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ALSTON & BIRD LLP

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BLAKE C. MACKAY

July 16, 2009

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

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

Re: Statement Regarding Alternative Method of Compliance with Reporting
and Disclosure Requirements of Part I of Title 1 of ERISA

Dear Sir or Madam:

Pursuant to C.F.R. § 2520.104-23, the following information is provided
regarding nonqualified deferred compensation plans established by Berry College Inc.
(the "College"):

1. Name and address of the Company:

Berry College Inc.
P.O. Box 490129
Mount Berry, GA 30149-0129
2. Employer Identification Number: 58-0566133
3. The College has established three nonqualified deferred compensation
agreements (collectively, the "Agreements"), as follows:

Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
704-444-1000
Fax: 704-444-1111

90 Park Avenue
New York, NY 10016
212-210-9400
Fax: 212-210-9444

3201 Beechleaf Court, Suite 600
Raleigh, NC 27604-1062
919-862-2200
Fax: 919-862-2260

601 Pennsylvania Avenue, N.W.
North Building, 10th Floor
Washington, DC 20004-2601
202-756-3300
Fax: 202-756-3333

Agreement	Effective Date	Eligible Employees
Deferred Compensation Agreement for the benefit of Brian I. Erb	April 1, 2009	1
Deferred Compensation Agreement for Bettyann O'Neill	April 1, 2009	1
Deferred Compensation Agreement for Dr. Stephen Briggs	July 1, 2009	1

4. The College also maintains the 457(b) Deferred Compensation Plan of Berry College (the "Plan"), effective as of March 11, 2009. Currently, there are eight employees who are eligible to participate under the Plan.
5. The Agreements and the Plan were established primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

At your request, we will provide you with a copy of the Agreements, the Plan or any other document(s) you may require.

If you have any questions or if anything further is required, please let me know.

Very truly yours,

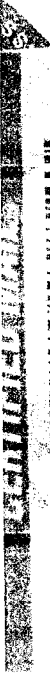


Blake C. MacKay

/ath

cc: Mr. Brian I. Erb

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