SUMMARY PLAN DESCRIPTION

OF THE

WITTENBERG UNIVERSITY
DEFINED CONTRIBUTION
RETIREMENT PLAN

Date Summary Effective: January 1, 2016
# SUMMARY PLAN DESCRIPTION
OF THE
WITTENBERG UNIVERSITY
DEFINED CONTRIBUTION RETIREMENT PLAN

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SUMMARY PLAN DESCRIPTION
OF THE
WITTENBERG UNIVERSITY DEFINED CONTRIBUTION RETIREMENT PLAN

OPENING STATEMENTS

This Summary Plan Description (“SPD”) outlines the main features of the Plan as of January 1, 2016. It has been prepared to make certain provisions of the Plan easier for you to understand. Not all Plan rules are described in the SPD because some of the rules apply in only limited circumstances, and not all the information you would need to fully understand the Plan is included. A copy of the full text of the Plan is available from the University in the official Plan Document. Any questions that are not answered by this SPD, should be directed to the Wittenberg University Human Resources Department.

IN THE CASE OF ANY CONFLICT OR INCONSISTENCY BETWEEN THE PROVISIONS OF THIS SPD AND THE PLAN DOCUMENTS, THE PROVISIONS OF THE PLAN DOCUMENTS WILL CONTROL.

INTRODUCTION

Wittenberg University (the “University”) sponsors the Wittenberg University Defined Contribution Retirement Plan (the “Plan” or “Defined Contribution Plan”) to provide retirement benefits for eligible employees. The plan is a tax-sheltered annuity program intended to meet the requirements of Section 403(b) of the Internal Revenue Code.

All contributions made to the Plan are kept in a Trust and are invested in annuity contracts or in mutual funds selected by the University and managed by the Fund Sponsors Teacher’s Insurance and Annuity Association (TIAA) and the College Retirement Equity Fund (CREF). Within the Plan’s Trust, a 403(b) Account is set up in your name and maintained for you. Your 403(b) account may contain sub-accounts governed by separate eligibility, contribution, and distribution rules. Such accounts will be valued at least annually to reflect investment gains, losses, contributions, withdrawals, and Plan expenses. These sub-accounts will hereafter be referred to in this SPD as:

- The Defined Contribution Account
- The Tax Deferred Annuity Account

The agreements representing the annuity contracts and investment accounts (the “Individual Agreements”) explain your rights under the contracts and accounts, and the rules that apply to each Plan investment which may, in some cases, limit your options under the Plan.
When you enroll in the Plan, you’ll need to name a beneficiary to receive the value of your Account in the event of your death. This can be done on-line at www.tiaa-cref.org/profile. If you’re married but choose to name someone other than your spouse as your primary beneficiary, you and your spouse must complete a Designation of Beneficiary form, including the spousal waiver form (note: this can only be done after you attain age 35, or earlier if you terminate employment prior to age 35). Your spouse includes a person married to you in a same-sex marriage that was valid in the state of marriage, regardless of your current state of residence. To obtain a paper form, visit www.tiaa-cref.org/forms or call 1.800.842.2776.

In addition, you may waive the annuity form of payment that your spouse is entitled to receive (while retaining him or her as your beneficiary), but such waiver must also be consented to in writing by your spouse. Any such consent from your surviving spouse must:

- be in writing;
- designate the specific beneficiary or beneficiaries of your Account (if other than your spouse);
- be witnessed by a notary public or a Plan representative; and
- include a statement acknowledging that your spouse is waiving benefits to which he or she is entitled under the law.

You should review your beneficiary designation periodically to make sure the person you want to receive your Account is properly designated. You may change your beneficiary by completing the “Designation of Beneficiary” form available from TIAA-CREF by calling (800) 842-2776 between the hours of 8 am to 10 pm Monday through Friday and 8 am to 6 pm on Saturday.
ELIGIBILITY

General Eligibility
All employees of the University are eligible to participate in the Plan with the exception of the following:
  a. Students who are enrolled and regularly attending classes, hired through the student employment system and/or paid through the student employment payroll system;
  b. Individuals who are classified as independent contractors.

If you are rehired by the University you will become a participant in the Plan on the first day of the month following your re-employment date if you were previously a participant in the Plan prior to your initial termination of employment.

Tax Deferred Annuity Account Eligibility
You will be immediately eligible to participate in the Plan and make elective deferrals and rollover contributions to your Tax Deferred Annuity Account after you are hired by the University.

Defined Contribution Account Eligibility
  a. You will be eligible to make elective deferrals and rollover contributions to your Defined Contribution Account, effective on the first day of the month after you are credited with a year of service. A “year of service” is a 12-month period, beginning on your date of hire, or rehire, in which you are credited with at least 1,000 hours of service.
  b. If, prior to becoming employed by the University, you worked for another employer that maintained a 403(b) tax-sheltered annuity plan, you will be given credit for a year of service if you were credited with at least 1,000 hours of service in a 12-month period with your prior employer. This means that if you worked a minimum of 1,000 hours for your prior employer and it maintained a 403(b) tax-sheltered annuity plan, regardless of whether or not you participated in that plan, then you are immediately eligible to participate in the Wittenberg Defined Contribution Plan.

