

**THE NEWBERRY LIBRARY**  
60 West Walton Street Chicago, Illinois 60610-7324 (312) 943-9090

---

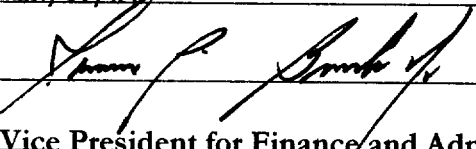
2520043381654

Name of Tax-Exempt Employer: The Newberry Library  
Address of Tax-Exempt Employer: 60 W. Walton Street  
Chicago, Illinois 60610  
E.I.N.: 36-2167814

Top-Hat Statement

By Plan Administrator

The Newberry Library (the "Employer"), hereby declares that the purpose of the 457(b) Deferred Compensation Plan of The Newberry Library (the "Plan") is to provide deferred compensation primarily for a select group of management and highly compensated employees. The number of employees covered under the Plan is 5. In addition, the Employer maintains 0 unfunded top-hat plans described in Department of Labor Regulation Section 2520.104-23(b). The number of employees covered under such plans is 0.

Date: 08/19/04  
By:   
Title: Vice President for Finance and Administration  
(On Behalf of the Plan Administrator)

# THE NEWBERRY LIBRARY

60 West Walton Street Chicago, Illinois 60610-7324 (312) 943-9090

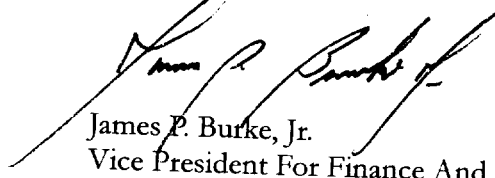
August 19, 2004

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

Dear Department of Labor:

Enclosed for your review is the top hat statement for the 457(b) Deferred Compensation Plan of the Newberry Library which was adopted August 1, 2004. If you have any questions, please feel free to contact me.

Sincerely yours,



James P. Burke, Jr.  
Vice President For Finance And  
Administration



001502

**THE NEWBERRY LIBRARY**

60 West Walton Street, Chicago, Illinois 60610-7324

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

FORM 1041