REQUEST FOR DISBURSEMENT Form - Tax-Sheltered Annuities 403(b)

INSURER: **FIDELITY & GUARANTY LIFE INSURANCE COMPANY**

Policy Number		Owner / Annuitant	Phone Number	
Owner's Legal Address--Street	City		State	Zip

CONDITIONS FOR WITHDRAWAL

One of the conditions below must be met for a withdrawal to be processed. Please review the Annuity Withdrawal information attached before completing the form. Please check the applicable box to expedite handling of the request.

QUALIFYING EVENT (please select one)

- ❑ Attainment of age 59 ½.
- ❑ Severance from employment after age 55
- ❑ Separation from service. Date of Separation:_________________
- ❑ Becoming disabled as defined in Section 72(m) (7) of the Internal Revenue Code.

SECTION 1 – WITHDRAWAL INSTRUCTIONS *- When this section is complete, please proceed*

Pease select one box:

- ❑ Maximum partial surrender (Payment will equal the surrender value minus the amount contractually required to keep the policy in force)
- ❑ Partial surrender of $______________ (Must be at least $500)
- ❑ Maximum available "surrender charge free" (if applicable)

This partial surrender is to be in accordance with and is subject to the provisions of the policy.

Please select one box: (If left blank, the GROSS amount will be processed)

- ❑ I request the **gross** amount of the selection above. (amount paid will be decreased by any applicable deductions)
- ❑ I request the **net** amount of the selection above. (amount withdrawn will be increased by any applicable deductions)

(Surrender charges may be incurred unless otherwise stated.)

□ Full Surrender – Return policy with request or complete section 3

Withdrawal/surrender requests will be mailed directly to the owner unless other instructions are indicated below. Checks issued to alternate payees are still reported to the policy owner.

Alternate Payee/Financial Institution Name	Account Number (if applicable)
Address Street, City	State, Zip
❑ Standard Shipping ❑ Overnight Shipping (not available for Systematic Withdrawals) Carrier: ___________________________Account Number: ________________________	

SECTION 2 – *SYSTEMATIC WITHDRAWAL REQUEST - When this section is complete, please proceed to Section 4.*

Please select one box:

❑ INTEREST ONLY – The payments with this option may vary depending on the number of days in the modal period and/or the interest crediting method (s) available for the specific annuity owned

❑ SPECIFIC DOLLAR AMOUNT – I hereby request payments of $____.
If payment exceeds the free withdrawal amount specified in your policy, the withdrawal will be subject to applicable surrender charges.
Payments must be at least $100 per modal period

Payment Frequency* **Not all policies are eligible for systematic withdrawals.*

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Please select one box: ❑ Monthly ❑ Quarterly ❑ Semiannual ❑Annual

Payment Start Date: ❑ Immediately ❑Other: ____

Note: First payment must be at least one payment mode after policy issue date.

Payments may not: (a) begin prior to one modal period from the issue date, (b) conflict with the Buy Date on FIAs (1st, 8th, 15th or 22nd , or (c) be sent monthly on the 29th, 30th or 31st.

If restricted dates are requested, the next available day after the day requested will become the payment date.

Payment End Date (optional): ____

Note: If not specified, payments will continue until you notify us that you wish payments to stop.

Method of Distribution:

- ❑ Check
- ❑ Electronic Funds Transfer – If electronic funds transfer is selected, indicate account information below:
  - ❑ Checking account (please include voided check with this form)
  - ❑ Savings account (please include deposit slip and confirm the routing and account numbers here):

Routing Number: ________________________ Account Number: ____________________________

SECTION 3 – *LOST POLICY CERTIFICATION – If you complete this section , please proceed to Section 4.*

☐ By checking this box, I hereby represent that the above-referenced policy has been lost, mislaid, or destroyed, as I have been unable to find it after careful search and inquiry. By my signature below, I agree to hold the Company harmless from all loss, expense and liability for which the Company may become liable as a direct or indirect result of accepting this transaction without requiring the return of the policy.

SECTION 4 – NOTICE OF WITHHOLDING (MUST BE COMPLETED)

Federal Income Tax Withholding – **The distributions or withdrawals you receive from your annuity may be subject to federal income tax withholding. Withholding will only apply to the portion of your distribution or withdrawal that is includable as income. Federal withholding of 20% of the distribution is required for Tax sheltered annuities unless your distribution (a) is rolled over to another eligible plan; (b) is a trustee-to-trustee transfer, (c) is a required minimum distribution (RMD) ; (d) hardship.**

State Income Tax Withholding – State law regarding withholding state income taxes varies. Some states allow us to follow your federal income tax withholding instructions, but others require us to withhold. In states where withholding is voluntary we do not withhold state income taxes.

