

**Excessive Fee Questionnaire  
Regarding Defined Contribution Plans**

1. Proprietary Funds and Services: Does the Insured/Applicant (the "Organization") derive any revenue or compensation from the use of proprietary funds or services in the plan in any way? (A proprietary fund is any investment vehicle sponsored, managed, advised or sub-advised by an entity that the Organization directly or indirectly owns or controls. A proprietary service is any service provided by an entity that the Organization directly or indirectly owns or controls.)

If so, please identify such funds or services and explain how much of each plan is invested in these funds and how much is paid for such services. Note that if such proprietary funds or services exist, then additional information will be required.

2. Recordkeeping - Please identify the recordkeeper(s) and describe the following:
- a. The recordkeeping fees for each plan when calculated on a per capita basis (regardless of how they are actually charged);
  - b. Your process for selecting a recordkeeper and evaluating the reasonableness of their fees, including the frequency of such evaluations and the use of benchmarks, RFPs or consultants; and
  - c. If any of your recordkeeping fees are paid based on a percentage of assets under management (including as part of revenue sharing), please describe any per capita caps, other caps or rebates that you have negotiated. If no such caps or rebates have been negotiated, then please explain the reason therefore.

3. Investments:
- a. Please describe your process for evaluating, benchmarking and monitoring the expense and performance of the plan's investment options, including the frequency of such evaluation, the identity of any consultants used, and any contemplated changes in the investment options;
  - b. Does your plan offer any index funds as an investment option, and if not, please explain the rationale therefor;
  - c. For plans that offer mutual funds, please confirm that you offer the least expensive share class available to the plan for each such fund, and if not, please explain the rationale therefore; and
  - d. Please confirm that the plan does not use any funds that are proprietary to an affiliate of the recordkeeper or investment consultant. Otherwise, please describe the process used to ensure the independent evaluation of such investments.

4. Documentation: Please provide a copy of the 408(b) fee disclosures made to the plan.

5. Inquiries: Please indicate whether you have received or aware of any of the following, and if so, please describe the communication and any follow up regarding same:
- a. Any inquiries or communications from any law firm regarding plan fees and expenses or the performance of plan investments;
  - b. Any inquiries from the law firms of Schlichter, Bogard & Denton LLP, Nichols Kaster, PLLP, or Capozzi Adler, PC regarding any topic whatsoever; and
  - c. Any online/social media solicitation of your employees to contact a law firm about their defined contribution plan fees or investments.