Examples:
  **Example 1**: Bob was hired by the University on March 3, 2015. He did not participate in a qualified 403(b) tax-sheltered annuity plan with his prior employer. Bob can make elective deferrals to his Tax Deferred Annuity Account immediately upon hire by the University. If Bob works at least 1,000 hours from March 3, 2015 to March 2, 2016, Bob will become eligible to make elective deferrals to his Defined Contribution Account beginning April 1, 2016.
  **Example 2**: Mary was hired as a full-time employee by the University on March 3, 2015. Prior to working for the University, she worked full-time for more than 12 months for an employer that maintained a 403(b) tax-sheltered annuity program. Mary is immediately eligible to make elective deferrals to her Tax Deferred Annuity Account and/or her Defined Contribution Account on April 1, 2015.
**PLAN OVERVIEW**

*Enrollment*
Account transactions are processed through TIAA-CREF, the Fund Sponsor and recordkeeping vendor that has been selected by the Plan Administrator (the University). You may enroll by completing the paper enrollment form available from your Human Resources department or enroll online at www.tiaa-cref.org/wittenberg. If you need assistance, contact TIAA-CREF at 800.842.2776 Monday through Friday from 8:00 a.m. to 10:00 p.m. and Saturday from 9:00 a.m. to 6:00 p.m., ET.

*Name a Beneficiary*
When you enroll in the Plan, you’ll need to name a beneficiary to receive the value of your account in the event of your death. See the Beneficiary section of this SPD.

*Account Statements*
After each calendar quarter you will receive a statement of your account. In addition, you may obtain a current statement of your account by going to www.TIAA-CREF.org/wittenberg, clicking on the “Access My Account” link and type in your User ID. You can also call TIAA-CREF at (800) 842-2776 between the hours of 8 am to 10 pm Monday through Friday and 8 am to 6 pm on Saturday

*Elective Deferrals*
Once you meet the eligibility requirement and are considered a participant in the Plan, you may elect to reduce the amount of your eligible compensation and have such amount contributed to your Plan Account(s) as an Elective Deferral. Elective Deferrals can be made on a pre-tax basis to your Defined Contribution Account or to your Tax Deferred Annuity Account. After-tax/Roth contributions can only be made to your Tax Deferred Annuity Account.

Elective Deferrals made on a pre-tax basis reduce the amount of your current compensation for federal and usually state income tax purposes. By contributing on a pre-tax basis, you defer income taxes on your contributions and their earnings, until you take a distribution from the Plan. Generally, pretax Elective Deferral elections and their earnings cannot be distributed from the Plan until your employment with the University ends. See the “Distributions” section of this SPD for a description of the rules regarding distributions.

Elective Deferrals made on an after-tax basis are treated as Roth contributions for purposes of the Plan, and do not reduce your current compensation for federal income tax purposes. After-tax/Roth contributions are taken from your pay after federal, state, and local income taxes have already been withheld. By contributing on an after-tax/Roth basis, you are generally not taxed on your contributions and earnings when they are distributed to you (provided certain requirements are met).

Upon your date of hire, you can choose to make pre-tax Elective Deferrals to your Tax Deferred Annuity Account. You may also contribute after-tax/Roth Elective Deferrals to your Tax Deferred Annuity Account by making a separate Roth election.
After you are credited with a year of service, or if you meet earlier eligibility requirements, you can choose to make pre-tax elective deferrals of at least 2% but not more than 5% of your eligible compensation to your Defined Contribution Account. Deferral amounts greater than 2 percent but not more than 5 percent will be contributed to the Defined Contribution portion of the plan or upon request to the Tax Deferred Annuity portion of the plan. If the pre-tax percentage of your elective deferrals is less than 2% or greater than 5%, your pre-tax elective deferrals will be posted to your Tax Deferred Annuity Account. You cannot make after-tax/Roth elective deferrals to your Defined Contribution Account.

Contributions are subject to maximum annual limits as determined by the IRS.

**Automatic Enrollment for Elective Deferrals**
Effective for eligible employees hired on and after January 1, 2016, upon becoming eligible to make elective deferrals to your Defined Contribution Account, 5% of your eligible compensation will automatically be contributed to your Defined Contribution Plan Account on a pre-tax basis as an Elective Deferral. You will be given notice of this automatic election, and your right to prevent the automatic election from starting. The automatic enrollment percentage can be changed from 5% to zero prior to the commencement of your participation in the plan, but the minimum contribution requirement for the defined contribution plan is at least 2%. Deferrals greater than 2 percent but not more than 5 percent will automatically be contributed to the Defined Contribution portion of the plan or upon request to the Tax Deferred Annuity portion of the plan.

**Changes to Elective Deferrals**
You may start, stop, or change the amount of your elective deferrals at any time. Simply complete an elective deferral election form obtained online at [www.TIAA-CREF.org/wittenberg](http://www.TIAA-CREF.org/wittenberg) or from the Human Resources Department. Once the form is submitted to the Human Resources department, your deferral changes will be processed as soon as administratively possible.

**Elective Deferrals during Leaves of Absence**
- **Paid Leaves**
  During a paid leave of absence, your Elective Deferrals will continue and will be based on the eligible compensation paid to you during your leave.

  If you are an employee who goes on sabbatical, and you are not classified as a “highly-compensated employee”, your Elective Deferrals will continue and will be based on your choice of either a) your regular eligible wages immediately prior to the date you go on sabbatical or b) your reduced wages paid to you during your sabbatical.

