

**SEBALY SHILLITO + DYER**

A LEGAL PROFESSIONAL ASSOCIATION

ESSA/PUBLIC DISCLOSURE

1900 KETTERING TOWER  
 40 N. MAIN STREET  
 DAYTON, OHIO 45423-1013  
 PH: 937-222-2500  
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 bshillito@ssdlaw.com

2010 SEP -8 AM 8:14  
 BEVERLY F. SHILLITO

September 1, 2010

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED #7000 0520 0012 9634 6528**

Top-Hat Plan Exemption  
 Pension & Welfare Benefits Administration  
 U.S. Department of Labor  
 200 Constitution Avenue, N.W., Room N-5644  
 Washington, D.C. 20210

Re: *Senior Executive Incentive Plan*

Dear Sir or Madam:

This letter is intended to satisfy the notice requirement contained in DOL Reg. § 2520.104-23 regarding certain pension plans for a select group of management or highly compensated employees.

Name of Plan: Senior Executive Incentive Plan

Sponsor for Plans: Danis Building Construction Company  
 3233 Newmark Drive  
 Miamisburg, Ohio 45342

Employer Identification Number: 31-1361003

The purpose of the Plan is to provide deferred compensation for a select group of management or highly compensated employees.

Total Number of Plans and Participants: 7 plans, as follows:

1. Incentive Award Plan - Present Number of Participants: 3
2. Restoration Benefit Plan - Present Number of Participants: 6
3. Various Annual Share Award Plans - Present Number of Participants: 7
4. Five Year Award Plan - Present Number of Participants: 1
5. Key Executive Incentive Plan - Present Number of Participants: 22
6. Share Award Plan for Steven L. Sefton - Present Number of Participants: 1
7. Senior Executive Incentive Plan - Present Number of Participants: 7



If you have any questions or require any further information, please call me.

Very truly yours,



Beverly F. Shillito

cc: James Fuller

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2010 SEP -8 AM 8: 15

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September 1, 2010

## CERTIFIED MAIL - RETURN RECEIPT REQUESTED #7000 0520 0012 9634 6511

Top-Hat Plan Exemption  
Pension & Welfare Benefits Administration  
U.S. Department of Labor  
200 Constitution Avenue, N.W., Room N-5644  
Washington, D.C. 20210

Re: *Share Award Plan for Steven L. Sefton*

Dear Sir or Madam:

This letter is intended to satisfy the notice requirement contained in DOL Reg. § 2520.104-23 regarding certain pension plans for a select group of management or highly compensated employees.

Name of Plan: Share Award Plan for Steven L. Sefton

Sponsor for Plans: Danis Building Construction Company  
3233 Newmark Drive  
Miamisburg, Ohio 45342

Employer Identification Number: 31-1361003

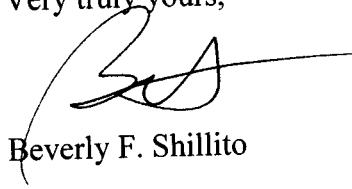
The purpose of the Plan is to provide deferred compensation for a select group of management or highly compensated employees.

- Total Number of Plans and Participants: 7 plans, as follows:
1. Incentive Award Plan - Present Number of Participants: 3
  2. Restoration Benefit Plan - Present Number of Participants: 6
  3. Various Annual Share Award Plans - Present Number of Participants: 7
  4. Five Year Award Plan - Present Number of Participants: 1
  5. Key Executive Incentive Plan - Present Number of Participants: 22
  6. Senior Executive Incentive Plan - Present Number of Participants: 7
  7. Share Award Plan for Steven L. Sefton - Present Number of Participants: 1



If you have any questions or require any further information, please call me.

Very truly yours,

A handwritten signature in black ink, appearing to be 'BFS', with a long horizontal line extending to the right.

Beverly F. Shillito

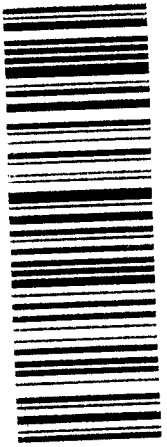
cc: James Fuller

SS+0

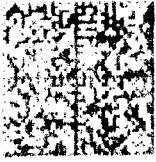
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\$ 05.54<sup>0</sup>

Top-Hat Plan Exemption  
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U.S. Department of Labor  
200 Constitution Avenue, N.W., Room N-5644  
Washington, D.C. 20210

**CERTIFIED MAIL**  
DAYTON OH 454



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SEP 01 2010  
\$ 05.54<sup>0</sup>  
300 421 9355  
MAILED FROM ZIP CODE 45402

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U.S. Department of Labor  
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Washington, D.C. 20210

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