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June 21, 2006

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

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**Re: *Emery & Webb, Inc., Employment Agreement
and Deferred Compensation Plans #1, 2, 3, 4 and 5***

Dear Sir/Madam:

Pursuant to Section 2520.104-23 of the Department of Labor's Regulations, this letter will serve as notice that, with respect to the Emery & Webb, Inc., Employment Agreement(s) and Deferred Compensation Plan(s) #1, 2, 3, 4 and 5 (the "Plans"), the undersigned intends to use the alternative form of compliance with the reporting and disclosure requirements of Part 1 of Title I 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. Emery & Webb, Inc., 989 Main Street, Fishkill, New York 12524
2. Employer Identification Number: 14-116-2720
3. The Employer hereby declares that it maintains the Plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.
4. The Employer hereby states that it maintains five (5) plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees, and the number of employees in [each] such Plan is as follows:
 - a. Amended and Restated Employment and Deferred Compensation Agreement #1 (Number of participants) : 1

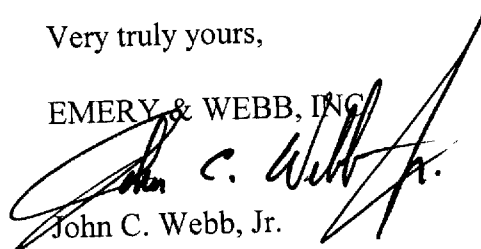
Secretary of Labor
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Page 2

- b. Amended and Restated Employment and Deferred Compensation Agreement #2 (Number of participants) : 1
- c. Amended and Restated Employment and Deferred Compensation Agreement #3 (Number of participants) : 1
- d. Amended and Restated Employment and Deferred Compensation Agreement #4 (Number of participants) : 1
- e. Deferred Compensation Agreement #5 (Number of participants) : 1

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.

Very truly yours,

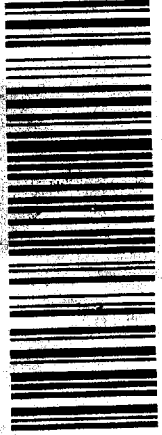
EMERY & WEBB, INC



John C. Webb, Jr.
President

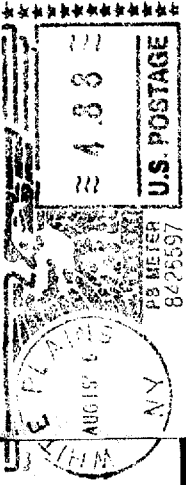
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Enclosures

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BLEAKLEY PLATT

BLEAKLEY PLATT & SCHMIDT, LLP
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WHITE PLAINS, NEW YORK 10601

TO:

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