

Form 5500 Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Annual Return/Report of Employee Benefit Plan This form is required to be filed for employee benefit plans under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and sections 6047(e), and 6058(a) of the Internal Revenue Code (the Code). ▶ Complete all entries in accordance with the instructions to the Form 5500.	OMB Nos. 1210-0110 1210-0089 2009 This Form is Open to Public Inspection
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Part I	Annual Report Identification Information		
For calendar plan year 2009 or fiscal plan year beginning 01/01/2007 and ending 12/31/2007			
A This return/report is for:	<input type="checkbox"/> a multiemployer plan;	<input type="checkbox"/> a multiple-employer plan; or	
	<input checked="" type="checkbox"/> a single-employer plan;	<input type="checkbox"/> a DFE (specify) ____	
B This return/report is:	<input type="checkbox"/> the first return/report;	<input checked="" type="checkbox"/> the final return/report;	
	<input type="checkbox"/> an amended return/report;	<input type="checkbox"/> a short plan year return/report (less than 12 months).	
C If the plan is a collectively-bargained plan, check here.	<input type="checkbox"/>		
D Check box if filing under:	<input type="checkbox"/> Form 5558;	<input type="checkbox"/> automatic extension;	<input type="checkbox"/> the DFVC program;
	<input type="checkbox"/> special extension (enter description)		

Part II	Basic Plan Information —enter all requested information		
1a Name of plan ENVIRONMENTAL SERVICES & PERMITTING VIP PLUS 401K	1b Three-digit plan number (PN) ▶	001	
	1c Effective date of plan	01/13/1984	
2a Plan sponsor's name and address (employer, if for a single-employer plan) (Address should include room or suite no.) ENVIRONMENTAL SERVICES & PERMITTING INC JOHN A DAVIS 12580 NW US HWY 441 ALACHUA, FL 32615-8506	2b Employer Identification Number (EIN)	59-2295141	
	2c Sponsor's telephone number	386-462-4334	
	2d Business code (see instructions)		

Caution: A penalty for the late or incomplete filing of this return/report will be assessed unless reasonable cause is established.

Under penalties of perjury and other penalties set forth in the instructions, I declare that I have examined this return/report, including accompanying schedules, statements and attachments, as well as the electronic version of this return/report, and to the best of my knowledge and belief, it is true, correct, and complete.

SIGN HERE	Filed with authorized/valid electronic signature.	07/20/2010	JOHN DAVIS
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE			
	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor
SIGN HERE			
	Signature of DFE	Date	Enter name of individual signing as DFE

3a Plan administrator's name and address (if same as plan sponsor, enter "Same") ENVIRONMENTAL SERVICES & PERMITTING INC JOHN A DAVIS 12580 NW US HWY 441 ALACHUA, FL 32615-8506	3b Administrator's EIN 59-2295141 3c Administrator's telephone number 386-462-4334
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4 If the name and/or EIN of the plan sponsor has changed since the last return/report filed for this plan, enter the name, EIN and the plan number from the last return/report: a Sponsor's name	4b EIN 4c PN
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5 Total number of participants at the beginning of the plan year	5	1
6 Number of participants as of the end of the plan year (welfare plans complete only lines 6a , 6b , 6c , and 6d).		
a Active participants.....	6a	1
b Retired or separated participants receiving benefits.....	6b	0
c Other retired or separated participants entitled to future benefits.....	6c	0
d Subtotal. Add lines 6a , 6b , and 6c	6d	1
e Deceased participants whose beneficiaries are receiving or are entitled to receive benefits.....	6e	0
f Total. Add lines 6d and 6e	6f	1
g Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item).....	6g	0
h Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested.....	6h	0
7 Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item)	7	

8a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions:
 2E 2G 2J 3E

b If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristic Codes in the instructions:

9a Plan funding arrangement (check all that apply) (1) <input type="checkbox"/> Insurance (2) <input type="checkbox"/> Code section 412(e)(3) insurance contracts (3) <input checked="" type="checkbox"/> Trust (4) <input type="checkbox"/> General assets of the sponsor	9b Plan benefit arrangement (check all that apply) (1) <input type="checkbox"/> Insurance (2) <input type="checkbox"/> Code section 412(e)(3) insurance contracts (3) <input checked="" type="checkbox"/> Trust (4) <input type="checkbox"/> General assets of the sponsor
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10 Check all applicable boxes in 10a and 10b to indicate which schedules are attached, and, where indicated, enter the number attached. (See instructions)

a Pension Schedules (1) <input checked="" type="checkbox"/> R (Retirement Plan Information) (2) <input type="checkbox"/> MB (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary (3) <input type="checkbox"/> SB (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary	b General Schedules (1) <input type="checkbox"/> H (Financial Information) (2) <input checked="" type="checkbox"/> I (Financial Information – Small Plan) (3) <input type="checkbox"/> A (Insurance Information) (4) <input type="checkbox"/> C (Service Provider Information) (5) <input type="checkbox"/> D (DFE/Participating Plan Information) (6) <input type="checkbox"/> G (Financial Transaction Schedules)
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jdavis

From: Levien, Syndie [Syndie.Levien@morganstanley.com]
Sent: Monday, December 10, 2007 11:10 AM
To: jdavis_esp@alltel.net
Subject: Closed accts

Hi John,

All the accounts are closed.
Thank you.

