



March 18, 2009

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

Re: *Alternative Method of Compliance with Reporting and Disclosure Requirements*

Dear Sir or Madam:

This statement is being filed in accordance with section 2520.104-23 of the Department of Labor Regulations.

**I. EMPLOYER NAME, ADDRESS AND TAXPAYER IDENTIFICATION NUMBER**

Touchstone Communities, Inc.  
1020 NE Loop 410 Ste. 640  
San Antonio, TX 78209-1220  
Taxpayer Identification Number: 90-0282359

**II. STATEMENT AS TO PLAN**

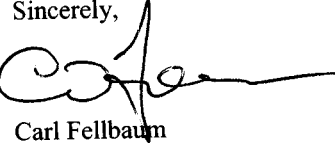
Touchstone Communities, Inc. ("Company") maintains the Touchstone Communities, Inc. Executive Deferred Compensation Plan ("Plan") primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. The total number of employees participating in the Plan is 14.

**III. ERISA COMPLIANCE**

The Company is making this filing with respect to the Plan in the event that the Plan is determined to be an employee benefit plan as defined in section 3(3) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"). This filing is not, and should not be construed as, an admission by the Company that the Plan is an employee benefit plan subject to ERISA for any purpose.

**IV. COPY OF AGREEMENTS:**

A copy of the Plan will be provided to the Department of Labor upon request.

Sincerely,  
  
Carl Fellbaum  
President

**CERTIFIED MAIL™**

Touchstone Communities

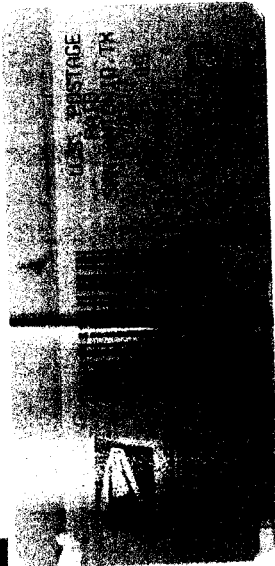
1020 NE Loop 410

Suite 640

San Antonio, TX 78209



7007 2680 0001 7196 3704



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RETURN RECEIPT  
REQUESTED