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U.S. DEPT. OF LABOR
OFFICE OF PENSION AND WELFARE DISCLOSURE
05 SEP 28 PM 2:35

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

Re: Statement under DOL Reg. §2520.104-23

Ladies/Gentlemen:

This is to declare the undersigned has established a plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. This is the only such plan maintained by the undersigned and there are currently 1 employee(s) participating in this plan.

The Employer Identification Number & address of the undersigned are as follows:

EIN: 51-0379588

Address: 10330 David Taylor Drive

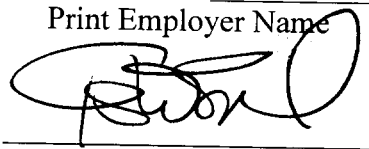
Charlotte, NC 28262

Upon request, the undersigned will provide the plan document as required by Section 104(a) (1) of ERISA.

Sincerely,

ENOVIA CORP

Print Employer Name



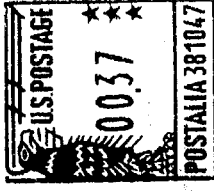
By:

Signature

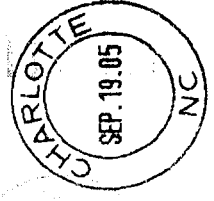
Thomas W Emmrich

Title CFO, Treasurer

Dated: August 26, 2005



000005323



TOP HAT PLAN EXEMPTION
PENSION ? WELFARE BENEFITS ADMINISTRATION
ROOM N-5644
UNITED STATES DEPT OF LABOR
200 CONSTITUTION AVE, NW
WASHINGTON, DC 20210