  In no case can your Eligible Deferrals be more than the amounts described in the Section titled “Limitations on Contributions” that may be allocated to your Account for a Plan Year.

- **Unpaid Leaves**
  During the period an employee is not receiving pay from the University, Elective Deferrals and matching contributions may not be made to the Plan.
• **Qualified Military Leave**
  If you terminate or are on leave from the University as a result of entering into military service, your Elective Deferrals will cease during the period you are not paid by the University. If you return to active employment with the University after completing your military service, you will be given the opportunity to contribute “make-up” Elective Deferrals, up to the annual maximum allowed by the IRS. Employees who make up pre-tax deferrals at a rate of at least 2% of eligible compensation, will also receive matching contributions on the pre-tax make-up deferrals.

**Matching Contributions**
If you make pre-tax Elective Deferrals to your Defined Contribution Account, the University will make employer contributions to your Account equal to 5% of your eligible compensation, provided that you make pre-tax Elective Deferrals of at least 2% of your eligible compensation. If you elect to defer at least 2% of your eligible compensation you will receive the match. If you elect to make pre-tax Elective Deferrals of less than 2% of your eligible compensation, your contributions will not be matched and will be allocated to your Tax Deferred Annuity Account.

Your contributions under the Tax Deferred Annuity Account will not be matched. Roth, catch up, and special catch-up contributions are not matched.

The University reserves the right to modify the amount of matching contributions that will be allocated to your account, including reducing such amount to zero. Matching contributions will be allocated to your Account on a payroll period basis.

**Special 403(b) Catch-up Contributions**
If you have completed at least 15 years of service with the University, and you have not met the IRS contribution limit in any previous year, then you may be eligible to make an additional Special Catch-up Contribution to the Plan. The total additional amount that you may contribute under the special 403(b) catch-up rule is a lifetime maximum of $15,000. The special catch-up amount may be deferred in increments of up to $3,000 per year until the maximum is reached. You may make a special catch-up contribution equal to the smallest of the three amounts listed below:

- $3,000
- $15,000 minus the amount of the Special 403(b) catch up contributions made in prior years
- $5,000 times the number of years you have worked for the University \( \text{minus} \) the total amount of deferrals made while you worked for the University

If you qualify for both the age 50 catch-up contributions (described below) and the special 403(b) catch-up contributions, your catch-up contributions will be allocated first as special 403(b) catch-up contributions. These special catch-up contributions are ineligible for the University employer match.

**Age 50+ Catch-up Contributions**
If you are age 50 or older, or will turn age 50 by the end of the calendar year, and you are planning to contribute the IRS maximum for the Plan year, you may make additional pre-tax
contributions to the Plan, called “catch-up” contributions. For 2016, the maximum amount of age 50 catch-up contributions you may make is $6,000. Age 50 catch-up contributions are ineligible for the University employer match.

**Rollovers into the Plan**
As an active participant or former active participant, you may roll over to the Plan money(ies) that you received from: (a) another tax-sheltered annuity program that meets the requirements of Code Section 403(b); (b) a qualified plan; (c) a governmental Section 457 plan; (d) pre-tax contributions from a traditional IRA; or (e) Roth contributions from an eligible retirement plan (other than an IRA). You may withdraw rollover contributions made to your Tax Deferred Annuity Account at any time.

Please contact TIAA-CREF for a complete list of plans from which you can make a rollover contribution.

**Vesting**
You will always be 100% vested in all contributions made to your Accounts. This means that all amounts contributed by you and the University, including investment earnings on such amounts, will be distributed to you or your beneficiary when permitted by the Plan.

**Compensation for Plan Purposes**
Compensation is defined as your base wages and overtime wages. Compensation also includes amounts not included in your gross income because the amounts were subtracted from your pay on a pre-tax basis to contribute to the Plan (your elective deferrals) or to other eligible plans (your pre-tax cafeteria plan contributions) sponsored by the University. In no event shall your compensation include amounts payable to you more than 2½ months after your termination of employment or severance payments paid to you after your termination of employment.

**Limitations on Contributions**
- **Limits on employee Elective Deferrals**
  Generally, contributions made to the Plan may not exceed certain Internal Revenue Service (IRS) limits. Under the Internal Revenue Code, elective deferrals are limited to a specified amount which may be adjusted each year to reflect changes in the cost of living. The employee elective deferral limit for the 2016 Plan year (excluding catch-up contributions) is $18,000. **Important Note:** If you deferred amounts to another 403(b) plan or 401(k) plan other than the University’s Plan during the same calendar year, the total of all employee deferrals to all plans cannot exceed the elective deferral limit. It is important that you contact the Human Resources department to inform it of the amount you deferred into other plans no later than March 1 of the year after the year in which the excess deferral occurred to avoid being taxed twice on the excess amounts.

- **Limits on Employer and Employee Contributions**
  Under the IRS Code, the total of your Elective Deferrals plus the University’s contributions (except rollover contributions and catch-up contributions) is limited to a specified amount which may be adjusted annually. For the 2016 Plan year, the total
contributions to your Account cannot exceed the lesser of $53,000 or 100% of your compensation for the year.

- **Limit on Maximum Amount of Compensation**
  In addition, the maximum amount of compensation that may be used to determine your share of matching contributions is limited to a specified amount which may be adjusted annually. For the 2016 Plan year, this amount is $265,000.

