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**HUNTER  
ROBERTS**  
CONSTRUCTION GROUP

January 14, 2008

Top Hat Plan Exemption  
PENSION AND WELFARE BENEFITS ADMINISTRATION  
Room N-1513  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

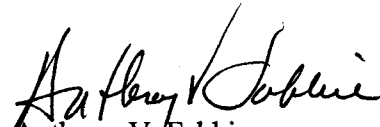
RE: Statement Pursuant to DOL Regulation §2520.104-23

Dear Sir or Madam:

Enclosed is the statement pursuant to 29 C.F.R. §2520.104-23 with respect to the Hunter Roberts Construction Group Non-Qualified Profit Sharing Plan (the "Plan"), which was adopted by Hunter Roberts Construction Group, L.L.C. effective January 1, 2008 for the benefit of certain of its management and/or highly compensated employees. The Plan will be provided at the request of the Secretary of Labor, as required by section 104(a)(6) of the Employee Retirement Income Security Act of 1974, as amended.

We would appreciate your date-stamping and marking "Received" the enclosed copy of this transmittal letter and then returning it to us, for our records, in the enclosed, stamped, self-addressed envelope.

Sincerely,

  
Anthony V. Fabbie

Enclosure

420 20210 9121 0385 5574 9158 0423 59  
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

STATEMENT PURSUANT TO DOL REGULATION §2520.104-23

Pursuant to DOL Regulation §2520.104-23, Hunter Roberts Construction Group, L.L.C. (the "Company") hereby files the following statement:

Name and Address of Employer:

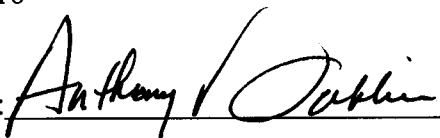
Hunter Roberts Construction Group, L.L.C.  
2 World Financial Center, 6<sup>th</sup> Floor  
New York, New York 10281

Employer Identification Number: 20-2303474

Declaration: The Company adopted the Hunter Roberts Construction Group Non-Qualified Profit Sharing Plan, effective January 1, 2008 (the "Plan"), for the purpose of providing deferred compensation benefits for a select group of management and/or highly compensated employees.

Statement:

Number of plans covered by this statement: one  
Number of employees covered by Plan: 16

By:  \_\_\_\_\_

Name (Print) Anthony V. Fabbie

Title: Director, Human Resources

Date: January 14, 2008