

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

ELAINE L. CHAO, )  
Secretary of Labor, )  
U.S. Department of Labor, ) FILE NO.  
 ) 1:04-CV-0943-BBM  
Plaintiff, )  
 )  
vs. )  
 )  
INTERNATIONAL UNION OF INDUSTRIAL )  
AND INDEPENDENT WORKERS, OAK TREE )  
ADMINISTRATORS, INC., GEOFFREY J. )  
BELTZ, JAMES MILLER, DAVID WRIGHT, )  
HENRY SOLOWIEJ, CHERILLE G. SHELP, )  
and INTERNATIONAL UNION OF INDUSTRIAL )  
AND INDEPENDENT WORKERS BENEFIT FUND, )  
 )  
Defendants. )

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INDEPENDENT FIDUCIARY'S NOTICE OF FILING OF SUBSTITUTE EXHIBIT 4  
TO DOCKET ENTRY #305

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On February 26, 2009, the Independent Fiduciary filed her Motion to Approve Distribution of Assets of IUIIW Benefit Fund (D.E. #305). That filing had four (4) exhibits submitted with it. Exhibit 4 to that filing is a template of a postcard notification that was going to be sent to all IUIIW Benefit Fund approved claimants giving them notice of the Motion having been filed. That Exhibit 4 contains an error -- it states that responses were due on or before March 23, 2009, whereas the correct date is March 26, 2009. Attached is a substitute Exhibit 4 to that Motion which sets forth the correct response date of March 26, 2009.

Even though the erroneous postcard notification was attached to the Motion, the correct postcard notification has been/is being sent to the approved claimants.

This 27th day of February, 2009.

Respectfully submitted,

/s/J. Graham Matherne

J. Graham Matherne, #11294  
(Admitted through Court Order  
entered October 17, 2004)  
Wyatt, Tarrant & Combs LLP  
2525 West End Avenue, Suite 1500  
Nashville, TN 37203-1423

Phone: 615-244-0020

Fax: 615-256-1726

*Counsel for Jeanne Barnes Bryant,  
Independent Fiduciary for the  
International Union of Industrial  
and Independent Workers Benefit  
Fund*

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2009, a true and correct copy of the foregoing was filed electronically with the Clerk of the Court using the CM/ECF filing system which will automatically send email notification of such filing to all counsel of record.

I hereby certify that on February 27, 2009, a true and correct copy of the foregoing was mailed via first class mail, postage prepaid to the following:

Betty Cordial  
Independent Fiduciary of IUPIW Benefit Fund  
300 West Osborn Road, Suite 500  
Phoenix, Arizona 85013

I hereby certify that on or before February 27, 2009, a copy of this filing will have been posted at [www.receivermgmt.com](http://www.receivermgmt.com) (click on "IUIIW Updates" link).

/s/J. Graham Matherne

IUIIW Benefit Plan Liquidation c/o  
Receivership Management, Inc.

P.O. Box 2307  
Brentwood, TN 37024



Recipient Name  
Street Address  
Address 2  
City, ST ZIP Code

## IUIIW Fund Liquidation Update

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YOU ARE RECEIVING THIS CARD BECAUSE YOU ARE AN APPROVED CLAIMANT IN THE IUIIW FUND LIQUIDATION.

The Independent Fiduciary has filed a Motion to Approve the Distribution of Assets with the U.S. District Court for the Northern District of Georgia, which includes an exhibit listing the pro-rata distributions and requests limitations on health care providers' pursuit of participants. A hearing is scheduled for Friday, April 3, 2009 at 10:00 a.m. (EST) before Judge Martin, Court Room 2308 U.S Federal Building and Courthouse, 75 Spring Street, S.W., Atlanta, Georgia 30303. Any opposition to this Motion must be in writing and filed with the Court on or before Thursday, March 26, 2009. You may review this Motion at [www.receivermgmt.com](http://www.receivermgmt.com) and click on IUIIW Updates.

Receivership Management, Inc.  
Phone: 615-370-0051; Fax: 615-373-4336

