

BOERNER COMPANY
2435 East Indian School Road
Phoenix, Arizona 85016

2520042394647

January 21, 1997

VIA Certified Mail
Return Receipt Requested

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

Re: **NONQUALIFIED UNFUNDED DEFERRED COMPENSATION
AGREEMENTS**
EIN: 86-0185983
Plan I.D. No.: None

The Plan Administrator hereby files the following statement pursuant to 29 CFR §
2520.104-23:

1. Name and Address of Employer:

Boerner Company
2435 East Indian School Road
Phoenix, Arizona 85016
2. EIN assigned to the Employer
by the IRS: 86-0185983
3. The Employer maintains a plan primarily for the purpose of providing
deferred compensation for a select group of management or highly compensated employees. The
name of the plan is: Nonqualified Unfunded Deferred Compensation Agreements.
4. The number of such plans is two (2) and the number of employees
participating in the plans is two (2).

LAW OFFICES

RYLEY, CARLOCK & APPLEWHITE

A PROFESSIONAL ASSOCIATION

SUITE 2700

101 NORTH FIRST AVENUE

PHOENIX, ARIZONA 85003-1973

TELEPHONE 602 / 258-7701

TELECOPIER 602 / 257-9582

TELECOPY COVER SHEET

DATE: SEPTEMBER 22, 1997

PLEASE DELIVER THE FOLLOWING PAGES:

TO:

TELECOPY NUMBER:

1. MS. RAMONA EVANS

202-501-4098

COMMENTS TO ADDRESSEE: RE: BOERNER COMPANY

BILLING No: OFFICE

FROM: WERNER J. MEYER, ESQ.

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 3

TELECOPIER OPERATOR: * _____

PHONE: 602-258-7701 EXT. *

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE.

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS ATTORNEY PRIVILEGED AND CONFIDENTIAL FOR USE ONLY BY THE ADDRESSEE. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL TRANSMISSION TO US BY MAIL AT THE ABOVE ADDRESS. THANK YOU.


THE ORIGINAL DOCUMENT BEING TRANSMITTED:

- WILL NOT BE SENT
- WILL BE SENT BY REGULAR MAIL
- OTHER - *

5. A copy of the plan will be submitted to the Department of Labor upon request.

Dated: January 1, 1997

BOERNER COMPANY
Plan Administrator

By 
James Boerner, its President

LAW OFFICES
RYLEY, CARLOCK & APPLEWHITE

A PROFESSIONAL ASSOCIATION
SUITE 2700

101 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003-1973

FRANCIS J. RYLEY
(1907-1982)
GEORGE READ CARLOCK
COUNSEL

TELEPHONE:
602 / 258-7701

TELECOPIER:
602 / 257-9582

SAM P. APPLEWHITE, III	WILLIAM F. WILDER
N. WARNER LEE	JAMES D. O'NEIL
CHARLES L. CHESTER	THOMAS J. KENNEDY
JAMES E. BROPHY, III	DAVID L. CASE
NATHAN R. NIEMUTH	MICHAEL J. BROPHY
ROBERT J. POHLMAN	CHARLES W. WHETSTINE
CLARKE H. GREGER	WILLIAM P. CONNEALY
NORMAN D. JAMES	JOHN J. FRIES
MICHAEL D. MOBERLY	MICHAEL P. RIPP
SHERYL A. TAYLOR	LYNN T. ZIOLKO
BRENDA MOODY WHINERY	BARRY R. SANDERS
JOHN C. LEMASTER	JOHN M. PEARCE
JOHN A. HINK	ROBERT L. STEWART, JR.
KATHLEEN MCKAY GIANCANA	WILLIAM A. RICHARDS
WILLIAM B. McMANUS	WERNER J. MEYER
ARTHUR J. BOURQUE	CAROLANN E. DORAN
BRIAN J. JORDAN	JAY L. SHAPIRO
CATHERINE BERGIN YALUNG	JAMI L. SCHULMAN
RODOLFO PARGA, JR.	MICHELLE S. AUSDEMORE
JOHN D. PARKER, II	RICKY G. OLCZYK
CYNTHIA CROCKETT	TAMARA S. HAVELAAR
KIRK A. KENNEDY	

February 10, 1997

WRITER'S DIRECT LINE: 440-4839

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

M. Meyer

97 MAR -3 PM 3:25
97-024-PRVA

Re: Boerner Company, EIN: 86-0185983
NONQUALIFIED UNFUNDED DEFERRED
COMPENSATION AGREEMENTS

To Whom It May Concern:

Please find enclosed the statement required pursuant to Federal regulations regarding non-qualified unfunded deferred compensation agreements. The enclosed statement has been originally-executed on behalf of the above-named Company and its Plan Administrator.

I would appreciate it if you would acknowledge receipt of the enclosed statement by executing a copy of this letter where indicated and returning it to me in the enclosed self-addressed, stamped envelope. If you have any questions, please feel free to give me a call.

Sincerely,

W. Meyer
Werner J. Meyer

Enclosures

Top Hat Plan Exemption
February 10, 1997
Page 2

Received:

Department of Labor

By: _____

Its: _____

Date: _____