domestic Relations Order as defined in Section 414(p) of the Internal Revenue Code of 1986, as amended, and the Retirement Equity Act of 1984, Pub. L. No. 98-397.

8. This order is issued pursuant to the laws of the State of California which relate to marital property rights, more specifically the division of community interests in retirement or pension plans and includes the ability of the Court to issue such orders as necessary to affect the division of the community interest in the retirement plan, specifically reserving and retaining jurisdiction to do so, including but not limited to the issuance of an election by the alternate payee to take her share at an earlier date than the participant may commence receiving his benefits under the laws established in California.

9. The alternate payee shall have the right to elect to receive benefit payments under the plan after the earlier to occur of the first date for payments allowed under the plan or after the participant reaches the earliest retirement under the plan as provided in Internal Revenue Code Section 414(p)(4). To the extent permitted by law, the alternate payee has the right to select the time of receipt of her benefit under the SACRAMENTO AREA ELECTRICAL WORKERS PENSION PLAN, provided that the time selected does not affect the participant's right to select the time his benefit commences or the amount of his benefit.

Each party shall, upon receiving notice of the need for same, perform any act reasonably necessary to carry into effect or verify the carrying into effect of the terms of

this order.

10. The alternate payee authorizes the SACRAMENTO AREA ELECTRICAL WORKERS PENSION PLAN to recover any overpayment made to her because of her failure to notify SACRAMENTO AREA ELECTRICAL WORKERS PENSION PLAN a change of circumstances which affects his/her entitlement. This section shall be binding upon the alternate payee and her heirs and/or estate.

In the event the alternate payee remarries the participant, or marries another individual, the payments to the alternate payee provided above shall continue to be paid.

Each party shall, upon receiving notice of the need for same, perform any act reasonably necessary to carry into effect or verify the carrying into effect of the terms of this order.

11. Social security numbers and employee numbers are set forth in documents that will not be made public. Dates of birth for participant and alternate payee and current addresses for all named parties are here set forth, and these addresses shall continue to be correct for purposes of notification, unless the party to whom notice is to be given has notified the others of a change of address.

Participant

Name:
Address:
Social Security No.:
Date of Birth:
IBEW Card No.:

Alternate Payee

Name:
Address:

Social Security No.:
Date of Birth:

Plan

Name: SACRAMENTO AREA ELECTRICAL WORKERS
PENSION PLAN

Address: c/o United Administrative Services
1120 S. Bascom Ave.
San Jose, CA 95128