

**MARTIN, TATE, MORROW & MARSTON, P.C.****ATTORNEYS AND COUNSELORS**INTERNATIONAL PLACE, TOWER II  
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6410 POPLAR AVENUE

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(662) 772-5831  
FAX: (662) 772-5834**JEFFREY E. THOMPSON**  
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January 8, 2010


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

Re: Horizon AG, LLC

Dear Sir or Madam:

Enclosed is the statement required by DOL Reg. § 2520.104-23 which is filed on behalf of the above referenced employer. The deferred compensation plan was established and funded in December, 2009.

Very truly yours,

  
Jeffrey E. Thompson

JET/ac

Enclosure

cc: Mr. S. R. Ouzts (w/o enclosure)

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EBSA/PUBLIC DISCLOSURE  
2010 JAN 15 AM 7:58

HORIZON AG, LLC

STATEMENT PURSUANT TO DOL REG. § 2520.104-23

This statement is made and filed pursuant to DOL Reg. § 2520.104-23 as an alternative form of compliance with the reporting and disclosure requirements of Part I of ERISA.

Employer Name, Address and EIN:

Horizon AG, LLC  
8275 Tournament Drive, Suite 255  
Memphis, TN 38125

EIN: 62-1687165

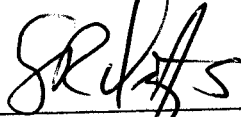
The employer has established and maintains a plan primarily for the purpose of providing deferred compensation for a select group of highly compensated employees.

The number of such plans is 1.

The number of employees in such plan is 1.

Dated: 12/31/09

HORIZON AG, LLC

By:   
S. R. Ouzts, General Manager

MARTIN, TATE, MORROW & MARSTON, P.C.

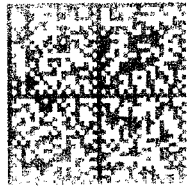
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