

**Arent Fox**

**Arent Fox LLP** / Attorneys at Law  
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014310.00000

March 10, 2014

**VIA CERTIFIED MAIL --**  
**RETURN RECEIPT REQUESTED**

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

Re: The 2014 Silver Diner Nonqualified Retirement Savings Plan

Dear Sir or Madam:

In accordance with Department of Labor Regulation 2520.104-23, the enclosed information is provided to satisfy the alternative method of compliance with the reporting and disclosure requirements of Part I of Title 1 of ERISA for unfunded pension plans maintained by an employer for a select group of management or highly compensated employees.

If you have any questions concerning the enclosed information, please feel free to contact me.

Very truly yours,

  
 Susan S. Kleiman

Enclosure

**DEPARTMENT OF LABOR  
ALTERNATIVE METHOD OF COMPLIANCE  
FOR THE 2014 SILVER DINER  
NONQUALIFIED RETIREMENT SAVINGS PLAN  
under  
DOL Regulation Section 2520.104-23**

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**NAME AND ADDRESS OF EMPLOYER:** Silver Diner Development, Inc.  
12276 Rockville Pike  
Rockville, MD 20852

**EMPLOYER IDENTIFICATION NUMBER:** 54-1439417

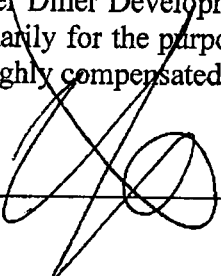
**NUMBER OF PROGRAMS COVERED  
BY THIS DECLARATION:** 1

**NUMBER OF EMPLOYEES  
IN THE PROGRAM:** 10

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**DECLARATION OF SILVER DINER DEVELOPMENT, INC.**

Silver Diner Development, Inc. declares that the deferred compensation program is maintained primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

  
\_\_\_\_\_  
Name: Ype von Hengst

Title: Vice President

Date: 3/5/14

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



7012 3050 0002 0822 6769

Arent Fox LLP / 1717 K Street, NW / Washington, DC 20036

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