



A NONPROFIT ORGANIZATION

2520161200073

March 24, 2016

Department of Labor
Employee Benefits Security Administration
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, D.C. 20210

2016 MAR 31 AM 1:09

Re: Top Hat Plan Declaration for the Count Basie Theatre. (the "Plan")

Dear Sir or Madam:

Please be advised that Count Basie Theatre, being the Plan Administrator of the Plan, does hereby declare that the Plan is an eligible deferred compensation plan which is maintained primarily for the purpose of providing deferred compensation for a select group of management employees. Further, the sponsoring employer maintains only this one active plan described in DOL Reg. Section 2520.104-23(d) and expects the Plan to cover no more than the C.E.O., the President and the Vice President of the Theatre.

If you have any further questions, please contact the undersigned at (732) 224-8778.

PLAN ADMINISTRATOR

By: _____

Adam Philipson

22-1950890



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