

ALTERNATIVE REPORTING AND DISCLOSURE STATEMENT FOR
A NONQUALIFIED DEFERRED COMPENSATION PLAN

2520040764173

To: Top Hat Plan Exemption
Employee Benefits Security Administration
Room N-5644
US Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

In accordance with 29 CFR Section 2520.104-23 of the Department of Labor Regulations, which provides an alternative method for complying with the reporting and disclosure requirements of Part 1 of Title I of the Employee Retirement Income Security Act of 1974, you are hereby notified that the Employer identified below maintains the Plan identified below for the purpose of providing deferred compensation for a select group of management or highly compensated employees, and that all benefits provided by this Plan are paid as needed solely from the general assets of the Employer.

Employer's Name: The New 42nd Street, Inc.
Employer's Address: 229 West 42nd Street, 10th Floor
New York, NY 10036

Employer Identification Number: 13-3584032
457 (b) Eligible Deferred Compensation Plan, that covers 1 Participant

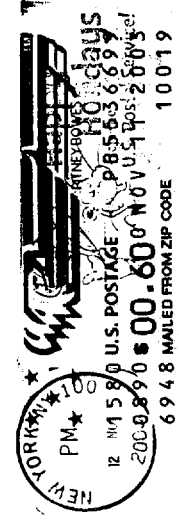
Total Number of Plans: 1

The New 42nd Street, Inc.
Plan Administrator of the Plan Specified Above

By: *Joe Belan* VP, Finance

Date: 11/6/03

THE NEW 42ND STREET, 229 WEST 42ND STREET
NEW YORK, NY 10036-7299



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