

Cold Spring Harbor Laboratory

P.O. Box 100, 1 Bungtown Road
Cold Spring Harbor, New York 11724

2520043380676

April 14, 2004

Secretary of Labor
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

Re: Cold Spring Harbor Laboratory Supplemental Executive Retirement Plan II

Dear Secretary:

Pursuant to Section 2520.104-23 of the Department of Labor's Regulations, this letter will serve as notice that, with respect to the Cold Spring Harbor Laboratory Supplemental Executive Retirement Plan II (the "Plan"), the undersigned intends to utilize the alternative form of compliance with the reporting and disclosure requirements of Part 1 of Title I of the Employee Retirement Income Security Act of 1974 ("ERISA"), which alternative form of compliance is provided in the aforesaid Regulations Section.

Pursuant to Regulations Section 2520.104-23(b), the following information is provided:

1. Name and Address of Employer - Cold Spring Harbor Laboratory
One Bungtown Road
Cold Spring Harbor, New York 11724
2. Employer's Employer Identification Number - 11-2013303
3. The Employer hereby declares that it maintains the Plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.
4. The Employer maintains the following plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees: (i) the Plan, which covers two (2) employees; and (ii) the Cold Spring Harbor Laboratory Supplemental Executive Retirement Plan, which covers six (6) employees.

Secretary of Labor
Page 2

Pursuant to Regulations Section 2520.104-23(b)(2), the Employer will provide Plan documents, if any, to the Secretary of Labor upon request as required by Section 104(a)(1) of ERISA.

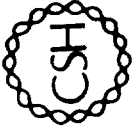
Very truly yours,

Cold Spring Harbor Laboratory

By: Kath Rafferty
Print Name: Katherine Rafferty
Print Title: Director of Human Resources
Date: 4/14/04

Katie Raftery
HR/Luke

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