

JENNINGS, STROUSS & SALMON, P.L.C.  
ATTORNEYS AT LAW  
ONE RENAISSANCE SQUARE  
TWO NORTH CENTRAL AVENUE  
PHOENIX, AZ 85004-2393

TELEPHONE 602.262.5911  
FACSIMILE 602.253.3255  
WRITER'S DIRECT LINE  
602.262.5981  
ROBERT J. WERNER

DOL-PWBA  
PUBLIC DISCLOSURE  
97 MAY 28 AM 4:38



Jennings Strouss & Salmon

May 2, 1997

**REGISTERED MAIL**

SMM  
U.S. Department of Labor  
Washington, D.C. 20216

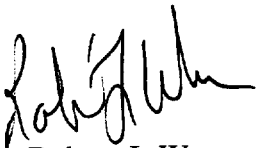
Re: Capital Lumber Company 401(k) Plan - 20th Amendment  
No.: 001  
EIN: 86-0084551

Dear Sirs:

We are enclosing a copy of a Summary of Material Modifications for the above plan which was needed because of what we deemed to be material modifications of the Plan caused by the Twentieth Amendment to the Plan.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.

By   
Robert J. Werner

RJW/psw

Enclosure

2520190031384

cc: Ms. Mary Nesmith

**SUMMARY OF MATERIAL MODIFICATIONS TO**

DOL-PWBA

PUBLIC DISCLOSURE

**CAPITAL LUMBER COMPANY**

97 MAY 28 AM 4:38

**401(k) PLAN AND TRUST AGREEMENT**

Effective July 1, 1997, an individual will become a Participant in the Plan if he/she has (a) completed a year of service with the Company or (b) completed both six months of continuous employment with Capital Lumber Company and at least 500 hours of service with the Company since his/her date of hire. Notwithstanding the foregoing, an individual will not be eligible to participate in the Plan if (1) the individual is included in a unit of employees covered by a collective bargaining agreement unless the agreement expressly provides for Plan participation, (2) the individual is a leased employee, or (3) the individual is classified by Capital Lumber Company as an independent contractor regardless whether the individual is subsequently determined to satisfy the common law definition of "employee."