

**Law Office of Benny R. Valek**

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January 30, 2019

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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: Alternative Method of Compliance with Reporting and Disclosure Requirements Pursuant to Section 2520.104-23 of the Department of Labor Regulations**

Dear Sir or Madam:

On behalf of Badgett Corporation (“Company”), we are hereby submitting the following information with respect to its top-hat plan, pursuant to DOL Regulation Section 2520.104-23:

**I. COMPANY NAME, ADDRESS AND TAXPAYER IDENTIFICATION NUMBER:**

Badgett Corporation  
4009 South 4<sup>th</sup> Street  
Chickasha, Oklahoma 73018  
Tax Identification No.: 73-1394744

**II. STATEMENT AS TO PLAN:**

The Company maintains the Badgett Corporation Stock Appreciation Rights Plan (“Plan”) for the benefit of a select group of management or highly compensated employees. The primary purpose of the Plan is to attract and retain qualified and competent employees upon whose efforts and judgment the Company’s success is largely dependent. The current number of participants participating in the Plan is two.

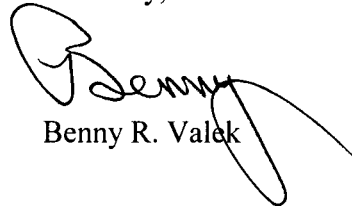
**III. ERISA COMPLIANCE:**

The Company is making this filing with respect to the Plan solely as a protective measure in the unlikely event that the Plan would be determined at some point to be an employee benefit plan as defined in Section 3(3) of ERISA. This form and this filing are not, and should not be construed as, an admission by the Company that the Plan is an employee benefit plan subject to ERISA for any purpose.

**IV. COPY OF AGREEMENT:**

A copy of the Plan will be provided to the Department of Labor upon request.

Sincerely,



Benny R. Valek

BRV/sv

cc: Bob Roten  
Gary Badgett

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