

Mullen & Henzell L.L.P.

ATTORNEYS AT LAW
EBSA/PUE

2010 SEP

8:00

e-mail: croberts@mullenlaw.com



September 22, 2010

CERTIFIED MAIL #7006 2760 0001 8197 8435

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

Re: Bonita Packing Co. Nonqualified Pension Benefit Plan—Third Generation

Dear Sir or Madam:

Pursuant to Section 2520.104-23 of the Department of Labor's Regulations, this letter will serve as notice that our clients Bonita Packing Co. and Betteravia Farms L.L.C. together have established the above-referenced nonqualified deferred compensation plan effective July 1, 2010. The adopting employers intend to utilize the alternative form of compliance with the reporting and disclosure requirements of Part 1 of Title I of the Employee Retirement Income Security Act of 1974 ("ERISA"), which alternative form of compliance is provided in the aforesaid Regulations Section.

Pursuant to Regulations Section 2520.104-23 (b), the following information is provided:

1. Names and Addresses of Adopting Employers:

Bonita Packing Co.
 P.O. Box 5079
 Santa Maria, CA 93456

Betteravia Farms, L.L.C.
 P.O. Box 5845
 Santa Maria, CA 93456-5845

J. ROBERT ANDREWS
 JAY L. BECKERMAN
 JOSEPH F. GREEN
 MACK S. STATON
 GREGORY F. FAULKNER
 WILLIAM E. DEGEN
 CHRISTINE P. ROBERTS
 MICHAEL E. CAGE
 LORI A. LEWIS
 PAUL K. WILCOX
 JARED M. KATZ
 DEBORAH K. BOSWELL
 RAMÓN R. GUPTA
 GRAHAM M. LYONS
 RAFAEL GONZALEZ
 JANA S. JOHNSTON
 LINDSAY G. SHINN
 ROBERT D. DOMINGUEZ
 JENNIFER S. ADKINS
 JARED A. GREEN

DENNIS W. REILLY
 CHARLES S. BARGIEL
 KIRK R. WILSON
 SCOTT R. LINDLEY
 OF COUNSEL

THOMAS M. MULLEN
 1915-1991

ARTHUR A. HENZELL
 RETIRED



2. Employers' Employer Identification Numbers:

Bonita Packing Co.: 95-0561546 — 1 PARTICIPANT
Betteravia Farms L.L.C.: 95-2330313 — 4 PARTICIPANTS

3. The Employers hereby declare that they maintains the Plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees;
4. The Employers hereby state that the Plan is expected to cover five (5) employees.

Pursuant to Regulations Section 2520.104-23(b)(2), the Employer will provide Plan documents to the Secretary of Labor upon request as required by Section 104(a)(1) of ERISA.

Very truly yours,

A handwritten signature in black ink, appearing to be 'C. Roberts', written over a horizontal line.

Christine P. Roberts of
Mullen & Henzell L.L.P.

CPR:nlh
cc: Joe Leonard
Dennis W. Reilly, Esq.
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PERMITS MAIL



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Santa Barbara, California 93102-0789



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