Any tax withholding election you make will remain in effect until you revoke it and you may revoke it at anytime.

I hereby waive the 30-day notice requirement outlined in the Special Tax Notice.

If you elect not to have withholding apply to the distribution or do not have enough withheld you may be responsible for payment of estimated taxes. You may incur tax penalties if you elect not to have withholding apply and do not pay sufficient taxes. The Internal Revenue Service may impose tax penalties for distributions prior to age 59 ½. Please consult a tax advisor regarding your specific situation and then make your election.

You are required to furnish your state's withholding form where applicable, please contact your tax advisor or your state's taxing authority for questions. AZ, AR, CA, CT, IN, IA, KY, ME, MD, MA, NY, NC, OH, WV, MS

STATE
☐ **DO <u>NOT</u>** withhold State Income Tax ☐ Withhold State income tax (Certain states allow you to specify the amount of state withholding. If applicable, please specify the amount or percentage to withhold $ _______or % _____).

FOR CALIFORNIA RESIDENTS ONLY - **In addition to the above for partial withdrawals and/or surrenders, the undersigned expressly waives all protection under California Civil Code §1542. It is the undersigned's intention to fully, finally, and forever settle and release the Company for all matters relating to the transaction(s) herein described. In furtherance of this intention, the release herein given shall be and remain in effect as full and complete notwithstanding the discovery or existence of any additional or different claims or facts.**

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SECTION 5 – *COMMUNITY PROPERTY STATES* AK, AZ CA, ID, LA, NM, NV, TX, WA, WI

If you RESIDE in one of the States listed above, please complete the additional information below:
CHECK ONE

☐ I have never been married or I was divorced, or widowed prior to the issue date of this annuity
Please acknowledge by Signing below

☐ I am currently married (*your spouse must consent to the transaction by signing below*)

☐ My spouse is deceased, attach copy of Death Certificate	Date of Death:
☐ I was divorced after the issue date of this annuity:	Date of Divorce:

(A) and the policy was mentioned in the Divorce Decree or Property Settlement *(attach a copy of the court documents. If unable to provide, ex-spouse must consent by signing below); or*

(B) the policy was not mentioned directly or indirectly in the Decree or Property Settlement Agreement, (*Ex-spouse must consent by signing below).*

Spouse Consent:	Date:
Ex-Spouse Consent:	Date:

Unless the Company has been notified of a community property interest in this policy, the Company shall be entitled to rely on its good faith belief that no such interest exists and assumes no responsibility for inquiry. The insured and/or policy owner signing this form agree to indemnify and hold the Company harmless from the consequences of accepting this transaction.

NO AGENT IS AUTHORIZED TO ALTER THE TERMS OF THE CONTRACT OR BIND THE COMPANY.

SECTION 6 – GENERAL AGREEMENT & *CERTIFICATION (MUST BE COMPLETED)*

I hereby certify that I meet IRS requirements for this distribution as set forth in Section 403(b)(11) for any portion of this withdrawal that applies to post-December 31, 1988 contributions and earnings. I understand and agree that OMFLIC assumes no responsibility as to the effect and sufficiency of the distribution.

Under the penalties of perjury, I certify that my Social Security/Taxpayer identification number on this form is correct, that I am a U.S. person (U.S. citizen or resident alien). The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding. Additional IRS penalties that may be imposed by the Internal Revenue Service for failure to furnish the information.

I am a non-resident alien, I have provided (or am providing with this form) Form W-8BEN and included my U.S. taxpayer identification number in order to claim any applicable tax treaty benefits.
I am aware that there may be tax consequences associated with this transaction. I am aware that Fidelity & Guaranty Life Insurance Company, affiliates and representatives cannot give tax advice and have been advised to consult an independent tax advisor.

