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ERISA MEMORANDUM STATEMENT

DATE: September 12, 2007

TO: 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

FROM: Name: Biscuitville, Inc.
EIN: 56-0989895
Address: 1414 Yanceyville Street, Suite 300
Greensboro, NC 27405

This statement is made with respect to a non-qualified deferred compensation plan maintained by the Employer under the requirements of 29 C.F.R. §2520.104-23(a).

Biscuitville, Inc. currently maintains one non-qualified benefit plan(s) for Executives who are members of a "select group of management" or who are "highly compensated".

Employer: Biscuitville, Inc.

Name of Plan: Biscuitville, Inc. Deferred Compensation Plan

The number of participants in the Plan is: 3

Plan Administrator: Biscuitville, Inc.

By: 

Jeff L. May

Title: Vice-President

4/23/91

BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD, L.L.P.
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US DEPT. OF LABOR
WASHINGTON DC 20210

