

ADOPTION AGREEMENT

Qualified Retirement Plan (Sample Document)

IMPORTANT NOTICE

This Adoption Agreement is a **fictional sample** created for demonstration and testing purposes only. It does **not** constitute legal, tax, or ERISA advice and should not be used to establish or operate an actual retirement plan.

1. Plan Sponsor Information

Plan Sponsor Name: Nunu Inc.

Employer Identification Number (EIN): 12-3456789

Business Address: 123 Innovation Drive, Suite 400, San Francisco, CA 94105

Business Phone: (415) 555-0199

Type of Entity: ☐ Corporation ☐ S Corporation ☒ C Corporation ☐ LLC ☐ Partnership ☐ Sole Proprietorship

2. Plan Information

Plan Name: Nunu Inc. 401(k) Retirement Savings Plan

Plan Number: 001

Plan Effective Date: January 1, 2025

Plan Year: January 1 – December 31

Plan Type: ☒ 401(k) Plan ☐ Profit Sharing Plan ☐ Money Purchase Plan

3. Eligibility Requirements

3.1 Age Requirement

Participants must attain age **21**.

3.2 Service Requirement

Participants must complete **6 months of service**.

3.3 Entry Dates

Eligible employees may enter the Plan on the **first day of each calendar quarter** following satisfaction of eligibility requirements.

4. Contributions

4.1 Employee Salary Deferrals

Participants may elect to defer **1% to 75%** of compensation, subject to IRS limits.

Deferrals may be made on a:

- ☒ Pre-Tax basis
- ☒ Roth (after-tax) basis

4.2 Employer Matching Contributions

The Employer shall make a matching contribution equal to:

- **100% of the first 4%** of Compensation deferred by the Participant.

Matching contributions are made on a **per-pay-period** basis.

4.3 Employer Profit Sharing Contributions

☒ The Employer may, at its discretion, make an annual profit sharing contribution.

Profit sharing contributions shall be allocated **pro rata based on compensation**.

5. Safe Harbor Provisions

☒ This Plan is intended to be a **Safe Harbor 401(k) Plan**.

Safe Harbor contribution type:

- ☒ Basic Matching Safe Harbor
- ☐ Non-Elective Safe Harbor

Safe Harbor contributions are:

- **100% vested at all times.**
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6. Vesting Schedule

6.1 Employer Matching Contributions

☒ 100% immediate vesting

6.2 Employer Profit Sharing Contributions

☒ 6-Year Graded Vesting Schedule

Years of Service	Vested Percentage
1	0%
2	20%
3	40%
4	60%
5	80%
6	100%

7. Compensation Definition

Compensation includes:

- W-2 wages
- Overtime

- Bonuses

Compensation excludes:

- Fringe benefits
 - Reimbursements
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8. Highly Compensated Employees (HCEs)

The Plan shall use the **prior-year testing method** for determining Highly Compensated Employee status.

9. Distributions

9.1 In-Service Distributions

- ☒ Hardship distributions permitted
- ☒ Age 59½ in-service withdrawals permitted

9.2 Termination of Employment

Distributions may be made upon severance from employment.

10. Loans

☒ Participant loans are permitted.

Maximum loan amount and terms shall comply with IRS regulations.

11. Plan Administration

Plan Administrator: Nunu Inc.

Trustee: Nunu Trust Company (Sample)

Recordkeeper: Example Retirement Services, LLC

12. Top-Heavy Provisions

If the Plan becomes top-heavy, minimum contributions will be provided in accordance with IRC §416.

13. Amendments and Termination

The Employer reserves the right to amend or terminate the Plan at any time, subject to applicable law.

14. Adoption

By executing this Adoption Agreement, the Employer adopts the provisions of this Plan as selected above.

Employer Name: Nunu Inc.

Authorized Signatory: _____

Title: _____

Date: _____

END OF ADOPTION AGREEMENT