X ______________________________ X ______________________________
Owner Signature: (Please do not print) Date

Taxpayer Identification Number SSN, EIN, ITIN)

X ______________________________ X ______________________________
Date

X ______________________________ X ______________________________
Other Required Signature (if applicable) Date

SECTION 7 – EMPLOYER CERTIFICATION	
IF THIS POLICY WAS ISSUED IN AN EXCHANGE PERMITTED UNDER REVENUE RULING 90-24 PRIOR TO SEPTEMBER 25, 2007 AND NO CONTRIBUTIONS HAVE BEEN APPLIED TO THIS CONTRACT, **EMPLOYER CERTIFICATION IS NOT REQUIRED.** I certify that the policy owner has met the Internal Revenue Service requirements for this distribution. I understand and agree that Fidelity & Guaranty Life assumes no responsibility as to the effect and sufficiency of the distribution(s).	
Printed Name of Employer	
Plan Administrator Signature & Title	Date

SPECIAL TAX NOTICE RETIREMENT PLAN PAYMENTS

This notice explains how you can continue to defer federal income tax on your retirement savings in your Fidelity & Guaranty Life Tax-Sheltered Annuity and contains important information you will need before you decide how to receive your Plan benefits.

This notice is provided to you because all or part of the payment that you will soon receive from the Plan may be eligible for rollover by you or your Plan Administrator to a traditional IRA or an eligible employer plan. A rollover is a payment by you or the Plan Administrator of all or part of your benefit to another plan or IRA that allows you to continue to postpone taxation of that benefit until the benefit is paid to you. You payment cannot be rolled over to a Roth IRA, a SIMPLE IRA or a Coverdell Education Savings Account. An “eligible employer plan” includes a plan qualified under section 401(a) of the Internal Revenue Code, including a 401(k) plan, profit-sharing plan, defined benefit plan, stock bonus plan and money purchase plan; a section 403(a) annuity plan; a section 403(b) tax-sheltered annuity; and an eligible section 457(b) plan maintained by a governmental employer.

An eligible employer plan is not legally required to accept a rollover. Before you decide to roll over your payment to another employer plan, you should find out whether that plan accepts rollovers and, if so, the types of distributions that plan accept as a rollover. You should also find out about any documents that are required to be completed before the receiving plan will accept a rollover. Even if a plan accepts rollovers, it might not accept rollovers of certain types of distributions, such as after-tax amounts. If this is the case, and your distribution includes after-tax amount you may wish instead to roll your distribution over to a traditional IRA or split your rollover amount between the employer plan in which you will participate and a traditional IRA. If an employer plan accepts your rollover, the plan may restrict subsequent distributions of the rollover amount or may require your spouse’s consent for any subsequent distribution. A subsequent distribution from the plan that accepts your rollover may also be subject to different tax treatment than distributions from this Plan. Check with the administrator of the other plan that is to receive your rollover prior to making the rollover. If you have additional questions after reading this notice, you can contact your Plan Administrator.

There are two ways you may be able to receive a Plan payment that is eligible for rollover:
Certain payments can be made directly to a traditional IRA that you establish or to an eligible employer plan that will accept it and hold it for your benefit (direct rollover) or;
The payment can be paid to you.

If you choose a Direct Rollover:

- Your payment will not be taxed in the current year and no income tax will be withheld.
- You choose whether your payment will be made directly to your traditional IRA or to an eligible employer plan that accepts your rollover.
- Your payment cannot be rolled over to a Roth IRA, SIMPLE IRA, or a Coverdell Education Savings Account because these are not traditional IRAs.
- The taxable portion of your payment will be taxed later when you take it out of the traditional IRA or the eligible employer plan. Depending on the type of plan, the later distribution may be subject to different tax treatment than it would be if you received a taxable distribution from the plan.

If you choose to have a payment that is eligible for rollover Paid to You:

- You will receive an amount less federal income tax withheld at a rate of 20%.
- The taxable amount of your payment will be taxed in the current year unless you roll it over. If you receive the payment before age 59 ½, you may have to pay an additional tax of 10%.

- You can rollover all or part of the payment by passing it to your traditional IRA or to an eligible retirement plan that accepts your rollover within 60 days after you receive the payment. The amount rolled over will not be taxed until you take it out of the traditional IRA or the eligible employer plan.
- If you want to rollover 100% of the payment to a traditional IRA or eligible retirement plan, you must find other money to replace the 20% of the taxable portion that was withheld. If you rollover only the 80% that you received, you will be taxed on the amount withheld and that is not rolled over.

Your Rights to Waive the 30-Day Notice Period
Generally, neither a direct rollover nor a payment can be made from the plan until at least 30 days after your receipt of this notice. Thus, after receiving this notice, you have at least 30 days to consider whether or not to have your withdrawal directly rolled over. If you do not wish to wait until this 30-Day notice period ends before your election is processed, you may waive the notice period by making an affirmative election indicating whether or not you wish to make a direct rollover. Your withdrawal will then be processed in accordance with your election as soon as practical.

