



**melloy brothers enterprises, inc.**

7707 Lomas Blvd., N.E.  
Albuquerque, New Mexico 87110

Phone: (505) 265-8721  
March 24, 1997

Secretary of Labor  
Pension and Welfare Benefits Administration  
Room N-5644  
U. S. Department of Labor  
200 Constitution Avenue NW  
Washington, D.C. 20210

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**CERTIFIED MAIL NO. P 428 795 900**

Re: Top Hat Plan Exemption

To the Secretary of Labor:

In compliance with the requirements of the alternative method of reporting and disclosure under Part I of Title I of the Employee Retirement Income Security Act of 1974 for unfunded pension plans for a select group of management or highly compensated employees, specified in Department of Labor Regulations, 29 C.F.R. § 2520.104-23, the following information is provided by the undersigned employer:


Name and Address of Employer: Melloy Brothers Enterprises, Inc.  
7707 Lomas N.E.  
Albuquerque, NM 87110  
Employer Identification Number: 85-0242473

Melloy Brothers Enterprises, Inc. maintains a plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

There is one Plan, covering nine (9) employees.

Yours very truly,

Melloy Brothers Enterprises, Inc.

By   
Pamela Shumard  
Plan Administrator

JFB:yb