



FK&M FELDMAN, KRAMER & MONACO, P.C.
ATTORNEYS & COUNSELLORS

LEGAL SERVICES PLAN

ELIGIBILITY

You and your eligible dependents are covered by the AMALGAMATED TRANSIT UNIT LOCAL 726. The employee is frequently referred to as a “covered member” in this booklet.

Your “eligible dependents” are:

- * Your legal spouse who resides with you.
- * Your registered domestic partner.
- * Your unmarried dependent children from birth to their nineteenth birthday. This includes any child who (1) normally resides in your household in a parent-child relationship and (2) is legally dependent upon you for support and maintenance. Eligibility is extended to age 25 if your unmarried children are dependent upon you for support and enrolled as full-time students in an institution of higher education.

CONTINUATION OF COVERAGE

If you become ineligible, specific representation in progress on your behalf shall be continued by the Legal Services Plan to the conclusion of a specific matter already in progress, at the legal fees stipulated in this Certificate for any case, item, matter, or service then being performed.



HOW TO USE YOUR LEGAL PLAN

If you wish to consult a lawyer for benefits provided by the Legal Services Plan, the first step is to call the Legal Plan Attorney's Office. An appointment will be scheduled for you, or you will receive a telephone or "Zoom" consultation regarding your legal problem immediately. Your Plan covers legal issues which arise anywhere in the Continental United States.

You will be provided legal services by attorneys employed or retained by the Legal Services Plan. There is no subscription or registration fee to be paid by any covered member in order to entitle him/her to the benefits of the Plan. In most instances, legal services are provided by a Plan employed or retained attorney. However, in special situations, (Member vs. Member dispute, for example) you will be provided with legal services by an attorney provided from a standby panel. Your relationship with the attorney will be that of attorney and client. No member of the Legal Services Plan, or any Trustee of the Legal Services Plan can interfere in this relationship. All protections of confidentiality between you and your attorney will be preserved.

As a covered member, you are not required to use the benefits provided by the Legal Services Plan. You are free, at all times, to hire your own attorneys, but the Plan will not pay your fees to a privately retained attorney, except if a voucher is available for the specific service. The Legal Services Plan will not absorb or be responsible for any part of the fees or charges of attorneys other than the Plan designated attorney, except as set forth herein.

At all times, the Attorney's Code of Professional Responsibility and Ethics will fully apply to your relationship with your attorney. Neither your employer nor your union will receive any confidential information regarding your identity or your legal issues from the attorney unless you specifically, in writing, authorize the attorney to release your information.

CERTIFICATE OF COVERAGE

This section describes the Plan's General Matters Benefits, which covers any general questions a member may have regarding his/her legal rights.

A. PREVENTIVE LEGAL SERVICES

1. FREE CONSULTATION BENEFIT

Who is eligible...Any covered member and dependent.

What is the Benefit...A covered member or dependent may get telephonic advice or in-office consultations. This benefit provides a covered member and dependent with the opportunity to consult an attorney for three one-hour in-office sessions each calendar year concerning any new legal matter. In addition, a covered individual may consult with the Legal Service Plan attorneys an unlimited number of times over the telephone. The in-office consultations cannot be used as a credit toward any other service.

How to utilize the Benefit... contact the Legal Services Plan Attorney office at 1 (800) 832-5182.

2. 24-HOUR EMERGENCY HOTLINE BENEFIT

Who is eligible...Any covered member and dependent.

What is the Benefit...If a covered member or dependent is confronted with a situation that requires immediate legal advice, he or she may call the emergency hotline to talk to an attorney after regular business hours. This emergency service may only be used in situations that cannot wait until the next business day, such as arrest, accident, or assault.

How to utilize the Benefit... contact the Legal Services Plan Attorney office at 1 (800) 832-5182.

3. FREE DOCUMENT REVIEW BENEFIT

Who is Eligible...Any covered member and dependent.

What is the benefit...This benefit provides review and interpretation by an attorney of documents which directly involve the member or a covered dependent, such as guarantees, warranties, installment purchase agreements, loans, leases, and court papers.

