

**Rains Lucia Stern St. Phalle & Silver, PC, PC 401k Plan  
Annual Safe Harbor Notice  
for the Plan Year beginning January 1, 2024**

**To: All Eligible Employees**  
**From: Rains Lucia Stern St. Phalle & Silver, PC**  
**Date: November 30, 2023**

Rains Lucia Stern St. Phalle & Silver, PC ("the Employer") is sponsoring a retirement plan for Eligible Employees, to help you save for your retirement. The Rains Lucia Stern St. Phalle & Silver, PC, PC 401k Plan ("the Plan") is a Safe Harbor Plan and allows you to save a portion of your eligible pay in the Plan. As a "Safe Harbor" Plan, Rains Lucia Stern St. Phalle & Silver, PC must make a mandatory contribution to satisfy certain nondiscrimination requirements under the Internal Revenue Code.

This Notice contains important information about the Safe Harbor Plan for the Plan Year beginning on January 1, 2024. The IRS requires us to give this Notice to each Eligible Employee 30 days before the beginning of the Plan Year and provide you with an opportunity to immediately make or change your contributions to the Plan. Please review this Notice carefully and consider the following information as you make or review your decision to save in the Plan.

**How do I make salary deferral contributions to the Plan?**

Once you have met the eligibility requirements, you may elect to save on a pre-tax basis or after-tax (Roth) basis, up to the maximum amount permitted by the Plan.

To begin saving, you must complete and return a deferral election form to the Plan Administrator. By completing this form, you agree to have salary deferral contributions deducted from your pay and deposited in the Plan.

You may designate all or a portion of your contributions as Roth Deferrals.

To learn more about salary deferral contributions, review the "Contributions" section of the Plan's Summary Plan Description (SPD).

**How can I change what I am contributing to the Plan?**

You have the right to make or change your deferral election at any time.

In addition, during this annual notice period, you have up to 30 days from the date of this Notice to make or change your saving decision by completing a deferral election form.

To learn more about this topic, review the "Participation" section of the Plan's SPD.

**What is my Employer's safe harbor contribution?**

Your Employer will make an ADP Safe Harbor Matching Contribution equal to 100% of your salary deferrals that do not exceed 1% of your eligible pay plus 50% of your salary deferrals in excess of 1% but not more than of 6% your eligible pay.

**When will I be eligible for my Employer's safe harbor contribution?**

Once you have met the Plan's eligibility requirements, you are eligible for this contribution, unless you are a Highly Compensated Employee. Highly Compensated Employees are not eligible for the safe harbor contribution. For more information on this topic, you can review the "Participation" and "Contributions" sections of the Plan's SPD.

**Will I be eligible for any other Employer contributions?**

In addition to the safe harbor contribution, you and your Employer may be permitted to make other types of contributions to the Plan. The Plan's SPD describes any other contributions that can be made to the Plan, along with any eligibility and vesting requirements for those contributions.

**What pay will be used to determine my safe harbor contribution?**

The Employer's safe harbor contribution is based on your eligible pay or compensation. Compensation means your total earnings as defined in Internal Revenue Code section 415(c). If you enter the Plan on a day other than the first day of the Plan Year, the Plan will only consider your compensation from the date that you entered the Plan.

**When will my account be vested and available to me?**

Vesting means ownership. When you are 100% vested in the Plan, the contributions (together with any investment gains or losses) will always belong to you, and you will not lose them when you are no longer employed.

You will always be 100% vested in your salary deferrals and your ADP safe harbor contributions along with any earnings on these amounts.

In addition, you will become vested in your other Employer contributions based on the following schedule:

**Employer's Non-Elective Account:**

<u>Years of Vesting Service</u>	<u>Percent Vested</u>
Less than 1	0%
1 but less than 2	20%
2 but less than 3	40%
3 but less than 4	60%
4 but less than 5	80%
5 or more	100%

**Other Employer Matching Accounts:**

<u>Years of Vesting Service</u>	<u>Percent Vested</u>
Less than 1	0%
1 but less than 2	20%
2 but less than 3	40%
3 but less than 4	60%
4 but less than 5	80%
5 or more	100%

For more information on this topic, you can review the "Vesting" section of the Plan's SPD.

**When can I take my contributions out of the Plan?**

The primary purpose of the Plan is to provide you with retirement benefits. Generally, you may only withdraw your vested money after you are no longer employed or if early withdrawals are allowed under the Plan. You will be required to pay any federal or state income taxes that apply to your distribution. In addition, you may be required to pay an extra 10% penalty tax if you take a distribution before you reach age 59-1/2.

You can request a distribution while you are still employed when you meet the requirements listed below.

You can request an in-service distribution from all contribution sources when you reach age 59 1/2.

You can request an in-service distribution of your matching contributions when the amount has been in the account for 2 years or you have participated in the plan for at least 5 years.

You can request an in-service distribution of your non-elective contributions when the amount has been in the account for 2 years or you have participated in the plan for at least 5 years.

In-service distributions will be subject to the following limitations:

- You must be 100% vested in all of your sources.

You can request a hardship distribution from your pre-tax salary deferrals (plus earnings), Roth salary deferrals (plus earnings), ADP safe harbor contributions, qualified non-elective contributions or qualified matching contributions. Please see your SPD for further information on the requirements to take a hardship distribution.

In addition, you may be permitted to request a Participant Loan from the Plan.

You can also take a distribution when you stop working for the Employer sponsoring the Plan. See your SPD for information on how long you have to wait after termination of employment before your account balance would be distributed.

Your beneficiary will receive any vested amounts remaining in your account when you die.

You can learn more about when you may take money from the Plan in the "Distribution" section of the Plan's SPD. You can also learn more about the extra 10% penalty tax in IRS Publication 575, Pension and Annuity Income.

**Can my employer reduce or suspend my safe harbor contribution?**

Your Employer is reserving the right to amend the Plan during the plan year to which this notice relates to reduce or suspend the safe harbor contribution. Prior to any such amendment becoming effective, you will be given a supplemental notice 30-days before its effective date.

**Where can I find more information about the Plan?**

To learn more about the Plan, you may request a copy of the Plan's SPD or other Plan documents, contact the Plan Administrator at:

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