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EBSA/PUBLIC DISCLOSURE
2010 APR 14 AM 7:12

Charles D. Frazer
Senior Vice President
General Counsel
410-239-5730

April 5, 2010

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

Re: Jos. A. Bank Clothiers, Inc. 2010 Deferred Compensation Plan

Dear Sir or Madam:

This statement is being filed pursuant to 29 C.F.R. §2520.104-23 and is intended to satisfy the alternative method of compliance with the reporting and disclosure requirements of Part 1 of Title I of the Employee Retirement Income Security Act of 1974 ("ERISA") prescribed by the Secretary of Labor under Section 110 of ERISA.

Name of Employer: Jos. A. Bank Clothiers, Inc. (the "Company")
Address: 500 Hanover Pike, Hampstead, MD 21074
EIN: 36-3189198

The Company has adopted a plan, known as the Jos. A. Bank Clothiers, Inc. 2010 Deferred Compensation Plan, primarily for the purpose of providing deferred compensation for a "select group of management or highly compensated employees." The number of employees covered under the Plan currently is 12.

A copy of the plan document will be provided to you upon request as required by Section 104(a)(1) of ERISA.

Very truly yours,

Charles D. Frazer
Senior Vice President and General Counsel



500 Hanover Pike
Hampstead, MD 21074-2095

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