
EXHIBIT H

Allegations¹	Responses²
93. As required under ERISA § 503, 29 U.S.C. § 1133, the PTG Pension Plan and the SBC Pension Plan had provisions (1) requiring that notice be given in writing to any participant whose claim for benefits under the Plans was denied, setting forth the specific reasons for such denial, and (2) affording a reasonable opportunity for a full and fair review of the decision denying the claim.	93. In answer to paragraph 93 of the Amended Complaint, Defendant states that the law speaks for itself and denies the allegations of paragraph 93 to the extent that they are contrary to or inconsistent with such laws.
129. Notice of, and the opportunity to review, the “specific plan provisions” on which a benefit denial is based is necessary for the establishment and maintenance of reasonable procedures for notification of benefit determinations.	129. In answer to paragraph 129 of the Amended Complaint, there are no charging allegations calling for an admission or a denial. Rather, paragraph 129 consist of a legal assertion or a legal contention or a legal conclusion on the part of Plaintiff (it is not clear which). As such, Defendant neither admits nor denies the allegations contained in paragraph 129.
130. Notice of the specific plan provisions upon which the decision-maker relied in denying a claim provides the claimant with the opportunity to review the adequacy and accuracy of the claim denial and to challenge the denial if it is unsupported by provisions of the governing plan document.	130. In answer to paragraph 130 of the Amended Complaint, there are no charging allegations calling for an admission or a denial. Rather, paragraph 130 consist of a legal assertion or a legal contention or a legal conclusion on the part of Plaintiff (it is not clear which). As such, Defendant neither admits nor denies the allegations contained in paragraph 130.
142. ERISA § 204(g) provides that “[t]he accrued benefit of a participant under a plan may not be decreased by an amendment of the plan.” Under 26 C.F.R. § 1.411(d)-3, “a plan amendment includes any changes to the terms of the plan.” Accrued benefits are considered “reduced” for purposes of ERISA § 204(g) not only when they are decreased in size or eliminated entirely, but also when the plan imposes new conditions or materially greater restrictions on their receipt.	142. In answer to paragraph 142 of the Amended Complaint, Defendant admits that Plaintiff has quoted a portion of ERISA § 204(g) and a portion of 26 C.F.R. § 1.411 (d)-3. The remainder of the allegations in paragraph 142 consist of a legal assertion or a legal contention or a legal conclusion on the part of Plaintiff (it is not clear which) that Defendant denies to the extent it is inconsistent with the governing statutes, regulations, court decisions and/or the facts of this case.

¹ Ex. A.

² See Ex. B.