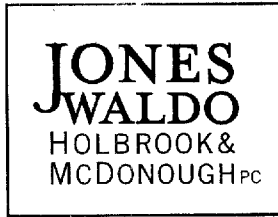


2520080801169



07 SEP 11 4 13 PM '07

ATTORNEYS & COUNSELORS  
EST. 1875

TEL: 801-521-3200  
FAX: 801-328-0537

170 SOUTH MAIN ST, SUITE 1500  
SALT LAKE CITY, UTAH 84101

WWW.JONES WALDO.COM

August 31, 2007

Top Hat Plan Exemption  
Employee Benefits Security Administration  
Room N-1513  
U. S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

dd: (801) 534-7246  
bbabcock@joneswaldo.com

Re: Bonus Interest Plan for VitalSmarts, LC

Gentlemen:

Pursuant to Department of Labor Regulations Section 2520.104-23, declaration is hereby made that, on August 1, 2007, VitalSmarts, LC adopted the plan listed below for the purpose of providing deferred compensation for select members of management or highly compensated employees. Pursuant to such declaration, the following information is provided:

Name of Plan: Bonus Interests Plan for VitalSmarts, LC  
Employer Identification Number: 87-0664848  
Number of Plans: 1  
Number of Employees Participating in Plan: 12

Ut, 84602

If you have any questions regarding any of the foregoing, do not hesitate to contact the undersigned.

Very truly yours,

*Bruce E. Babcock*

Bruce E. Babcock

BEB:rm  
cc: Joseph Grenny

**JONES  
J WALDO**  
FOLBROOK &  
BODENBACH PC

ATTORNEYS & COUNSELLORS / REG. #276  
170 SOUTH MAIN ST, SUITE 1500  
SALT LAKE CITY, UTAH 84101  
ADDRESS SERVICE REQUESTED

SALT LAKE CITY UT 841

31 AUG 2007 PM

POSTAGE WILL BE PAID BY ADDRESSEE  
NO POSTAGE  
NECESSARY  
IF MAILED FROM ZIP CODE 84101

TOP HAT PLAN EXEMPTION  
EMPLOYEE BENEFITS SECURITY  
ADMINISTRATION  
ROOM N-1513  
U S DEPARTMENT OF LABOR  
200 CONSTITUTION AVENUE NW  
WASHINGTON DC 20210

20210+0000

