



## GE Disability Benefits Center

PO Box 44801  
Eden Prairie, MN 55344  
USA

T 800 392 0789  
F 800 758 6916

Robert Delsman  
3809 Little Fairfield Street  
Eureka CA 95503

November 12, 2008

Claim number: 37744

Dear Mr. Delsman:

This is in reference to your questions regarding the a provision in the Plan language that you must apply for Social Security Disability Income benefits in order to receive GE Long-Term Disability benefits.

**The Plan 504 does not have specific language that requires a claimant to apply for Social Security Disability Benefits.** The Plan 504 provision states: "Your benefits will be reduced by ...(2) any primary Social Security Disability benefits or primary Social Security retirement benefits payable at age 65."

In your GE Handbook, on page 165-166, it states: "In case of other income: Because your GE long Term disability income (LTDI) Plan benefits are coordinated with all other sources of disability income..., you must notify the GE Disability Benefits Center promptly if you receive or expect to receive any awards or settlements. Failure to notify the center could result in the suspension of your LTDI benefits."

"When your GE Long Term Disability Income Plan benefits are approved, you will be asked by the center to sign an agreement to pay back any LTDI benefit overpayment resulting from retroactive payments of Social Security disability Insurance benefits, a GE Disability Pension, a Workers' Compensation adjustment or any other overpayment."

"If you do not sign the agreement, primary Social security Disability Insurance benefits will be estimated and deducted from your LTDI benefits. If you receive an overpayment, the amount may be recovered in a variety of ways, including your direct reimbursement of any overpayments or reducing or stopping future LTDI benefits until the overpayment is recovered."

The Agreement Concerning Long-Term Disability Income Benefits statement you received with the initial LTD pocket, reads:

"If I have not already applied for Social Security benefits, then I agree to do so promptly, but no later than ninety (90) days after I have received my first monthly LTDI benefit check. As proof of this, I agree to send to the GEDBC a copy of the Receipt of Claim Form given to me by the Social Security Administration (SSA) at the time of my application."



You signed this agreement on 9/30/2006. A copy is included with this letter. We have received notice that you are no longer with Zivic Solutions.

Also, as requested, please find the complete copy of your GE Salary Continuance claim and GE Long-Term Disability claim.

If you have any questions, please call the GE Disability Benefit Center between 7:30 a.m. and 4 p.m., Central Time, Monday through Friday.

Sincerely,

A handwritten signature in cursive script that reads "Linda Warner".

Linda Warner  
LTD Supervisor