Syndie

Syndie T. Levien, CFP
First Vice President, Wealth Advisor
Investment Consultant
352.751.7847 (direct) 800.447.6036
Morgan Stanley
syndie.levien@morganstanley.com

Investments and services are offered through Morgan Stanley & Co., Incorporated, member SIPC.

The information and data contained herein have been obtained from sources considered reliable, but their accuracy or completeness cannot be guaranteed. Please note that past performance may not be indicative of future results; prices and availability are subject to change without notice.

Environmental Services & Permitting, Inc.

ESP

Mailing/Shipping Address
12580 NW US Highway 441
Alachua, FL 32615-8506

(386) 462-4334
Fax (386) 462-4358
jdavis_esp@alltel.net

Syndie Levin
Robin Morgan
Most Senior Manager in charge of Ocala office
Senior Manager of Profit Sharing Plans at Corporate level

August 9, 2007
letter emailed
attachments mailed

Re: Status of all accounts associated with Environmental Services & Permitting, Inc. VIP Plus 401 K; Plan # 659001312; RPA # 518-017287-028

Robin, please make copies and distribute to all in the above list. I do not know who the managers are so please distribute to whomever holds these positions. I trust you will follow through and make sure they arrive at appropriate desks. Also please ask that they email me at the address in the letterhead acknowledging receipt and that action will be taken to complete this process.

I was told previously that the individual profit sharing accounts would be closed automatically when the distributions were made from them. This has apparently not happened. For example, as you can see in the October 20, 2006 email from Robin there is a clear statement "your account balance is -0- and your account is closed." (copy attached) I took from this and previous statements that no further action was needed. There is also a July 10, 2006 email from your office stating, "I am contacting Retirement Operation today to have them mark the account "closed" so that we can get a final accounting of everything." (copy attached) Apparently this has changed based on the August 9, 2007 email. (copy attached) Clearly, Morgan Stanley (MS) knew the loan was considered as a distribution when the account was rolled over. In a July 13, 2006 letter explaining how the tax withholding was calculated the loan balance was included explicitly.

All of the ESP profit sharing accounts should be closed as all of the assets "should" have been distributed. If there are any assets in any of the accounts please distribute them immediately to the rollover accounts designated by the individual account holders. You have all the information as the majority, if not all, of the assets have already been distributed.

Please dissolve, terminate, or whatever other term you want to use the entire ESP profit sharing plan. If you have some special form or procedure please provide it asap so it can be executed. I have attached the first page of the account summaries I received for the end of 2006. I have not received any more recent information. If some is available please send me a copy.

Your collective help in getting this resolved will be greatly appreciated. I want the next 5500 to the last one I ever have to deal with.

Respectfully;



John A. Davis
Plan Administrator and Trustee; ESP President /Owner

jdavis

From: Morgan, Robin [Robin.Morgan@morganstanley.com]
Sent: Monday, September 10, 2007 12:54 PM
To: jdavis
Cc: Levien, Syndie
Subject: RE: esp profit sharing

After further research, the loan for Paula Hedges has been deflated. The August 31, 2007 statement shows the deflation. Also, Mike Ward's account had residuals which are now processed making the account null on the brokerage side. (Hopefully, he did not have a loan against his IRA. If so, please advise.)

Have a good day!
Robin Morgan
Sr. Registered Client Service Associate

Morgan Stanley
1048 Lake Sumter Landing
The Villages FL 32162
(800) 447-6036
(352) 751-7841
(352) 753-8234-Fax

Investments and services are offered through Morgan Stanley & Co., Incorporated, member SIPC.

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-----Original Message-----

From: jdavis [mailto:jdavis_esp@alltel.net]
Sent: Friday, August 31, 2007 9:14 AM
To: Levien, Syndie; Morgan, Robin
Subject: FW: esp profit sharing

As you can see this was sent on the 9th. I have not heard any response. Please let me know who I need to contact to get these issues resolved!!

I don't want to just start web surfing for names.

John A. Davis, PhD

Environmental Services & Permitting, Inc

12580 NW US Hwy 441

Alachua, Florida 32615-8506