{stdlongdate} Member ID: {stdMbrPERSLinkID}

{stdMbrFullName}

{stdMbrAdrCorStreet1}

{x stdMbrAdrCorStreet2}

{stdMbrAdrCorCity} {stdMbrAdrCorState} {stdMbrAdrCorZip}

**RE: ‘CATCH UP’ CONTRIBUTIONS TO DEFERRED COMPENSATION PROGRAM**

Dear {stdMbrSalutation}:

{x if 457Limit = "50+"}

We have received your request to utilize the normal catch-up provision under the North Dakota Public Employees Deferred Compensation Plan.

Section 457 of the Internal Revenue Code provides that within three years of attaining "normal retirement age" a participant may "catch-up" by deferring additional salary above the annual maximum deferral allowed. Normal retirement age is defined as reaching age 65 (age 55 for Public Safety Plans) or meeting your plan’s “Rule”. The tax year in which you plan to reach normal retirement age may not be utilized as a catch-up year and the three years must be three consecutive calendar years.

The catch-up will allow you to defer any under-utilized amounts based on all previous years' annual maximum allowable contributions beginning with January 1, 1979, to the present. You may only utilize the catch-up for those years in which you were eligible to participate in the deferred comp plan and it may be used only once, regardless of whether all under-utilized amounts can be deferred over the three-year period.

If you should elect not to retire on the date you specify on the form, at the conclusion of your catch-up period the normal maximum annual deferral will apply until you do separate from service.

Enclosed is a 457 Deferred Compensation Catch-up Worksheet/Certification SFN 51501. Refer to instructions on the back of the form for assistance. The catch-up maximum for any year is two times the annual maximum allowable deferral. Please return the completed worksheet to NDPERS for the final calculations. You will be notified of the outcome and can decide at that time.

{x endif}

{x if CurrentDate3YrCatchupEndDateMinus60Days = "Y"}

NDPERS records indicate that you currently participate in the "catch-up" provision under the deferred compensation program.

This letter is to remind you that you must discontinue your current accelerated contributions beginning with the {qu Month} payroll. To accomplish this as soon as possible, please complete the enclosed 457 Deferred Compensation Plan Enrollment/Change form SFN 3803 indicating the updated amount you wish to defer for the {qu Month} payroll which is paid in {qu PayrollMonth}. In {CurrentYearPlus1}, you may defer up to a maximum of ${457RegularLimitForFollowingYr} or 100% of your includible compensation, whichever is less if you are under 50 years of age and ${45750PlusLimitForFollowingYr} for age 50 and older participants.

{x endif}

If you have any questions, please call NDPERS at {stdNDPERSPhoneNumber} or {stdNDPERSTollFreePhoneNumber}.

Sincerely,

NDPERS Benefits Division

{x if 457Limit = "50+"}

Enclosure – 457 Deferred Compensation Catch-up Worksheet/Certification SFN 51501

{x endif}

{x if CurrentDate3YrCatchupEndDateMinus60Days = "Y"}

Enclosure – 457 Deferred Compensation Plan Enrollment/Change SFN 3803

{x endif}

{x if 457Limit = "50+"}

{tmp SFN-51501}

{x endif}

{x if CurrentDate3YrCatchupEndDateMinus60Days = "Y"}

{tmp SFN-03803}

{x endif}