



May 13, 2024

Eric S. Kent
3381 S San Mateo Dr
North Port, FL 34288

RE: Domestic Relations Order
Publix Super Markets, Inc. Employee Stock Ownership Plan (ESOP)
(Including any Publix Super Markets, Inc. Profit Sharing Plan balance merged 12/31/1999)
Participant: Eric S. Kent
Alternate Payee: Stephanie A. Kent

Dear Mr. Kent:

Our Plans accept Qualified Domestic Relations Orders (QDROs), against vested Participant's current accumulated benefits, which contain the information required under Internal Revenue Code (IRC) Section 414(p).

Based on the Tax Reform Act of 1986, restrictions have been placed on the above referenced tax qualified plan(s) to prohibit the removal of assets. This action is intended to protect the interest of all Parties. *This restriction will prohibit any ESOP distribution, ESOP hardship distribution, and the dissemination of ESOP dividends.*

This office has received a verbal notice of entitlement requiring Publix Super Markets, Inc. to impose a restriction. Publix has been advised the above referenced plan(s) will be divided and a portion awarded to the ex-spouse due to divorce.

The restriction will be removed 90 days from the date of this letter unless we receive further documentation including, but not limited to:

- a draft Domestic Relations Order,
- an executed Domestic Relations Order, or
- the Dissolution of Marriage / Marital Settlement Agreement indicating the plan(s) are to be split in a subsequent QDRO.

Pursuant to the terms of the QDRO, the Alternate Payee may be entitled to a portion of the ESOP and as a result we must hold all ESOP dividend checks. Publix Super Markets, Inc. will calculate the Alternate Payee's awarded ESOP benefit and determine entitlement to the dividend once an executed QDRO is received and qualified. The 2024 dividend check(s) will continue to be held until the earlier of:

- Expiration of the 90 days,
- The date an executed QDRO is qualified and the amount awarded is transferred into the account of the Alternate Payee*, or
- December 6, 2024, if we are not able to qualify an executed QDRO*.

PUBLIX SUPER MARKETS, INC.
QUALIFIED DOMESTIC RELATIONS ORDERS (QDRO) PROCEDURE¹

I. Procedure After Receipt of Order

The Publix Super Markets, Inc. Employee Stock Ownership Plan (“ESOP”) and 401(k) SMART Plan (“SMART Plan”) will apply the following procedure whenever it receives an order which purports to be a qualified domestic relations order (“QDRO”).

1. **Plan Administrator’s Responsibilities.** The Plan Administrator is responsible for administering the QDRO Procedure. The purpose of the QDRO Procedure is to establish a reasonable and consistent procedure for determining the qualified status of a domestic relations order and for making distributions pursuant to a domestic relations order which qualifies under Internal Revenue Code Section 414(p).
2. **Notice to Participant and to Alternate Payee.** After receipt of a domestic relations order, the Plan Administrator will promptly notify the Participant and any alternate payee of the receipt of the order, and will deliver to the Participant and to each alternate payee a copy of this QDRO Procedure. If the Plan Administrator is able to determine whether an order is qualified promptly upon receipt of such order, the Plan Administrator may send a notice which informs the Participant and the alternate payee of the receipt of the order and of the Plan Administrator’s determination. The alternate payee may designate in writing to the Plan Administrator a representative to receive copies of notices that are sent to the alternate payee with respect to the order.
3. **Notice to Trustee.** After receipt of a domestic relations order, the Plan Administrator will promptly notify the Trustee of the Plan of the receipt of the order.
4. **Suspension of Participant’s Right to Distributions or Loans.** During the period the Plan Administrator is determining the qualified status of the order:
 - a. The Plan Administrator will suspend distributions to the Participant to the extent the Plan Administrator deems necessary to comply with the order should the Plan Administrator determine the order is a QDRO.
 - b. The Plan will suspend any right of the Participant to receive a new loan from the SMART Plan if the Plan Administrator reasonably believes that the making of such loan could leave an insufficient amount in the Participant’s account to cover the alternate payee’s claim under the order.
5. **Review of Order.** As soon as practicable following receipt of an order (normally, no later than 90 days from receipt of the order), the Plan Administrator will determine whether the order is a QDRO.
 - a. The Plan Administrator will refuse to approve any order which, in its opinion, does not comply strictly with the requirements of Internal Revenue Code Section 414(p). No order may be approved if the Plan Administrator determines that it contains any ambiguity, or if any provision is inconsistent with any other requirement of applicable law.
 - b. The Plan Administrator may require an order to include provisions that it deems necessary to properly administer the order under the terms of the Plan, including (without limitation):
 - (1) Instructions as to the account of the Participant from which the alternate payee’s benefits are to be taken.
 - (i) If benefits are awarded to the alternate payee from the 401(k) SMART Plan, the benefits will be taken on a pro-rata basis from the investment fund options the Participant is invested in as of the date the benefits are awarded if the order does not clearly specify which of the investment fund options the benefits are to be taken from.

