

STATE OF INDIANA)
)
COUNTY OF ELKHART)

IN THE ELKHART SUPERIOR COURT

CASE NO: _____

IN RE THE MARRIAGE OF:

Name of Participant Spouse
Select One: Husband Wife

And

Name of Alternate Payee Spouse
Select One: Husband Wife

QUALIFIED DOMESTIC RELATIONS ORDER

This Order creates and recognizes the existence of an Alternate Payee's right to receive a portion of the Participant's benefits under a defined contributions plan.

This Order is intended to be a qualified domestic relations order ("QDRO"), as the term is defined in section 206(d) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), and Section 414(p) of the Internal Revenue Code of 1986, as amended ("Code"). This QDRO is granted in accordance with the laws of the State of Indiana, which relate to marital property rights, child support, and/or spousal support between spouses and former spouses in matrimonial actions.

I. IDENTIFICATION OF THE PLAN

This Order applies to the benefit contributions plan(s) defined as:

hereafter collectively referred to as the "Plan".

II. IDENTIFICATION OF PARTICIPANT AND ALTERNATE PAYEE

A. Participant

Full Name: _____

Formerly Known as: _____

Address: _____

Birthdate: _____

Social Security Number: _____

Currently receiving benefits? Yes No

B. Alternate Payee

Full Name: _____

Formerly Known as: _____

Address: _____

Birthdate: _____

Social Security Number: _____

*****The Alternate Payee shall be responsible for notifying the Plan Administrator in writing of any changes in his/her mailing address subsequent to the submission of this order.*****

C. Marital History:

Date of Marriage: _____

Date Dissolution was filed: _____

III. BENEFIT PAYABLE TO THE ALTERNATE PAYEE

(You must choose Option A -OR- Option B. You may not choose more than one option.)

OPTION A: Straight Percentage of Current Value

The order assigns to the Alternate Payee an amount equal to _____% of the member's Vested Account Balance under the Plan as of _____. *(insert applicable valuation date)*

From the Valuation Date to the Liquidation Date, the amount assigned to the Alternate Payee *(select one)*:

WILL be adjusted for investment earnings (gains and losses) from the Valuation Date to the date as of which the account is established for the Alternate Payee.

WILL NOT be adjusted for investment earnings (gains and losses) from the Valuation Date to the date as of which the account is established for the Alternate Payee.

Note: If the Allocation Date is a non-business day, the next business day will be used.

-OR-

OPTION B: Percentage of Specific Dollar Amount as of Current

This order assigns to the Alternate Payee _____% or an amount equal to \$_____ of the member's Vested Account Balance under the Plan as of the liquidation date.

From the Valuation Date to the Liquidation Date, the amount assigned to the Alternate Payee *(select one)*:

WILL be adjusted for investment earnings (gains and losses) from the Valuation Date to the date as of which the account is established for the Alternate Payee.

- WILL NOT be adjusted for investment earnings (gains and losses) from the Valuation Date to the date as of which the account is established for the Alternate Payee.

Note: If the Allocation Date is a non-business day, the next business day will be used.

IV. FORM OF PAYMENT

The Plan Administrator shall assign to the Alternate Payee from the Participant's Plan, the entire balance available as of the date of receipt of this Order. As soon as administratively practicable after the Plan Administrator has determined this Order to be a Qualified Domestic Relations Order, the Shares shall be transferred to a separate, segregated account under the Plan in the name of the Alternate Payee.

The Alternate Payee is permitted to take a distribution under the terms of the Plan and may elect to receive a distribution as soon as administratively practicable after the separate account is established. It is understood that there may be additional forms (tax election, method of distribution) as required by the Plan to be completed by the Alternate Payee before the Plan's issuance of any payment.

Until it is fully distributed, the Alternate Payee shall have in his or her account all the rights and elections which a beneficiary would have in an account under the Plan.

V. DEATH PROCEDURES

If the Participant predeceases the Alternate Payee prior to payment of the Alternate Payee's assigned benefits under QDRO, the Alternate Payee's benefits will not be affected. In the event of the Participant's death, the account balance, which remains the property of the Participant, will be payable to the Participant's designated beneficiary or in accordance with the Plan provisions. This order does not require the Participant to name the Alternate Payee as the beneficiary for the benefits not assigned to the Alternate Payee.

In case of death of the Alternate Payee prior to distribution of the Alternate Payee's benefits under QDRO, the assigned benefits will be paid to the Alternate Payee's beneficiary or, if none, in accordance with Indiana Law.

VI. LIMITATIONS

In the event there is a conflict between this Order and the terms of the Plan, the provisions of the Plan shall control. This Order is NOT intended, and shall not be construed in such a manner as to require the Plan:

- a) To provide any type or form of benefit, or any option, not otherwise provided under the terms of the Plan;
- b) To require the Plan to provide increased benefits determined on the basis of actuarial value; or
- c) To pay any benefits to the Alternate Payee that are required to be paid to another alternate payee under another Order previously deemed to be a QDRO.

VII. RETENTION OF JURISDICTION

This matter arises from an action for a divorce or legal separation in this court under the case number set forth at the beginning of this order. Accordingly, this court has jurisdiction to issue this order. In the event the Plan Administrator determines that this order is not a Qualified Domestic Relations Order, both parties shall cooperate with the Plan Administrator in making any changes needed for it to become qualified. This includes signing all necessary documents. For this purpose, this court expressly reserves jurisdiction over the dissolution proceeding involving the Participant, the Alternate Payee, and the Participant's interest in the Plan. This order hereby vacates any previously ordered QDRO in this case.

VIII. DEFINITIONS

Alternate Payee: any spouse, former spouse, child, or other dependent of a Participant who is recognized by a Domestic Relations Order as having a right to receive all or a portion of the benefits payable under the Plan with respect to the Participant.

Distribution Date: the date payment is made to the Alternate Payee from the Plan in a direct payment or a direct rollover. Note that the distribution date cannot be used as the valuation date.

Liquidation Date: the date the amount assigned to the Alternate Payee's is transferred from the Participant's Vested Account Balance to a separate account established for the Alternate Payee in accordance with the terms of the QDRO. An assignment as of the liquidation date assigns a portion of the Participant's current Vested Account Balance.

Valuation Date: the date on which the Participant's Vested Account Balance will be valued in order to determine the Alternate Payee's designated portion in accordance with the terms of this order. Accounts are valued on a daily basis.

Vested Account Balance: the dollar amount the Participant has a non-forfeitable right to receive from the Plan.

IX. FEDERAL TAX TREATMENT

For purposes of Section 402 and 72 of the Code, an Alternate Payee who is a spouse or former spouse of the Participant shall be treated as the distributee for any distribution or payments relating to the division of marital property under an Order. As such, the Alternate Payee will be required to pay the appropriate Federal Income Tax on such distributions. This paragraph is not intended to constitute legal advice. Parties are encouraged to consult with legal and tax advisors with respect to these issues.

SO ORDERED _____

Distribution:

Address:

Address: