



# LOCAL 463 ENTENMANN'S

SALESPERSON'S TRUST FUND

P.O. BOX 39 • COLLINGSWOOD, NJ 08108

## APPLICATION TO WITHDRAW INDIVIDUAL ACCOUNT:

### MARRIED PARTICIPANTS

Reason for Withdrawal:  Retirement  Termination of Employment with Entenmann's and all other Bimbo U.S.A. Companies

Employee Name: \_\_\_\_\_ Social Security #: \_\_\_\_\_  
(Print Name)

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Telephone #: \_\_\_\_\_ Cell #: \_\_\_\_\_

Last Day Worked: \_\_\_\_\_ Email address: \_\_\_\_\_

*NOTE: Please include a copy of your birth certificate or other acceptable proof of age.*

### FORMS OF BENEFIT PAYMENTS

Please read all options carefully before making your selection.

#### 1. HUSBAND AND WIFE ANNUITY OPTION

**This section must be completed by all married Participants**

The Husband and Wife Annuity is a 50% or 75% Joint and Survivor Annuity with your spouse as the survivor annuitant. The 50% Joint and Survivor Annuity is the normal form of benefit you receive unless you elect another form of benefit.

Please initial next to one option below.

\_\_\_\_\_ **I wish** to receive my Benefit Payments in the **form of the Husband and Wife 50% Annuity.**

\_\_\_\_\_ **I wish** to receive my Benefit Payments in the **form of the Husband and Wife 75% Annuity.**

\_\_\_\_\_ **I DO NOT WISH** to receive my benefits in the form of the Husband and Wife Annuity.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

[463ENTENMANN.SAS-BENEFITS.COM](http://463ENTENMANN.SAS-BENEFITS.COM)

MAIN (856) 382-2494 • TOLL-FREE (866) 824-0530 • FAX (856) 382-2401

If, before electing either of the Husband and Wife Annuities, you wish to be provided with the approximate benefits amounts to which you would be entitled under that form of payment, please complete the following information and return it to the Fund Office before you complete the rest of this application.

**If you elected a Husband and Wife Annuity**

Name of Spouse: \_\_\_\_\_

Spouse's Social Security Number: \_\_\_\_\_

Spouse's Date of Birth (attach proof of age): \_\_\_\_\_

Your Date of Birth (attach proof of age): \_\_\_\_\_

Date of Marriage (attach copy of marriage certificate): \_\_\_\_\_

(Proofs of age and date of marriage need not be resubmitted if previously filed with the Fund.)

**2. SINGLE LUMP SUM** (If you select this option, you and your spouse must also sign the attached waiver form)

If you wish to receive your benefits in a Single Lump Sum (with no monthly survivor's benefits payable), please indicate by checking the box in front of the following statement:

- I DO **NOT** WISH to have my benefit in the form of a 50% or 75% Husband and Wife Annuity benefit payment with my spouse. **I elect for my benefits to be paid in a Single Lump Sum.** *Please complete the enclosed "Lump Sum Election Form".*

**3. SINGLE LIFE ANNUITY** (If you select this option, you and your spouse must also sign the attached waiver form)

If, you wish to receive your benefits as a life annuity over your lifetime, please so indicate by checking the following box:

- I DO **NOT** WISH to have my benefit in the form of a 50% or 75% Husband and Wife Annuity benefit payment with my spouse. **I elect to have the Fund Office purchase an annuity from an insurance company to pay me equal monthly payments over my life.** If you elect his option, you should request the Fund Office to obtain a quote from an insurance company as to the amount of the monthly payments after deduction for certain administrative and other insurance costs for the annuity BEFORE signing your name on the bottom of this form.

I hereby make application for my benefits from the Local 463 Entenmann's Salesperson's Trust Fund. The statements on this Application Form are true to the best of my knowledge and belief. I understand that a false statement may disqualify me for benefits and that the Trustees shall have the right to recover any payments made to me because of a false Statement.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of Applicant: \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Do Not Write Below This Line – For Employer Only**

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I hereby certify that the above-named person \_\_\_\_\_ (Employee's Name)  
worked for Entenmann's from: \_\_\_\_\_ to \_\_\_\_\_ and ceased **ALL** Employment with  
Entenmann's and Bimbo USA Companies on \_\_\_\_\_.

Is this participant entitled to any Severance from your company? Yes or No

If yes, when will all contributions be reported? \_\_\_\_\_

\_\_\_\_\_  
Authorized Employer Representative

\_\_\_\_\_  
Title

**PARTICIPANT'S ELECTION TO WAIVE THE JOINT AND SURVIVOR ANNUITY OPTION**

**DO NOT SIGN THIS FORM IF YOU HAVE ELECTED EITHER A 50% JOINT AND SURVIVOR OR A 75% JOINT AND SURVIVOR ANNUITY**

As a married Participant in the Local 463 Entenmann's Salesperson's Trust Fund. I hereby acknowledge that I have been informed by the Fund Manager (1) that my benefits under the Plan will be paid to me in the form of a qualified joint and Fifty Percent survivor annuity and (2) that I have the right to waive that form of payment, provided my spouse consents in writing to the Waiver. I understand the terms and conditions of the qualified joint and 50% survivor annuity and the effect of a waiver. I also understand that I may revoke any waiver in effect prior to the date on which my payments begin.

I, \_\_\_\_\_, hereby elect to waiver the payment of my benefits in the form of a qualified joint and 50% survivor annuity with my spouse. I have not elected a qualified optional survivor annuity. My selection of payment form is indicated on forms attached.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

**SWORN TO AND  
SUBSCRIBED BEFORE me this \_\_\_\_\_ day of \_\_\_\_\_**

\_\_\_\_\_  
Notary Public

**SPOUSE'S CONSENT TO WAIVE THE JOINT AND SURVIVOR ANNUITY OPTION**

I hereby consent to the foregoing election by my spouse to waive payment in the form of a qualified joint and 50% survivor annuity. Further, I hereby acknowledge that I understand (1) that the effect of my consent to this election will be to forfeit benefits I would be entitled to receive upon my spouse's death; (2) that my spouse's waiver is not valid unless I consent to it; and (3) that my consent is irrevocable and cannot be changed unless my spouse revokes the waiver.

Spouse's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SWORN TO AND  
SUBSCRIBED BEFORE me this \_\_\_\_\_ day of \_\_\_\_\_**

\_\_\_\_\_  
Notary Public

## **JOINT AND SURVIVOR ANNUITY NOTICE**

As a married Participant in the Local 463 Entenmann's Salesperson's Trust Fund, you have accumulated benefits that will be paid to you under the provision of the Plan. This notice will explain to you the qualified joint and survivor annuity, (Husband and Wife Annuity) which is the form in which your benefits will be paid unless you make the election described in this notice.

A qualified joint and survivor annuity form of payment provides you with a monthly payment for your life, and upon your death, a monthly payment during your spouse's life equal to 50% or 75% of the monthly payment you received prior to your death. Because your spouse will receive a 50% or 75% survivor payment, the financial effect of a joint and survivor annuity is to pay your benefit in monthly installments rather than in a Single Lump Sum. Payment of monthly benefits will result in certain actuarial and administrative charges which will be assessed against your individual account balance.

You may elect in writing not receive your benefits in the form of a joint and survivor annuity. You must make this election during the 180-day period before your benefits are due to be paid. However, your spouse must consent in writing before a notary public to your election. You may also revoke this election before your benefits begin.

In the event you elect to waive the qualified joint and survivor annuity form of payment and your spouse has consented to such waiver, you will receive your benefits in the form of a Single Lump Sum. After payment to you of a Single Lump Sum, your spouse will not be entitled to receive any pension benefits from this Fund.

It is important that you understand your rights and obligations regarding this joint and survivor annuity form of payment and the alternative Single Lump Sum form of payment. You should direct any questions to the Fund Manager.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fund Manager

\_\_\_\_\_  
Date Received

\_\_\_\_\_  
Participant

Please **sign** and **return** a copy of this notice to the Fund Office and keep a copy for your records.

# LOCAL 463 ENTENMANN'S SALESPERSON'S TRUST FUND

## LUMP SUM ELECTION FORM

I elect to have my lump sum distribution paid as follows: *Please only select one (1) Option*

- Send me a check and withhold 20% Federal Taxes from my distribution – **Lump Sum Payment**
- Rollover my entire distribution to my IRA or to another qualified plan – **Rollover**
- Rollover \$ \_\_\_\_\_ and send me a check for the balance, minus 20% for Federal Taxes –  
**Partial Distribution – Lump Sum and Rollover**

**Please complete if you elected a Rollover of your entire distribution or a Partial Distribution.**

Plan or IRA Custodian: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Account Number (if any): \_\_\_\_\_

Person to Contact: \_\_\_\_\_

Telephone Number of Contact Person: \_\_\_\_\_

**State Income Taxes** (Complete only if you elected to receive a lump sum check)

State of Withholding \_\_\_\_\_

- I do not want State Income Tax Withheld
- I do want State Income Tax Withheld
- I want to have \$ \_\_\_\_\_ State Tax Withheld
- I want to have \_\_\_\_\_ % State Tax Withheld

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Special Tax Notice Regarding Plan Payments

## YOUR ROLLOVER OPTIONS

You are receiving this notice because all or a portion of a payment you are receiving from the Food Employers and Teamsters Local 463 Retirement Savings Plan (the “Plan”) is eligible to be rolled over to an IRA or an employer plan. This notice is intended to help you decide whether to do such a rollover.

This notice describes the rollover rules that apply to payments from the Plan that are **not** from a designated Roth account (a type of account with special tax rules in some employer plans). If you also receive a payment from a designated Roth account in the Plan, you will be provided a different notice for that payment, and the Plan administrator or the payor will tell you the amount that is being paid from each account.

Rules that apply to most payments from a plan are described in the “General Information About Rollovers” section. Special rules that only apply in certain circumstances are described in the “Special Rules and Options” section.

## GENERAL INFORMATION ABOUT ROLLOVERS

### How can a rollover affect my taxes?

You will be taxed on a payment from the Plan if you do not roll it over. If you are under age 59 ½ and do not do a rollover, you will also have to pay a 10% additional income tax on early distributions (unless an exception applies). However, if you do a rollover, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59 ½ (or if an exception applies).

### Where may I rollover the payment?

You may rollover the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, section 403(b) plan, or government section 457(b) plan) that will accept the rollover. The rules of the IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, no spouse consent rules apply to IRAs and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

### How do I do a rollover?

There are two ways to do a rollover. You can do either a direct rollover or a 60-day rollover.

If you do a direct rollover, the Plan will make the payment directly to your IRA or an employer plan. You should contact the IRA sponsor or the administrator of the employer plan for information on how to do a direct rollover.

If you do not do a direct rollover, you may still do a rollover by making a deposit into an IRA or eligible employer plan that will accept it. You will have 60 days after you receive the payment to make the deposit. If you not do a direct rollover, the Plan is required to withhold 20% of the payment for federal income taxes (up to the amount of cash and property received other than employer stock). This means that, in order to rollover the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not rollover the entire amount of the payment, the portion not rolled over will be taxed and will be

subject to the 10% additional income tax on early distributions if you are under age 59 ½ (unless an exception applies).

### **How much may I rollover?**

If you wish to do a rollover, you may rollover all or part of the amount eligible for rollover. Any payment from the Plan is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Required minimum distributions after age 70½ (or after death)
- Hardship distributions
- ESOP dividends
- Corrective distributions or contributions that exceed tax law limitations
- Loans treated as deemed distributions (for example, loans in default due to missed payments before your employment ends)
- Cost of life insurance paid by the Plan
- Payments of certain automatic enrollment contributions requested to be withdrawn within 90 days of the first contribution
- Amounts treated as distributed because of a prohibited allocation of S corporation stock under an ESOP (also, there will generally be adverse tax consequences if you rollover a distribution of S corporation stock to an IRA).

The Plan administrator or the payor can tell you what portion of a payment is eligible for rollover.

### **If I don't do a rollover, will I have to pay the 10% additional income tax on early distributions?**

If you are under age 59 ½, you will have to pay the 10% additional income tax on early distributions for any payment from the Plan (including amounts withheld for income tax) that you do not rollover, unless one of the exceptions listed below applies. This tax is in addition to the regular income tax on the payment not rolled over.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Payments from a governmental defined benefit pension plan made after you separate from service if you are a public safety employee and you are at least age 50 in the year of the separation
- Payments made due to disability
- Payments after your death
- Payments of ESOP dividends
- Corrective distributions of contributions that exceed tax law limitations
- Cost of life insurance paid by this Plan
- Payments made directly to the government to satisfy a federal tax levy
- Payments made under a qualified domestic relations order (QDRO)



- Payments up to the amount of your deductible medical expenses
- Certain payments made while year are on active duty if you were a member of a reserve component called to duty after September 11, 2001 for more than 179 days
- Payments of certain automatic enrollment contributions requested to be withdrawn within 90 days of the first contribution

### **If I do a rollover to an IRA, will the 10% additional income tax apply to early distributions from the IRA?**

If you receive a payment from an IRA when you are under age 59 ½, you will have to pay the 10% additional income tax on early distributions from the IRA, unless an exception applies. In general, the exceptions to the 10% additional income tax for early distributions from an IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from an IRA including:

- There is no exception for payments after separation from service that are made after age 55
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse).
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have a separation from service.
- There are additional exceptions for (1) payments for qualified higher education expenses, (2) payments up to \$10,000 used in a qualified first-time home purchase, and (3) payments for health insurance premiums after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

### **Will I owe State income taxes?**

This notice does not describe any State or local income tax rules (including withholding rules).

