

ARCH INTERMEDIARIES LTD.

Wage & Hour Defense Supplemental Questionnaire

1. Please attach a list by job title of which employees or categories of employees that you treat and compensate as exempt (i.e., those employees to whom you do not pay overtime).
 - a) Of these exempt employees, which do you pay on a salary basis of at least \$455 per week?
 - b) Of these employees, which do you pay on a commission or partial commission basis?

2. Please attach a list by job title of which employees or categories of employees you treat as non-exempt and to whom you pay overtime.
 - a) Do you pay overtime to all of these employees at the rate of at least 1½ times their hourly rate for all hours worked over 40? Yes____ No____.

3. Do you pay all your employees at least minimum wage for all hours they work in each work week? Yes____ No____.

4. Do you regularly make use of any independent contractors? Yes____ No____.
If 'Yes', in what capacity? _____.

5. Have you been involved in any charges, inquiries, investigations, audits or hearings before the Department of Labor or any other similar state agency? Yes____ No____.
If 'Yes', please provide details on a separate sheet.

6. Have you been involved in any representative actions, individual or multi-party suits in connection with wage and hour issues? Yes____ No____.
If 'Yes', please provide details on a separate sheet.

7. Have you retained any attorney or other professional to assist you in your determination of exempt/non-exempt status? Yes____ No____.

8. Have you retained all payroll information for each of your employees for the past three years? Yes____ No____.