

2520090770660

**FOSTER ZACK LITTLE
PASTEUR & MANNING, P.C.
LAWYERS**

JOE C. FOSTER JR.*
NANCY L. LITTLE
MICHELYN E. PASTEUR
KEVIN W. MANNING**
J. KEVIN WINTERS***
SCOTT A. BREEN
KRISTIN D. ARNETT
MELISA M. W. MYSLIWIEC
MARLAINE C. TEAHAN
DAVID R. RUSSELL*
MARK R. PASQUALI

EVERETT R. ZACK, RETIRED

2125 UNIVERSITY PARK DRIVE
SUITE 250
OKEMOS, MICHIGAN 48864

P.O. BOX 27337
LANSING, MICHIGAN 48909-7337

TELEPHONE: 517-706-0000
TELECOPIER: 517-706-0500

*ALSO LICENSED IN FLORIDA
**ALSO LICENSED IN CALIFORNIA
***ALSO LICENSED IN NEW YORK

E-MAIL 
SCOTT.BREEN@FOSTERZACK.COM
WRITER'S DIRECT DIAL  517-706-5795

December 31, 2008

VIA FIRST CLASS AND CERTIFIED MAIL

Top Hat Plan Exemption
Employee Benefits Security Administration
Room N-1513, U.S. Dep't of Labor
200 Constitution Avenue NW
Washington, D.C. 20210

01/11/09 11:31

RE: The Cottage Gardens, Inc.
Top-Hat Pension Plan Statement for Nonqualified Deferred
Compensation Plan

Dear Sir or Madam:

This firm represents The Cottage Gardens, Inc. This letter is for the purpose of providing notice of the adoption of a top-hat pension plan to provide deferred compensation to select management or highly compensated employees. The plan is designed to be exempt from ERISA reporting requirements. The plan was initially adopted on December 16, 2004 and amended on January 26, 2005.

Pursuant to Department of Labor Regulations, we provide the following information:

1. Employer's Name: The Cottage Gardens, Inc.
2. Employer's Address: 2611 S. Waverly Highway, Lansing, MI 48911
3. EIN: 38-1618393
4. Number of plans: 1

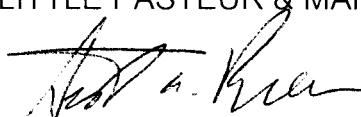
5. Number of employees in the plan: 1 (William N. Hicks)

6. Employer declaration: The Employer maintains the plan primarily for the purpose of providing deferred compensation for select management.

Please feel free to contact me by phone (517-706-5795) or at the address above if you need any further information or if you have any comments or questions.

Very truly yours,

FOSTER ZACK LITTLE PASTEUR & MANNING, P.C.

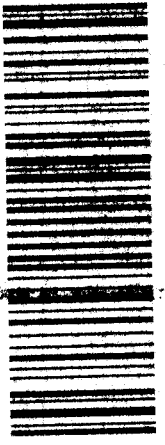
A handwritten signature in black ink, appearing to read "Scott A. Breen", written in a cursive style.

Scott A. Breen

Cc: The Cottage Gardens, Inc.

CERTIFIED MAIL™

Scott A. Breen
Foster Zack Little Pasteur & Manning, P.C
P O. Box 27337
Lansing, MI 48909-7337



7006 0810 0002 2046 4172



Top Hat Plan Exemption
Employee Benefits Security Administration
Room N-1513, U.S. Dept't of Labor
200 Constitution Avenue NW
Washington, D.C. 20210

