Form 5500	Form 5500 Annual Return/Report of Employee Benefit Plan				
Department of the Treasury Internal Revenue Service	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).	2009			
Department of Labor Employee Benefits Security Administration	Complete all entries in accordance with the instructions to the Form 5500.	2009			
Pension Benefit Guaranty Corporation		This Form is Open to Public Inspection			
Part I Annual Report Ide	ntification Information				
For calendar plan year 2009 or fisca	plan year beginning 01/01/2009 and ending 12/31/2	2009			
A This return/report is for:	a multiemployer plan; a multiple-employer plan; or				
·	a single-employer plan; a DFE (specify)				
<b>B</b> This return/report is:	the first return/report; the final return/report;				
	an amended return/report; a short plan year return/report (less the	han 12 months).			
<b>C</b> If the plan is a collectively-bargai	ned plan, check here.	—			
<b>D</b> Check box if filing under:	Form 5558; automatic extension;	the DFVC program;			
	special extension (enter description)				
Part II Basic Plan Infor	mation—enter all requested information				
<b>1a</b> Name of plan EKOS CORPORATION 401(K) PLA	N	1b Three-digit plan number (PN) ▶ 001			
		<b>1c</b> Effective date of plan 02/01/1999			
2a Plan sponsor's name and addre (Address should include room or EKOS CORPORATION	<b>2b</b> Employer Identification Number (EIN) 91-1728211				
		<b>2c</b> Sponsor's telephone number 425-415-3100			
11911 NORTH CREEK PARKWAY SOUTH       11911 NORTH CREEK PARKWAY SOUTH       2d Busi         BOTHELL, WA 98011       BOTHELL, WA 98011       instr         339110       339110					

### 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.	10/12/2010	ROBERT HUBERT					
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator					
SIGN HERE	Filed with authorized/valid electronic signature.	10/12/2010	ROBERT HUBERT					
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					

For Paperwork Reduction Act Notice and OMB Control Numbers, see the instructions for Form 5500.

Form 5500 (2009) v.092307.1

	Plan administrator's name and address (if same as plan sponsor, enter "Same") OS CORPORATION	<b>3b</b> Administrator's EIN 91-1728211					
	911 NORTH CREEK PARKWAY SOUTH THELL, WA 98011	<b>3c</b> Administrator's telephone number 425-415-3100					
			1				
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 the plan number from the last return/report:	and	4b EIN				
а	Sponsor's name		<b>4c</b> PN				
5	Total number of participants at the beginning of the plan year	5	141				
6	Number of participants as of the end of the plan year (welfare plans complete only lines 6a, 6b, 6c, and 6d).						
а	Active participants	6a	88				
b	Retired or separated participants receiving benefits	6b	0				
C	Other retired or separated participants entitled to future benefits	6c	34				
d	Subtotal. Add lines <b>6a</b> , <b>6b</b> , and <b>6c</b>	6d	122				
е	Deceased participants whose beneficiaries are receiving or are entitled to receive benefits	6e	0				
f	Total. Add lines 6d and 6e	6f	122				
g	Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)	6g	86				
	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 2F 2G 2J 2T 3D

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

9a	9a Plan funding arrangement (check all that apply)			9b	Plan ben	efit a	arrangement (check all that apply)
	(1)		Insurance		(1)		Insurance
	(2)		Code section 412(e)(3) insurance contracts		(2)		Code section 412(e)(3) insurance contracts
	(3)	X	Trust		(3)	X	Trust
	(4)		General assets of the sponsor		(4)		General assets of the sponsor
10	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							
а	Pensio	n Sc	hedules	b	General	Sch	nedules
а	Pensio (1)	n Sci X	hedules R (Retirement Plan Information)	b	General (1)	Sch X	H (Financial Information)
а		n Sci		b		Sch X	
a	(1)	n Sci X	<ul> <li>R (Retirement Plan Information)</li> <li>MB (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan</li> </ul>	b	(1)	Sch	H (Financial Information)
a	(1)	n Sci	<ul><li>R (Retirement Plan Information)</li><li>MB (Multiemployer Defined Benefit Plan and Certain Money</li></ul>	b	(1) (2)	Sch	<ul><li>H (Financial Information)</li><li>I (Financial Information – Small Plan)</li></ul>
а	(1)	n Sci	<ul> <li>R (Retirement Plan Information)</li> <li>MB (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan</li> </ul>	b	(1) (2) (3)	Sch	<ul> <li>H (Financial Information)</li> <li>I (Financial Information – Small Plan)</li> <li>A (Insurance Information)</li> </ul>