Exclusions and Limitations:

The following documents are not included in the Document Review Benefit:

- A. Tax Returns.
- B. Work that other attorneys are preparing at the time of your Document Review appointment.
- C. Documents exceeding 15 pages in length.

The Document Review Benefit provides review and interpretation of documents: it does not involve representation by counsel unless such representation involves legal services covered by the Plan. If a covered matter is involved, the Plan will provide representation by an attorney in accordance with this Legal Services Plan.

How to utilize the Benefit... contact the Legal Services Plan Attorney office at 1 (800) 832-5182.

4. FREE LEGAL LETTERS BENEFIT

Who is Eligible...Any covered member and dependent.

What is this benefit....Your Plan attorney will write free legal letters on your behalf to resolve legal or consumer disputes before they become lawsuits. These letters are available regarding any covered legal matter. However, letters cannot be written in response to a pending lawsuit or regarding any personal injury claims, or in connection with any matter that, in the sole discretion of the attorney, constitutes an inappropriate, unethical, or frivolous matter.

How to utilize the Benefit... contact the Legal Services Plan Attorney office at 1 (800) 832-5182.

5. FREE LAST WILL AND TESTAMENT BENEFIT

Who is eligible...Any covered member, his/her spouse, or registered domestic partner.

What is the Benefit...This benefit provides a covered member and his/her spouse or registered domestic partner with the opportunity to have a Last Will and Testament executed under the supervision of a legal benefits plan attorney. Advice regarding estate planning and potential strategies to reduce estate taxes are included.

How to utilize the Benefit...To use the Last Will and Testament Benefit, you should complete the Confidential Will Questionnaire or contact the Legal Services Plan Attorney's office at 1 (800) 832-5182.

Wills include **FREE Minor's Trusts**: A "**Minor's Trust**" is a trust that leaves property to a younger person but in the care of a trustee until the young person reaches a designated age (often age 25, 30, or 35). Trusts for younger individuals are usually set up by parents or grandparents who want to leave property to a young person but also want to name a trusted adult to care for the property until the child is mature enough to inherit in their name.

It is sometimes vital to protect these younger persons from themselves. Often a parent or grandparent may wish that the child finish college and become financially responsible before the entire inheritance is distributed to that child. The minor's trust can also stagger multiple distributions from the estate geared to different ages of the child, thus potentially protecting the child.

How to utilize the Benefit...To use the Last Will and Testament Benefit, complete the Confidential Will Questionnaire or contact the Legal Services Plan Attorney's office at 1 (800) 832-5182.

6. FREE HEALTH CARE PROXY BENEFIT

Who is eligible...Any covered member and his/her spouse or registered domestic partner.

What is the Benefit...This benefit provides a covered member and his/her spouse or registered domestic partner with the opportunity to have a Health Care Proxy prepared and executed under the supervision of a Legal Services Plan Attorney.

How to Utilize the Benefit...To obtain the Health Care Proxy Benefit, complete the Confidential Will Questionnaire or contact the Legal Services Plan Attorney's office at 1 (800) 832-5182.

7. FREE LIVING WILL BENEFIT

Who is eligible...Any covered member and his/her spouse or registered domestic partner.

What is the Benefit...This benefit provides a covered member and his/her spouse or registered domestic partner with the opportunity to have a Living Will prepared and executed under the supervision of a Legal Services Plan Attorney.

How to utilize the Benefit...To obtain the Living Will, complete the confidential Will Questionnaire or contact the Legal Services Plan Attorney's office at 1 (800) 832-5182.

8. FREE DURABLE POWER OF ATTORNEY BENEFIT

Who is eligible....Any covered member and his/her spouse or registered domestic partner.

What is the benefit...This benefit provides a covered member and his/her spouse or registered domestic partner with the opportunity to have a Durable Power of Attorney prepared and executed under the supervision of a Legal Services Plan Attorney.

How to utilize the benefit...To obtain the Durable Power of Attorney Benefit, complete the Confidential Will Questionnaire or contact the Legal Services Plan Attorney's office at 1 (800) 832-5182.

9. Will Days

Who is eligible...Any covered member and spouse.

