



MENLO CIRCUS CLUB

190 Park Lane ▪ Atherton, CA 94027-4194
Tel: (650) 322-4616 ▪ Fax: (650) 322-1950

September 17, 2003

2520040763825

Secretary of Labor
Top Hat Plan Exemption
Pension and Welfare Benefits Administration
Room N-5644
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

RE: NOTICE OF PLAN FOR A SELECT GROUP OF
MANAGEMENT OR HIGHLY COMPENSATED EMPLOYEES
(SECTION 2520.104-23 FILING)

Gentlemen:

In compliance with the alternative reporting and disclosure requirements set forth in Section 2520.104-23 of the regulations adopted by the United States Department of Labor (the "Department") under Section 104 of the Employee Retirement Income Security Act ("ERISA"), you are hereby advised that Menlo Circus Club maintains an unfounded plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. The information requested in DOL Reg. Sec. 2520.104-23 is as follows:

1. Menlo Circus Club
190 Park Lane
Atherton, CA 94027
2. Employer's Tax Identification Number: 94-0674745
3. Plans Maintained by Employer: Menlo Circus Club 457(b) Deferred Compensation Plan
4. Number of Participants in Plan: Eight

Menlo Circus Club further declares that the plan mentioned above is an unfounded pension plan to which the alternative method of compliance with the reporting and disclosure requirements of Part I of Title I of ERISA is available under Section 2520.104-23(b)(2) of the Department regulations.

You are further advised that Menlo Circus Club upon request of the Secretary of Labor or his delegate will provide pertinent plan documents to the Department.

Sincerely,

Michael M. Simonson
General Manager

Statement Required Under Department of Labor Regulations Section 2520.104-23

The Employer named below maintains a plan or plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

Name of Employer: Menlo Circus Club
Address of Employer: 190 Park Lane, Atherton, CA 94027

Employer's Employer Identification Number (EIN): 94-064745

Number of such plans: One
Number of employees in each plan: Eight

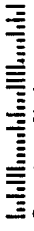
This Statement must be filed within 120 days after the plan becomes subject to Part I of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"). The Employer may be required to provide plan documents, if any, to the Secretary of Labor upon request as required by Section 104(a)(I) of ERISA.

Mail the completed Statement to the Secretary of Labor at:

Top Hat Plan Exemption
Pension and Welfare Benefits Administration
Room N-5644
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210



MENLO CIRCUS CLUB
190 Park Lane
Atherton, CA 94027-4194



Secretary of Labor
Top Hat Plan Exemption
Pension and Welfare Benefits Administration
Room N-5644
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

