



U.S. DEPT. OF LABOR
FWSA/PUBLIC DISCLOSURE

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401(k) Department
8525 East Orchard Road
Englewood, CO 80111 • (303) 737-3000
Mailing Address • PO Box 1400, Denver, CO 80201
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January 20, 2000

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

Re: Top Hat Plan Exemption
DOL Regulations 2520.104-23

Dear Secretary:

This is to advise you that the Company currently maintains an unfunded Non Qualified Deferred Compensation Plan listed below. This plan is maintained for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

A. PLAN INFORMATION

- | | |
|----------------------------|-------------------------|
| 1. Plan Name: | Bojangle's Top Hat Plan |
| 2. Number of Participants: | 10 |

B. EMPLOYER INFORMATION

- | | |
|-------------------------------|--|
| 1. Name: | Bojangies |
| 2. Address: | 9432 Southern Pine Blvd
Charlotte, NC 28273 |
| 3. Telephone Number: | 704-527-2675 |
| 4. Tax Identification Number: | 95-4283932 |
| 5. Plan Administrator: | Great-West Life and Annuity |

Sincerely,

Janis Williams
Case Manager, 401(k) Operations

Great-West
LIFE & ANNUITY INSURANCE COMPANY

P.O. Box 1400
Denver, Colorado 80201

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