What is the benefit...We are prepared to conduct estate planning consultations at Union Headquarters, or via Zoom, designed to motivate the union membership to use their legal plan benefits and prompt them to complete their estate planning documents.

On what we call **"Will Days"**, eligible members have the opportunity to have a one-on-one consultation with an attorney.

This attorney will educate members on how to complete their estate planning questionnaire, and overcome the pitfall of: *out of sight, out of mind*. Estate planning documents are then mailed to the member for review. Then the member can sign up for a signing day at Union Headquarters, our offices or a local Law Office, wherein they will meet with the attorney again to ensure the documents are correctly executed.

Statistical research has shown us that members of the legal plan who complete their Last Will and Testament are more apt to utilize other benefits provided by the legal plan and the Union than those who do not. As a result, retention rates are also quantitatively impacted.

How to utilize the Benefit...To obtain this benefit, complete the Confidential Will Questionnaire or contact the Legal Services Plan Attorney's office at 1 (800) 832-5182.

10. LEGAL PLAN WORKSHOPS BENEFIT

Who is eligible...Any covered member and spouse.

What is the benefit...We believe that together we can encourage utilization through workshops designed to educate union members regarding the Legal Plan benefit and enhance and enrich their lives.

Our seminars are pre-consultation estate planning workshops tailored to motivate membership to take advantage of their legal plan and prompt them to complete their estate planning documents.

This program will draw your members to Union Headquarters, where they can socialize with other members, be inspired by their union and engage with issues that affect membership. This is another opportunity to reconnect with your more active members and, at the same time, advertise upcoming programs and events. Workshops, in general, educate members on why this and other union benefits are so valuable.

This is a highly successful program. Members will be given the opportunity to sign up in advance for an appointment at Union Headquarters or our office via Zoom to meet with an attorney for FREE.

How to utilize the Benefit... contact the Legal Services Plan Attorney office at 1 (800) 832-5182.

11. WILL AND ESTATE PLANNING PREPARATION WEBINAR BENEFIT

Who is eligible...Any covered member and spouse.

What is the benefit...We would like to provide your members with the opportunity to log on to a very user-friendly Will and Estate Planning Preparation webinar. This must be scheduled in advance. This program has produced an increase in utilization. Members can view a slideshow, listen to an audio presentation, and submit topical questions.

This webinar is hosted by a service that can assist members with the login process and answer technical questions. We recommend setting these dates well in advance in order to make informing members easier. The Union would be responsible for publicizing the date of the webinar out to the membership. FELDMAN, KRAMER and MONACO will handle the rest.

How to utilize the Benefit... contact the Legal Services Plan Attorney office at 1 (800)-832-5182.

12. ELDER LAW BENEFIT

Who is eligible...Exclusively in connection with the Elder Law section of the Legal Plan, coverage is available to the member, and eligible dependents and is extended to the members' parents, grandparents, parents-in-law and grandparents-in-law.

What is the Benefit...Our Elder Law attorneys will consult with an eligible dependent to discuss asset preservation strategies. The first hour is free, and all subsequent time will be billed at a 20% reduction from the Elder Law attorneys' usual billing rate. Elder Law differs from Estate Planning which is covered at no cost in the Last Will and Testament paragraph herein. Elder Law focuses on asset transfers which will protect assets in the event of the need for nursing home care. This service is also extended to members' parents or grandparents.

Elder Law attorneys can advise on State law and assist in putting a health and estate plan in effect, which can maximize eligibility for coverage of nursing home and home care costs while preserving one's estate and assets.

The attorneys who will provide the listed services concentrate their practice in the subject area of Elder Law, estate planning, wills, trusts, pre-nursing home planning, probate and conservatorship.

How to utilize the Benefit... contact the Legal Services Plan Attorney Office to request an appointment at 1 (800) 832-5182.

13. VETERANS BENEFIT

Who is eligible...Any covered member and dependent.

What is the benefit...We will assist a member or their parents with applying for the Veterans Benefit, Aid and Attendance, which provides extra income for a veteran who requires medical care. We would extend this benefit to their spouse, domestic partner, parents, and parents-in-law.