1, **Payments that Can and Cannot be Rolled Over**
Payments from the Plan may be eligible rollover distributions. This means that payments from the plan can be rolled over to a traditional IRA or to an eligible employer plan that accepts rollovers. Payments from the plan cannot be rolled over to a Roth IRA, SIMPLE IRA or Coverdell Education Savings Account. Your Plan Administrator should be able to tell you what portion of your payment is an eligible rollover distribution.

After-tax Contributions. If you made after-tax contributions to the Plan, these contributions may be rolled into either a traditional IRA or to certain employer plans that accept rollovers of the after-tax contributions. The following rules apply:
A rollover into a Traditional IRA – You can rollover your after-tax contributions to a traditional IRA either directly or indirectly.

If you roll over after-tax contributions to a traditional IRA, those amounts CANNOT later be rolled over to an employer plan, or section 403(a) annuity plan to another such plan using a direct rollover if the other plan provides separate accounting for amount rolled over, including separate accounting for the after-tax employee contributions and earnings on those contributions. You can also roll over after-tax contributions from section 403(b) tax-sheltered annuity or another section 403(b) tax-sheltered annuity using a direct rollover if the other tax-sheltered annuity provides separate accounting for amounts rolled over, including separate accounting for the after-tax employee contributions and earnings on those contributions. You CANNOT roll over after-tax contributions to a governmental 457 plan. If you want to rollover your after-tax contributions to an employer plan that accepts these rollovers, you cannot have the after-tax contributions paid to you first. You must instruct the Plan Administrator of this Plan to make a direct rollover on you behalf. Also, you cannot first roll over after-tax contributions to a traditional IRA and then rollover that amount into an employer plan.

The following types of payments Cannot be rolled over:
- Payments spread over long periods – You cannot rollover a payment if it is part of a series of equal (almost equal) payments that are made at least once a year and that will last for:
- Your lifetime (or a period measured by life expectancy) or
- Your lifetime and your beneficiary's lifetime (or a period measured by your joint life expectancies) or
- A period of 10 years or more

Required Minimum Distributions. Beginning when you reach age 70 ½ or retire, whichever is later, a certain portion of your payment cannot be rolled over because it is a required minimum distribution. That must be paid to you. Special rules apply if you own 5% or more of your employer.

Hardship Distributions. A hardship distribution cannot be rolled over.
ESOP Dividends. Cash dividends paid to you on employer stock held in an employee stock ownership plan cannot be rolled over.
Corrective Distributions. A distribution made to correct a failed nondiscrimination test or because legal limits on certain contributions were exceeded cannot be rolled over.
Loans Treated as Distributions. The amount of a plan loan that becomes a taxable deemed distribution because of default cannot be rolled over. However, a loan offset amount is eligible for rollover, as discussed in part 3. Ask the Plan Administrator of this Plan if distribution of your loan qualifies for rollover treatment.
Note: The Plan Administrator of this Plan should be able to tell you if payment includes amounts which cannot be rolled over.

2. Direct Rollover

A Direct Rollover is a direct payment of the amount of your Plan benefits to a traditional IRA or an eligible employer plan that will accept it. You can choose a Direct Rollover of all or any portion of your payment that is an eligible rollover distribution, as described in part 1. You are not taxed on any taxable portion or your payment for which you choose a direct rollover until you later take it out of the traditional IRA or eligible employer plan. In addition, no income tax withholding is required for any taxable portion of your Plan benefits for which you choose a Direct Rollover. This Plan might not let you choose a Direct Rollover if your distributions for the year are less than $200.

Direct Rollover to Traditional IRA. You can open a traditional IRA to receive a direct rollover. If you choose to have your payment made directly to a traditional IRA, contact an IRA trustee to find out how to have your payment made in a direct rollover to a traditional IRA at that institution. If you are unsure of how to invest your money, you can temporarily establish a traditional IRA to receive the payment. However, in choosing a traditional IRA, you may wish to make sure that the traditional IRA you choose will allow you to move all or part of your payment to another traditional IRA at a later date, without penalties or other limitations. See IRS Publication 590, Individual Retirement Arrangements, for more information on traditional IRAs (including limits on how often you can roll over between IRAs).

