

2520080801258

STEVENS & LEE
LAWYERS & CONSULTANTS

07 SEP 27 PM 12:19

111 North 6th Street
P.O. Box 679
Reading, PA 19603-0679
(610) 478-2000 Fax (610) 376-5610
www.stevenslee.com

Direct Dial: (610) 478-2238
Email: ecr@stevenslee.com
Direct Fax: (610) 371-8503

September 21, 2007

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

Re: Alternative Method of Compliance under 29 CFR Section 2520.104-23

Dear Ladies and Gentleman:

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

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

Re: Alternative Method of Compliance under 29 CFR Section 2520.104-23

Ladies and Gentlemen:

We are counsel to Phoebe-Devitt Homes ("Phoebe"). In accordance with the requirements of the above-captioned regulations, please be advised that Phoebe established a plan of deferred compensation for the purpose of providing benefits to a select group of management or highly compensated employees which plan became subject to Part 1 of Title I of the Employee Retirement Income Security Act of 1974, as amended (the "Act") on September 1, 2007. Phoebe maintains one such plan in which a total of 5 employees currently participate. In

Top Hat Plan Exemption
September 21, 2007
Page 2

accordance with the requirements of subsection (b) of the above-captioned regulations, we are providing you with the following information:

Employer: Phoebe-Devitt Homes
1925 Turner Street
Allentown, PA 18104-5513

EIN: 23-1396838

Name of Plan: Phoebe-Devitt Homes 457(b) Retirement Savings Plan

If you have any questions or comments or require any additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,

STEVENS & LEE



Edward C. Renenger

cc: Lisa Fichera
James B. Longacre, Esq.

STEVENS & LEE
A PROFESSIONAL CORPORATION

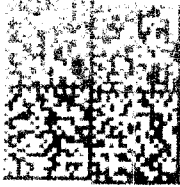
111 North Sixth Street
P.O. Box 679
Reading, PA 19603-0679

**RETURN RECEIPT
REQUESTED**

CERTIFIED MAIL™



7006 2150 0003 1524 9515



Postage

016-22-2007

\$05.210

09/29/2007

Mailed From: 17001

US POSTAGE

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