How to utilize the Benefit... To use the Veterans Benefit, contact the Legal Services Plan Attorney Office to request an appointment at 1 (800) 832-5182.

14. STUDENT LOAN REDUCTION ASSISTANCE BENEFIT

Who is eligible...Any covered member and dependent.

What is the benefit...We will help student loan borrowers with the repayment process. Managing their student loans and understanding the repayment options can be confusing and overwhelming, especially when you're getting unclear or conflicting information from your loan servicer. We can help.

Call center- (NO CHARGE) Members can speak with a Student Loan Counselor wherein they will receive a comprehensive review of their student loan issues. This includes government and private loan issues. Members will have access to assistance and advice in connection with the various student loan assistance programs.

Based on their unique goals and circumstances, we can analyze the available programs for them and design a comprehensive action plan. For a reduced fee, we can also help complete program applications, submit required paperwork, answer legal questions, and troubleshoot bureaucratic problems related to student loan servicing.

How to utilize the Benefit... contact the Legal Services Plan Attorney office at 1 (800) 832-5182.

15. REAL ESTATE BENEFIT

Who is eligible...Any covered member

Purchase of Primary Residence	\$850
Sale of Primary Residence	\$850
Refinance of primary residence	\$275
Transfer of primary residence w/out consideration	\$275

How to Utilize the Benefit... contact the Legal Services Plan Attorney at 1 (800) 832-5182.

16. PROMISSORY NOTE BENEFIT

Who is eligible...Any covered member and dependent.

Promissory Note - Simple Promissory Note - \$75

How to Utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

17. TRAFFIC MATTER BENEFIT

Who is eligible...Any covered member

What is the benefit...This benefit provides Legal Representation for a covered member with a consultation in matters concerning any traffic violation and representation in court in all instances where, in connection with the operation of a motor vehicle, a traffic ticket has been issued. The benefit is limited to moving violations within the New York State (Tristate area), where a conviction will result in points on license.

Representation in court under this benefit is available once in a twelve (12) month period beginning the day you first consult with the Plan attorneys concerning a traffic-related matter. This benefit includes a trial if necessary.

How to utilize the Benefit... contact the Legal Services Plan Attorney at 1 (800) 832-5182.

18. DRIVING WHILE INTOXICATED BENEFIT

Who is eligible... Any covered member or eligible dependent.

(First offense and up to two court appearances) - \$1,050

How to utilize the Benefit...contact the Legal Services Plan Attorney at 1 (800) 832-5182.

19. SMALL CLAIMS PROTECTION BENEFIT

Who is eligible... Any covered member or eligible dependent.

What is the benefit...Attorney will provide advice regarding filing and pursuing claims in Small Claims Court, including procedure and evidence preparation for Small Claims Court matters. This benefit shall be limited to advice only.

How to utilize the Benefit... contact the Legal Services Plan Attorney at 1 (800) 832-5182.

20. IDENTITY THEFT BENEFIT

Who is eligible... Any covered member or eligible dependent.

What is the benefit...Attorney will provide advice regarding Identity Theft. We will provide advice to covered individuals on the federal laws governing identity theft and will offer covered individuals comprehensive advice on how best to avoid having their identity stolen.

Victims of identity theft will be offered comprehensive advice and guidance on how best to proceed to reclaim their identity. This advice will include how to file a police report, what credit agencies to contact to place a fraud alert and guidance on how to construct an appropriate dispute letter to any creditor or agency involved. This benefit shall be limited to advice only, and in appropriate, limited circumstances may, in the professional discretion of the national legal office include the writing of up to three (3) letters per plan year

How to utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

21. BANKRUPTCY BENEFIT

Who is eligible...Any covered member.

What is the benefit...Bankruptcy Chapter 11: Attorneys will provide analysis and advise on the topic of bankruptcy and chapter 11 or other alternatives at the reduced hourly rate of \$285 per hour.

Bankruptcy Chapter 7: \$1,425 - This benefit includes a free consultation.

Bankruptcy Chapter 13: This benefit includes a free consultation and the availability of representation with petition filing at trial or in a court at the reduced hourly rate of \$285 per hour.

How to utilize the Benefit... contact the Legal Services Plan Attorney at 1 (800) 832-5182.