- **Limits on Matching Contributions**
  If you are classified as a “highly-compensated employee,” the amount of matching contributions allocated to your Account for each year is subject to a discrimination test. If the Plan fails this test for a year, the amount of matching contributions allocated to your Account may be limited for such year. You will be treated as a highly-compensated employee for 2016 if you earned more than $120,000 in 2015.
INVESTMENT OF PLAN ASSETS

All contributions to the Plan made by you or for your benefit are held in a Trust and invested in an annuity contract or mutual funds selected by the University and maintained by one or more Fund Sponsors. The University, or someone appointed by the University, will select the Fund Sponsors and Funding Vehicles (the investment options) that will be available under the Plan. These Fund Sponsors and Funding Vehicles may change from time to time as the University deems necessary. The assets in your Account will be invested by the Fund Sponsors in accordance with the investment elections you make. The agreements representing the annuity contracts, custodial accounts, and mutual funds (the “Individual Agreements”) explain your rights and rules that apply to each investment option. You should carefully review the Individual Agreements governing the annuity contracts and custodial accounts, the prospectus, and other available information before making investment decisions. These are available on the TIAA-CREF website at www.tiaa-cref.org. Plan records will be kept on a Plan Year (January – December) basis.

The Plan is intended to be a plan described in section 404(c) of the Employee Retirement Income Security Act (ERISA) and the Department of Labor regulation section 2550.404c-1. This means that the University and others in charge of the Plan will not be responsible for any losses that result from investment instructions given by you or your beneficiary.

Generally, you can make changes to the investments in your Account each day the national stock exchanges are open for business. However, the Plan has placed certain restrictions on participants who engage in frequent trading of their accounts. You can access your account and make fund changes by logging into your account at www.TIAA-CREF.org/wittenberg and selecting “Access My Account.” You will need your User ID and password to make investment changes.
INVESTMENT OPTIONS

Amounts allocated to your Account may be invested in one or more of the following Funding Vehicles (investment options) currently available under the Plan.

1. *Equities*

**Variable Annuities**

<table>
<thead>
<tr>
<th>Investment Name</th>
<th>Share Class</th>
<th>Ticker Symbol</th>
</tr>
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<tbody>
<tr>
<td>CREF Equity Index Account</td>
<td>N/A</td>
<td>QCEQRX</td>
</tr>
<tr>
<td>CREF Global Equities Account</td>
<td>N/A</td>
<td>QCGLRX</td>
</tr>
<tr>
<td>CREF Growth Account</td>
<td>N/A</td>
<td>QCGRRX</td>
</tr>
<tr>
<td>CREF Stock Account</td>
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<td>QCSTRX</td>
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</tbody>
</table>

**Mutual Funds**

<table>
<thead>
<tr>
<th>Investment Name</th>
<th>Share Class</th>
<th>Ticker Symbol</th>
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</thead>
<tbody>
<tr>
<td>TIAA-CREF International Equity Index Fund</td>
<td>Institutional</td>
<td>TCIEX</td>
</tr>
<tr>
<td>TIAA-CREF Large-Cap Value Index Fund</td>
<td>Institutional</td>
<td>TILVX</td>
</tr>
<tr>
<td>TIAA-CREF Lifecycle Retirement Income Fund</td>
<td>Premier</td>
<td>TLRIIX</td>
</tr>
<tr>
<td>TIAA-CREF Mid-Cap Growth Fund Premier</td>
<td>Institutional</td>
<td>TRPWX</td>
</tr>
<tr>
<td>TIAA-CREF Mid Cap Value Fund</td>
<td>Institutional</td>
<td>TIMVX</td>
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<tr>
<td>TIAA-CREF Small-Cap Blend Index Fund</td>
<td>Institutional</td>
<td>TISBX</td>
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</table>

2. *Real Estate*

**Variable Annuities**

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<thead>
<tr>
<th>Investment Name</th>
<th>Share Class</th>
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<tbody>
<tr>
<td>TIAA Real Estate Account</td>
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3. *Money Market*

**Variable Annuities**

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<thead>
<tr>
<th>Investment Name</th>
<th>Share Class</th>
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<tbody>
<tr>
<td>CREF Money Market Account</td>
<td>N/A</td>
<td>QCMMRX</td>
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</table>

4. *Guaranteed Annuity*

<table>
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<tr>
<th>Investment Name</th>
<th>Share Class</th>
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<tbody>
<tr>
<td>TIAA Traditional Account</td>
<td>N/A</td>
<td>N/A</td>
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5. *Multi-Asset Lifecycle Funds*

TIAA-CREF Lifecycle Funds provide a one-step approach to investing. You pick a single TIAA-CREF Lifecycle Fund with the target year that most closely matches the year you think you will retire. These “funds of funds” are comprised of underlying TIAA-CREF mutual funds that invest in a broadly diversified set of asset classes such as U.S. stocks, international stocks, bonds, and money market instruments specifically chosen to help meet retirement savings goals. Lifecycle Funds adjust from a more aggressive, higher risk allocation to a more conservative, lower risk allocation as the target retirement date approaches. Each starts with a professionally constructed asset mix that gradually adjusts over time to become more conservative. This is achieved by decreasing the underlying equity holdings and increasing the fixed income holdings as retirement nears. This gradual shift into fixed income from equities still provides the growth potential you need to maintain through retirement, but reduces volatility as retirement draws closer.

