

**IBEW LOCAL 332 PENSION PLAN, PART B**  
**Meeting Minutes**  
**January 24, 2013**

A meeting of the Board of Trustees of the IBEW Local 332 Defined Contribution Pension Trust Fund was held on Thursday, January 24, 2013 at the offices of United Administrative Services in San Jose, California.

**1. CALL TO ORDER**

The meeting was called to order by Gerald Pfeiffer.

**2. ROLL CALL**

Union Trustees

Gerald Pfeiffer  
Pete Reyes, Jr.  
Larry Vasquez  
Alan Wieteska

Management Trustees

Vic Castello  
Bill Pfeiffer

Also in Attendance:

George Kraw and Katherine McDonough; Kraw & Kraw  
Sid Kaufmann and Marci Vukson; Kaufmann and Goble  
Michael Ashman (Telephonically)  
Donna Rios, Jean Sukovez, Sandy Stephenson and Debbie Wolfe, Administrative Office

**3. MINUTES**

Following review, it was **M/S/C** to approve the December 5, 2012 Minutes as presented.

**4. CORRESPONDENCE**

- A. Hemming Morse – Relocation of Office. It was reported that Alex Miller would be working out of the Walnut Creek Office as of January 1, 2013.
- B. McMorgan – Form ADV Part 2B Brochure Supplement.
- C. Security Litigation Refunds. Two checks were received as refunds from Securities Litigation; one totaling \$11.95 relating to a January 2012 stale check for Schering-Plough Corp for 2001 and the second check for \$5,797.84 for January 2012 stale checks.

The correspondence is on file with the Administrative Office.

**5. DISBURSEMENTS AND RECIPROCITY REPORT**

The Trustees reviewed disbursements beginning with Check #3514 through #3525. The Trustees reviewed the Outgoing Reciprocity Reports for October and November paid through ERTS, as well as the Incoming Reciprocity Reports for October, November and December 2012. The Trustees also reviewed a Master List of Locals. It was **M/S/C** to approve the disbursements and the reciprocity reports as presented.

**6. FINANCIAL STATEMENT**

Ms. Sukovez referenced the financial statement for October 2012 and provided an overview of the Assets, Liabilities, Income and Expenses and Schedule of Investments. She reported that the November financial statement would be e-mailed to the Trustees once issues with Wilmington Trust are solved. It was **M/S/C** to approve the October 2012 financial statement as presented.

**7. REPORT BY INVESTMENT CONSULTANT**

No report.

**8. REPORT BY ADMINISTRATOR**

A. Mandatory Distributions

The Trustees reviewed two (2) mandatory distributions for the month of January 2012. The distributions were in order. It was **M/S/C** to approve the mandatory distributions as presented. The list is attached to the Minutes.

B. Liquidated Damages Memo

The Trustees reviewed a memo from the Administrator's office to the Trustees regarding the collection of liquidated damages and also noted the Trust Fund's charges for liquidated damages of 10% or \$60.00, whichever is greater, when an employer becomes delinquent. The memo reviews the costs resulting from delinquencies and reconfirms that the liquidated damages are a reasonable approximation of the actual costs. These costs are reviewed on an annual basis.

C. Summary Annual Report

The Trustees reviewed a copy of the Summary Annual Report for the year ending December 31, 2011 that was mailed to all participants as required on an annual basis.

D. Educational Meetings

Ms. Rios announced that educational meetings for 2013 would be held as follows: Thursday, May 2nd from 6:00 p.m. – 7:30 p.m. and Saturday, November 2<sup>nd</sup> from 9:00 a.m. – 10:30 a.m. at the Union Hall.

9. REPORT BY KRAW & KRAW, ATTORNEYS

No report.

10. REPORT BY ACTUARY AND CONSULTANT

A. Fiduciary Liability Insurance Policy Renewal

Ms. Vukson reviewed the Fiduciary Liability Insurance renewal proposal from Travelers Casualty & Surety Company for the period of January 15, 2013/2014. She said Mr. Herrle requested proposals for Part A and Part B separately and in a combined policy. Mr. Herrle, who was not in attendance due to illness, recommended approval of the proposal for the joint policy. The proposed annual renewal premium for the separate policies was \$5,700.00 more than the joint policy. Following review, it was **M/S/C** to renew the Fiduciary Liability Insurance Policy with Travelers Casualty & Surety Company effective January 15, 2013 for another annual term with a \$10 million insurance limit and an annual premium of \$117,876 for both insured pension plans combined.

B. Participant Activity Report

Ms. Vukson distributed and reviewed the Participant Activity Report dated January 24, 2013 with data for the year ended December 31, 2012. The overall return for the portfolio as of December 31<sup>st</sup> was 1.58%. The Report is on file in the Administrative Office.

Mr. Kaufmann reported that Kaufmann and Goble's fees are not reflected on the Fund's Form 5500 Schedule C reporting because his firm collects more from the fund managers than his firm's fee. Funds in excess of Kaufmann and Goble's fees are returned to the Fund on a quarterly basis. Mr. Kaufmann said he thinks fees for all providers should be shown on the Form 5500, but that is not the current procedure.

Mr. Kaufmann said he thought the Trustees should ask the Investment Consultants to provide them with an after move report on Calamos Growth that would show what the Fund's returns would have been if the manager had not been terminated. The Trustees concurred.

**11. OLD BUSINESS**

A. Meeting to Discuss Contribution Rate Options

Mr. Kraw said the meeting to discuss contribution rate options would be scheduled in the near future.

**12. NEW BUSINESS**

Gerald Pfeiffer advised the Trustees that he has been contacted by Stern and Stern, a company that would like to conduct a presentation relating to obtaining securities litigation funds on failed investments for IBEW Local 332. He said a representative from the company told him there is no charge for this service.

Mr. Kraw provided background on this company as well as other companies that provide this service. He said the Fund's Custodian currently provides this service. The Custodian returns funds to the Trust fund in the form of securities litigation refunds, two of which were reviewed earlier in this meeting. Mr. Kraw said he saw no quid pro quo in this and he provided his reasons for his opinion. Following lengthy discussion, the Trustees took no action on this topic.

**13. NEXT TRUSTEE MEETING DATE**

A. Next Meeting Date

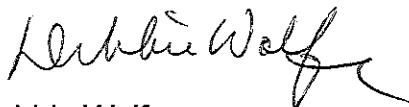
The next regular meeting is scheduled on Thursday, February 28, 2013 at the offices of United Administrative Services in San Jose, California.

B. Annual Meeting – 2013

The Trustees reviewed details relating to the 2013 Annual Meeting which will be held at Quail Lodge from September 25-27, 2013.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Debbie Wolfe  
Recording Secretary

IBEW LOCAL 332 PART B MANDATOR. DISTRIBUTIONS  
January 2013

NAME	ID#	LAST DATE WORKED
1.) Dubord, Alan	7600	Mar-98
2.) Ribaya, Jerry	3582	Apr-01

- 1.) Mr. Dubord would like a total distribution of his Part B account.
- 2.) Mr. Ribaya would like a total distribution of his Part B account.