22. FAMILY LAW BENEFIT

Who is eligible...Any covered member.

What is the benefit...

Divorce (uncontested, without marital agreement)	\$900
Divorce (uncontested, with marital agreement)	\$1,700
Separation (Uncontested)	\$900
Modification of Child Support (Preparation of pleadings only)	\$550

Additionally, our Plan provides coverage only to the covered member at the discounted hourly rate of \$285 per hour in all stages of contested actions for divorce and separation and for annulment proceedings. This benefit also includes negotiation and preparation of separation agreements and property settlements.

Our Plan attorneys will also represent the covered member in connection with the preparation of premarital contracts at the discounted hourly rate of \$285 per hour.

The Plan also covers representation of the covered member in support, family offense, custody, and paternity proceedings in Family Court at the discounted hourly rate of \$285 per hour.

These benefits only cover the representation of the covered member. Dependents are not covered under these benefits.

How to utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

23. REDUCED FEE BENEFIT

Who is eligible...Any covered member and dependent.

What is the Benefit....Representation is available from the Plan attorneys at the rate of \$285.00 per hour for matters that are specifically covered by the Legal Plan but require payment for contested matters under the terms of the plan.

How to utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

24. CRIMINAL DEFENSE BENEFIT

Who is eligible...Any covered member and dependent.

What is the Benefit.... This benefit provides a covered member with consultation in connection with matters concerning any misdemeanor or felony. Representation is available from the Plan attorneys at \$285.00 per hour. This benefit includes a free consultation and the availability of representation at trial or in court at the reduced hourly rate described herein or at a 30% reduction from the flat fee. Federal jurisdiction matters are not covered.

How to utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

25. FORECLOSURE DEFENSE BENEFIT

Who is eligible... Any covered member or eligible dependent.

What is the benefit...This benefit provides a covered member with consultation in matters involving problems with a foreclosure in connection with the covered member's primary residence and regarding a petition which specifically names the covered member as a respondent. This benefit includes a free consultation and the availability of representation at a rate of \$285 per hour.

How to utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

26. PREVENTIVE LAW GUIDE BENEFIT – Our newsletter provides timely information on a variety of consumer issues and is written to inform participants about their rights under the law. Designed to inform your membership of the benefits of the legal plan, including hot law-related topics and how members can best use the legal plan to protect their home and assets. Included will be success stories and examples of how members can utilize the legal plan to enhance their lives.

27. BUSINESS STRUCTURING BENEFIT

Who is Eligible... Any covered member or eligible dependent.

What is the Benefit... This benefit focuses on assisting members and their eligible dependents in the formation of business entities. Further, the benefit seeks to assist and educate members and their eligible dependents on the formation and structuring of various business entities such as New York limited liability companies, corporations, professional practice entities, and more. If a member or covered dependent is interested in forming a business entity for their personal or professional enterprise, then they can contact the firm to obtain FREE consultations on and throughout the formation process and may also hire the firm to handle the formation and structuring process at a discounted flat fee.

<i>LLC Formation:</i>	\$800.00	(filing and publication costs are not included)
<i>Corporation Formation:</i>	\$800.00	(filing costs are not included)
<i>PLLC Formation:</i>	\$1,250.00	(filing and publication costs are not included)
<i>PC Formation:</i>	\$950.00	(filing costs are not included)
<i>Trademark Filing</i>	\$1,300.00	(filing costs are not included)
<i>Nonprofit Formation:</i>	\$750.00	(filing costs are not included; no additional tax services included)

How to utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

28. SOCIAL MEDIA BENEFIT

Who is Eligible... Union leadership may access this benefit.

What is the Benefit... This benefit focuses on assisting union leadership in increasing member benefit engagement. FK&M's platform helps create clients for life. Today maintaining a clear, impactful, and authentic social media presence is key to connecting with union membership. We will assist union leadership in designing a social media marketing strategy and create social media content that educates union members on how union members can best use the legal plan.

The FK&M platform enables unions to connect with members throughout their careers and stimulate utilization of our benefit. We want to help share success stories, reinforce the union's positive self-image, acknowledge accomplishments, and increase awareness of the legal plan's full potential.

