

AMENDMENT NUMBER SEVEN 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 the Trust Agreement in the manner set forth below, and has delegated to the undersigned the authority to execute this Amendment.

NOW, THEREFORE, Section 9.1 of the Trust Agreement is hereby amended to add the following new subsection (d), effective January 13, 2012:

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 that provides for contributions to be made on a basis other than scale wages if the Collective Bargaining 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 16th day of February, 2012.

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

By: /s/ Alan H. Raphael
Alan H. Raphael, Co-Chair