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5/1/08 [Date]

08 OCT - 2 AM 2:00

Secretary of Labor
Top Hat Plan Exemption
Employee Benefits Security Administration (EBSA)
Room N-5644U.S.
Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

Adagio Health [Employer Name]

EIN: 23-7104168

TOP-HAT PLAN DECLARATION

BY PLAN ADMINISTRATOR

Adagio Health [Employer Name], being a plan administrator for the (Plan), does hereby declare that the Plan is maintained primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. In addition, Adagio Health, the employer, maintains only one plan described in Department of Labor Regulations Section 2520.104-23(d). Furthermore, 1 employees will be covered under the Plan and upon request copies of the Plan Documents will be provided to the Department of Labor.

On behalf of Plan Administrator

(X) Samuel R. Tomlinson
Board Chair

J Cubed Financial
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Moon Twp. PA 15108

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