(2) U.S. Government securities		SCHEDULE H Financial Information							OMB No. 1210-0110			
Process benef Questry Conversion         P File as an attachment to Form SSUU.         This Form Or Houring inspection           Por calendar physics         and ending         1231/2009         and ending         1231/2009           A Name of pian         EXOS CORPORATION 401(K) PLAN         B         Three-digit plan number (PN)         001           C Plan sponsor's name as shown on line 2a of Form 5500         D         Employer Identification Number (EIN)           EXOS CORPORATION         D1 current value of plan assets and liability Statement         D         Employer Identification Number (EIN)           1 Current value of plan assets and liabilities at the beginning and end of the plan year. Combine the value of plan assets had in more than one trust. Report the value of the plan's interest the action of an insurance contract which guarantees, during the plan year, to pay a specific dollar and it. COTs, PSAs, and 103-12. Ets do not complete lines tf and to be seen instructions.         10           I Catal noninterest-bearing cash.         1a         (a) Beginning of Year         (b) End of Year           2 Participant contributions         1b(1)         10(2)         10(2)         10(2)           (i) D Employer contributions         1a         (a) Beginning of Year         (b) End of Year           3 Other         Corporate dot instruments (orther than employer securities):         1b(1)         10(2)           (i) Expred contributions         1a		Department of the Treasury Internal Revenue Service	Retirement Income Security Act of 1974 (ERISA), and section 6058(a) of the							)		
A Name of plan       B       Three-digit       001         EKOS CORPORATION 401(K) PLAN       B       Three-digit       001         C Plan sponsor's name as shown on line 2a of Form 5500       D       Employer Identification Number (EIN)       91-1728211         Part I       Asset and Liability Statement       D       Employer Identification Number (EIN)       91-1728211         Part I       Asset and Liability Statement       D       Employer Identification Number (EIN)       91-1728211         Part I       Asset and Liability Statement       D       Employer Identification Number (EIN)       91-1728211         Part I       Asset and Liability Statement       D       Employer Identification Number (EIN)       91-1728211         Part I       Asset In a commingle fund containing and end of the plan year. Combine the value of plan assets held in more than one trust. Report the value of the plan's interest uness the value of plan assets held in more than one trust. Report the value of the plan's interest beasting cash       10         A Total noninterest-beasting cash       14       D       D         D Receivables (less allowance for doubtful accounts):       14       16(2)       D         D Receivables (less allowance for doubtful accounts):       1b(3)       1b(3)       D       D         D Participant contributions       16(1)       16(2)       D<		ee Benefits Security Administration	File as an attachm	ent to Form	5500.			This				
EKOS CORPORATION 401(K) PLAN       pinn number (PN) → 001         C Plan sponsor's name as shown on line 2 ad Form 5500       pinn number (PN) → 001         EKOS CORPORATION       D Employer Identification Number (EIN) 91-1728211         Part I Asset and Liability Statement       1         1 Current value of plan assets and liabilities at the beginning and end of the plan year. Combine the value of plan assets held in more than one trust. Report the value of the plan's interest in a commingled fund containing the assets of more than one plan on a line 5/101 plan year. (b) plan year. (c) year. (b) plan year. (c) year.	For cale	ndar plan year 2009 or fiscal pla	an year beginning 01/01/2009		and	endi	ng 12/31/2	2009	•			
EKOS CORPORATION         91-1728211           Part I         Asset and Liability Statement         1         Current value of plan assets and liabilities at the baginning and end of the plan year. Combine the value of plan assets the value is reportable on the value of t		•				В	0		•	001		
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a Total noninterest-bearing cash       1a         b Receivables (less allowance for doubtful accounts):       1a         (1) Employer contributions       1b(1)         (2) Participant contributions       1b(1)         (3) Other       1b(1)         (3) Other       1b(2)         (1) Interest-bearing cash (include money market accounts & certificates of deposit)       1b(3)         (2) U.S. Government securities       1c(1)         (3) Corporate debt instruments (other than employer securities):       1c(2)         (A) Preferred       1c(3)(A)         (B) All other       1c(3)(B)         (a) Corporate stocks (other than employer securities):       1c(4)(A)         (b) Partnership/joint venture interests       1c(5)         (c) Las of other than employer real property)       1c(6)         (c) Real estate (other than employer real property)       1c(6)         (c) Value of interest in common/collective trusts       1c(6)         (10) Value of interest in common/collective trusts       1c(10)         (11) Value of interest in registered investment accounts       1c(11)         (12) Value of interest in registered investment companies (e.g., mutual funds)       1c(12)         (13) Value of interest in registered investment companies (e.g., mutual funds)       1c(10)         (14) Value of interest in r	the v lines bene	alue of the plan's interest in a c 1c(9) through 1c(14). Do not e fit at a future date. <b>Round off</b> a	commingled fund containing the assets of m nter the value of that portion of an insuranc amounts to the nearest dollar. MTIAs, CO	nore than one e contract wh CTs, PSAs, a	plan on a nich guaran nd 103-12	line-l tees	by-line basis , during this	unless ti plan yea	he value is re r, to pay a sp	portable on ecific dollar		
b Receivables (less allowance for doubtful accounts):       1         (1) Employer contributions       1b(1)         (2) Participant contributions       1b(2)         (3) Other       1b(3)         (3) Other       1b(3)         (1) Interest-bearing cash (include money market accounts & certificates of deposit)       1c(1)       86390       952         (2) U.S. Government securities       1c(1)       86390       952         (2) U.S. Government securities       1c(2)       1c(2)       1c(2)         (3) Corporate debt instruments (other than employer securities):       1c(3)(A)       1c(2)       1c(3)(A)         (A) Preferred       1c(3)(B)       1c(4)(B)       1c(4)(B)       1c(4)(B)       1c(4)(B)         (6) Real estate (other than employer real property)       1c(6)       1c(7)       1c(8)       27137       207         (9) Value of interest in common/collective trusts       1c(1)       1c		As	sets		<b>(a)</b> B	eginr	ning of Year		<b>(b)</b> End	of Year		
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(1) Interest-bearing cash (include money market accounts & certificates of deposit)       1c(1)       86390       952         (2) U.S. Government securities.       1c(2)       1c(2)       1c(2)       1c(3)       1c(3)       1c(3)       1c(3)       1c(3)       1c(3)       1c(3)       1c(4)       1c(3)       1c(4)       1c(4)       1c(4)       1c(3)       1c(4)       1c(4)       1c(4)       1c(3)       1c(4)       1c(5)       1c(5)       1c(5)       1c(6)       1c(7)       1c(6)       1c(7)       1c(6)       1c(7)       1c(8)       27137       207       1c(9)       1c(10)       1c(10)       1c(10)       1c(10)       1c(10)       1c(10)       1c(11)       1c(12)       1c(12)       1c(12)       1c(13)       1209085       21071       1c(13)       1209085       21071       1071       1c(13)       1209085       21071       1071       1071       1071       1071       1071       1071       1071       1071       1071       1071       1071       1071	(3)	Other		1b(3)								
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(10) Value of interest in pooled separate accounts       1c(10)         (11) Value of interest in master trust investment accounts       1c(11)         (12) Value of interest in 103-12 investment entities       1c(12)         (13) Value of interest in registered investment companies (e.g., mutual funds)       1c(13)         (14) Value of funds held in insurance company general account (unallocated       1c(13)	• • •	•								20774		
(11) Value of interest in master trust investment accounts       1c(11)         (12) Value of interest in 103-12 investment entities       1c(12)         (13) Value of interest in registered investment companies (e.g., mutual funds)       1c(13)         (14) Value of funds held in insurance company general account (unallocated funds)       1c(13)	(9)	Value of interest in common/co										
(12) Value of interest in 103-12 investment entities       1c(12)         (13) Value of interest in registered investment companies (e.g., mutual funds)       1c(13)         (14) Value of funds held in insurance company general account (unallocated value)       1c(13)	(10)	Value of interest in pooled sepa	arate accounts									
(13) Value of interest in registered investment companies (e.g., mutual funds)	(11)	Value of interest in master trus	t investment accounts	1c(11)								
(14) Value of funds held in insurance company general account (unallocated	• •	Value of interest in registered in	nvestment companies (e.g., mutual				150	9085		2107177		
contracts)	(14)	Value of funds held in insurance	e company general account (unallocated	1c(14)			100			2101111		
(15) Other	(15)	,	10(15)									

For Paperwork Reduction Act Notice and OMB Control Numbers, see the instructions for Form 5500

1d	Employer-related investments:		(a) Beginning of Year	(b) End of Year
	(1) Employer securities	1d(1)		
	(2) Employer real property	1d(2)		
е	Buildings and other property used in plan operation	1e		
f	Total assets (add all amounts in lines 1a through 1e)	1f	1622612	2223223
	Liabilities			
g	Benefit claims payable	1g		
h	Operating payables	1h		
i	Acquisition indebtedness	1i		
j	Other liabilities	1j		
k	Total liabilities (add all amounts in lines 1g through1j)	1k	0	0
	Net Assets			
I	Net assets (subtract line 1k from line 1f)	11	1622612	2223223

### Part II Income and Expense Statement

2 Plan income, expenses, and changes in net assets for the year. Include all income and expenses of the plan, including any trust(s) or separately maintained fund(s) and any payments/receipts to/from insurance carriers. Round off amounts to the nearest dollar. MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 2a, 2b(1)(E), 2e, 2f, and 2g.