How to utilize the Benefit... union leadership can contact the Legal Services Plan Attorney Office at 1 (800) 832-5182 to request content and assistance.

CONTINGENT FEE MATTERS

29. PERSONAL INJURY BENEFIT

Who is eligible...Any covered member or dependent.

Personal Injury cases are handled on a contingency fee basis. That means that the attorney fees are a percentage of the recovery rather than at an hourly rate. If there is no recovery, you don't pay any legal fees. The law sets the percentage of the contingent fees and your plan has offered a reduction of that fee.

What is the Benefit...In the event that any covered member or dependent is injured in a car accident, slip and fall accident, dog bite, product liability, premises accident, etc, etc., your Plan attorney will reduce the standard contingency fees approved by the court of the applicable state as follows:

Twenty percent (20%) reduction of the contingency fee if the case is settled prior to examination before trial.

Ten percent (10%) reduction of the contingency fee if the case is settled after an examination before trial or is tried to a conclusion.

This reduction can save an injured victim many thousands of dollars.

Legal representation is available for medical or other professional malpractice. However, it is not possible to reduce the fees for those matters.

How to utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

30. ESTATE ADMINISTRATION BENEFIT

Who is eligible... Any covered member or eligible dependent.

What is the benefit...Legal Representation in an uncontested probate of a Last Will and Testament or an uncontested estate administration proceeding in the Surrogate's Court in the absence of a Will. The benefit allowance is a twenty-five (25%) percent reduction in the percentage contingencies used to calculate the statutory fiduciary commissions as outlined in the New York State Surrogate's Court Procedure Act, Section 2307 or New Jersey Surrogates Act, section 54: 34-5C. This includes the filing of Federal and State estate tax returns. Legal fees do not include court filing fees and expenses or disbursements that are chargeable to the client.

How to utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

31. STOCKBROKER ARBITRATION BENEFIT

Who is eligible...Any covered member or eligible dependent.

What is the benefit...Elder financial abuse is on the rise and is expected to impact an increasing number of families across America over the next decade. Financial abuse cases arising out of Investment Fraud, Investment loss, Financial Adviser Misconduct, Account Churning, and accepted on a contingent fee basis by a participating referral attorney with a Ten percent (10%) reduction from the standard contingency fee approved by the court of the applicable state:

How to Utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

32. TAX GRIEVANCE BENEFIT

Who is Eligible...Any covered member and dependent.

What is the benefit...This benefit provides counseling and assistance with filing a Tax Grievance in certain counties in New York State. A Legal Plan real estate tax attorney can challenge property tax assessments on residential and commercial properties located in Nassau, Suffolk, Rockland, Putnam, and Orange counties and reduce homeowner's or business owner's real estate taxes, if we can prove that the property has been overvalued by the county.

A Property Tax Grievance allows your current assessment to be reviewed by the Assessor to see if a reduction is warranted. If the Assessor does not reduce your assessment, an appeal can be filed to have an impartial hearing officer determine if your house is overvalued for tax purposes. Property taxes can seem very complicated and like income taxes, your property taxes should be reviewed annually for the possibility of a reduction.

A Legal Plan attorney will analyze each home on a case-by-case basis to determine the potential for a reduction. Whether there is merit to an appeal is based on many factors including sales of comparable properties and factors unique to your home that can affect the potential market value used to review your assessment. If the attorney can prove your home is worth less than the assessed value, we will accept your grievance and aggressively seek to reduce your property taxes to the lowest amount allowed by law.

There is absolutely no fee if there is no tax reduction. Our fee is reduced from the industry standard of 50% of the property tax reduction to 38%, which is due after the official reduction notification is received. It's a flat fee that you pay only once. If we do not succeed, you pay nothing. It's important to note: grieving your property taxes will never result in your taxes going up. *If a "Small Claims Assessment Review" (SCAR) petition is filed, a \$30 court-filing fee may apply.

How to Utilize the Benefit... contact the Legal Services Plan Attorney Office at 1 (800) 832-5182.

