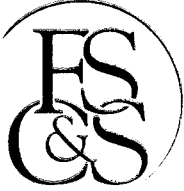


**FOSTER,
SWIFT,
COLLINS &
SMITH, P.C.**
Attorneys at Law



Grand Rapids:
1700 East Beltline, N.E.
Suite 200
Grand Rapids, MI 49525-2076
PH: 616.726.2200
FX: 616.726.2299

Lansing:
313 S. Washington Square
Lansing, MI 48933-2193
PH: 517.371.8100
FX: 517.371.8200

Farmington Hills:
32300 Northwestern Hwy.
Suite 230
Farmington Hills, MI 48334-1571
PH: 248.539.9900
FX: 248.851.7504

Walter S. Foster
1878-1961
Richard B. Foster
1908-1996
Theodore W. Swift
1928-2000
John L. Collins
1926-2001

Webb A. Smith
Allan J. Claypool
Gary J. McRay
Stephen I. Jurmu
Scott A. Storey
Charles A. Janssen
Charles E. Barbieri
James B. Jensen, Jr.
Scott L. Mandel

Michael D. Sanders
Sherry A. Stein
Brent A. Titus
Robert E. McFarland
Stephen J. Lowney
Jean G. Shtokal
Brian G. Goodenough
Matt G. Hrebec
Eric E. Doster
Melissa J. Jackson
Steven H. Lasher
Nancy L. Kahn
Deanna Swisher
Alan G. Gilchrist
Thomas R. Meagher
Douglas A. Mielock
Scott A. Chernich
Donald E. Martin

Paul J. Millenbach
Dirk H. Beckwith
Brian J. Renaud
Bruce A. Vande Vusse
Lynwood P. VandenBosch
Lawrence Korolewicz
James B. Doezema
Alan T. Rogalski
Francis G. Seyferth
Anne M. Seuryneck
Richard L. Hillman
Steven L. Owen
Jennifer Kildea Dewane
John P. Nicolucci
Francis C. Flood
Michael D. Homier
Keith A. Castora
Randall L. Harbour

David M. Lick
Deborah J. Williamson
Rebecca S. Davies
Scott H. Hogan
Richard C. Kraus
Benjamin J. Price
Ronald D. Richards, Jr.
Frank T. Mamat
Michael R. Blum
Norman E. Richards
Jonathan J. David
Nicholas B. Missad
Frank H. Reynolds
Kirsten M. McNelly
Joseph E. Kozely
Pamela C. Dausman
Andrew C. Vredenburg
John M. Kamins

Glen A. Schmiede
Michael G. Harrison
Frederick B. Bellamy
Gilbert M. Frimet
Mark J. Colon
Peter R. Tolley
Craig R. Petersen
Steven A. Haney, Sr.
Dana M. Bennett
Todd W. Hoppe
John W. Inhulsen
Amanda Garcia-Williams
Zachary W. Behler
Derek A. Walters
Alexander A. Ayar
Johanna M. Novak
Joshua K. Richardson
Cole M. Young

Joel C. Farrar
Samuel J. Frederick
Sheralee S. Hurwitz
Andrew W. Erlewein
Laura J. Garlinghouse
Anna K. Gibson
Liza C. Moore
Nichole J. Derks
Robert L. Page, Jr.

Of Counsel
Lawrence B. Lindemer
David VanderHaagen
Allan O. Maki

Writer's Direct Phone: (616) 726-2200

Fax: (616) 726-2299

Reply To: Grand Rapids

2520100070408

November 2, 2009

Certified Mail - Return Receipt Requested

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

BSA/PUBLIC DISCLOSURE
 2009 NOV 10 PM 7:59

Dear Sir/Madam:

Please let this serve as notice that the employer identified below maintains an unfunded deferred compensation plan. The following information is disclosed pursuant to DOL Reg. 2520.104-23 imposed by the Employee Retirement Income Security Act of 1974:

1. The employer is Maly's, Inc.
2. The employer's address is 4555 Danvers Drive SE, Kentwood, Michigan 49512.
3. The employer's identification number (EIN) is 38-2043740.
4. The employer maintains a plan identified as the Deferred Compensation Agreement Between Maly's, Inc. and Boyd Relac for the purpose of providing an unfunded deferred compensation benefit for a select group of management and highly compensated employees of the employer.
5. The employer maintains one (1) such plan with one (1) participating employee.

Please contact me if you need any additional information.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.


Lynwood P. VandenBosch

LPV:smv

cc: Michael K. Maly
Boyd Relac

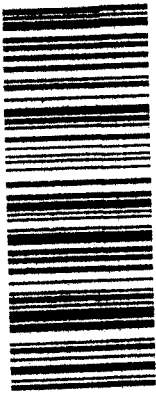
766750_1.DOC

1700 East Beltline, N.E.
Suite 200
Grand Rapids, MI 49525-7044

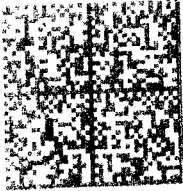
**FOSTER,
SWIFT,
COLLINS &
SMITH, P.C.**
Attorneys at Law



CERTIFIED MAIL



7160 3901 9845 7503 4237



C97R15317502

\$5.549

11/02/2009

Mailed From: 49525

HASLER

US POSTAGE

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