	Income		(a) Amount	<b>(b)</b> Total
а	Contributions:			
	(1) Received or receivable in cash from: (A) Employers	2a(1)(A)		
	(B) Participants	2a(1)(B)	540649	
	(C) Others (including rollovers)	2a(1)(C)	10006	
	(2) Noncash contributions	2a(2)		
	(3) Total contributions. Add lines 2a(1)(A), (B), (C), and line 2a(2)	2a(3)		550655
b	Earnings on investments:			
	(1) Interest:			
	(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)	285	
	(B) U.S. Government securities	2b(1)(B)		
	(C) Corporate debt instruments	2b(1)(C)		
	(D) Loans (other than to participants)	2b(1)(D)		
	(E) Participant loans	2b(1)(E)	1501	
	(F) Other	2b(1)(F)		
	(G) Total interest. Add lines 2b(1)(A) through (F)	2b(1)(G)		1786
	(2) Dividends: (A) Preferred stock	2b(2)(A)		
	(B) Common stock	2b(2)(B)		
	(C) Registered investment company shares (e.g. mutual funds)	2b(2)(C)	42872	
	(D) Total dividends. Add lines 2b(2)(A), (B), and (C)	2b(2)(D)		42872
	(3) Rents	2b(3)		
	(4) Net gain (loss) on sale of assets: (A) Aggregate proceeds	2b(4)(A)		
	(B) Aggregate carrying amount (see instructions)	2b(4)(B)		
	(C) Subtract line 2b(4)(B) from line 2b(4)(A) and enter result	2b(4)(C)		

			(a) Amount	(b) Total
2b	(5) Unrealized appreciation (depreciation) of assets: (A) Real estate	2b(5)(A)		
	(B) Other	2b(5)(B)		
	(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		
	(6) Net investment gain (loss) from common/collective trusts	2b(6)		
	(7) Net investment gain (loss) from pooled separate accounts	2b(7)		
	(8) Net investment gain (loss) from master trust investment accounts	2b(8)		
	(9) Net investment gain (loss) from 103-12 investment entities	2b(9)		
	(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds)	2b(10)		453558
C	Other income	2c		
d	Total income. Add all <b>income</b> amounts in column (b) and enter total	2d		1048871
	Expenses			
е	Benefit payment and payments to provide benefits:			
	(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	448078	
	(2) To insurance carriers for the provision of benefits	2e(2)		
	(3) Other	2e(3)		
	(4) Total benefit payments. Add lines 2e(1) through (3)	2e(4)		448078
f	Corrective distributions (see instructions)	2f		
g	Certain deemed distributions of participant loans (see instructions)	2g		
	Interest expense	2h		
i	Administrative expenses: (1) Professional fees	2i(1)		
	(2) Contract administrator fees	2i(2)		
	(3) Investment advisory and management fees	2i(3)		
	(4) Other	2i(4)	182	
	(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		182
i	Total expenses. Add all <b>expense</b> amounts in column (b) and enter total	2j	-	448260
,	Net Income and Reconciliation	-		
k	Net income (loss). Subtract line <b>2j</b> from line <b>2d</b>	2k		600611
	Transfers of assets:		-	
	(1) To this plan	2l(1)	-	
	(2) From this plan	21(2)		
Dr	art III Accountant's Opinion			
-	art III Accountant's Opinion Complete lines 3a through 3c if the opinion of an independent qualified public ac	countant is	attached to this Form 5500. Comr	lete line 3d if an opinion is not
-	attached.			
a	The attached opinion of an independent qualified public accountant for this plan	-	ructions):	
	(1) Unqualified (2) Qualified (3) Disclaimer (4)	Adverse		<u> </u>
b	Did the accountant perform a limited scope audit pursuant to 29 CFR 2520.103-	8 and/or 10	3-12(d)?	X Yes No
С	Enter the name and EIN of the accountant (or accounting firm) below:			
	(1) Name: GRANT THORNTON		(2) EIN: 36-6055558	
ď	The opinion of an independent qualified public accountant is <b>not attached</b> beca (1) This form is filed for a CCT, PSA, or MTIA. (2) It will be attach		ext Form 5500 pursuant to 29 CFR	2520.104-50.

Page **4-** 1

Pa	rt IV	Compliance Questions							
4		and PSAs do not complete Part IV. MTIAs, 103-12 IEs, and GIAs do not complete 4a, 4e, 4 2 IEs also do not complete 4j and 4l. MTIAs also do not complete 4l.	4f, 4g,	4h, 4k, 4ı	m, 4n, or 5.				
	During the plan year: Yes No Amount								
а	period	here a failure to transmit to the plan any participant contributions within the time d described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures ully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.)	4a		x				
b	close secure	any loans by the plan or fixed income obligations due the plan in default as of the of the plan year or classified during the year as uncollectible? Disregard participant loans ed by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is red.).	4b		X				
C	Were	, any leases to which the plan was a party in default or classified during the year as lectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.)	4c		X				
d	report	there any nonexempt transactions with any party-in-interest? (Do not include transactions ted on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is red.)	4d		X				
е	Was t	his plan covered by a fidelity bond?	4e	Х			500000		
f	Did th	e plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused ud or dishonesty?	4f		X				
g		e plan hold any assets whose current value was neither readily determinable on an lished market nor set by an independent third party appraiser?	4g		X				
h		e plan receive any noncash contributions whose value was neither readily ninable on an established market nor set by an independent third party appraiser?	4h		X				
i		e plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, ee instructions for format requirements.)	4i	Х					
j	value	any plan transactions or series of transactions in excess of 5% of the current of plan assets? (Attach schedule of transactions if "Yes" is checked, and astructions for format requirements.)	4j		X				
k		all the plan assets either distributed to participants or beneficiaries, transferred to another or brought under the control of the PBGC?	4k		x				
L	Has th	ne plan failed to provide any benefit when due under the plan?	41		Х				
m		is an individual account plan, was there a blackout period? (See instructions and 29 CFR 101-3.)	4m		x				
n		was answered "Yes," check the "Yes" box if you either provided the required notice or one exceptions to providing the notice applied under 29 CFR 2520.101-3.	4n		×				
5a		resolution to terminate the plan been adopted during the plan year or any prior plan year? enter the amount of any plan assets that reverted to the employer this year	Yes	XNo	Amount	::			
5b		ing this plan year, any assets or liabilities were transferred from this plan to another plan(s), erred. (See instructions.)	, identi	fy the pla	n(s) to whic	ch assets or liabi	lities were		
	5b(1)	Name of plan(s)			5 <b>b(2)</b> EIN(s	6)	5b(3) PN(s)		

