

September 3, 2010

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

EBSA/PUBLIC DISCLOSURE
2010 SEP -8 PM 2:11**Registration Statement For "Top-Hat" Plans**

Dear Sir or Madam:

Pursuant to Department of Labor Regulation section 2520.104-23, CarMax, Inc., 12800 Tuckahoe Creek Parkway, Richmond, VA 23238, Employer Identification Number 54-1821055, hereby declares that as an employer it maintains the following employee benefit plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees: CarMax, Inc., Executive Deferred Compensation Plan ("Plan").

As of the effective date of January 1, 2011, the Plan will cover approximately fifty-one employees.

CarMax, Inc. will provide copies of the Plan to the Secretary of Labor on request as required by section 104(a)(6) of the Employee Retirement Income Security Act of 1974, as amended.

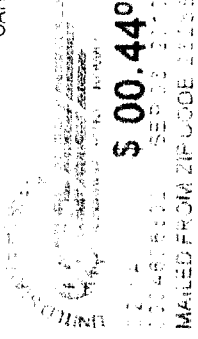
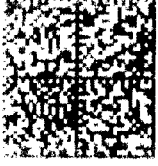
Sincerely yours,


Printed Name: Janet Bruington

cc: Catherine M. Marriott, Esq.

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