GENERAL EXCLUSIONS

1. All legal services provided by the Legal Services Plan have been specifically stated and described. Any legal service that has not been so described can be considered excluded from the Legal Services Plan of Benefits.
2. However, in order to guide the member in his utilization of the Legal Services Plan Benefit package, this section lists specifically, but without limitation, particular exclusions of the Plan.
3. Any controversy, dispute or proceeding with or against the employer or the employer's agent or officers including but not limited to claims for workers compensation, disability insurance or unemployment compensation.
4. Any controversy, dispute or proceeding directed against the AMALGAMATED TRANSIT UNIT LOCAL 726 or any of their affiliated bodies, e.g. the benefit plans, or any of the officers, agents or attorneys of the AMALGAMATED TRANSIT UNIT LOCAL 726 or its affiliated bodies or any corporations, organizations or entities with which the Welfare Fund has contractual relationships.
5. Any controversy, action or proceeding in which the Legal Services Plan would be prohibited from defraying the cost of legal services by any provision of law.
6. Any controversy, action or proceeding in which representation on a contingent fee basis is normally and customarily available or where the fee is payable by virtue of statute or by order of Court, unless otherwise stated.
7. Class action or interventions or amicus curiae activities. Two or more parties may not pool or combine their benefits for the purpose of making a claim in which they have a mutual interest.
8. Any matter concerning the payment of income tax including, but not limited to, preparation or filing of income tax returns.
9. The Plan will not pay the claims for services or advice when such activity involves application of the same service or advice previously obtained in connection with the same problem and previously claimed for under the Plan.
10. Appellate matters.
11. Services, fees or expenses in connection with any business venture or other matters in which, for Federal Income Tax purposes, the cost of the legal services would normally constitute a business expense or capital investment.

12. The Plan will not pay court costs and/or filing fees nor will the Plan pay fines or penalties in any amount.
13. Any controversy, action, proceeding or dispute which legal services are available through insurance or through any governmental agency or attorney (Federal, State or Local).
14. Any controversy, dispute or proceeding in which the member retained an attorney or represented himself/herself prior to contacting the Legal Plan.
15. Matters where an eligible participant or his dependent is an adverse party in an action involving another employee or his dependent.
16. Any matter that in the opinion of the attorney is lacking sufficient merit to warrant pursuit.
17. Any matter not specifically provided herein is excluded from coverage.

GRIEVANCE AND ARBITRATION

In the event any controversy or complaint arises in connection with the terms and procedures contained in this Certificate involving Legal Plan, Participating Referral Attorney, Covered Member and Dependent, or any combination thereof, the following procedures should be followed.

FIRST: Fully exhaust all possibilities of resolving the dispute with the other party or parties involved. When all such possibilities have been exhausted, Covered Member or Dependent may then:

SECOND: Notify the Grievance Department in writing, as to the nature of the dispute and all of the relevant particulars. In the event the Grievance Department of the Law Firm is unable to effectuate a satisfactory resolution, the Covered Member may then:

THIRD: Appeal to the office of the Special Arbitrator for its help toward resolving the complaint or controversy by writing to Special Arbitrator. The arbitrator shall have the power to decide any dispute among the parties and individuals involved concerning the application or interpretation of the terms of this Certificate and the performance thereunder.

APPEALS TO THE BOARD OF TRUSTEES

The Board of Trustees adopts rules and regulations for the payment of benefits and all provisions in this booklet are subject to such rules and regulations and to the agreement and declaration of trust, which established the Plan and governs its actions.

A covered member may request a review of action taken by the Plan Office by submitting an appeal, in writing, to the Board of Trustees within 60 days after the action of the Plan.

IF YOU HAVE ANY QUESTIONS WITH REGARD TO COVERAGE, BENEFITS OR EXCLUSIONS, PLEASE CONTACT THE LEGAL SERVICE PLAN OFFICE at 1 (800) 832-5182.

NOTE

All the information and comments in this booklet are for your information and guidance only. The Legal Services Plan's benefits may be changed, amended or modified from time to time at the discretion of the Trustees. Nothing contained in this booklet may be used as a basis for any claim whatsoever against your employer, your prior employee or your union. This is not an insured program.