if the plan is a defined benefit plan, go to line 8.         5       If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver. Date: Month Day Year If you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.         6       a Enter the minimum required contribution for this plan year		Department of the Treasury This schedule is required to be filed under section 104 and 4065 of the								210-01	10			
Desement of Left         Desement of Left         This Form is Open to Public Inspection.           Provide Sectif Agriner, Conserts <ul> <li>File as an attachment to Form \$500.</li> <li>This Form is Open to Public Inspection.</li> <li>Calcadar phony park 2009 of Fiscal plan year beginning</li> <li>Office Addition park 2009 of Fiscal plan year beginning</li> <li>Office Addition park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Fiscal plan year beginning</li> <li>Office Addition Park 2009 of Park 2000 of Park 2009 of Park 2009 of Park 2000 of Park 2009 of</li></ul>										09				
Period Read December Opcode         Intervention           For calending they near 2009 or ficed plan year beginning         01/01/2009         and ending         12/31/2009           A Name of plan         B         Three-digit plan number         001           C Plan seponsor's name as shown on line 2a of Form 5500         D         Employer Identification Number (EIN)           Part I         Distributions         A         Intervences         01           All references to distributions relate only to payments of benefits during the plan year.         1         1           2         Enter the EIN(s) of psyor(s) who paid benefits on behalf of the plan to panicipants or beneficiaries during the year (if more than two, enter EINs of the two psyors who paid the greatest dolar amounts of benefits):         EIN(s):         04         1           2         Enter the EIN(s) of psyor(s) who paid benefits on behalf of the plan to panicipants or beneficiaries during the year (if more than two, enter EINs of the two psyors who paid the greatest dolar amounts of benefits):         EIN(s):         04         3           3         Number of participants (l/mg or deceased) whose benefits were distributed in a single sum, during the plan year.         3           4         Is the plan administrator making an election under Code section 12/0(2) or ERISA section 302/0(2)?         Yee         No         N           4         Is the plan denihistror madming an election under Code secti	E	Depar	artment of Labor efits Security Administration								Pub	lic		
A Name of pin       Dec 0 is de not pin (pin construction)       Dec 0 is pin (pin construction)       Dec 0									10/04/0		inspe	stion.		
EKOS CORFORATION 401(K) PLAN       plan number (PN)       plan number (PN)       01         G Plan sponsor is name as shown on line 2a of Form 5500       D       Employer identification Number (EIN) 91-1728211         Part I       Distributions       1				olan year beginning	01/01/2009			ing		2009				
EKOS CORPORATION       91-1728211         Part I       Distributions relate only to payments of benefits during the plan year.         1       Total value of distributions paid in property other than in cash or the forms of property specified in the instructions.       1         2       Enter the EIN(s) of payor(s) who paid benefits on behalf of the plan to participants or beneficiaries during the year (if more than two, enter EINs of the two payors who paid the greatest dollar amounts of benefits):         EIN(s):       04-6568107         Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.         3       Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan.       3         Part II       FIAS section 3023, skip this Part)       Yes       No       N         4       Is the plan administrator making an election under Code section 412(q)(2) or ERISA section 302(q)(2)?       Yes       No       N         5       If a waker of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruing letter granting the waker.       Date: Month       Day       Year         If you completed line 5, schip lines 8 and 9.       Yes       No       N         9       If the minimum funding amount in line face there the result (enter a minus sign to the let of a negative amount)       Gat       Gat         6       Suttrate th							Ē	plar	n numb	er ▶	00	1		
All references to distributions relate only to payments of benefits during the plan year.       1         1       Total value of distributions paid in property other than in cash or the forms of property specified in the instructions		KOS CORPORATION								ber (El	N)			
1       Total value of distributions paid in property other than in cash or the forms of property specified in the instructions	Pa	rt I Dis	tributions											
1       1         2       Enter the EIN(s) of payor(s) who paid benefits on behalf of the plan to participants or beneficiaries during the year (if more than two, enter EINs of the two payors who paid the greatest dollar amounts of benefits):         EIN(s):       04-6568107         Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.         3       Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan year.         year.       3         Part II       Funding Information (lif the plan is not subject to the minimum funding requirements of section of 412 of the Internal Revenue Code or ENISA section 302, skp this Part)         4       Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)?       Yes       No       N         1       a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the uling lefter granting the waiver.       Date: Month       Day       Year         1       you completed line 6, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.       6a       6b       6c         6       a Enter the minimum required contribution for this plan year       6a       6b       6c       6d         7       Will the minimum funding amount reported on line 6a. Enter the result (enter a minus sign to the left of a negative amount).       6c			to distributions relate	only to payments	of benefits during t	he plan year.								
payors who paid the greatest dollar amounts of benefits):         EIN(s):       04-4668107         Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.         3       Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan         gar.       Bruthing Information (If the plan is not subject to the minimum funding requirements of section of 412 of the Internal Revenue Code or ERISA section 302, skip this Part)         4       Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)?	1								1					0
Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.         3       Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan year.       3         Part II       Funding Information (If the plan is not subject to the minimum funding requirements of section 04 12 of the Internal Revenue Code or ERISA section 302, skip this Part)       Yes       No       N         4       Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)?       Yes       No       N         5       If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver.       Date:       Month       Day       Year       Year         6       a       Enter the amount contributed by the employer to the plan for this plan year       Ga       Gb       C       Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount).       Ge       If you completed line 5, cskip lines 8 and 9.         7       Will the minimum funding amount reported on line 6c be met by the funding deadline?       Yes       No       N         8       If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change?       Yes       No       N <td>2</td> <td></td> <td></td> <td></td> <td></td> <td>icipants or beneficiari</td> <td>es during</td> <td>the year</td> <td>r (if moi</td> <td>re than t</td> <td>wo, ente</td> <td>er EINs</td> <td>of the</td> <td>e two</td>	2					icipants or beneficiari	es during	the year	r (if moi	re than t	wo, ente	er EINs	of the	e two
3       Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan       3         Part II       Funding Information (If the plan is not subject to the minimum funding requirements of section of 412 of the Internal Revenue Code or ERISA section 302, skip this Part)       Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)?       Yes       No       N         4       Is the plan is a defined benefit plan, go to line 8.       No       N       If the plan is a defined benefit plan, go to line 8.         5       If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver. Date: Month		EIN(s):	04-6568107											
year.       3         Part II       Funcing Information (If the plan is not subject to the minimum funding requirements of section of 412 of the Internal Revenue Code or ERISA section 302, skip this Pant)         4       Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)?       Yes       No       N         5       If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the fulling letter granting the waiver.       Date:       Month       Day       Year       Year         6       a Enter the minimum required contribution for this plan year.       6a       6b       6c       6c       6b       6c       6c<		Profit-sha	ring plans, ESOPs, an	nd stock bonus pla	ans, skip line 3.									
ERISA section 302, skip this Part)       Yes         4       Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)?	3								3					
if the plan is a defined benefit plan, go to line 8.         5       If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver. Date: Month Day Year If you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.         6       a Enter the minimum required contribution for this plan year	Pa				ot subject to the minir	mum funding requirem	nents of s	ection of	f 412 of	f the Inte	rnal Rev	/enue (	Code	or
5       If a vaiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver.       Date:       Month Day Year         6       a Enter the minimum required contribution for this plan year	4	Is the plan	administrator making an	election under Code	section 412(d)(2) or E	RISA section 302(d)(2)	)?			Yes		No	Ľ	N/A
plan year, see instructions and enter the date of the ruling letter granting the waiver.       Date:       Month       Day       Year         if you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.       6a         6 a Enter the minimum required contribution for this plan year       6a         b Enter the amount contributed by the employer to the plan for this plan year       6a         c Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount)		If the plan	is a defined benefit p	plan, go to line 8.										
6 a   b Enter the minimum required contribution for this plan year   b Enter the amount contributed by the employer to the plan for this plan year   c Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount).   f you completed line 6c, skip lines 8 and 9.   7 Will the minimum funding amount reported on line 6c be met by the funding deadline?   automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change?   Yes No   No N   8 If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change?   Yes No   No N   Part III Amendments   9 If this is a defined benefit pension plan, were any amendments adopted during this plan year (parsade during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box(es). If no, check the "No" box.   Part IV ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.   10 Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?   Yes	5			•	, ,		Month _		Da	ay		Year _		
b       Enter the amount contributed by the employer to the plan for this plan year		-				-		r	this so	chedule.				
C       Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount)	6								6a					
(enter a minus sign to the left of a negative amount)		<b>b</b> Enter t	he amount contributed	by the employer to	the plan for this plan	year			6b					
<ul> <li>7 Will the minimum funding amount reported on line 6c be met by the funding deadline?</li></ul>									6c					
8       If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change?       Yes       No       No         Part III       Amendments         9       If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box(es). If no, check the "No" box.       Increase       Decrease       Both       No         Part IV       ESOPS (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.       Yes       1         10       Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?       Yes       1         a       Does the ESOP hold any preferred stock?       Yes       Yes       1         12       Does the ESOP hold any stock that is not readily tradable on an established securities market?       Yes       Yes		If you com	pleted line 6c, skip li	nes 8 and 9.										
automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree       Yes       No       No         Part III       Amendments         9       If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box(es). If no, check the "No" box.       Increase       Decrease       Both       No         Part IV       ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.         10       Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?       Yes       Int a Does the ESOP hold any preferred stock?       Yes       Int the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan?       Yes       Int a Does the ESOP hold any stock that is not readily tradable on an established securities market?       Yes       Int a Does the ESOP hold any stock that is not readily tradable on an established securities market?       Yes       Int a Does the ESOP hold any stock that is not readily tradable on an established securities market?	7	Will the mi	nimum funding amount	t reported on line 6c	be met by the funding	g deadline?				Yes		No		N/A
Part III       Amendments         9       If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box(es). If no, check the "No" box.       Increase       Decrease       Both       No         Part IV       ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.         10       Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?       Yes         11       a       Does the ESOP hold any preferred stock?       Yes         b       If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan?       Yes         12       Does the ESOP hold any stock that is not readily tradable on an established securities market?       Yes	8	automatic	approval for the change	e or a class ruling le	etter, does the plan sp	onsor or plan adminis	strator agr	ee	П	Yes	П	No	Г	N/A
year that increased or decreased the value of benefits? If yes, check the appropriate       Increase       Decrease       Both       No         Part IV       ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.       10       Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?       Yes       11       a       Does the ESOP hold any preferred stock?       Yes       12       Yes       Yes       12       Yes       Yes <td< td=""><td>Pa</td><td></td><td>0</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td><u> </u></td></td<>	Pa		0											<u> </u>
Part IV       ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.         10       Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?	9	year that ir	creased or decreased	the value of benefit	ts? If yes, check the a	ppropriate	Increase	e	Decre	ease	ПВо	th	Π	No
10       Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?       Yes         11       a       Does the ESOP hold any preferred stock?       Yes         b       If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan?       Yes         12       Does the ESOP hold any stock that is not readily tradable on an established securities market?       Yes	Pa	. ,	ESOPs (see instru				4975(e)(	7) of the	Interna	al Reven	ue Code	9,	<u> </u>	
b       If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan?       I Yes         12       Does the ESOP hold any stock that is not readily tradable on an established securities market?       I Yes	10	Were unal	•	rities or proceeds fro	om the sale of unalloc	cated securities used t	to repay a	any exen	npt loar	า?		Yes	, [	No
(See instructions for definition of "back-to-back" loan.)	11	a Does	the ESOP hold any pre	eferred stock?								Yes	; Ī	No
12 Does the ESOP hold any stock that is not readily tradable on an established securities market?		b If the	ESOP has an outstand	ding exempt loan wit	th the employer as ler	nder, is such loan part	t of a "bac	ck-to-bac	ck" loan	1?		Yes	; [	No
	12											Yes	i	No
For Paperwork Reduction Act Notice and OMB Control Numbers, see the instructions for Form 5500. Schedule R (Form 5500)												R (For	n 55(	00) 2009

