

2520040763079

MERCHANTS MUTUAL INSURANCE COMPANY  
250 MAIN STREET  
BUFFALO, NEW YORK 14202

January 23, 2004

Certified Mail  
Return Receipt Requested

Top Hat Plan Exemption  
Employee Benefits Security Administration  
Room N-1513  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Ladies and Gentlemen:

Merchants Mutual Insurance Company (the "Company") files this statement in accordance with the alternative method of compliance provided under Department of Labor regulation section 2520.104-23:

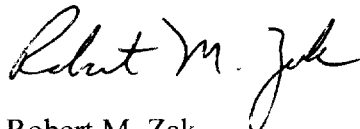
The address of the Company is:

250 Main Street  
Buffalo, New York 14202

The employer identification number of the Company is: 16-0550140.

The Company has adopted and maintains an unfunded plan providing deferred compensation only for a select group of management or highly compensated employees. The name of the plan is the Merchants Mutual Insurance Company Supplemental Retirement Plan. The date of adoption by the Company was December 22, 2003. The number of employees participating in the plan currently is ten.

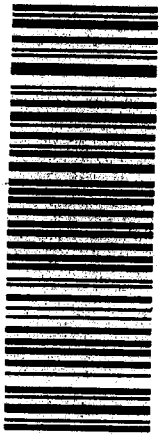
MERCHANTS MUTUAL INSURANCE  
COMPANY



Robert M. Zak  
President and CEO

# M

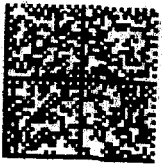
MERCHANTS INSURANCE GROUP  
250 Main Street P.O. Box 903 Buffalo, New York 14240



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