## **SPECIAL RULES AND OPTIONS**

### **If your payment includes after-tax contributions**

After-tax contributions included in a payment are not taxed. If a payment is only part of your benefit, an allocable portion of your after-tax contributions is included in the payment, so you cannot take a payment of only after-tax contributions. However, if you have pre-1987 after-tax contributions maintained in a separate account, a special rule may apply to determine whether the after-tax contributions are included in a payment. In addition, special rules apply when you do a rollover, as described below.

You may rollover to an IRA a payment that includes after-tax contributions through either a direct rollover or a 60-day rollover. You must keep track of the aggregate amount of the after-tax contributions in all of your IRAs (in order to determine your taxable income for a later payments from the IRAs). If you do a direct rollover of only a portion of the amount paid from the Plan and at the same time the rest is paid to you, the portion directly rolled over consists first of the amount that would be taxable if not rolled over. For example, assume you are receiving a distribution of \$12,000 of which \$2,000 is after-tax contributions. In this case, if you directly rollover \$10,000 to an IRA that is not a Roth IRA, no amount is taxable because the \$2,000 amount not directly rolled over is treated as being after-tax contributions. If you do a direct rollover of the entire amount paid from the Plan to two or more destinations at the same time, you can choose which destination receives the after-tax contributions.

If you do a 60-day rollover to an IRA of only a portion of a payment made to you, the after-tax contributions are treated as rolled over last. For example, assume you are receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions, and no part of the distribution is directly rolled over. In this case, if you rollover \$10,000 to an IRA that is not a Roth IRA in a 60-day rollover, no amount is taxable because the \$2,000 amount not rolled over is treated as being after-tax contributions.

You may rollover to an employer plan all of a payment that includes after-tax contributions, but only through a direct rollover (and only if the receiving plan separately accounts for after-tax contributions and is not a governmental section 457 (b) plan). You can do a 60-day rollover to an employer plan of part of a payment that includes after-tax contributions, but only up to the amount of the payment that would be taxable if not rolled over.

### **If you miss the 60-day rollover deadline**

Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. To apply for a waiver, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*.

### **If your payment includes employer stock that you do not rollover**

If you do not do a rollover, you can apply a special rule to payments of employer stock (or other employer securities) that are either attributable to after-tax contributions or paid in a lump sum after separation from service (or after age 59 ½, disability, or the participant's death). Under the special rule, the net unrealized appreciation on the stock will not be taxed when distributed from the Plan and will be taxed at capital gain rates when you sell the stock. Net unrealized appreciation is generally the increase in the value of employer stock after it was acquired by the Plan. If you do a rollover for a payment that includes employer stock (for example, by selling the stock and rolling over the proceeds within 60 days of the payment), the special rule relating to the distributed employer stock will not apply to any subsequent payments from the IRA or employer plan. The Plan administrator can tell you the amount of any net unrealized appreciation.

### **If you have an outstanding loan that is being offset**

If you have an outstanding loan from the Plan, your Plan benefit may be offset by the amount of the loan, typically when your employment ends. The loan offset amount is treated as a distribution to you at the time of the offset and will be taxed (including the 10% additional income tax on early distributions, unless an exception applies) unless you do a 60-day rollover in the amount of the loan offset to an IRA or employer plan.

### **If you were born on or before January 1, 1936**

If you were born on or before January 1, 1936 and receive a lump sum distribution that you do not rollover, special rules for calculating the amount of the tax on the payment might apply to you. For more information, see *IRS Publication 575, Pension and Annuity Income*.

## **If your payment is from a governmental section 457 (b) plan**

If the Plan is a government section 457 (b) plan, the same rules described elsewhere in this notice generally apply, allowing you to rollover the payment to an IRA or an employer plan that accepts rollovers. One difference is that, if you do not do rollover, you will not have to pay the 10% additional income tax on early distributions from the Plan even if you are under age 59 1/2 (unless the payment is from a separate account holding rollover contributions that were made to the Plan from a tax-qualified plan, a section 403 (b) plan, or an IRA). However, if you do a rollover to an IRA or to an employer plan that is not a governmental section 457(b) plan, a later distribution made before age 59 1/2 will be subject to the 10% additional income tax on early distributions (unless an exception applies). Other differences are that you cannot do a rollover if the payment is due to an “unforeseeable emergency” and the special rules under “If your payment includes employer stock that you do not rollover” and “If you were born on or before January 1, 1936” do not apply.

