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02/20/02 12:48

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

**Re: Top Hat Plan Declaration for the 457(b) Deferred Compensation Plan of
The University of Dayton and The University of Dayton Ineligible Deferred
Compensation Plan**

To Whom It May Concern:

In compliance with Section 110 of the Employee Retirement Income Security Act of 1974 ("ERISA") and the Regulations thereunder, found in Section 2520.104-23, The University of Dayton (the "Employer") is filing this Reporting and Disclosure Compliance Statement and in connection herewith, provides the following information:

Name of Tax-Exempt Employer: The University of Dayton
Address of Tax-Exempt Employer: 300 College Park Drive
Dayton, OH 45469-1614
E.I.N.: 31-0536715
Number of Plans: 2
Plan Names: 457(b) Deferred Compensation Plan of The University of
Dayton
The University of Dayton Ineligible Deferred
Compensation Plan

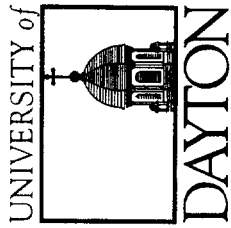
Top-Hat Statement
By Plan Administrator

The University of Dayton (the "Employer"), hereby declares that the 457(b) Deferred Compensation Plan of The University of Dayton (the "457(b) Plan") and The University of Dayton Ineligible Deferred Compensation Plan (the "Ineligible Plan") are maintained primarily to provide deferred compensation for a select group of management and highly compensated employees. The number of employees currently covered under the 457(b) Plan is fourteen (14). The number of employees covered under the Ineligible Plan is one (1).

The University of Dayton will provide the 457(b) and Ineligible Plan documents to the Secretary of Labor upon request, as required by Section 104(a)(1) of ERISA

Date: 11-18-2002
By: [Signature]
Title: Vice Pres Fin & Admin Svcs
(On Behalf of the Plan Administrator)

OFFICE OF HUMAN RESOURCES
300 College Park Dayton, Ohio 45469-1614
(937) 229-2541 (937) 229-2009 Fax

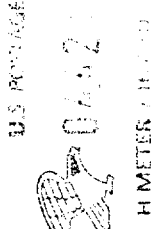
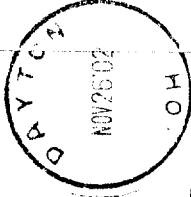


OFFICE OF HUMAN RESOURCES
300 College Park
Dayton, Ohio 45469-1614

CERTIFIED MAIL



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U S DEPARTMENT OF LABOR
TOP HAT PLAN EXEMPTION
PENSION AND WELFARE BENEFITS ADMINISTRATION
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WASHINGTON DC 20210

