

November 11, 2021

Dear ESOP Participant:

In accordance with the *Foster v. Adams and Associates, Inc.* class action settlement described in the enclosed Class Notice, you will receive a settlement payment through your Adams and Associates, Inc. 401k Plan account if the settlement is given final approval by the Court. You have the option to request a distribution or a rollover of your settlement payment.

Your election must be received by February 17, 2022. If your election form is not received by February 17, 2022, your settlement payment will be transferred to the Adams and Associates, Inc. 401(k) Plan. If it is transferred to the 401(k) Plan, you will then need to request a distribution or rollover from that Plan.

The Settlement Payment Distribution Election Form and accompanying instructions are also available online at www.adamsesop.com. Your estimated settlement amount is on the first page of the Class Notice.

You can request rollover to an IRA or another qualified employer plan if you choose. In the alternative, you can request a cash distribution. If you elect a cash distribution, your payment will be subject to tax withholding. If you do not make an election, your settlement payment will be transferred to the Adams and Associates, Inc. 401(k) plan.

Your distribution will be made as soon as practicable after the United States District Court for the Northern District of California has given final approval to the settlement. ***Payments will not be issued sooner than March 2022, regardless of when you submit your request; however, it may take longer.*** If you have not received a payment distribution for which you submitted a timely election form by the end of April 2022, you should consult the settlement website listed in the class notice for updates about timing of payment.

INSTRUCTIONS FOR COMPLETING YOUR DISTRIBUTION ELECTION

Direct Rollover or Cash Payout

You have the following options, each of which may affect your tax situation in a different manner:

- (1) You may have the amount of your settlement payment paid in a “direct rollover” to your Individual Retirement Arrangement (“IRA”) or to another qualified employer plan. If you are a non-spouse beneficiary, your rollover rights are limited. A non-spouse beneficiary may only elect to rollover to an inherited IRA in the name of the deceased.
- (2) You may have the amount of your settlement payment (less tax withholding) paid to you as a lump sum cash distribution.

Be sure to read the Special Tax Notice Regarding Plan Payments that provides more information about these two options.

If you do not select any of the options above, the amount of your settlement payment will be transferred to the Adams and Associates, Inc. 401(k) Plan.

Waiting Period

You are entitled to 30 days to consider this election. By completing the election prior to 30 days you waive the 30-day period to which you are entitled to consider this distribution.

Signature and Date and Social Security Number

Please sign and date the Distribution Election as requested. You must also include your Social Security Number. Please return your Distribution Election Form either

by email to: **info@rg2claims.com**

by fax to: **215-827-5551**

by U.S. Mail to: **Adams ESOP Class Action Settlement Administrator, c/o RG/2 Claims Administration, LLC, P.O. Box 59479, Philadelphia, PA 19102-9479**

Default Provisions – Settlement Payment Distribution Election Form Not Returned

If you do not complete your Distribution Election the following will occur:

Your settlement payment will be transferred to the Adams and Associates, Inc. 401(k) plan.

Adams and Associates, Inc. 401(k) Plan Rules

If part or all of your settlement payment is transferred to the Adams and Associates, Inc. 401(k) plan for any reason, then that amount will become part of your Adams and Associates, Inc. 401(k) plan account balance and treated the same as any other account balance. Please refer to the Adams and Associates, Inc. 401(k) summary plan description, for details about the plan rules.

Foster v. Adams and Associates, Inc.
SETTLEMENT PAYMENT DISTRIBUTION ELECTION FORM

PLEASE COMPLETE THIS FORM ONLY AFTER YOU HAVE READ AND UNDERSTOOD THE ACCOMPANYING LETTER WITH INSTRUCTIONS AND SPECIAL TAX NOTICE

Participant Name: _____

Address: : _____

STEP I: DIRECT ROLLOVER OR CASH PAYOUT

Box 1 **DIRECT ROLLOVER:** I elect to have _____ (insert either "all" or an amount of cash) of my settlement payment under the 401k Plan paid in a "direct rollover" to the IRA (Individual Retirement Arrangement) or Other Qualified Employer Plan indicated below:

Financial Institution or Name of Plan: _____

Account# _____

Check here **if electing a rollover to a Roth IRA.**

Please note if you elect a rollover, the rollover check will be mailed directly to you. It will be your responsibility to deliver the rollover check to your rollover institution along with any other forms they require you to complete.

Box 2 **CASH PAYOUT:** I elect to have _____ (insert either "all" or an amount of cash) of my settlement payment under the 401k Plan paid directly to me.

STEP II: SIGNATURE AND DATE

By signing below and returning the form, I consent to an immediate distribution and affirmatively waive the unexpired portion of the minimum 30-day notice period during which I am entitled to consider this distribution.

Date: _____
Signature _____

Phone: _____
Print Name _____

Social Security Number _____ Email: _____

_____ I am NOT a U.S. Citizen nor U.S. Resident Alien. If checked, must select one below*:

_____ I have attached a completed/signed IRS Form W8BEN

_____ I have NOT attached IRS Form W8BEN and understand that 30% Federal Withholding applies

*A SSN or Individual Tax Payer Identification Number is required for payment: _____

Email form to: **info@rg2claims.com**
Fax form to: **215-827-5551**
Return via mail to: **Adams ESOP Class Action Settlement Administrator, c/o RG/2 Claims Administration, LLC,
P.O. Box 59479, Philadelphia, PA 19102-9479**

THIS PAGE INTENTIONALLY LEFT BLANK