



MARQUEZ BROTHERS INTERNATIONAL, INC.

Distributors of **EL MEXICANO**® brand cheese

5801 Rue Ferrari
San Jose, California 95138-1857
(408) 960-2700 Fax: (408) 960-3213



2520090771005

February 2, 2009

Top Hat Plan Exemption
Employee Benefits Security Administration
U.S. Department of Labor, Room N-5644
200 Constitution Avenue, N.W.
Washington, D.C. 20210

To Secretary of Labor:

Enclosed you will find the following Reporting and Disclosure Statement for the following business entities so that these business entities may qualify for the one-time reporting procedure under Title I of ERISA.

1. Marquez Brothers International, Inc.
2. Marquez Brothers Enterprises, Inc.
3. Marquez Brothers Foods, Inc.
4. Marquez Brothers Southern California, Inc.
5. Marquez Brothers Northwest, Inc.
6. Marquez Brothers Reno, Inc.
7. Marquez Brothers Nevada, Inc.
8. Marquez Brothers Southwest, Inc.
9. Marquez Brothers Texas, LP

Thank you for your prompt attention to this matter. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

Emma Peña Madrid

09 FEB 20 08:19:31

Department of Labor Reporting & Disclosure Statement

This specimen letter form of notice is for consideration and use by client's own legal counsel for the purposes of drafting a "Reporting & Disclosure Statement" to the Department of Labor when the plan seeks the simplified alternative one-time reporting procedure (and exemption from the more detailed reporting and disclosure requirements normally imposed under Title I of ERISA) under the so-called "select group" exemption applicable to unfunded pension benefit plans. This specimen letter form is provided as an example only, and does not constitute legal or other advice concerning the ERISA requirements or consequences of a particular proposed non-qualified pension benefit plan. We do not provide legal, tax or accounting advice. You must consult with your own legal and other advisors to determine the appropriateness of this form and its use in your company's particular circumstances.

Top Hat Plan Exemption
Employee Benefits Security Administration
U.S. Department of Labor, Room N-5644
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Re: Notice of Plan(s) of Deferred Compensation - Top Hat Plan

To the Secretary of Labor:

The following information is provided by the undersigned plan administrator in order to comply with the requirements of the alternative reporting and disclosure method under ERISA, Title I, Part 1, as permitted to an unfunded pension benefit plan for a select group of management or highly compensated employees in DOL Reg. Section 2520.104-23:

- (1) The number of plans and the number of participants in such plan(s) are 1 plan covering 18 employees. The employer maintains such plan primarily for the purpose of providing nonqualified deferred compensation benefits to a select group of its management or highly compensated employees. The employer will provide a copy of the plan document(s) to the Secretary of Labor upon request.
- (2) The name of the Employer sponsoring such plan is: Marquez Brothers International, Inc.
- (3) The address of the employer sponsoring such plan(s) is: 5801 Rue Ferrari, San Jose, CA 95138
- (4) The employer's federal identification number (EIN) is: 94-2789431

Marquez Brothers International, Inc.
(Name of Employer)

1/29/2009
(Date)

By: [Signature]

Title: President

Department of Labor Reporting & Disclosure Statement

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- (1) The number of plans and the number of participants in such plan(s) are 1 plan covering 3 employees. The employer maintains such plan primarily for the purpose of providing nonqualified deferred compensation benefits to a select group of its management or highly compensated employees. The employer will provide a copy of the plan document(s) to the Secretary of Labor upon request.
- (2) The name of the Employer sponsoring such plan is: Marquez Brothers Enterprises, Inc.
- (3) The address of the employer sponsoring such plan(s) is 15480 Valley Blvd.
City of Industry, CA 91746
- (4) The employer's federal identification number (EIN) is: 77-0341212

Marquez Brothers Enterprises, Inc.
(Name of Employer)

~~Feb~~ 1.29.2009
(Date)

By: 

