

2520043385082

Name of Tax-Exempt Employer: Endicott College

Address of Tax-Exempt Employer: 376 Hale Street  
Beverly, MA 01915

E.I.N.: 04-210-3567

Top-Hat Statement

By Plan Administrator

Endicott College (the "Employer"), hereby declares that the purpose of the 457(b) Deferred Compensation Plan of Endicott College (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 9. The Employer does not maintain any other unfunded top-hat plans described in Department of Labor Regulation Section 2520.104-23(b).

Date: January 4, 2005  
By: Lynne B. O'Toole  
Title: Vice President of Finance  
(On Behalf of the Plan Administrator)

The attached sample top-hat statement is to be used solely as a guide for the tax-exempt employer's attorney in connection with its 457(b) plan.

A statement should be filed on a one-time basis within 120 days following adoption of the plan. The statement should be filed with the Department of Labor at the following address:

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

U S DEPARTMENT OF LABOR  
200 CONSTITUTION AVE NW

WASHINGTON DC 20210-0001

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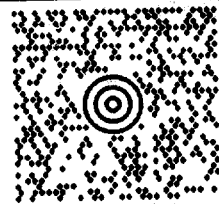
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JOHN MCGRATH 1 LBS 1 OF 1  
617-788-5926  
TIAA-CREF BOSTON  
28 STATE STREET, 19TH FLOOR  
BOSTON MA 021091775

**SHIP TO:**

PENSION AND WELFARE BENEFITS ADMIN  
U.S. DEPARTMENT OF LABOR  
ROOM N-1513  
200 CONSTITUTION AVENUE, NW  
TOP HAT PLAN EXEMPTION  
WASHINGTON DC 20210-0001



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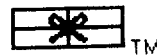
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BUDGETCODE: 13953  
Other Information: n/a



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