

AMENDMENT NUMBER NINE TO THE
AGREEMENT AND DECLARATION OF TRUST ESTABLISHING
THE AMERICAN FEDERATION OF MUSICIANS AND EMPLOYERS'
PENSION FUND
(As Amended and Restated Effective as of April 1, 2005)

WHEREAS, the Board of Trustees (the "Board") of the American Federation of Musicians and Employers' Pension Fund (the "Fund") adopted the Agreement and Declaration of Trust Establishing the American Federation of Musicians and Employers' Pension Fund, as amended and restated effective as of April 1, 2005 (the "Trust Agreement"); and

WHEREAS, pursuant to Article X, Section 10.1 of the Trust Agreement, the Board reserves the right to amend the Trust Agreement at any time; and

WHEREAS, the Board wishes to amend Section 9.1(d) of the Trust Agreement in the manner set forth below for clarification, and has delegated to the undersigned the authority to execute this Amendment;

NOW, THEREFORE, Section 9.1(d) of the Trust Agreement is hereby amended to read as follows:

Notwithstanding the provisions of Section 9.1(c) above, an Employer may also make contributions to the Trust Fund in accordance with a Collective Bargaining Agreement (or settlement of a claim under a Collective Bargaining Agreement) that provides for contributions to be made on a basis other than scale wages if the Collective Bargaining Agreement (or settlement agreement) provides that any such contributions will not be taken into account in determining any benefit payable under the Plan.

IN WITNESS WHEREOF, the Board executed this Amendment on this 5th day of August, 2015.

By: /s/ Christopher J.G. Brockmeyer
Christopher J.G. Brockmeyer, Co-Chair

By: /s/ Raymond M. Hair
Raymond M. Hair, Co-Chair