## **If you are an eligible retired public safety officer and your pension payment is used to pay for health coverage or qualified long-term care insurance**

If the Plan is a governmental plan, you retired as a public safety officer, and your retirement was by reason of disability or was after normal retirement age, you can exclude from your taxable income plan payments paid directly as premiums to an accident or health plan (or a qualified long-term care insurance contract) that your employer maintains for you, your spouse, or your dependents, up to a maximum of \$3,000 annually. For this purpose, a public safety officer is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew.

## **If you rollover your payment to a Roth IRA**

If you rollover a payment from the Plan to a Roth IRA, a special rule applies under which the amount of the payment rolled over (reduced by any after-tax amounts) will be taxed. However, the 10% additional income tax on early distributions will not apply (unless you take the amount rolled over out of the Roth IRA within 5 years, counting from January 1 of the year of the rollover)

If you rollover the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a Roth IRA is a payment made after you are age 59 1/2 (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*, and IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*

## **If you do a rollover to a designated Roth account in the Plan**

You cannot rollover a distribution to a designated Roth account in another employer’s plan. However, you can roll the distribution over into a designated Roth account in the distributing Plan. If you rollover a payment from the Plan to a designated Roth account in the Plan, the amount of the payment rolled over (reduced by any after-tax amounts directly rollover) will be taxed. However, the 10% additional tax on early distributions will not apply (unless you take the amount rolled over out of the designated Roth account within the 5-year period that begins on January 1 of the year of the rollover).

If you rollover the payment to a designated Roth account in the Plan, later payments from the designated Roth account that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a designated Roth account is a payment made both after you are age 59 ½ (or after your death or disability) and after you have had a designated Roth account in the Plan for at least 5 years. In applying this 5-year rule, you count from January 1 of the year your first contribution was made to the designated Roth account. However, if you made a direct rollover to a designated Roth account in the Plan from a designated Roth account in a plan of another employer, the 5-year period begins on January 1 of the year you made the first contribution to the designated Roth account in the Plan or, if earlier, to the designated Roth account that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies).

## **If you are not a plan participant**

Payments after death of the participant. If you receive a distribution after the participant's death that you do not rollover, the distribution will generally be taxed in the same manner described elsewhere in this notice. However, the 10% additional income tax on early distributions and the special rules for public safety officers do not apply, and the special rule described under the section "If you were born on or before January 1, 1936" applies only if the participant was born on or before January 1, 1936.

**If you are a surviving spouse.** If you receive a payment from the Plan as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59 ½ will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 70 ½.

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distribution, you will have to receive required minimum distributions from the inherited IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the inherited IRA until the year the participant would have been age 70 ½.

**If you are a surviving beneficiary other than a spouse.** If you receive a payment from the Plan because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an inherited IRA. Payments from the inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

Payments under a qualified domestic relations order. If you are the spouse or former spouse of the participant who receives a payment from the Plan under a qualified domestic relations order (QDRO), you generally have the same options the participant would have (for example, you may rollover the payment to your own IRA or an eligible employer plan that will accept it). Payments under the QRDO will not be subject to the 10% additional income tax on early distributions.

## **If you are a nonresident alien**

If you are a nonresident alien and you do not do a direct rollover to a U.S. IRA or U.S. employer plan, instead of withholding 20%, the Plan is generally required to withhold 30% of the payment for federal income taxes.

If the amount withheld exceeds the amount of tax you owe (as may happen if you do a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, *U.S. Tax Guide for Aliens*, and IRS Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*.

## **Other special rules**

If a payment is one in a series of payments for less than 10 years, your choice whether to make a direct rollover will apply to all later payments in the series (unless you make a different choice for later payments).

If your payments for the year are less than \$200 (not including payments from a designated Roth account in the Plan), the Plan is not required to allow you to do a direct rollover and is not required to withhold for federal income taxes. However, you may do a 60-day rollover.

Unless you elect otherwise, a mandatory cashout of more than \$1,000 (not including payments from a designated Roth account in the Plan) will be directly rolled over to an IRA chosen by the Plan administrator or the payor. A mandatory cashout is a payment from a plan to a participant made before 62 (or normal retirement age, if later) and without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior rollover made to the plan).

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information, see IRS Publication 3, *Armed Forces' Tax Guide*.

## **FOR MORE INFORMATION**

You may wish to consult with the Plan administrator or payor, or a professional tax advisor, before taking a payment from the Plan. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, *Pension and Annuity Income*; IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*; IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*; and IRS Publication 571, *Tax-Sheltered Annuity Plans (403(b) Plans)*. These publications are available from a local IRS office, on the web at [www.irs.gov](http://www.irs.gov), or by calling 1-800-TAX-FORM.