Direct Rollover to a Plan. If you are employed by a new employer that has an eligible employer plan, and you want a direct rollover to that plan, ask the plan administrator of that plan whether it will accept your rollover. An eligible employer plan is not legally required to accept a rollover. Even if you new employer's plan does not accept a rollover, you can choose a Direct Rollover to a traditional IRA. If the employer plan accepts your rollover, the plan may provide restrictions on the circumstances under which you may later receive a distribution of the rollover amount or may require spousal consent to any subsequent distribution. Check with the plan administrator of that plan before making your decision.

Direct Rollover of a Series of Payments. If you receive a payment that can be rolled over to a traditional IRA or an eligible employer plan that will accept it, and it is paid in a series of payments for less than 10 years, your choice to make or not make a direct rollover for a payment will apply to all later payments in the series until you change your selection. You are free to change your election for any later payment in the series.

Change in Tax Treatment Resulting from a Direct Rollover. The tax treatment of any payment from the eligible employer plan or traditional IRA receiving your direct rollover might be different than if you received your benefit in a taxable distribution directly from the Plan. However, if you have your benefit rolled over to a section 403(b) tax-sheltered annuity, a governmental 457 plan or a traditional IRA in a Direct Rollover, your benefit will no longer be eligible for that special treatment.

3. Payment Paid to You

If your payment can be rolled over (see Part 1) and the payment is made to you in cash, it is subject to 20% federal income tax withholding on the taxable portion (state withholding may also apply). The payment is taxed in the year you receive it unless, within 60 days, you roll it over to a traditional IRA or an eligible employer plan that accepts rollovers. If you do not roll it over, special tax rules apply.

Income Tax Withholding:

Mandatory withholding. If any portion of your payment can be rolled over under part 1 and you do not elect to make a direct rollover, the Plan is required by law to withhold 20% of the taxable amount. This amount is sent to the IRS as federal income withholding. There will be no income tax withholding if your payments for the year are less than $200.

Voluntary withholding. If any portion of your payment is taxable but cannot be rolled over under part 1, the mandatory withholding rules described above do not apply. In this case, you may elect not to have withholding apply to that portion. If you do nothing, 10% will be taken out of this portion of your payment for federal income withholding. To elect out of withholding ask the Plan Administrator for the election form and related information.

Sixty-Day Rollover Option. If you receive a payment that can be rolled over under part 1, you can still decide to roll over all or part of it to a traditional IRA or to an eligible employer plan that accepts rollovers. If you decide to roll over, you must contribute the amount of the payment you received to a traditional IRA or eligible employer plan within 60 days after you receive the payment. The portion of your payment that is rolled over will not be taxed until you take it out of the traditional IRA or eligible employer plan.

You can rollover up to 100% of your payment that rolled over under part 1, including an amount equal to the 20% of the taxable portion that was withheld. If you choose to rollover 100%, you must find other money within the 60-day period to contribute to the traditional IRA or the eligible employer plan, to replace the 20% that was withheld. If you rollover only the 80% of the taxable portion that you received, you will be taxed on the 20% that was withheld.

Additional 10% Tax if you Are under Age 59 ½. If you receive a payment before you reach age 59 ½ and you do not roll it over, then, in addition to the regular income tax, you may have to pay an extra tax equal to 10% of the taxable portion of the payment. The additional 10% tax generally does not apply to payments that are paid after you separate from service with your employer during or after the year you reach age 55, or payments that are paid because you retire due to disability, or payments that are paid as equal payments over your life or life expectancy or dividends paid with respect to stock by an employee stock ownership plan (ESOP as described in Code section 4040(k)) or payments that are paid directly to the government to satisfy a federal tax levy or payments that are paid to an alternate payee under a QDRO or payment that do not exceed the amount of your deductible medical expenses. See IRS Form 5329 for more information on the additional 10% tax.

The additional 10% tax will not apply to distribution from a governmental 457 plan, except to the extent the distribution is attributable to an amount you rolled over to that plan (adjusted for investment returns(from another type of eligible employer plan or IRA. Any amount rolled over from a governmental 457 plan to another type of eligible employer plan or to a traditional IRA will become subject to the additional 10% tax if it is distributed to you before you reach age 59 1/2 , unless one of the exceptions applies.

Special Tax Treatment if You Were Born before January 1, 1936. If you receive a payment from a plan qualified under section 401(a) or a section 403(a) annuity plan that can be rolled over under part 1 and you do not roll it over to a traditional IRA, or an eligible employer plan, the payment will be taxed in the year you receive it. However, if the payment qualifies as a lump sum distribution, it may be eligible for special tax treatment. A lump sum distribution is a payment, made within one year, from your entire balance under the Plan that is payable to you after you have reached age 59 ½ or because you have separated from service with your employer. For a payment to be treated as a lump sum distribution, you must have been a participant in the plan for at least five years before the year in which you received the distribution. The special tax treatment for lump sum distributions that may be available to you is described below.

