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**MICHAEL E. PIETZSCH**

May 28, 2009

File No. 8672.03A

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

Re: *Swift Corporation Deferred Compensation Plan*  
EIN No.: 20-5589597

Dear Sir or Madam:

Pursuant to Department of Labor Regulation Section 2520.104-23, we hereby submit the following declarations on behalf of Swift Corporation ("Employer") for the purpose of satisfying the reporting and disclosure provisions of Part 1 of Title I of the Employee Retirement Income Security Act of 1974. Effective January 1, 2002, the Employer adopted a "top hat" plan known as the Swift Corporation Deferred Compensation Plan ("Plan"). The Plan is an unfunded plan maintained by an Employer primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. Benefits under the Plan will be paid, as needed, solely from the general assets of the Employer, or provided exclusively through insurance contracts or policies, the premiums for which will be paid directly by the Employer from its general assets, issued by an insurance company or similar organization which is qualified to do business in any state. As of this date, 15 employees have been selected to participate in the Plan.

With best regards,

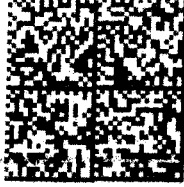
  
Michael E. Pietzsch

MEP:snc

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