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NOTICE TO INTERESTED PARTIES

- 1. NOTICE TO: Employees with account balances, former employees with vested account balances, and beneficiaries of deceased former employees currently receiving benefits under the Magento Commerce 401(k) Plan.**

An application is to be made to the Internal Revenue Service for an advance determination on the qualification of the following employee pension benefit plan:

2. Name of Plan: Magento Commerce 401(k) Plan

3. Plan Number: 001

4. Name and Address of Applicant:

X.Commerce, Inc. (d.b.a. MagentoTech, LLC)
345 Park Avenue, W08
San Jose, CA 95110-2704

5. Applicant EIN: 27-1977854

6. Name and Address of Plan Administrator:

X.Commerce, Inc. (d.b.a. MagentoTech, LLC)
345 Park Avenue, W08
San Jose, CA 95110-2704

7. The application will be filed on **May 21, 2019** for an advance determination as to whether the Plan meets the qualification requirements of § 401 or § 403(a) of the Internal Revenue Code of 1986, with respect to the Plan's termination. The application will be filed with:

Internal Revenue Service
Attention: EP Determination Letters
Stop 31
P.O. Box 12192
Covington, KY 41012-0192

8. The employees eligible to participate in the Plan are: All employees who are at least age 18, except (1) any employee whose employment is governed by a collective bargaining agreement between employee representatives and the employer in which retirement benefits were the subject of good faith bargaining, unless such agreement expressly provides for his or her participation in this Plan; (2) any employee who is a nonresident alien receiving no compensation from sources within the United States; (3) any leased employee within the meaning of Code § 414(n)(6); (4) any employee classified by the employer as an “intern”; (5) any individual classified by the employer as a “temporary worker”, “consultant”, “independent contractor”, “outsourced worker”, “outsourced vendor”, or other non-employee service provider of any type; (6) any individual not on the employee’s U.S. payroll.
9. The Internal Revenue Service has not previously issued a determination letter with respect to the qualification of this plan.

RIGHTS OF INTERESTED PARTIES

10. You have the right to submit to EP Determinations, either individually or jointly with other interested parties, your comments as to whether the Plan meets the qualification requirements of the Internal Revenue Code. Your comments to EP Determinations may be submitted to:

Internal Revenue Service
EP Determinations
Attn: Customer Service Manager
P.O. Box 2508
Cincinnati, OH 45202

You may instead, individually or jointly with other interested parties, request the Department of Labor to submit, on your behalf, comments to EP Determinations regarding qualification of the Plan. If the Department declines to comment on all or some of the matters you raise, you may, individually, or jointly if your request was made to the Department jointly, submit your comments on these matters directly to EP Determinations at the Cincinnati address above.

REQUESTS FOR COMMENTS BY THE DEPARTMENT OF LABOR

11. The Department of Labor may not comment on behalf of interested parties unless requested to do so by the lesser of 10 employees or 10 percent of the employees who qualify as interested parties. The number of persons needed for the Department to

comment with respect to the Plan is ten. If you request the Department to comment, your request must be in writing and must specify the matters upon which comments are requested and must also include:

- a. the information contained in items 2 through 5 of this Notice; and
- b. the number of persons needed for the Department to comment.

A request to the Department to comment should be addressed as follows:

Deputy Assistant Secretary
Employee Benefits Security Administration
U. S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
Attention: 3001 Comment Request

COMMENTS TO THE INTERNAL REVENUE SERVICE

12. Comments submitted by you to EP Determinations must be in writing and received by it by **July 5, 2019**. However, if there are matters that you request the Department of Labor to comment upon on your behalf, and the Department declines, you may submit comments on these matters to EP Determinations to be received by it within 15 days from the time the Department notifies you that it will not comment on a particular matter, or by **July 5, 2019**, whichever is later, but not after **July 20, 2019**. A request to the Department to comment on your behalf must be received by it by **June 5, 2019** if you wish to preserve your right to comment on a matter upon which the Department declines to comment, or by **June 15, 2019** if you wish to waive that right.

ADDITIONAL INFORMATION

13. Detailed instructions regarding the requirements for notification of interested parties may be found in sections 19 and 20 of Rev. Proc. 2019-4. Additional information concerning this application (including, where applicable, an updated copy of the Plan and related trust, the application for determination, any additional documents dealing with the application that have been submitted to the Service, and copies of section 19 of Rev. Proc. 2019-4) is available at the address of the Applicant listed above during normal business hours for inspection and copying. There is a nominal charge for copying and/or mailing.