¹ All terms used in this document shall have the same meaning as that ascribed to them in the Plan document.

7. **Determination if Order is a QDRO.** If the Plan Administrator determines the order is a QDRO:
- a. The Plan Administrator will notify the Participant and each alternate payee that the order is a QDRO and the Plan will distribute pursuant to the QDRO. The Plan Administrator will notify the Participant and each alternate payee, in writing, of the decision within a reasonable period of time (normally, no later than 90 days from receipt of the order) and will include a copy of the QDRO Determination Checklist, and will be sent certified mail, return receipt requested.
 - b. If the QDRO requires immediate payment to the alternate payee, the Plan Administrator will pay the designated benefits as soon as administratively practicable following the Plan Administrator's determination that the order is qualified.
 - c. If the QDRO does not require immediate payment to the alternate payee, the Plan will pay the designated benefits in accordance with the instructions of the QDRO and with the Plan provisions.
8. **Determination if Order is not a QDRO.** If the Plan Administrator determines the order is **not** a QDRO:
- a. The Plan Administrator will advise the Participant and each alternate payee of the adverse decision and the reasons for the adverse decision. The Plan will advise the Participant and each alternate payee, in writing, of the decision within a reasonable period of time (normally, no later than 90 days from receipt of the order).
 - b. If the Participant is not entitled to a distribution, the Plan will continue to account for the Participant's benefits as if the Plan had not received the order.
9. **Review of Determination.** Upon determination by the Plan Administrator of the qualified status of a domestic relations order:
- a. The Participant or an alternate payee under the order may request a review of the Plan Administrator's determination with respect to the qualified status of the order in accordance with the claim review procedures under the Plan.
 - b. In the absence of a request for review of the determination with respect to the qualified status of the order, the Plan Administrator's determination of the status of the order shall be final.
 - c. If an action is filed in a court of appropriate jurisdiction after the Plan's administrative procedures have been exhausted, the determination shall become final when the case is disposed of by the highest court to which it is presented and the time for appeal has expired.
10. **Consultation with Legal Counsel.** The Plan Administrator may consult with the Plan's legal counsel in case of questions which arise with respect to the interpretation of any provision of the order or with respect to the qualified status of the order.

II. Procedure Prior to Receipt of Order.

The Plan will apply the following procedure prior to the Plan's receipt of a domestic relations order:

1. **Requirements for Application.** The Plan will proceed as described in paragraph 2 below if the Plan receives (verbal or written) notice from a Participant and a Participant's spouse that: (1) a domestic relations action (including a divorce) is pending or the Participant and spouse are seeking a domestic relations order; (2) the Plan will receive a domestic relations order as a result of the action described in (1); **and** (3) Plan assets will be a source of payment under the domestic relations order. However, even in the absence of specific information that a potential alternate payee is seeking a QDRO, the Plan Administrator may refuse to permit the distribution to the Participant from his accounts of any amount if the Plan Administrator reasonably believes that distribution of such amount to the Participant would result in a violation of the community property rights of the Participant's spouse or former spouse.
 - a. The Plan Administrator will review a draft order.

SEC. 414. DEFINITIONS AND SPECIAL RULES. Subsec. (p) QUALIFIED DOMESTIC
RELATIONS ORDER DEFINED--

For purposes of this subsection and section 401(a)(13)--

414(p)(1) IN GENERAL.--

414(p)(1)(A) QUALIFIED DOMESTIC RELATIONS ORDER.--The term "qualified domestic relations order" means a domestic relations order--

414(p)(1)(A)(i) which creates or recognizes the existence of an alternate payee's right to, or assigns to an alternate payee the right to, receive all or a portion of the benefits payable with respect to a participant under a plan, and

414(p)(1)(A)(ii) with respect to which the requirements of paragraphs (2) and (3) are met.

414(p)(1)(B) DOMESTIC RELATIONS ORDER.--The term "domestic relations order" means any judgment, decree, or order (including approval of a property settlement agreement) which--

414(p)(1)(B)(i) relates to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, child, or other dependent of a participant, and

414(p)(1)(B)(ii) is made pursuant to a State domestic relations law (including a community property law).