If you fail to direct the investments in your Account, the life-cycle fund appropriate for your age will be selected as the default investment fund.

As with all mutual funds, the principal value of a Lifecycle Fund isn’t guaranteed. Also, please note that the target retirement date of the Lifecycle Fund you invest in is the approximate date that you plan to retire and commence withdrawing from the fund. Your personal situation will dictate when you’re eligible to take a distribution from your account, not necessarily the target date of the Lifecycle Fund you’re invested in.
You can choose from among the following TIAA-CREF Lifecycle Funds:

<table>
<thead>
<tr>
<th>Investment Name</th>
<th>Share Class</th>
<th>Ticker Symbol</th>
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<tbody>
<tr>
<td>TIAA-CREF Lifecycle 2010 Fund</td>
<td>Institutional</td>
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<td>TIAA-CREF Lifecycle 2020 Fund</td>
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<td>TIAA-CREF Lifecycle 2035 Fund</td>
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<td>TCIIX</td>
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<td>TIAA-CREF Lifecycle 2040 Fund</td>
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**Social Responsible Investing**

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<tbody>
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6. *Fixed Income*

**Variable Annuities**

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<tbody>
<tr>
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<tr>
<td>CREF Inflation-Linked Bond Account</td>
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7. *Non-Proprietary Mutual Funds*

**Investment Name**

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</thead>
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<tr>
<td>MainStay High Yield Corporate Bond IS</td>
<td>MHYIX</td>
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</table>
Oppenheimer Developing Markets Y  ODVYX
Templeton Global Bond A  TGBAX
Additional Funding Vehicles offered by TIAA-CREF may be made available to you under this Plan. The University (the Plan Administrator) and TIAA-CREF (the Fund Sponsor) reserve the right to delete, add, or change the Investment Vehicles offered under the Plan. You’ll be notified of any changes to the Funding Vehicles/investment options.

For investment options, prospectus, fund fact sheets and investment performance please visit www.TIAA-CREF.org/wittenberg, and click on the link titled “Investment Choices.”
In limited circumstances, you may be able to borrow from your Account while you are still employed by the University.

You may, with your spouse’s written consent, apply for a loan from your Tax Deferred Annuity Account. If you meet the requirements for a loan, the loan amount will be taken from your Tax Deferred Annuity Account balance. When you borrow money from the Plan, you’re actually borrowing money from yourself. The interest you pay is credited to your account. Loans are available from a minimum of $1,000 to a maximum of $50,000. How much you can borrow depends on the amount you currently have in the Plan and whether you have other outstanding loans. You cannot have more than two outstanding loans at any one time. Specifically, the amount of a loan may not exceed the lesser of:

a. $50,000; or
b. 50% of your account balance
c. Such limits above are further reduced if you have had a loan in the previous year or you take a loan from your TIAA-CREF Annuity.

To request a loan, please contact TIAA-CREF at 800.842.2776. TIAA-CREF will provide you with specific details of the loan program including the application process, approval/denial of your loan request, loan interest rates, loan re-payment details, and consequences/penalties for non-repayment. Please note, TIAA-CREF does not offer loans on Roth accumulations in your 403(b) plan.
In limited circumstances, you may be able to withdraw some of your account from the Plan while you are still employed by the University.

**Hardship Distributions**
You may, with your spouse’s written consent, request a distribution of your Elective Deferrals from your Defined Contribution Account because of a financial hardship. For a hardship distribution to be approved you must show an immediate, significant need that cannot be met with other resources, including loans from your Plan. A distribution will be considered to be the result of an immediate and heavy financial need for the following reasons:

(a) payment of medical expenses incurred by you, your spouse or your dependents;
(b) purchase of your primary residence (excluding mortgage payments);
(c) payment of tuition and related expenses for the next 12 months of post secondary education for you, your spouse, or your dependents;
(d) prevention of eviction from or the foreclosure of the mortgage on your primary residence;
(e) payments for burial or funeral expenses for your deceased parent, spouse, or dependents; or;
(f) expenses for the repair of damage to your primary residence that would qualify for the casualty deduction under the Internal Revenue Code.

A hardship distribution cannot exceed the amount required to satisfy your immediate and heavy financial need plus amounts needed to pay taxes or penalties on the withdrawal. In addition, no hardship distribution will be approved unless you have already taken all other distributions available to you under the Plan. This means that if you’ve made elective deferral contributions to your Tax Deferred Annuity Account you must first take a loan from that Account prior to receiving a hardship distribution. You will not be permitted to make Elective Deferrals to either your Defined Contribution Account or your Tax Deferred Annuity Account for the 6-month period following the date you received your hardship distribution.

**Distributions upon attainment of age 59 1/2**

- **Part-time Tenured Faculty (Phased Retirement Distribution)**
  A faculty member holding tenure who has been accepted by the University into the eligible ‘Phased Retirement Program’ may make an election to receive distributions from their Defined Contribution Account and/or Tax Deferred Annuity Account in accordance with the Plan’s distribution provisions, on or after the attainment of age 59 1/2 and after being credited with at least 15 years of service.