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Page **2-**1

Pa	rt V	V Additional Information for Multiemployer Defined Benefit Pension Plans							
13		inter the following information for each employer that contributed more than 5% of total contributions to the plan during the plan year (measured in during). See instructions. Complete as many entries as needed to report all applicable employers.							
·	aoi a	Name of contributing employer							
	b	EIN	C Dollar amount contributed by employer						
	d		collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box						
	ŭ	and s	ee instructions regarding required attachment. Otherwise, enter the applicable date.) Month Day Year						
	е	Contribution rate information ( <i>If more than one rate applies, check this box</i> and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).) (1) Contribution rate (in dollars and cents) (2) Base unit measure: Hourly Weekly Unit of production Other (specify):							
		( )							
	а		e of contributing employer						
	b	EIN	C Dollar amount contributed by employer						
	d		collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box						
	e	<i>comp</i> (1)	ibution rate information ( <i>If more than one rate applies, check this box</i> and see instructions regarding required attachment. Otherwise, <i>lete items 13e(1) and 13e(2).)</i> Contribution rate (in dollars and cents) Base unit measure: Hourly Weekly Unit of production Other (specify):						
	а	Name	e of contributing employer						
	b	EIN	C Dollar amount contributed by employer						
	d		collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box						
	e	<i>comp</i> (1)	ibution rate information (If more than one rate applies, check this box and see instructions regarding required attachment. Otherwise, lete items 13e(1) and 13e(2).) Contribution rate (in dollars and cents) Base unit measure: Hourly Weekly Unit of production Other (specify):						
	а	Name	e of contributing employer						
	b	EIN	C Dollar amount contributed by employer						
	d		collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box						
	e	Contri comp (1)	ibution rate information ( <i>If more than one rate applies, check this box</i> and see instructions regarding required attachment. Otherwise, <i>Idete items 13e(1) and 13e(2).</i> Contribution rate (in dollars and cents) Base unit measure: Hourly Weekly Unit of production Other (specify):						
	а	Name	e of contributing employer						
	b	EIN	C Dollar amount contributed by employer						
	d		collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box						
	e	Contribution rate information (If more than one rate applies, check this box and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)         (1)       Contribution rate (in dollars and cents)         (2)       Base unit measure:         Hourly       Weekly         Unit of production       Other (specify):							
	а	Name	e of contributing employer						
	b	EIN	C Dollar amount contributed by employer						
	d	Date	collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box						
	e	Contri comp (1)	ibution rate information ( <i>If more than one rate applies, check this box</i> and see instructions regarding required attachment. Otherwise, <i>Idete items 13e(1) and 13e(2).</i> ) Contribution rate (in dollars and cents) Base unit measure: Hourly Weekly Unit of production Other (specify):						

14	Enter the number of participants on whose behalf no contributions wer	re made by an employer as an employer of the
----	---	--

	participant for:					
	a The current year	. 14a				
	<b>b</b> The plan year immediately preceding the current plan year	. 14b				
	C The second preceding plan year	14c				
15	Enter the ratio of the number of participants under the plan on whose behalf no employer had an obligation to me employer contribution during the current plan year to:	ake an				
	a The corresponding number for the plan year immediately preceding the current plan year	. 15a				
	<b>b</b> The corresponding number for the second preceding plan year	15b				
16	Information with respect to any employers who withdrew from the plan during the preceding plan year:					
	a Enter the number of employers who withdrew during the preceding plan year	16a				
	<b>b</b> If item 16a is greater than 0, enter the aggregate amount of withdrawal liability assessed or estimated to be assessed against such withdrawn employers	16b				
17	If assets and liabilities from another plan have been transferred to or merged with this plan during the plan year, o supplemental information to be included as an attachment.					
Ρ	art VI Additional Information for Single-Employer and Multiemployer Defined Bener	iit Pens	ion Plans			
18	If any liabilities to participants or their beneficiaries under the plan as of the end of the plan year consist (in whole and beneficiaries under two or more pension plans as of immediately before such plan year, check box and see i information to be included as an attachment	nstruction	s regarding supplemental			
19	If the total number of participants is 1,000 or more, complete items (a) through (c)					
	<ul> <li>a Enter the percentage of plan assets held as: Stock:% Investment-Grade Debt:% High-Yield Debt:% Real Estate:% Other:%</li> <li>b Provide the average duration of the combined investment-grade and high-yield debt: 0-3 years 3-6 years 6-9 years 9-12 years 12-15 years 15-18 years 18-21 years 21 years or more</li> </ul>					
	C What duration measure was used to calculate item 19(b)?					

