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U.S. DEPT. OF LABOR
OFFICE OF PUBLIC DISCLOSURE

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November 3, 2005

VIA OVERNIGHT MAIL

Secretary of Labor
Top Hat Plan Exemption
Pension and Welfare Benefits Administration
Room N-1513
U.S. Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

Re: The Buffalo Club Non-Qualified Deferred Compensation Plan

Dear Secretary,

Pursuant to Section 2520.104-23 of the Department of Labor's Regulations, this letter will serve as notice that, with respect to The Buffalo Club Non-Qualified Deferred Compensation Plan (the "Plan"), the undersigned intends to utilize the alternative form of compliance with the reporting and disclosure requirements of Part 1 of Title 1 of the Employee Retirement Income Security Act of 1974 ("ERISA") which alternative form of compliance is provided in the aforesaid Regulations Section.

Pursuant to Regulations Section 2520.104-23(b), the following information is provided:

1. Employer Name: The Buffalo Club
Employer Address: 388 Delaware Avenue
Buffalo, NY 14202
2. Employer's Identification Number: 16-0365760
3. The Employer hereby declares that it maintains the Plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.
4. The number of employees originally eligible to participate in the Plan will be approximately one, and it is the only such Plan maintained by the Employer.

Pursuant to Regulations Section 2520.104-23(b)(2), the Employer will provide Plan documents, if any, to the Secretary of Labor upon request as required by Section 104(a)(1) of ERISA.

Sincerely,

The Buffalo Club

By: 

Printed Name: Daniel R. Franklin
Title: General Manager

388 DELAWARE AVENUE ♦ BUFFALO, NEW YORK 14202-1694 ♦ TELEPHONE: 716-886-6400 ♦ FAX: 716-883-1288

WWW.THEBUFFALOCLUB.ORG



FedEx Tracking Number

8413 3994 4313

1 From This portion can be removed for Recipient's records.

Date 11/16/01 FedEx Tracking Number 841339944313

Sender's Name Buffalo Club Phone 716 833 1111

Company BUFFALO CLUB

Address 355 DELAWARE AVE

City BUFFALO State NY ZIP 14202-1594

Dept./Floor/Suite/Room

2 Your Internal Billing Reference

3 To Recipient's Name Buffalo Club Phone 716 833 1111

Company Buffalo Club

Address 355 Delaware Ave

To *HOLD* at FedEx location, print FedEx address

Address 355 Delaware Ave

City Buffalo State NY ZIP 14202

Dept./Floor/Suite/Room

4 Express Package Service

FedEx Priority Overnight
Next business morning

FedEx Standard Overnight
Next business afternoon

FedEx Express Saver
Third business day

FedEx 2Day
Second business day

FedEx 1Day Freight*
Next business day

FedEx 2Day Freight
Second business day

FedEx 3Day Freight
Third business day

* Call for Confirmation

5 Packaging

FedEx Pak*
Includes FedEx Small Pak, FedEx Large Pak, and FedEx Surety Pak

FedEx Envelope*

Other

6 Special Handling

SATURDAY Delivery
Available only for FedEx Priority Overnight and FedEx 2Day to select ZIP codes

HOLD Weekday at FedEx Location
Not available for FedEx First Overnight and FedEx 2Day to select locations

HOLD Saturday at FedEx Location
Available only for FedEx Priority Overnight and FedEx 2Day to select locations

Does this shipment contain dangerous goods?

No Yes
One box must be checked. As per attached Shipper's Declaration, Shipper's Declaration not required.

Yes
Shipper's Declaration not required.

Dry Ice
Dry Ice 3, UN1845

Cargo Aircraft Only

7 Payment Bill to:

Sender
In Section 7, bill the sender.

Recipient

Third Party

Enter FedEx Acct. No. or Credit Card No. below.

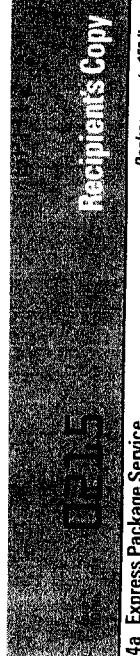
Acct. No. Credit Card Cash/Check

8 Release Signature

Signature required

Signature not required

Signature not required unless you declare a higher value. See the FedEx Service Guide for details.



Packages up to 150 lbs.
Delivery commitment may be later in some areas.

Packages over 150 lbs.
Delivery commitment may be later in some areas.

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Next business afternoon

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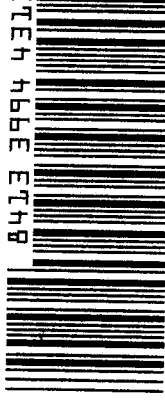
Acct. No. Credit Card Cash/Check

8 Release Signature

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Signature not required

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8413 3994 4313

447

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims

Questions? Visit our Web site at fedex.com
or call 1.800.Go.FedEx. 800.463.3339.

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NO POUCH NEEDED. See back for peel and stick application instructions.