- **Part-time Faculty and Non-Faculty**
  Eligible part-time faculty and eligible part-time non-faculty may elect to receive their distributions from their Defined Contribution Account and/or Tax Deferred Annuity Account in accordance with the Plan’s distribution provisions, on or after the attainment of age 59 1/2.

- **Full-time Faculty and Non-Faculty**
  Full-time faculty and full-time non-faculty can take a distribution from their Tax Deferred Annuity Account on or after the attainment of age 59 1/2 if they meet
certain requirements. A distribution at age 59 1/2 from the Defined Contribution Account is not an option for full-time employees under the terms of the Plan.

Such withdrawals are subject to ordinary federal and state income tax, to the terms of the Funding Vehicles, and in accordance with the Plan’s distribution provisions. Taxation can continue to be deferred if the distribution is directly rolled over to another eligible retirement plan or IRA that accepts 403(b) rollovers.
DISTRIBUTIONS UPON SEPARATION OF SERVICE, DISABILITY, OR DEATH

You (or your beneficiary in the event of your death) may withdraw your accumulated account balance from the Plan, upon your separation of service, total and permanent disability, death, or upon the termination of the Plan.

Generally, federal rules require 20% of taxable monies (pretax portions) of a distribution be withheld and remitted to the Internal Revenue Service for payment of income taxes upon a distribution.

If the value of your account exceeds $1000, you may elect to leave your balance with the University sponsored Plan with TIAA-CREF until you are required to take distributions. If the value of your account is less than $1000 upon your separation, the Plan reserves the right to force your distribution.

Your spouse must consent to any distribution that you receive. Your spouse includes a person married to you in a same-sex marriage that was valid in the state of marriage, regardless of your current state of residence.

Participants, or their beneficiaries, should consult with a tax advisor to determine the financial impact before requesting a distribution. Generally, taxation can continue to be deferred if the distribution is rolled over to another eligible IRA or employer-sponsored plan that accepts rollovers from a 403(b) plan.

Distribution upon Separation prior to age 59 1/2
You are entitled to receive a distribution of your entire Account if you separate from service. If you are less than age 59 1/2 upon separation and request to take a distribution, you will be responsible for applicable taxes and penalties; unless you roll your account over to another qualified plan.

Distribution upon Separation after age 65
You are entitled to receive a distribution of your entire Account as a retirement benefit as defined by the IRS after your separation after the age of 65. You will be responsible for applicable taxes. Retirement distribution benefits are paid to you as soon as administratively possible after you complete your distribution paperwork.

Distribution upon Disability
You are also entitled to receive a distribution of your entire Account if you become permanently and totally disabled as defined by the Plan. If you prefer, balances may also be left in the Plan if you become disabled, subject to minimum distribution requirements.

Distribution upon Death
Upon your death, your entire account will be distributed as a death benefit as further explained below.

- Without a Surviving Spouse
  If you die without a surviving spouse and prior to the commencement of your retirement distribution(s), your entire Account will be paid to your designated
beneficiary. The beneficiary may select from the distribution options offered by the Plan.

- **With a Surviving Spouse**
  If you were married on the date of your death and prior to the commencement of your retirement distribution(s), then the full value of your Account will be paid to your surviving spouse in the form of an annuity for the life of your spouse unless prior to your death you, with your spouse’s consent, had selected another beneficiary or form of distribution offered by the Plan.

After your death, your beneficiary will be notified of the payment options available to him or her.
FORMS OF DISTRIBUTIONS

When it’s time to decide how to take distributions from your Defined Contribution Account or Tax Deferred Annuity Account, you have a variety of options to choose from. These options are listed on the TIAA-CREF web site at www.tiaa-cref.org/wittenberg. You can also schedule a personal appointment with a TIAA-CREF financial consultant at 800-732-8353 to discuss your distribution options. Your spouse must consent to any distribution that you receive.

Standard Forms of Distribution

• Married Participant.
  If you are married when you are eligible to receive a distribution from the Plan, you will receive a distribution in the form of a joint and 50% survivor annuity (or at your election, a joint and 75% survivor annuity) with your spouse as beneficiary unless, within 180 days before the date on which benefit payments are scheduled to begin, you and your spouse make a written election to receive a distribution from the Plan under one of the optional forms of payment offered by the Plan. The joint and 50% or 75% survivor form of payment will provide monthly benefits for your lifetime with a guarantee that when you die, 50% or 75% of the monthly amount that you were receiving will continue to be paid to your spouse for his or her lifetime.

• Single Participant.
  If you are not married when you are eligible to receive a distribution from the Plan, you will receive a distribution in the form of a life annuity unless, within 180 days before the date on which benefit payments are scheduled to begin, you make a written election to receive a distribution from the Plan under one of the optional forms of payment offered by the Plan. Under the life annuity form of payment, you will receive monthly benefits for your lifetime. Payments will cease upon your death.

All annuity forms of payments will be provided through the purchase of an annuity contract from an insurance company.

Optional Forms of Distribution
 Alternatives to the standard forms of distribution are available under the Plan. After you apply for a distribution of your benefits under the Plan, you will be provided with a description of all optional forms of distribution benefits available to you.

Deferring your Distributions
 If you do not wish to receive a distribution upon retirement, separation of service, or disability you may generally leave your assets in the Plan until you attain age 70½.

