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TRUCKER ♦ HUSS

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120 Montgomery Street, 23rd Floor
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January 18, 2005

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**CERTIFIED MAIL/
RETURN RECEIPT REQUESTED**

Top Hat Plan Exemption
Employee Benefits Security Administration
Room N-5644
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Re: ***American Baptist Homes of the West
Nonqualified Deferred Compensation Section 457(f) Plan***

To Whom It May Concern:

Pursuant to Department of Labor Regulation Section 2520.104-23, please find below a statement concerning an unfunded arrangement maintained primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees:

Employer's Name: American Baptist Homes of the West
Employer's Address: American Baptist Homes of the West
6120 Stoneridge Mall Road, Third Floor
Pleasanton, CA 94588
Employer's EIN: 94-1225374
Name of Plan: American Baptist Homes of the West Nonqualified
Deferred Compensation Section 457(f) Plan
Date Plan Became Subject to Title I of ERISA: December 31, 2004
Number of Such Plans Maintained by the Employer: 3
(1) Nonqualified Deferred Compensation Section 457(f) Plan ("Section 457(f)
Plan")

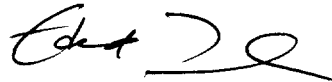
- (2) Supplemental Retirement Income Plan ("SRIP")---frozen to new entrants
- (3) Section 457(f) Eligible Deferred Compensation Plan ("Section 457(b) Plan")

Number of Employees in Such Plans:

- (1) Section 457(f) Plan: 18
- (2) SRIP: 5
- (3) Section 457(b) Plan: 5

The plan described above is maintained primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. A copy of the plan is available upon request.

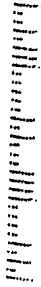
Very truly yours,



Edward A. Frueh

EAF:jl

cc: Terese Farkas
Lee A. Trucker



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