Ten-Year Averaging. If you receive a lump sum distribution and you were born before January 1, 1936, you can make a one-time election to figure the tax on the payment by using 10-year averaging (using 1986 rates). Ten-year averaging often reduces the tax you owe.

Capital Gain Treatment. If you receive a lump sum distribution and you were born before January 1, 1936, and you were a participant in the Plan before 1974, you may elect to have the part of your payment that is attributable to your pre-1974 participation in the Plan taxed as long-term capital gain at a rate of 20%.
There are other limits on the special tax treatment for lump sum distributions. For example, you can generally elect this special tax treatment only once in your lifetime and the election applies to all lump sum distributions that you receive in that same year. You may not elect this special treatment If you rolled amount into this Plan from a 403(b) tax-sheltered annuity contract or from an IRA not originally attributable to a qualified employer plan. If you have previously rolled over a distribution from this Plan you cannot use this special averaging treatment for later payments from the Plan. If you rollover your payment to a traditional IRA, governmental 457 plan, or 403(b) tax-sheltered annuity, you will not be able to use special tax treatment for later payments from that IRA, plan or annuity. Also, if you roll over only a portion of your payment to a traditional IRA, governmental 457 plans, or 403(b) tax-sheltered annuity, this special treatment is not available for the rest of the payment. See IRS Form 4972 for additional information on lump sum distributions and how you elect the special tax treatment.

Employer Stock or Securities – Intentionally Left Blank

Repayment of Plan Loans. If your employment ends and you have an outstanding loan from your Plan, your employer may reduce (or offset) your balance in the Plan by the amount of the loan you have not repaid. The amount of your loan offset is treated as a distribution to you at the time of the offset and will be taxed unless you rollover an amount equal to the amount of your loan offset to another qualified employer plan or a traditional IRA within 60-days of the date of the offset. If the amount of your loan offset is the only amount you receive or are treated as having received no amount will be withheld from it. If you receive other payments of cash or property from the Plan, the 20% withholding amount will be based on the entire amount paid to you, including the amount of the loan offset. The amount withheld will be limited to the amount of other cash or property paid to you (other than any employer securities). The amount of a defaulted plan loan that is taxable as a deemed distribution cannot be rolled over.

4. Surviving Spouses, Alternate Payee and other Beneficiaries:

In general, the rules summarized above that apply to payments to employees also apply to payments to surviving spouses of employees and to spouses or former spouses who are alternate payees. You are an alternate payee if your interest in the Plan results from a QDRO which is an order issued by a court, usually in connection with a divorce or legal separation.

If you are a surviving spouse or an alternate payee, you may choose to have a payment that can be rolled over, as described in part 1, paid in a Direct Rollover to a traditional IRA, or to an eligible employer plan or paid to you. If you have the payment paid to you, you can keep it or roll it over yourself to a traditional IRA or an eligible employer plan. Thus, you have the same choices as the employee.

If you are a beneficiary other than a surviving spouse or an alternate payee, you cannot choose a direct rollover, and you cannot roll over the payment yourself.

If you are a surviving spouse, an alternate payee, or another beneficiary, your payment is generally not subject to the additional 10% tax described in part 2, even If you are your than age 59 ½.

If you are the surviving spouse, an alternate payee, or another beneficiary you may be able to use the special tax treatment for lump sum distributions and the special rules for payments that include employer stock, as described in part 3. if you receive payment because of the employee's death, you may be able to treat the payment as a lump sum distribution if the employee met the appropriate age requirements, whether or not the employee had 5 years of participation in the Plan.

This notice summarizes only the federal (not state or local) tax rules that might apply to your payment. The rules described above are complex and contain many conditions and exceptions that are not included in this notice. Therefore, you may want to consult with the Plan Administrator or a professional tax advisor before you take a payment of your benefits from your Plan. Also you can find more specific information on the tax treatment of payments form qualified employer plans in IRS Publication 575, Pension and Annuity Income, and IRS Publication 590, Individual Retirement Arrangements. These publications are available form your local IRS office, on the IRS Web Site at www.irs.gov or by calling 1-800-TAX-FORMS.