

COVERED SERVICES

The Legal Services Plan provides you with coverage for a variety of *personal* legal services.

Unlimited Telephone Advice and Consultation

Unlimited **consultation** with an attorney either by phone or in the attorney's office is available to you and your **eligible dependents** for covered personal matters, provided the matter is not listed under "Exclusions." During the consultation, the attorney will advise you on how the law relates to your situation, discuss the actions you might take and tell you about your legal rights.

If representation is needed, but is not covered by the Legal Services Plan, the attorney should provide you with a written estimate of fees in advance. You may choose whether to retain the **Plan Attorney** at your own expense, seek outside counsel or do nothing. However, there are a few matters for which a **Plan Attorney** cannot represent you under any circumstances (see "Exclusions"). Also, for a non-covered matter, this service is not intended to provide you with continuing access to a **Plan Attorney** in order to undertake your own representation.

No benefits are available for advice or **consultation** related to representation in a legal matter for which you have already retained an attorney to represent you.

Adoption

The Legal Services Plan covers **uncontested** governmental agency and stepparent **adoptions** in which you or your **lawful spouse** or **domestic partnership dependent** are seeking to adopt. If the adoption becomes contested, you or your lawful spouse or domestic partnership dependent must pay all additional legal fees.

No benefits are available for:

- Private adoptions,
- Contested termination of parental rights proceedings,
- Fees for a court-appointed attorney for the child(ren), (often called the "guardian ad litem"), or
- Adoptions made through any agency other than a governmental agency.

In addition, if adoption expenses are covered under the Legal Services Plan, those same expenses will not be covered under The Avaya Inc. Adoption Reimbursement Program.

Consumer Debt Collection Defense

You and your **eligible dependents** are covered for a wide range of consumer debt situations. Covered services include:

- Negotiating with creditors to arrange a repayment schedule,
- Limiting harassment by bill collectors, and
- Defending any action against you for debt collection, foreclosure, repossession or garnishment.

Benefits are *not available* for:

- Defense against a judgment,
- Efforts to vacate or set aside a judgment,
- Third-party counterclaims or cross-claims, even if these are part of the defense,
- Bankruptcy actions or any action arising out of divorce or post decree matters, or
- Any services if the creditor is Avaya Inc., affiliated with Avaya Inc. or a union representing Avaya Inc. employees.

Document Preparation

The Legal Services Plan covers preparation of the following documents for you and your **eligible dependents**:

- Deeds
- Promissory notes
- Powers of attorney (when the participant is granting the power)

Other covered services may allow for preparation of different kinds of documents.

Home Equity Loans

The Legal Services Plan covers the attorney's review and/or preparation for all relevant documents for a home equity loan on your primary residence. Covered services must be performed by your attorney acting solely in your interest.

Identity Theft Defense

The Legal Services Plan provides you and your **eligible dependents** with consultations with an attorney regarding potential creditor actions resulting from identity theft, and attorney services as needed to contact creditors, credit bureaus and financial institutions. It also provides defense services for specific creditor actions over disputed accounts as set forth in Consumer Debt Collection Defense Coverage. In addition, it provides you and your **eligible dependents** with online help and information about identity theft and prevention.

Juvenile Court Defense

Representation of your children covered as **eligible dependents** including **domestic partnership dependents** in any juvenile court matter is covered, provided the child's interest does not conflict with yours. For more information, see "If Your Legal Dispute Is With an Eligible Dependent."

Benefits are *not* available for your child if the matter is handled outside a juvenile court.

Living Trusts

The Legal Services Plan covers the preparation of a living trust, which allows you to arrange for the transfer of property during your lifetime, rather than after your death.

No benefits are available for:

- The fees or costs of transferring property into the trust,
- Financial or tax planning, or the documentation required for estates larger than the Federal estate tax exemptions,
- Living trusts for your dependents, or
- Preparation of complex living trusts.

Living Wills

The Legal Services Plan covers preparation of **living wills** for you and your **lawful spouse** or your **domestic partner**. Living wills are valid in most states and must conform to statutory regulations.

Real Estate Sale, Purchase or Refinancing of Your Home

The Legal Services Plan covers the attorney's review and/or preparation of all relevant documents for the purchase, sale or refinancing of your primary residence. These documents might include the purchase agreement, mortgage, deed, title documents, tax and recording documents. Covered services also include your attorney's attendance at the closing, if it is customary in your location for the attorney to attend.

Covered services must be performed by your attorney acting solely in your interest.

No benefits are available for:

- Third-party costs such as filing or recording fees, taxes associated with the transaction, title search, title insurance or fees of a closing agent,
- Services performed on behalf of the lender, by or for a title company or lending institution, or
- For the sale, purchase or refinancing of:
 - Unimproved land,
 - A second home,
 - Vacation property,
 - Rental property,
 - Property held for business or investment, or
 - A home bought and/or sold in connection with an Avaya Inc. Relocation Plan.

Separation, Divorce and Annulment

The Legal Services Plan covers annulment, contested or uncontested separation, divorce or dissolution of marriage proceedings for you, but not for your **lawful spouse**

(unless your **lawful spouse** or **domestic partner** is also an Avaya Inc. employee). For more information, see “If Your Legal Dispute Is With an Eligible Dependent.”

The following services are covered:

- Preparing and filing all necessary pleadings, motions and affidavits needed to obtain a divorce,
- Drafting the settlement agreement, and
- Representing you at a hearing, regardless of whether you are the plaintiff or the defendant.

No benefits are available for:

- Payment of filing fees or any costs related to a separation, annulment or divorce,
- Related disputes that arise after the issuance of a divorce decree, or
- Appeals or challenges to any decision by Avaya Inc. regarding the status of a **Qualified Domestic Relations Order (QDRO)** or **Qualified Medical Child Support Order (QMCSO)**.

Wills and Codicils

The Legal Services Plan covers the preparation of a will or codicil (an amendment to an existing will) for you and your **lawful spouse** or **domestic partner**. Preparation of a testamentary support trust for your dependent minor children (a trust for their support to take effect at your death) also is covered.

No benefits are available for:

- Financial or tax planning, or the documentation required for estates larger than the Federal estate tax exemptions,
- Preparation of a complex trust, or
- Wills and codicils for your dependents.