



Opening doors to the future<sup>SM</sup>

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12/10/08

Top Hat Plan Exemption  
Employee Benefits Security Administration  
Room N-1513  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, D.C. 20210

Re: UDR, Inc. Executive Deferral Plan

Dear Sir or Madam:

In accordance with Labor Regulation § 2520.104-23(b), UDR, Inc. (the "Company") hereby notifies the Secretary of Labor that it has approved the adoption of the UDR, Inc. Executive Deferral Plan, an unfunded deferred compensation arrangement for the benefit of certain of its executive and management employees (the "Plan"). The Plan was adopted primarily for the purpose of providing deferred compensation for a select group of management and highly compensated employees. The Plan currently covers one executive employee; additional employees may become eligible to participate in the future at the Company's election. The Company does not maintain any other "top-hat" plans other than the Plan.

The name, address, and federal employer identification number of the Company are:

UDR, Inc.  
1745 Shea Center Drive, Suite 200  
Highlands Ranch, CO 80129  
EIN: 54-0857512

If you require any additional information regarding the Plan, please do not hesitate to contact me.

Sincerely,

Angie Kulbe  
Benefits Manager  
720-922-6027

1745 Shea Center Drive, Suite 200  
Highlands Ranch, CO 80129

Tel: 720.283.6120  
Fax: 720.283.2451

www.udr.com



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