

ERISA/PUBLIC

## ERISA Secretary of Labor Statement for Reporting and Disclosure

### ERISA Notice for Unfunded Nonqualified Deferred Compensation Plans

(This sample agreement/document is intended for use solely as a guide for client's attorney.)

Attached is a sample form of notice which may be used to satisfy the alternative ERISA reporting requirements for an unfunded plan of deferred compensation for a select group of employees. The notice should be filed, preferably on the Employer's letterhead, within 120 days after a new plan is established. Even if the Employer has not previously filed with respect to any prior plan(s), it should include them in reporting the number of plans and employees covered in Items 2 and 3.

Plan documents need not be filed, unless they are specifically requested by the Secretary of Labor.

If the Employer fails to file the notice, the plan will be subject to the burdensome reporting and disclosure requirements of ERISA Title I, Subtitle B, Part 1.

TO: Top Hat Plan Exemption  
Pension and Welfare Benefits Administration  
Room N-5638  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

FROM: Employer: G. & O. SUPPLY COMPANY, INC.  
Employer Identification Number: 64-0477895  
Address: 1408 Collums Drive  
Tupelo, MS 38801

October 10, 2013

**RE: Alternative Method of Compliance for Nonqualified Deferred Compensation Plans for Selected Employees**

1. This document constitutes the statement required by 29 C.F.R., 2520.104-23(a)(1) to be filed with the Secretary of Labor in respect to Nonqualified Deferred Compensation plans maintained by the above employer.
2. The employer currently maintains a Nonqualified Deferred Compensation plan for employees who are members of a select group of management or who are highly compensated.
3. The number of participants in the plan is one (1).

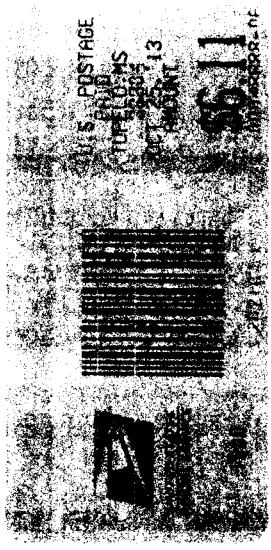
**G. & O. SUPPLY COMPANY, INC.**

By:   
CHARLES M. CARSON III  
President and Secretary

Lancaster Law Firm, PLLC  
P.O. Box 90  
Tupelo, Mississippi 38802-0090



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**Top Hat Plan Exemption**

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