# **Financial Statements and Report of Independent Certified Public Accountants**

**EKOS Corporation 401(k) Plan** 

December 31, 2009 and 2008

# Contents

# Page

Report of Independent Certified Public Accountants	
Statements of net assets available for benefits	4
Statement of changes in net assets available for benefits	5
Notes to financial statements	6
Schedule H, Part IV, Line 4i - schedule of assets (held at end of year)	16



# Report of Independent Certified Public Accountants

Audit • Tax • Advisory

Grant Thornton LLP 520 Pike Street, Suite 2800 Seattle, WA 98101-1389

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Plan Administrator EKOS Corporation 401(k) Plan

We were engaged to audit the accompanying statements of net assets available for benefits of EKOS Corporation 401(k) Plan (the Plan) as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009, and the supplemental Schedule H, line 4i – Schedule of Assets (held at end of year) as of December 31, 2009. These financial statements and supplemental schedule are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the Plan Administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in Note C, which was certified by Fidelity Management Trust Company, the Custodian of the Plan, except for comparing the information with the related information included in the financial statements and supplemental schedule. We have been informed by the Plan Administrator that the Custodian holds the Plan's investment assets and executes investment transactions. The Plan Administrator has obtained certifications from the Custodian as of and for the year ended December 31, 2009, that the information provided to the Plan Administrator by the Custodian is complete and accurate.

Because of the significance of the information that we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedule taken as a whole. The form and content of the information included in the financial statements and schedule, other than that derived from the information certified by the Custodian, have been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

brant Thomaton LLP

Seattle, Washington October 1, 2010

# STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS

# As of December 31,

	2009		2008	
ASSETS				
Investments, at fair value				
Mutual funds	\$	2,107,178	\$	1,509,085
Money market funds		95,272		86,390
Participant loans		20,774		27,137
Total investments		2,223,224		1,622,612
Total assets		2,223,224		1,622,612
LIABILITIES				
Refundable excess contributions		31,698		-
NET ASSETS AVAILABLE FOR BENEFITS		2,191,526	\$	1,622,612

The accompanying notes are an integral part of these financial statements.

# STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

Year ended December 31, 2009

ADDITIONS	
Additions to net assets attributed to:	
Participant contributions and rollovers	\$ 550,656
Investment income	
Interest and dividends	44,658
Net depreciation in fair value of investments	453,559
Total additions	1,048,873
DEDUCTIONS	
Deductions from net assets attributed to:	
Participant distributions	479,777
Administrative expenses	182
Total deductions	479,959
Net increase in net assets available for benefits	568,914
NET ASSETS AVAILABLE FOR BENEFITS	
Beginning of year	1,622,612
End of year	<u>\$ 2,191,526</u>

The accompanying notes are an integral part of this financial statement.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

# NOTE A - DESCRIPTION OF PLAN

The following description of the EKOS Corporation 401(k) Plan (the Plan) is provided for general information purposes only. Participants should refer to the Summary Plan Description for a more complete description of the Plan's provisions.

### 1. <u>General</u>

The Plan is a defined contribution plan, established February 1, 1999, covering all eligible employees of EKOS Corporation (the Company). The Plan provides for contributions pursuant to Section 401(a) of the Internal Revenue Code and is subject to the provisions of the Employee Retirement Income Security Act of 1974.

### 2. <u>Eligibility</u>

Effective November 2008, employees become eligible for the Plan the first day of the month subsequent to hire date. Prior to November 2008, employees became eligible for the Plan on the first day of the calendar quarter subsequent to hire date.

### 3. <u>Contributions</u>

Plan participants may contribute up to 60% of their qualified compensation to the Plan, subject to Internal Revenue Code regulations. Participants may also contribute amounts representing rollover distributions from other qualified plans.

The Company does not match contributions made by participants. The Company may make qualified nonelective contributions and profit sharing contributions at the discretion of the Board of Directors. There were no discretionary contributions for the year ended December 31, 2009.

### 4. <u>Participant Accounts</u>

Participants' accounts are credited with their contributions, any Company contributions and earnings on the investment funds in their accounts. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.

## 5. <u>Vesting</u>

Participants' contributions, employer-qualified non-elective contributions and all earnings thereon are 100% vested at all times. Employer profit sharing contributions vest at 25% for each year of service and are 100% vested after four years.

In the event of death, disability, or retirement at the age of 65, participants become fully vested in all of their accounts, regardless of the vesting percentage attained at that date.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

## NOTE A - DESCRIPTION OF PLAN - Continued

### 6. <u>Investment Options</u>

Participants may select one or more predetermined investment options for the investing of contributions and earnings. Contributions are deposited directly into the participant-elected investment vehicles by the trustee and custodian of the Plan.

### 7. <u>Participant Loans and Hardship Withdrawals</u>

Plan participants may borrow from their fund accounts, generally for periods not to exceed five years, a minimum of \$1,000 up to a maximum equal to the lesser of \$50,000 or 50% of their account balance. If loans are for the purchase of a primary residence, repayment periods can be up to 10 years. Interest is paid by the borrower at a rate determined by the administrator based on the prevailing interest rates for loans made under similar circumstances. Interest payments become part of the participant's account balance. The Plan also allows hardship withdrawals, subject to a \$500 minimum, to meet certain defined financial needs.

### 8. <u>Distribution of Benefits</u>

Upon retirement, disability, or termination, a participant may elect to take a distribution up to the vested balance of the participant's account, which is paid as a lump sum payment of cash, rollover the vested balance into another qualified plan, or a combination of distribution and rollover. The Plan has the option to distribute all account balances less than \$1,000 upon participant termination without participant consent. Upon death, the stated beneficiary is entitled to receive the account balance.

### 9. <u>Tax Status</u>

The Company has adopted a Prototype Standardized Profit Sharing/401(k) Plan with a deferral arrangement, which received a favorable opinion letter from the Internal Revenue Service on December 5, 2001. The opinion letter stated that the Plan and its related trust are designed in accordance with applicable sections of the Internal Revenue Code (IRC). The Plan has since been amended and restated. In the opinion of the Plan Administrator, the Plan and its related trust are designed and currently operating in compliance with the applicable requirements of the IRC.

### 10. <u>Forfeitures</u>

Forfeitures of nonvested account balances may be used to pay administrative expenses under the Plan or to reduce future employer contributions. There were no forfeitures in 2009.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

# NOTE B - SUMMARY OF ACCOUNTING POLICIES

## 1. Basis of Accounting

The financial statements of the Plan are prepared on the accrual basis of accounting. Benefits are recorded when paid.

### 2. <u>Investment Valuation and Income Recognition</u>

The Plan's investments are reported at fair value. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. See Note E for discussion of fair value measurements.

Purchases and sales of securities are recorded on a trade date basis. Interest and dividend income are accrued as earned. Net appreciation or depreciation in fair value is the net gain or loss on disposition of investments plus the net unrealized increase or decrease in fair value during the year for investments held at year end.

### 3. <u>Risks and Uncertainties</u>

The Plan invests in various investment securities which are exposed to various risks such as interest rate, market and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits and changes therein.

