

**SECURITY MUTUAL LIFE**  
INSURANCE COMPANY OF NEW YORK  
SECURITY MUTUAL BUILDING • 100 COURT STREET  
P. O. BOX 1625  
BINGHAMTON, NEW YORK 13902-1525

RICHARD H. SHAW, J.D., LL.M., CLU, ChFC  
VICE PRESIDENT  
RETIREMENT PLANNING AND TAX COUNSEL

**ALTERNATIVE FORM OF COMPLIANCE LETTER UNDER DOL REGULATIONS  
SECTION 2520.104-23**

May 3, 2004

Top Hat Plan Exemption  
Pension and Welfare Benefit Exemption  
Pension and Welfare Benefits Administration  
U.S. Department of Labor  
200 Constitution Ave. NW, Room N-1513  
Washington, D.C. 20210

Re: Security Mutual Life Insurance Company Top Hat Plans

Dear Sirs:

Pursuant to Section 2520.104-23(b) of the Department of Labor's Regulations, this letter will serve as notice that, with respect to the Company's top hat plans, the undersigned intends to utilize the alternative form of compliance with the reporting and disclosure requirements of Part I 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:

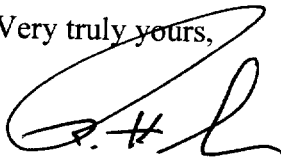
1. Name and Address of Employer: Security Mutual Life Insurance Company of New York.
2. Employer Identification Number: 15-0442730.
3. The Employer hereby declares that it maintains top hat retirement plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.
4. The Employer hereby states that it maintains 13 plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees, and the number of employees in each plan is as follows:
  - (a) Security Mutual Life Insurance Company of New York and Affiliates 1995 Officer's Voluntary Deferred Compensation Plan (Plan 801)  
Number of Employees: 24
  - (b) Security Mutual Life Insurance Company of New York and Affiliates Supplemental Retirement Plan (Plan 802)  
Number of Employees: 8

- (c) Security Mutual Life Insurance Company Supplemental Executive Retirement Plan (Plan 803)  
Number of Employees: 29
- (d) Security Mutual Life Insurance Company Home Office Pension Plan Supplement in Connection With Benefit Formula Change Effective January 1, 1989 (Plan 804)  
Number of Employees: 14
- (e) Security Mutual Life Insurance Company of New York Senior Officer Long Term Incentive Plan (Plan 805)  
Number of Employees: 3
- (f) Security Mutual Life Insurance Company of New York Field Force Voluntary Deferred Compensation Plan (Plan 806)  
Number of Employees: 15
- (g) Security Mutual Life Insurance Company of New York Career Agent Walled-Off Benefit Plan (Plan 807)  
Number of Employees: 15
- (h) Security Mutual Life Insurance Company of New York Plan for Agents Electing Not to Participate in the Career Agents Pension Plan (Plan 808)  
Number of Employees: 1
- (i) Security Mutual Life Insurance Company of New York Deferred Compensation Plan for Agents Utilizing the Voluntary Deferral Plan (Plan 809)  
Number of Employees: 13
- (j) Security Mutual Life Insurance Company of New York Career Agents Excess Benefit Plan (Plan 810)  
Number of Employees: 33
- (k) Security Mutual Life Insurance Company of New York Deferred Compensation Plan for Corporate Career Agents (Plan 811)  
Number of Employees: 116
- (l) Security Mutual Life Insurance Company of New York General Agents Commission Floor (Plan 812)  
Number of Employees: 36
- (m) Security Mutual Life Insurance Company of New York General Agents Supplemental Retirement Plan (Plan 813)  
Number of Employees: 93

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.

Kindly acknowledge receipt of this filing by signing and returning to the sender the copy of this letter enclosed herewith for acknowledgement purposes. A postage-paid, self-addressed envelope is also enclosed for your convenience.

Very truly yours,



Richard H. Shaw, J.D., LLM, CLU, ChFC  
Vice President  
Retirement Planning and Tax Counsel

RHS:jd

**RECEIVED:**

PENSION AND WELFARE BENEFITS ADMINISTRATION

By \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

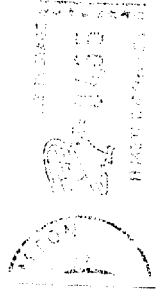
Date: \_\_\_\_\_

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CERTIFIED MAIL



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# RETURN RECEIPT REQUESTED

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Pension and Welfare Benefit Exemption  
U.S. Department of Labor  
200 Constitution Ave. NW, Room N-1513  
Washington, D.C. 20210