

# KEMP SMITH

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

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ALLAN M. GOLDFARB  
BOARD CERTIFIED IN ESTATE PLANNING  
AND PROBATE LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
agoldfarb@kempsmith.com

November 12, 2002

## CERTIFIED MAIL

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

Re: Filing of Statement Pursuant to Regulation § 2520.104-24 Concerning Adoption of  
the Salary Continuation Agreement for Clifford R. Eisenberg

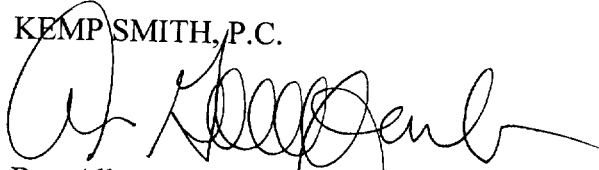
To Whom it May Concern:

Please be advised that American Finance & Investment Co., Inc., 1202 East Yandell, El Paso, Texas 79902, Employer Identification No. 74-1041633 (the "Corporation"), has adopted a Salary Continuation Agreement for Clifford R. Eisenberg, a nonqualified unfunded death benefits only plan adopted for the purpose of providing death benefits for a single highly paid employee of the Corporation. In this regard, Clifford R. Eisenberg, President of the Corporation, is the only employee of the Corporation to which the Agreement applies.

Copies of the plan documents relating to the Salary Continuation Agreement may be obtained upon request by contacting the President, American Finance and Investment Co., Inc., 1202 East Yandell, El Paso, Texas 79902. All other requests for information should be directed to our attention.

Sincerely,

KEMP SMITH, P.C.



By: Allan Goldfarb  
ATTORNEYS FOR AMERICAN FINANCE  
& INVESTMENT CO., INC.

cc: Clifford R. Eisenberg, President

00215.00500/GPUL/CORR-1/781882.3

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7360 3701 9844 8895 1560

RETURN RECEIPT REQUESTED

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