

## **Form 5500 Preparation Service - Memo of Understanding**

The Employer/Plan Sponsor (the “Plan Sponsor”) identified in the enclosed Form 5500(s) has engaged Flores & Associates, LLC (“Flores”) to assist with preparation of one or more Form 5500(s) and Summary Annual Report (“SAR”) for its ERISA-governed health and welfare benefit programs, as identified by the Plan Sponsor, and based upon information provided by the Plan Sponsor for the plan years that are the subject of the filing(s).

In consideration for its receipt of such service, the Plan Sponsor agrees to release and hold Flores harmless from any liability arising as a result of the provision or reliance upon the Form 5500(s) and SAR. In addition, the Plan Sponsor understands and acknowledges that:

- ❖ The Form 5500 Preparation Service is intended to assist the Plan Sponsor with fulfilling the filing requirements of Title I of the Employee Retirement Income Security Act of 1974, as amended (ERISA).
- ❖ The Plan Sponsor bears sole responsibility for the accuracy of the information submitted to Flores in connection with the Form 5500 Preparation Service.
- ❖ Flores has drafted the proposed Form 5500(s) and SAR based upon information and data provided by the Plan Sponsor.
- ❖ The Plan Sponsor bears sole responsibility for the accuracy of the Form 5500(s) and SAR, timely submission of the Form 5500(s), and timely and compliant distribution of the SAR.
- ❖ Providing Flores with the information needed to complete the Form 5500(s) does not constitute an actual filing with the U.S. Department of Labor's Employee Benefits Security Administration.
- ❖ Flores is not authorized to provide legal counsel or tax advice. The Form 5500 Preparation Service is not intended to be, and should not be construed as, the provision of legal counsel or tax advice.
- ❖ The Plan Sponsor is relying upon its own judgment and/or the advice of its own legal counsel and/or tax advisors to ensure its compliance with all applicable laws, regulations, and requirements.
- ❖ By receiving and utilizing the Form 5500(s) prepared by Flores, the Plan Sponsor agrees to the terms set forth in this Memo of Understanding.