Required Minimum Distributions
 Minimum distributions must begin no later than (a) the April 1st following the end of the year in which you reach age 70½ or (b) the April 1st following the end of the year in which you retire and (c) each December 31st thereafter. You will be notified when it is time for you to take required minimum distributions.
You will receive information about distribution rules when you request to receive a distribution from the Plan. Before you request a distribution from the Plan, you should contact a tax advisor to help you understand the tax consequences of the options available to you.

**Rollovers from the Plan**

Generally, all amounts distributed to you from the Plan (except Roth contributions) are subject to federal income tax withholding. There are two ways you may receive a Plan payment that is eligible for rollover from the Plan and this choice affects the tax you owe:

1. **Direct Rollover**
   - When the payment is made directly to a traditional IRA, a qualified plan, a Section 403(b) (tax-sheltered annuity) plan, a governmental 457 plan, or certain other plans, it is called a “direct rollover”. If you choose a direct rollover, the payment will not be taxed in the year of the distribution and no income tax will be withheld. The taxable portion of the payment will be taxed later when it is withdrawn from the transferee Plan.

2. **When the payment is made directly to you**
   - If you choose to receive Plan benefits directly:
     - The Plan Administrator is required to withhold 20% of the payment and send it to the IRS as income tax withholding.
     - The taxable portion of your payment will be taxed as ordinary income in the year of distribution unless it is rolled over.
     - If you receive the payment before age 59 ½, an additional 10% tax may have to be paid. However, the 10% penalty will not apply to distributions to your beneficiary upon your death, to you if as a result of your disability, to you after your separation from service after age 55, or for certain other distributions.
     - Within 60 days of receiving the payment, you may make a rollover by transferring the amount you receive to an eligible retirement plan that accepts rollovers, but the amount of your distribution will be subject to federal income tax withholding at the rate of 20%.

3. In certain cases you may make a rollover of your Account directly to a Roth IRA even if you did not maintain a Roth account under the Plan. However, the amount rolled over will be subject to federal income tax in the year rolled over.

4. If your spouse is your beneficiary he or she generally has the same rollover rights that are available to you. If your beneficiary is someone other than your spouse, he or she may make a direct rollover contribution of the amount he or she received to an inherited IRA.

**Roth Distributions**

1. **Qualified Roth Distribution**
   - Roth contributions and all earnings on such contributions are not subject to federal income tax upon distribution if the distribution is treated by the IRS as a ‘qualified distribution’. In order to be a qualified distribution, the distribution must occur after one of the following:
     - Your attainment of age 59½;
• Your disability; or
• Your death.
• The distribution must also occur after the expiration of a 5-year participation period. The 5-year participation period is the 5-year period beginning on the first day of the calendar year in which you first make Roth contributions to the Plan and ending on the last day of the calendar year that is 5 years later. For example, if you make your first Roth contributions under this Plan on November 30, 2011, your participation period will end on December 31, 2015. It is not necessary that you make Roth contributions in each of the 5 years.

2. *Non-qualified Roth Distribution*
• If a distribution from your Roth account is *not* a qualified distribution, the earnings distributed from your Roth account will be taxable to you at the time of distribution (unless you roll over the Roth account to a Roth IRA or other 401(k) plan or 403(b) plan that will accept a rollover of Roth contributions and earnings).
• Amounts you receive from your Roth account may generally only be rolled over to a Roth IRA or to a Roth account with another qualified plan or tax-sheltered annuity.
**ADMINISTRATIVE INFORMATION**

**Applying for benefits under the plan**
In order to receive a benefit from the Plan, please log on to [www.TIAA-CREF.org/wittenberg](http://www.TIAA-CREF.org/wittenberg), and click on the “Access My Account” link, and type in your User ID and password. However, certain forms are only available by calling TIAA-CREF at (800) 842-2776 between the hours of 8 am to 10 pm Monday through Friday and 8am to 6pm on Saturday.

**Claims procedure**
If you feel that you are entitled to a benefit that you are not receiving from the Plan, you can make a written request to the Plan Administrator for that benefit. The Plan Administrator will review your application for benefits and will decide whether or not a benefit is actually due. In some cases, your claim for benefits may be denied. A decision on your claim will be made within a reasonable period of time and not later than 90 days after the receipt of your claim. The Plan Administrator may request an extension of time to decide your claim. Prior to the extension, you will be provided notice of the extension, the reason why the extension is necessary, and the date by which the University expects to make a decision.

If your claim for benefits under the Plan is denied in whole or in part, you will receive a written notice of the denial, including:
- the specific reasons for the denial;
- the Plan provisions on which the denial is based;
- any additional information or material necessary to complete the claim along with an explanation of why it is needed; and
- an explanation of the Plan’s claim review procedures and the time limits applicable to such procedures, including your right to bring an action under Section 502(a) of ERISA following an adverse determination upon review.

If you believe that you were improperly denied benefits under the Plan, you have the right to request a review of such denial. You also have the right to review and receive copies of all documents, records and other information relevant to your claim for benefits. Your request for a review must be in writing and submitted to the University within 60 days after you receive written notification of the denial of your claim. The University will complete a review of your request and send you a final written decision. The decision will include the specific reasons for the decision with reference to the pertinent Plan provisions on which the decision is based and your right to bring a civil action suit under Section 502(a) of ERISA. The decision will be made within a reasonable period of time and not later than 60 days after the University was notified of your review. An extension of time for making a decision on your request for review of up to an additional 60 days may be granted, provided that you receive prior notification of the extension, an explanation of the reason for the extension, and the date by which the University expects to make a decision. In making its decision on your request for review, the University will consider all relevant information that you provide, regardless of whether it was part of the original claim.