### 4. Payment of Benefits

Benefits are recorded when paid.

5. <u>Contributions</u>

Employee contributions are recorded in the period during which the Company makes payroll deductions from the Plan participants' earnings. There are presently no employer contributions.

### 6. <u>Use of Estimates</u>

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of additions and deductions during the reporting period. Actual results could differ from those estimates.

## 7. <u>Administrative Expenses</u>

The Plan's administrator fees are paid by the Plan Sponsor.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

### NOTE B - SUMMARY OF ACCOUNTING POLICIES - Continued

### 8. <u>New Accounting Standards - Fair Value</u>

In April 2009, FASB Staff Position 157-4, *Determining Fair Value When the Volume and Level of Activity for the Asset or Liability Have Significantly Decreased and Identifying Transactions That Are Not Orderly* (FSP), was issued and later codified into ASC 820. The FSP expanded disclosures and required that major category for debt and equity securities in the fair value hierarchy table be determined on the basis of the nature and risks of the investments. The Plan adopted this guidance effective for the year ending December 31, 2009. The adoption did not have a material impact on the Plan's financial statements.

In September 2009, the FASB issued guidance which is effective for the first reporting period ending after December 15, 2009. The guidance permits, as a practical expedient, an entity holding investments in certain entities that calculate net asset value per share or its equivalent for which the fair value is not readily determinable, to measure the fair value of such investments on the basis of that net asset value per share or its equivalent without adjustment. The guidance also expands the required disclosures for certain investments with a reported net asset value (NAV). Such disclosures include the nature of any restrictions on an investor's ability to redeem its investments at the measurement date, any unfunded commitments, and the investment strategies of the investee. The Plan has adopted the new guidance for the year ended December 31, 2009. The adoption did not have a material impact on the fair value determination and disclosure of applicable investments and had no impact on the statements of net assets available for benefits and statement of changes in net assets available for benefits.

In January 2010, new guidance clarifies and requires new disclosures about fair value measurements. The clarifications and requirements to disclose the amounts and reasons for significant transfers between level 1 and level 2, as well as significant transfers in and out of level 3 of the fair value hierarchy are effective for periods beginning after December 15, 2009. The new guidance also requires that purchases, sales, issuances and settlements be presented gross in the level 3 reconciliation and that requirement is effective for years beginning after December 15, 2010. Levels 1, 2 and 3 of fair value measurements are defined in Note E. The Plan is currently evaluating the impact of its pending adoption on the Plan's financial statements.

## NOTE C - CERTIFIED INVESTMENT INFORMATION

The Plan Administrator has obtained certification from Fidelity Management Trust Company, trustee and custodian of the Plan, that the following unaudited information included in the Plan's financial statements and supplemental schedule is complete and accurate:

- Investment assets, as shown in the statements of net assets available for benefits as of December 31, 2009 and 2008.
- Trust transactions, including investment income and securities transactions, as shown in the statement of changes in net assets available for benefits for the year ended December 31, 2009.
- Information included on Schedule H, Line 4i, Schedule of assets (held at end of year) as of December 31, 2009.

# NOTES TO FINANCIAL STATEMENTS

### For the years ended December 31, 2009 and 2008

### NOTE C - CERTIFIED INVESTMENT INFORMATION - Continued

The Plan Administrator elected the method of compliance permitted by Section 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Under the provisions of ERISA, information certified by a trust company or an insurance company need not be subjected to independent audit.

### NOTE D - RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500

The following is a reconciliation of net assets available for benefits per for the financial statements to the Form 5500:

	2009	2008
Net assets available for benefits per the financial statements Refundable excess contributions	\$ 2,191,526 31,698	\$ 1,622,612 
Net assets available for benefits per the Form 5500	\$ 2,223,224	\$ 1,622,612

The following is a reconciliation of new increase in net assets per the financial statements to the Form 5500:

Total net increase (decrease) in net assets per the financial statements Adjustments for refundable excess contributions	\$ 568,914 31,698	\$ (347,298) (2,106)
Total net increase (decrease) in net assets per the Form 5500	\$ 600,612	\$ (349,404)

### NOTE E - FAIR VALUE MEASUREMENTS

ASC 820, *Fair Value Measurements and Disclosures*, (formerly FASB Statement No. 157) establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurements) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy under FASB Statement No. 157 are described as follows:

- Level 1 Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the plan has the ability to access.
- Level 2 Inputs to the valuation methodology include
  - quoted prices for similar assets or liabilities in active markets;
  - quoted prices for identical or similar assets or liabilities in inactive markets;

# NOTES TO FINANCIAL STATEMENTS

## For the years ended December 31, 2009 and 2008

### NOTE E - FAIR VALUE MEASUREMENTS - Continued

- inputs other than quoted prices that are observable for the asset or liability;
- inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specified (contractual) term, the level 2 input must be observable for substantially the full term of the asset or liability.

Level 3 Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at December 31, 2009.

Mutual funds: Valued at the net asset value (NAV) of shares held by the plan at year end.

Money market funds: Valued at cost, which approximates fair value.

Participant loans: Valued at amortized cost, which approximates fair value.

The preceding methods described may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, although the plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

# NOTE E - FAIR VALUE MEASUREMENTS - Continued

The following table sets forth by level, within the fair value hierarchy, the Plan's assets at fair value as of December 31, 2009:

	Assets at Fair Value as of December 31, 2009							
		Level 1	Lev	vel 2	Level 3		Total	
Mutual funds								
Growth funds	\$	681,074	\$	-	\$	-	\$	681,074
Growth and income funds		420,406		-		-		420,406
International		223,095		-		-		223,095
Index		284,731		-		-		284,731
Fixed income funds		322,687		-		-		322,687
Balanced funds		175,185		-		-		175,185
Money market funds		95,272		-		-		95,272
Participant loans		-		-		20,774		20,774
Total assets at fair value	\$	2,202,450	\$	-	\$	20,774	\$	2,223,224

	Assets	Assets at Fair Value as of December 31, 2008					
	Level 1	Level 2	Level 3	Total			
Mutual funds	\$ 1,509,085	\$-	\$-	\$ 1,509,085			
Money market funds	86,390	-	-	86,390			
Participant loans			27,137	27,137			
Total assets at fair value	\$ 1,595,475	<u>\$</u> -	\$ 27,137	\$ 1,622,612			

# NOTES TO FINANCIAL STATEMENTS

### For the years ended December 31, 2009 and 2008

### NOTE E - FAIR VALUE MEASUREMENTS - Continued

### Level 3 Gains and Losses

The following table sets forth a summary of changes in the fair value of the Plan's level 3 assets for the year ended December 31, 2009.

	Level 3 Assets		
	Year ended		
	December 31, 2009 Participant loans		
Balance, beginning of year	\$	27,137	
Purchases, (sales), issuances, and (settlements), net		(6,363)	
Balance, end of year	\$	20,774	

The following table sets forth a summary of changes in the fair value of the Plan's level 3 assets for the year ended December 31, 2008.

	Level 3 Assets		
	Year ended		
	December 31, 2008		
	Partic	cipant loans	
Balance, beginning of year	\$	10,667	
Purchases, (sales), issuances, and (settlements), net		16,470	
Balance, end of year	\$	27,137	

### NOTE F - PLAN TERMINATION

In the event of Plan termination, the net assets will be available for the exclusive use of the participants. All employer contributions will be considered vested upon termination of the Plan, regardless of each participant's vested status at the date of termination. The complete provisions covering the Plan termination are included in the Plan document, which is available to all participants.

