

## ERISA Fiduciary Warranty Certificate

Certificate # EFWC0001

Warranty Period: 7/1/2010 to 7/1/2011

Plan Name: ABC Company  
123 Main Street  
Anytown, PA 12345

Fiduciary Plan Review's Remote Advisory Service provides each participating plan sponsor and the Plan Fiduciaries the assurance of meeting the stringent ERISA requirements for selecting and monitoring plan investment options. Fiduciary Plan Review pledges to apply generally accepted investment theories and prevailing investment industry practices when evaluating, in the context of your Investment Policy Statement, the investment options offered by your qualified retirement plans (the "Employee Benefit Plans"). We will continue to apply those theories and practices in the monitoring of the investment options we evaluated. These activities are consistent with the standards ERISA imposes on Plan Fiduciaries when selecting and monitoring investments. As a fiduciary of the Employee Benefit Plans, we proudly stand behind our process and expertise.

### Warranty Coverage Details

Provided the Plan Fiduciaries satisfy the requirements set forth herein, and subject to the "Conditions and Limitations" below, Fiduciary Plan Review hereby represents, warrants and covenants that the investment options made available to plan participants, by virtue of having been selected and monitored pursuant to the Fiduciary Plan Review Remote Fiduciary Advisory Agreement, will:

- satisfy the requirement of section 404(a)(1)(B) of ERISA that the investment options be selected and monitored according to prevailing investment industry practices and generally accepted investment theories (the "prudence requirement"); and,
- will satisfy the requirement set forth in the United States Department of Labor regulation under section 404(c) of ERISA relating to participant-directed retirement plans, 29 C.F.R. § 2550.404c-1(b)(3), that such plans offer a broad range of investment alternatives (the "broad range requirement")

In the event of an allegation made during the Warranty Period above that the investment options selected by the Plan Fiduciaries from The Preferred List of Funds, contrary to our representations, warranties and covenants, (a) fail to satisfy the prudence requirement or (b) fail to satisfy the broad range requirement (a "Claim"), and as a result the Employee Benefit Plan or the Plan Fiduciaries suffer loss, damage, expenses or liabilities not reimbursed by insurance or any other source ("Loss"), Fiduciary Plan Review will:

- bear the reasonable costs, including attorneys' fees, of defending a Claim that is subject to this Warranty; and
- Indemnify and make the Employee Benefit Plan or Plan Fiduciary whole for any unreimbursed Loss resulting from breach of the representations, warranties and covenants as set forth in the preceding paragraph, as determined in a final, binding and valid adjudication;

This Warranty extends to the expenses or liabilities that would be recoverable under ERISA as a result of a breach of fiduciary duty by the fiduciaries at the plan sponsor who select and monitor the Employee Benefit Plan's investment alternatives (the "Plan Fiduciaries"), subject to the conditions stated on the back of this certificate and your performance of the fiduciary responsibilities stated above. In addition, this Warranty is in applicable in respect of any change in law that occurs after the Employee Benefit Plan qualifies for the Warranty.