**Assignment of Benefits**
Benefits under the Plan are intended only for you (or if you die, your beneficiary). Generally, your account cannot be alienated, meaning your creditors cannot garnish your account. Benefits
provided under your retirement Plan cannot be pledged, assigned, encumbered or garnished in payment of any debt, except as collateral for a loan from the Plan. However, the Plan will comply with IRS liens imposed for back taxes and/or qualified domestic relations orders for child support, alimony or marital property rights to spouses, former spouses, children, or other payees. In such instances, portions of your Account may be transferred to, or for the benefit of, such individuals or institutions. You will be notified of any IRS or QDRO actions pertaining to your account. In addition, your account may be reduced if the Plan Administrator is required to comply with a federal tax or the collection by the IRS of a judgment resulting from an unpaid tax assessment.

If the Plan is amended or terminated
The University, in its discretion, may amend or terminate the Plan, provided that such amendment or termination does not revoke or diminish any rights or interest of any participant in the Plan. Unless prohibited by law, you will receive your Account as soon as is administratively practicable after the Plan is terminated. By law, the money contributed to the Plan can never be returned to the University and cannot be used for any purpose other than to provide benefits for Plan participants or to defray the reasonable expenses of the Plan.

When benefits may not be payable
In certain situations, you may not receive benefits or you may receive smaller benefits than you expected. These situations could include:

- if you terminate your employment with the University before becoming a participant in the Plan;
- if the value of the investments in your Accounts falls below the amounts that you paid for such investments; (because this plan is a defined contribution plan, benefits are not insured under Title IV of ERISA)
- if you or your beneficiary fail to make a timely request for a review for denied benefits; or
- if you cannot be located when your benefit is payable. It is important that you or your beneficiary keep a current address on file with the University.

Your rights under ERISA
The Employee Retirement Income Security Act of 1974 (“ERISA”) gives you legal rights under the Plan. ERISA provides that all Plan participants and beneficiaries have a legal right to:

- examine, without charge, at the University’s office and at other specific locations, all documents governing the Plan, including insurance contracts and a copy of the latest annual report (Form 5500) filed by the Plan with the Department of Labor and available at the Public Disclosure Office of the Employee Benefits Security Administration;
- upon written request to the Plan Administrator obtain copies of documents governing the operation of the Plan, including insurance contracts, copies of the latest annual report (Form 5500), and updated summary plan description. The University may make a reasonable charge for the copies;
• receive a summary of the Plan’s annual financial reports. The University is required by
law to furnish each participant with a copy of this summary annual report;
• obtain a statement telling you the value of your Account and your vested percentage. 
  This statement must generally be provided at least once each calendar quarter. The Plan
must provide the statement free of charge; and
• obtain without charge a copy of the Plan’s procedures governing qualified domestic
  relations orders.

In addition to creating rights for Plan participants, ERISA imposes duties upon the people who
are responsible for the operation of employee benefit plans. The people who operate the Plan,
called “fiduciaries” of the Plan, have a duty to do so prudently and in the interest of you and
other Plan participants and beneficiaries. No one, including the University or any other person,
may fire you or otherwise discriminate against you in any way to prevent you from obtaining
benefits or exercising your rights under ERISA.

If your claim for benefits is denied or ignored, in whole or in part, you have the right to know
why this was done; to obtain copies of the documents relating to the decision without charge; and
to request a review of any denial, all within certain time schedules. You also have the right to
have the Plan Administrator review and reconsider the claim. If you have a claim for benefits
that is denied or ignored, in whole or in part, you may file suit in a state or federal court. (see the
Claims Procedure section of this SPD).

Under ERISA, there are steps you can take to enforce your legal rights. For instance, if you
request materials from the Plan and do not receive them within 30 days, you may file suit in a
federal court. In such a case, the court may require the Plan Administrator to provide the
materials and pay you up to $110 a day until you receive the materials, unless they were not sent
because of reasons beyond the Plan Administrator’s control.

In addition, if you disagree with the Plan’s decision or lack thereof concerning the qualified
status of a qualified domestic relations order, you may file suit in federal court.

If it should happen that Plan fiduciaries misuse Plan money or if you are discriminated against
for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you
may file suit in a federal court. The court will decide who should pay the court costs and legal
fees. If you are successful, the court may order the person you have sued to pay these costs and
fees. If you lose, the court may order you to pay these costs and fees; for example, if it finds
your claim is frivolous.

If you have any questions about the Plan, you should contact the Plan Administrator. If you have
any questions about this statement or about your rights under ERISA, or if you need assistance in
obtaining documents from the Plan Administrator, you should contact the nearest office of the
Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone
directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security
Administration, U.S. Department of Labor; 200 Constitution Avenue N.W.; Washington, D.C.
20210. You may also obtain certain publications about your rights and responsibilities under
ERISA by calling the publications hotline of the Employee Benefits Security Administration at
(866) 444-3272 or log onto its website at http://www.dol.gov/ebsa.
## GENERAL INFORMATION

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<tr>
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<td>(937) 327-7517</td>
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</tbody>
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Legal process can also be made upon the Plan Administrator.