Title: preside

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- (1) The number of plans and the number of participants in such plan(s) are 1 plan covering 2 employees. The employer maintains such plan primarily for the purpose of providing nonqualified deferred compensation benefits to a select group of its management or highly compensated employees. The employer will provide a copy of the plan document(s) to the Secretary of Labor upon request.
- (2) The name of the Employer sponsoring such plan is: Marquez Brothers Foods, Inc.
- (3) The address of the employer sponsoring such plan(s) is: 3805 N. Freeway Blvd.
Sacramento, CA 95834
- (4) The employer's federal identification number (EIN) is: 77-0376108

Marquez Brothers Foods, Inc.
(Name of Employer)

1-29-2009

(Date)

By: 

Title: President

Department of Labor Reporting & Disclosure Statement

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- (1) The number of plans and the number of participants in such plan(s) are 1 plan covering 2 employees. The employer maintains such plan primarily for the purpose of providing nonqualified deferred compensation benefits to a select group of its management or highly compensated employees. The employer will provide a copy of the plan document(s) to the Secretary of Labor upon request.
- (2) The name of the Employer sponsoring such plan is: Marquez Brothers Southern California, Inc.
- (3) The address of the employer sponsoring such plan(s) is: 2133 Britannia Blvd.
San Diego, CA 92154
- (4) The employer's federal identification number (EIN) is: 33-0698779

Marquez Brothers Southern California, Inc.
(Name of Employer)

1/29/2009
(Date)

By: [Signature]

Title: President

Department of Labor Reporting & Disclosure Statement

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- (1) The number of plans and the number of participants in such plan(s) are 1 plan covering 1 employees. The employer maintains such plan primarily for the purpose of providing nonqualified deferred compensation benefits to a select group of its management or highly compensated employees. The employer will provide a copy of the plan document(s) to the Secretary of Labor upon request.
- (2) The name of the Employer sponsoring such plan is: Marquez Brothers Northwest, Inc.
- (3) The address of the employer sponsoring such plan(s) is: 15009 NE Airport Way, Suite 400
Portland, OR 97230
- (4) The employer's federal identification number (EIN) is: 54-2063559

Marquez Brothers Northwest, Inc.
(Name of Employer)

1/29/2009
(Date)

By: _____

Title: President

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- (2) The name of the Employer sponsoring such plan is: Marquez Brothers Reno, Inc.
- (3) The address of the employer sponsoring such plan(s) is: 1550 Hymer Av.
Sparks, NV 89431
- (4) The employer's federal identification number (EIN) is: 94-3365637

Marquez Brothers Reno, Inc.
(Name of Employer)

11/29/2009

(Date)

By: _____

Title: _____

[Handwritten Signature]
President

Department of Labor Reporting & Disclosure Statement

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- (2) The name of the Employer sponsoring such plan is: Marquez Brothers Nevada, Inc.
- (3) The address of the employer sponsoring such plan(s) is: 3650 East Post Road, Suite E
Las Vegas, NV 89120
- (4) The employer's federal identification number (EIN) is: 94-3387029

Marquez Brothers Nevada, Inc.
(Name of Employer)

1/29/2009
(Date)

By: [Signature]

Title: President

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- (2) The name of the Employer sponsoring such plan is: Marquez Brothers Southwest, Inc.
- (3) The address of the employer sponsoring such plan(s) is: 7310 W. Roosevelt Street, Bldg.3, Suite 38
Phoenix, AZ 85043
- (4) The employer's federal identification number (EIN) is: 86-0853324

Marquez Brothers Southwest, Inc.
(Name of Employer)

1/29/2009
(Date)

By: [Signature]

Title: President

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- (2) The name of the Employer sponsoring such plan is: Marquez Brothers Texas, LP

(3) The address of the employer sponsoring such plan(s) is 10735 Stemmons Freeway
Dallas, TX 75220-2419

(4) The employer's federal identification number (EIN) is: 02-0662692

Marquez Brothers Texas, LP
(Name of Employer)

1/29/2009
(Date)

By: [Signature]
Title: President

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044,880,7333
\$6.07
02/02/2009
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