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December 21, 2011

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

ERISA/PUBLIC DISCLOSURE  
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Dear Sir/Madam:

The following statement is intended to comply with the alternative method for satisfying the reporting and disclosure requirements of Part I, Title I of the Employee Retirement Income Security Act of 1974 for pension plans maintained for a select group of management or highly compensated employees, as described in Department of Labor regulation section 2520.104-23.

Name and Address of Employer:

The Burnett Companies Consolidated, Inc.  
9800 Richmond Ave., Suite 800  
Houston, TX 77042

Employer Identification Number:

76-0080808

Number of Plans of Deferred Compensation:

On December 5, 2011, the employer established an unfunded deferred compensation plan for a select group of management or highly compensated employees of the employer and certain affiliates of the employer (the "Plan").

Number of Employees in the Plan:

11 employees participate in the Plan.

Declaration:

The Plan is an unfunded plan that is maintained primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees of the employer and its subsidiaries. This statement is supplementary to, and does not replace or supersede, any statement or statements that the employer has previously filed under Department of Labor regulation section 2520.104-23 with respect to any other pension plan or plans.

Please let me know if you have any questions.

Sincerely,



Michael J. Hoes

MJH/pb

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12/21/2011

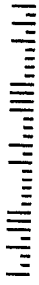
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