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November 14, 1997

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

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

Re: Malley's Candies, Inc.  
13400 Brookpark Road  
Cleveland, Ohio 44135  
EIN: 34-0827786

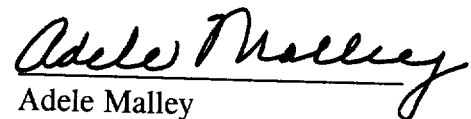
Dear Sir or Madam:

Pursuant to Section 2520.104-23 of Title 29, Chapter XXV, Subchapter C, Part 2520, Subpart D of the Code of Federal Regulations, the above referenced employer, an Ohio corporation, hereby declares that it has in existence an arrangement primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. The arrangement currently benefits one individual who is an employee and one individual who is the surviving spouse of a deceased employee. The arrangement was executed on November 14, 1997.

Respectfully submitted,

Malley's Candies, Inc.

By:



Adele Malley  
President

