

Name of Tax-Exempt Employer: Research Foundation of  
The City University of New York

Address of Tax-Exempt Employer: 230 W. 41<sup>st</sup> St.  
New York, NY 10036

E.I.N.: 131988190

Top-Hat Statement

By Plan Administrator

00 SEP -4 AM 5:10

RF Cuny (the "Employer"), hereby declares that the purpose of the 457(b) Deferred Compensation Plan of RF Cuny 457b Plan the "Plan") is to provide deferred compensation primarily for a select group of management and highly compensated employees. The number of employees covered under the Plan is 61. The Employer maintains no other unfunded top-hat plans described in Department of Labor Regulation Section 2520.104-23(b).

Date: 8/12/08

By: Wendy E. Patitucci

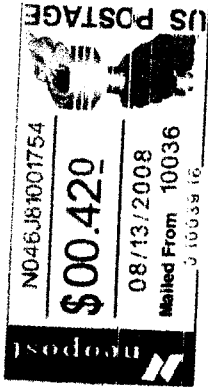
Title: Director of Employment Policy & Practice

(Plan Administrator)

*Wendy E. Patitucci*

**DIRECTOR OF EMPLOYMENT POLICY & PRACTICE  
RESEARCH FOUNDATION/CUNY  
230 WEST 41st STREET  
NEW YORK, NY 10036**

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Top Hat Plan Exemption  
Pension and Welfare Benefits Administration  
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