



October 18, 2012

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

2012 OCT 24 PM 12:34

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

Re: University of Mary Washington Foundation; Submission of Section 2520.104-23
 Top Heavy Statement

Dear Sir or Madam:

This correspondence is submitted to effect compliance with Section 2520-104-23 as it relates to qualification for the alternate reporting and disclosure requirements applicable to "top-hat" plans.

The Foundation maintains a non-qualified deferred compensation plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. This plan along with its requisite data is:

Name of Employer: University of Mary Washington Foundation ("Foundation")

Address of Employer: 1125 Jefferson Davis Highway, Suite 200
 Fredericksburg, Virginia 22401-5412

Employer's IRS EIN: 54-0169627

Name of Plan: University of Mary Washington Foundation
 Deferred Compensation Agreement with Jeff W. Rountree,
 Chief Executive Officer

Effective Date: June 22, 2012

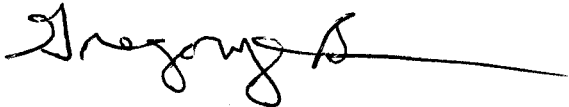
Number of Current Plan Participants: 1.

In accordance with ERISA Section 104(a)(6), the Foundation will upon request provide plan documents to the Secretary.

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Please call me with any questions you may have regarding this Section 2520-104-23 statement.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gregory A. Branner", followed by a long horizontal line extending to the right.

Gregory A. Branner, C.P.A.
Director of Finance & Administration

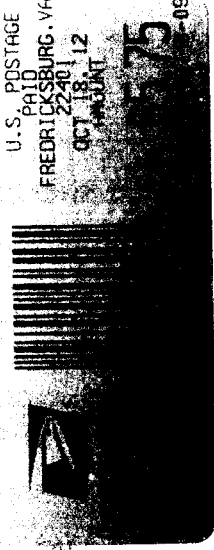


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Fredericksburg, VA 22401



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