

**AMENDMENT NUMBER ONE**  
**TO THE**  
**AMERICAN FEDERATION OF MUSICIANS**  
**AND EMPLOYERS' PENSION PLAN**

(As Amended and Restated Effective as of January 1, 2025)

**WHEREAS**, the Board of Trustees (the "Board") of the American Federation of Musicians and Employers' Pension Fund (the "Fund") adopted the American Federation of Musicians and Employers' Pension Plan, as amended and restated effective as of January 1, 2025, and as thereafter amended (the "Plan"); and

**WHEREAS**, pursuant to Article 9, Section 9.01 of the Plan, the Board reserves the right to amend the Plan at any time; and

**WHEREAS**, pursuant to Section 5.15 of the Agreement and Declaration of Trust Establishing the Fund, dated April 1, 2005, as thereafter amended, the undersigned Co-Chairs of the Fund are authorized to execute Plan amendments reflecting action taken by the Board;

**NOW, THEREFORE**, in order to correct scrivener's errors, effective January 1, 2025, the Plan is amended as follows:

I. Section 5.04(d) shall be deleted in its entirety and restated to read as follows:

(d) **Continued Entitlement to Disability Pension Benefit.** If a Pensioner receiving a Disability Pension Benefit, who has not attained age 55 (or attained age 65, in the case of a Pensioner who commenced their Disability Pension Benefit prior to March 1, 2004), ceases to have a condition of Total Disability, as determined by the Administrative Committee in its sole and absolute discretion in accordance with the provisions of this Section 5.04, payment of the Disability Pension Benefit shall cease as soon as is administratively practicable and no benefits shall thereafter be paid to such Participant until such Participant either (i) again becomes eligible to receive a Disability Pension Benefit due to a new determination of Total Disability by the Administrative Committee pursuant to subsection (b) above, or (ii) becomes eligible to receive a Regular Pension Benefit. A Pensioner receiving a Disability Pension Benefit who has not attained age 55 (or attained age 65, in the case of a Pensioner who commenced their Disability Pension Benefit prior to March 1, 2004) who resumes Covered Employment and earns in excess of \$15,000 of Covered

Earnings in a calendar year (which Earnings are attributable to Covered Employment performed during that calendar year) shall be deemed to have ceased the condition of Total Disability, and payment of the Disability Pension Benefit shall cease as soon as is administratively practicable. No benefits shall thereafter be paid to such Participant until such Participant either (i) again becomes eligible to receive a Disability Pension Benefit due to a new determination of Total Disability by the Administrative Committee pursuant to subsection (b) above, (ii) becomes eligible to receive a Regular Pension Benefit, or (iii) provides evidence satisfactory to the Administrative Committee, in its sole and absolute discretion, that the condition of Total Disability has continued.

II. The first paragraph of Section 5.07(c) shall be deleted in its entirety and restated to read as follows:

(c) If a Pensioner initially commences receiving payment of a Regular Pension Benefit before their Normal Retirement Date and first earned additional Contributions after their Normal Retirement Date and is therefore not receiving a Re-Retirement Benefit, the first date that additional benefits become payable under the provisions of this Section 5.07 shall be the Pension Effective Date of such additional pension benefit. The form of payment elected at that time shall also apply to any additional Re-Determination benefits that become payable to the Participant thereafter.

**IN WITNESS WHEREOF**, the undersigned have executed this Amendment Number One:

/s/ Christopher J.G. Brockmeyer  
Christopher J.G. Brockmeyer, Co-Chair

/s/ Augustino Gagliardi  
Augustino Gagliardi, Co-Chair