414(p)(2) ORDER MUST CLEARLY SPECIFY CERTAIN FACTS.--A domestic relations order meets the requirements of this paragraph only if such order clearly specifies--

414(p)(2)(A) the name and the last known mailing address (if any) of the participant and the name and mailing address of each alternate payee covered by the order,

414(p)(2)(B) the amount or percentage of the participant's benefits to be paid by the plan to each such alternate payee, or the manner in which such amount or percentage is to be determined,

414(p)(2)(C) the number of payments or period to which such order applies, and

414(p)(2)(D) each plan to which such order applies.

414(p)(3) ORDER MAY NOT ALTER AMOUNT, FORM, ETC., OF BENEFITS.--A domestic relations order meets the requirements of this paragraph only if such order

414(p)(3)(A) does not require a plan to provide any type or form of

414(p)(5) TREATMENT OF FORMER SPOUSE AS SURVIVING SPOUSE FOR PURPOSES OF DETERMINING SURVIVOR BENEFITS.--To the extent provided in any qualified domestic relations order--

414(p)(5)(A) the former spouse of a participant shall be treated as a surviving spouse of such participant for purposes of sections 401(a)(11) and 417 (and any spouse of the participant shall not be treated as a spouse of the participant for such purposes), and

414(p)(5)(B) if married for at least 1 year, the surviving former spouse shall be treated as meeting the requirements of section 417(d).

414(p)(6) PLAN PROCEDURES WITH RESPECT TO ORDERS--

414(p)(6)(A) NOTICE AND DETERMINATION BY ADMINISTRATOR.--In the case of any domestic relations order received by a plan--

414(p)(6)(A)(i) the plan administrator shall promptly notify the participant and each alternate payee of the receipt of such order and the plan's procedures for determining the qualified status of domestic relations orders, and

414(p)(6)(A)(ii) within a reasonable period after receipt of such order, the plan administrator shall determine whether such order is a qualified domestic relations order and notify the participant and each alternate payee of such determination.

414(p)(6)(B) PLAN TO ESTABLISH REASONABLE PROCEDURES.--Each plan shall establish reasonable procedures to determine the qualified status of domestic relations orders and to administer distributions under such qualified orders.

414(p)(7) PROCEDURES FOR PERIOD DURING WHICH DETERMINATION IS BEING MADE.

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414(p)(7)(A) IN GENERAL.--During any period in which the issue of whether a domestic relations order is a qualified domestic relations order is being determined (by the plan administrator, by a court of competent jurisdiction, or otherwise), the plan administrator shall separately account for the amounts (hereinafter in this paragraph referred to as the "segregated amounts") which would have been payable to the alternate payee during such period if the order had been determined to be a qualified domestic relations order.

414(p)(7)(B) PAYMENT TO ALTERNATE PAYEE IF ORDER DETERMINED TO BE QUALIFIED DOMESTIC RELATIONS ORDER.--If within the 18-month period described in subparagraph (E) the order (or modification thereof) is determined to be a qualified domestic relations order, the plan administrator shall pay the segregated amounts (including any interest thereon) to the person or persons entitled thereto.

under this subsection and section 401(a)(13), the Secretary of Labor shall consult with the Secretary.

QUALIFIED DOMESTIC RELATIONS ORDER (QDRO) DETERMINATION CHECK LIST

(established under the guidelines of Internal Revenue Code Section 414(p)) **FOR:**

- **PUBLIX SUPER MARKETS, INC. EMPLOYEE STOCK OWNERSHIP PLAN (ESOP)**
Including any Publix Super Markets, Inc. Profit Sharing Plan & Trust balance merged 12/31/1999
- **PUBLIX SUPER MARKETS, INC. 401(k) SMART PLAN**

Listed below are the items to be addressed in the Domestic Relations Order.

- 1) Does the order clearly appear to be a judgment, decree, or order (including approval of a property settlement agreement)?
- 2) Does the order clearly appear to relate to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, child or other dependent of a participant?
- 3) Does the order direct payment to the spouse, former spouse, child or other dependent of a participant?
- 4) Does the order clearly appear to be made pursuant to a state domestic relations law (including a community property law)?
- 5) Does the order clearly appear to create or recognize the existence of an alternate payee's right to, or assign to an alternate payee the right to, receive all or portion of a Participant's accounts?
- 6) Does the order clearly specify the name and last known mailing address (if any) of the participant?
- 7) Does the order clearly specify the name and mailing address of each alternate payee covered by the order?
- 8) Does the order clearly specify that it applies to the Publix Super Markets, Inc.: (indicate applicable plan)?
- 9) Does the order clearly specify the amount or percentage of the Participant's accounts to be paid to each alternate payee or the manner in which such amount or percentage is to be determined?
- 10) Does the order require the Plan to provide benefits greater than the benefits available to the Participant without the QDRO? If Yes, does the order clearly specify the benefits available cannot exceed the vested balance of the Participant at the time of distribution to the alternate payee?