



EBSA/PUBLIC DISCLOSURE

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May 5, 2010

By Federal Express

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

Re: Statement Regarding Top Hat Plan Exemption

To Whom It May Concern,

This Statement is hereby filed with the Secretary of Labor pursuant to the requirements of 29 CFR Section 2520.104-23 which provides an alternative method for compliance with the reporting and disclosure requirements of Part 1 of Title I of the Employee Retirement Income Security Act of 1974, as amended.

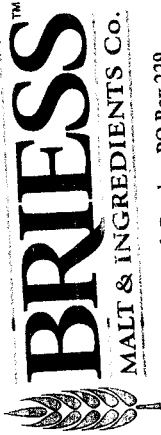
The following information is provided:

1. Briess Industries, Inc. ("Employer")
625 S. Irish Road
Chilton, WI 53014
Attn: Gordon Lane
2. Employer Identification Number: 39-1308315
3. The Employer maintains a plan primarily for the purpose of providing deferred compensation for a select group of management of highly compensated employees ("Deferred Compensation Arrangement").
4. The Employer has two Deferred Compensation Arrangements that covers two top management employees.

Please contact the undersigned with any questions.

Sincerely,

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625 S Irish Road • PO Box 229
Chilton, WI 53014-0229

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