2520032031857

March 3, 1997

SPD
Pension and Welfare Benefits Administration
Room N-5644
U.S. Department of Labor
200 Constitution Ave., N.W.
Washington, D.C. 20210

Re: LETA HOLDING COMPANY, INC. 401(k) PROFIT SHARING PLAN AND TRUST
Plan Number: 001
EIN: 43-1400541

Dear Sirs:

The above-named plan has been amended in accordance with Model Amendments under Revenue Procedures 93-12, 93-47, and 94-13.

We are enclosing a Summary of Material Modifications which outlines the provisions of such Model Amendments. We believe that this meets your requirements, but please notify us should you require any additional information.

Sincerely,

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**LETA HOLDING COMPANY, INC. 401(K) PROFIT SHARING PLAN AND TRUST**
**SUMMARY OF MATERIAL MODIFICATIONS**

**To:** Participants and Beneficiaries of LETA HOLDING COMPANY, INC. 401(k PROFIT SHARING PLAN AND TRUST
**From:** LETA HOLDING COMPANY, INC.

This notice is to inform you of recent changes to our Plan. These changes to the Plan Document are fully described in "Model Amendments," which the Internal Revenue Service (IRS) provides to help employers keep their plans in compliance with the law.

This is a summary of the changes. Please file this "Summary of Material Modifications" with your Summary Plan Description (the booklet that explains your Plan.) If you would like to see the full text of the changes, you may inspect the Plan Document or receive a copy of the changes, as explained in the "ERISA Rights" section of your Summary Plan Description.

**(1)** The first Model Amendment gives you the right to request a direct transfer of certain plan payments from this Plan into an IRA or another qualified plan, for distributions received on or after January 1, 1993. If the distribution from this Plan qualifies for the direct transfer or "rollover," and you do not elect the transfer, we must withhold 20% of the distribution for federal income tax purposes.

Whenever you request a distribution from the Plan, you'll receive an explanation of the direct rollover rules. One of those rules has to do with the time limit on electing whether the payment should be made to you or directly transferred into an IRA or other plan. You can't make this election more than 90 days in advance of the distribution and usually you have to wait at least 30 days after your election in order to receive the distribution.

**(2)** The second Model Amendment gives you the right to waive the 30-day period mentioned above. If you sign a waiver form, you may receive your distribution without having to wait 30 days after you make a direct rollover election.

**(3)** The third Model Amendment sets a limit on the amount of Compensation that can be used in determining contributions and benefits under the Plan, for Plan Years beginning on and after January 1, 1994. For Plan Year beginning in 1994, the Compensation limit is $150,000. The IRS sets this limit, which will change in future years, based on changes in the Consumer Price Index (CPI).

If you have any questions on this Summary or the amendments to your Plan, contact your Plan Administrator:

LETA HOLDING COMPANY, INC.
12101 ST. CHARLES ROCK ROAD
ST. LOUIS, MO 63044-2602
(314)291-2332

**MODEL SECTION 401(a)(31) AMENDMENT TO LETA HOLDING COMPANY, INC. 401(K) PROFIT SHARING PLAN AND TRUST**

**Section 1.** This Article applies to distributions made on or after January 1, 1993. Notwithstanding any provision of the plan to the contrary that would otherwise limit a distributee's election under this Article, a distributee may elect, at the time and in the manner prescribed by the plan administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

**Section 2.** Definitions.

**Section 2.1.** Eligible rollover distribution: An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under section 401(a)(9) of the Code; and the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities).

**Section 2.2.** Eligible retirement plan: An eligible retirement plan is an individual retirement account described in section 408(a) of the Code, an individual retirement annuity described in section 408(b) of the Code, an annuity plan described in section 403(a) of the Code, or a qualified trust described in section 401(a) of the Code, that accepts the distributee's eligible rollover distribution. However, in the case of an eligible rollover distribution to the surviving spouse, an eligible retirement plan is an individual retirement account or individual retirement annuity.

**Section 2.3.** Distributee: A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or the former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse.

**Section 2.4.** Direct rollover: A direct rollover is a payment by the plan to the eligible retirement plan specified by the distributee.

**MODEL SECTION 401(a)(17) AMENDMENT TO LETA HOLDING COMPANY, INC. 401(K) PROFIT SHARING PLAN AND TRUST**

**SECTION 401(a)(17) LIMITATION**

In addition to other applicable limitations set forth in the plan, and notwithstanding any other provision of the plan to contrary, for plan years beginning on or after January 1, 1994, the annual compensation of each employee taken into account under the plan shall not exceed the OBRA '93 annual compensation limit. The OBRA '93 annual compensation limit is $150,000, as adjusted by the Commissioner for increases in the cost of living in accordance with section 401(a)(17)(B) of the Internal Revenue Code. The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which compensation is determined (determination period) beginning in such calendar year. If a determination period consist of fewer than 12 months, the OBRA '93 annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

For plan years beginning on or after January 1, 1994, any reference in this plan to the limitation under section 401(a)(17) of the Code shall mean the OBRA '93 annual compensation limit set forth in the provision.

If compensation for any prior determination period is taken into account in determining an employee's benefits accruing in the current plan year, the compensation for that prior determination period is subject to the OBRA '93 annual compensation limit in effect for that prior determination period. For this purpose, for determination periods beginning before the first day of the first plan year beginning on or after January 1, 1994, the OBRA '93 annual compensation limit is $150,000.

**NOTICE 93-26/REVENUE PROCEDURE 93-47 AMENDMENT TO LETA HOLDING COMPANY, INC. 401(K) PROFIT SHARING PLAN AND TRUST**

The following language, applicable to distributions made on or after January 1, 1993, is hereby inserted following the final sentence of section 2.5.2(j) of the DATAIR Employee Benefit Systems, Inc. Defined Contribution Plan and Trust.

"If a distribution is one to which sections 401(a)(11) and 417 of the Internal Revenue Code do not apply, such distribution may commence less than 30 days after the notice required under section 1.411(a)-11(c) of the Income Tax Regulations is given, provided that:

(1) the plan administrator clearly informs the participant that the participant has a right to a period of at least 30 days after receiving the notice to consider the decision of whether or not to elect a distribution (and if applicable, a particular distribution option), and

(2) the participant, after receiving the notice, affirmatively elects a distribution."

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