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P.O. Box 328 • 1212 "J" Street • Auburn, NE 68305 • (402) 274-4342 • Fax: (402) 274-4918 • www.auburnstatebank.com

May 17, 2004

Nonqualified Plan Exemption  
Employee Benefits Security Administration  
U.S. Department of Labor, Room N-5644  
200 Constitution Avenue, N.W.  
Washington, DC 20210

Re: Auburn State Bank Salary Continuation Plan

Dear Sir/Madam:

In accordance with 29 CFR 2520.104-23 and pursuant to the March 28, 2002 Federal Register, 29 CFR Parts 2560 and 2570 Delinquent Filer Voluntary Compliance Program; Final Rule, on behalf of Auburn State Bank Salary Continuation, we hereby provide you with the information set forth below:

**Name and Address of Employer**

Auburn State Bank  
1212 J Street  
Auburn, NE 68305

**Employer's Taxpayer Identification Number**

47-0095580

**Required Declaration**

The Employer sponsors the **AUBURN STATE BANK SALARY CONTINUATION PLAN** ("Plan"), which has the effect of deferring compensation for a select group of management or highly compensated employees. Benefits are paid out of the general assets of the Employer.

Currently, Auburn State Bank maintains 2 nonqualified plan(s). There are four employee(s) eligible to participate in all nonqualified plans maintained by the Employer. Specifically, there are three employee(s) eligible to participate in the **AUBURN STATE BANK SALARY CONTINUATION PLAN**. This Plan's effective date is April 11, 1991.

If you have any questions about this matter, please contact the undersigned at 402-274-4342.

Sincerely,

A handwritten signature in cursive script, appearing to read 'John C. Chaney', written over a horizontal line.

John C. Chaney  
CEO

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED



**CHARON ECA**

AN NFP COMPANY

2600 Kelly Road, Suite 300 • Warrington, PA 18976 • T: 267-482-8316 • F: 267-482-8416 • [www.charoneca.com](http://www.charoneca.com)

**David O. Brown, Esq.**  
*General Counsel*

June 1, 2004

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

Re: Section 2520.104-23 Top Hat Plan Statement

To Whom It May Concern:

Enclosed, please find our client's Top Hat Statement for their previously adopted Auburn State Bank Salary Continuation Plan. We have filed this statement to provide the required notice under section 2520.104-23, and have sought to take advantage of the Delinquent Filer Voluntary Compliance program through the additional submission of the \$750.00 and a partially completed Form 5500 to the DFVC Program.

If you need any additional information from our client, please do not hesitate to contact me at 267-482-8316. Thank you in advance for your cooperation regarding this matter.

Regards,

David O. Brown  
General Counsel

Enclosures

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Top Hat Plan Exemption  
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