### NOTE G - PARTY-IN-INTEREST TRANSACTIONS

Certain Plan investments are shares of mutual funds managed by an entity affiliated with Fidelity Management Trust Company, the trustee and custodian of the Plan. These transactions qualify as party-ininterest transactions.

# NOTES TO FINANCIAL STATEMENTS

### For the years ended December 31, 2009 and 2008

### NOTE H - INVESTMENTS IN EXCESS OF 5% OF NET ASSETS

The following table presents the fair value of individual investments that represent 5% or more of the Plan's net assets at December 31:

		2009	2008	
Spartan U.S. Equity Index Fund	\$	284,731	\$	86,390
Fidelity Balanced Fund		284,645		242,045
Fidelity Europe Fund		219,184		121,238
Fidelity Value Fund		189,156		129,194
Fidelity Government Income Fund		189,103		152,150
Fidelity Dividend Growth Fund		186,722		158,961
Fidelity Retirement Government Money Market Fund		95,272		167,986
Fidelity U.S. Bond Index Fund		-		238,107

Transactions with Fidelity are party-in-interest transactions.

The Plan's investments in mutual funds appreciated in value by \$453,559 during 2009.

### NOTE I - SUBSEQUENT EVENTS

The Plan evaluated its December 31, 2009 financial statements for subsequent events through October 1, 2010, the date the financial statements were available to be issued. The Company is not aware of any subsequent events which would require recognition or disclosure in the financial statements.

**Supplemental Schedule** 

Identity of Issuer	December 31, 2009 Investment Option	Current Value
	Money market funds:	
Fidelity	Retirement Government Money Market	\$ 95,272
	Growth mutual funds:	
Fidelity	Value Fund	189,156
Fidelity	Leveraged Company Stock Fund	80,957
Fidelity	Capital Appreciation Fund	76,957
Fidelity	Dividend Growth Fund	186,722
Fidelity	Small Cap Independence Fund	30,178
Fidelity	Small Cap Stock Fund	47,822
Fidelity	Small Cap Discovery Fund	21,407
Fidelity	Mid Cap Growth Fund	47,875
lucity	that oup orowin r and	681,074
	Growth and income funds:	001,01
Fidelity	Equity-Income Fund	19,406
Fidelity	Disciplined Equity	6,018
Fidelity	Real Estate Investment Portfolio	108,237
Fidelity	Balanced Fund	284,645
Fidelity	Select Consumer Discretionary Portfolio	2,100
l'identij	Scient Consumer 2 Borenoning 1 or dono	420,400
	Fidelity freedom funds:	120,10
Fidelity	Freedom 2000 Fund	1,03
Fidelity	Freedom 2010 Fund	34
Fidelity	Freedom 2015 Fund	523
Fidelity	Freedom 2020 Fund	12,738
Fidelity	Freedom 2030 Fund	49,747
Fidelity	Freedom 2035 Fund	17,358
Fidelity	Freedom 2040 Fund	78,040
Fidelity	Freedom 2045 Fund	11,588
Fidelity	Freedom 2050 Fund	47
Fidelity	Freedom Income Fund	3,333
l'identij		175,185
	International funds:	110,100
Fidelity	Europe Fund	219,184
Fidelity	International Discovery	3,379
Fidelity	Worldwide Fund	533
j		223,095
	Index mutual funds:	,
Spartan	U.S. Equity Index Fund	284,73
1		
	Fixed income funds:	
Fidelity	Investment Grade Bond Fund	42,454
Fidelity	Government Income Fund	189,103
Fidelity	U.S. Bond Index Fund	91,130
		322,687
	Participant loans	20,77

# SCHEDULE H, LINE 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)

Transactions with Fidelity are party-in-interest transactions. The interest rate on participant loans ranged from 6.0% to 8.0% per annum. Cost is not disclosed due to all accounts being participant directed.

2,223,224

\$

▶ For Privacy Act and Paperwork Reduction Act Notice, see instructions on page 3.

File With IRS Only

### Part I Identification

A Name of filer, plan administrator, or plan sponsor (see instructions) B Filer's identifying number (see instructions). Employer identification number (EIN).				
Number, street, and room or suite no. (If a P.O. box, see instructions)				
City or town, state, and ZIP code	Social securit	y number (SSN)		
Plan name	Plan	Plan year ending—		
	number	MM	DD	ΥΥΥΥ
1				
2				
3				
	Number, street, and room or suite no. (If a P.O. box, see instructions)	Number, street, and room or suite no. (If a P.O. box, see instructions)	Number, street, and room or suite no. (If a P.O. box, see instructions) <ul> <li>Employer identification number</li> <li>Social security number (SSN)</li> </ul> <ul> <li>Plan name</li> <li>Plan number</li> <li>MM</li> </ul> <ul> <li>Plan name</li> <li>Image: Note that the security of the security number (SSN)</li> <li>Image: Note that the security number (SSN)</li> <li>Image: Note the security of the security number (SSN)</li> </ul> 1     Image: Note the security of the security	Number, street, and room or suite no. (If a P.O. box, see instructions) <ul> <li>Employer identification number (EIN).</li> <li>Social security number (SSN)</li> </ul> <ul> <li>Plan name</li> <li>Plan mame</li> <li>MMM</li> <li>DD</li> </ul> <ul> <li>Image: Image: Image:</li></ul>

### Part II Extension of Time to File Form 5500 or Form 5500-EZ (see instructions)

1 I request an extension of time until \_\_\_\_\_/ to file Form 5500 or Form 5500-EZ.

The application **is automatically approved** to the date shown on line 1 (above) if: (a) the Form 5558 is filed on or before the normal due date of Form 5500 or 5500-EZ for which this extension is requested, and (b) the date on line 1 is no more than  $2\frac{1}{2}$  months after the normal due date.

You must attach a copy of this Form 5558 to each Form 5500 and 5500-EZ filed after the due date for the plans listed in C above.

Note. A signature is not required if you are requesting an extension to file Form 5500 or Form 5500-EZ.

#### Part III Extension of Time to File Form 5330 (see instructions)

2	I request an extension of time until/ / to file Form 5330. You may be approved for up to a six (6) month extension to file Form 5330, after the normal due date of Form 5330.
а	Enter the Code section(s) imposing the tax
b	Enter the payment amount attached
с 3	For excise taxes under section 4980 or 4980F of the Code, enter the reversion/amendment date

Under penalties of perjury, I declare that to the best of my knowledge and belief, the statements made on this form are true, correct, and complete, and that I am authorized to prepare this application.

Date >

### SUMMARY OF NET TRUST ASSETS

### Total Plan Assets as of 12/31/2009

Fund Name (Cusip #)	Share Balance 12/31/2009	Historical Cost	Price	Total Market Value
FID EQUITY INCOME	495.808	\$22,925.27	\$39.14	\$19,405.93
FIDELITY INVST GR BD	6,030.372	\$42,258.17	\$7.04	\$42,453.82
FID VALUE	3,322.028	\$226,659.61	\$56.94	\$189,156.27
FIDELITY GOVT INCOME	18,200.455	\$192,598.80	\$10.39	\$189,102.73
FID LEVERAGED CO STK	3,532.167	\$76,882.91	\$22.92	\$80,957.27
FID EUROPE	7,437.525	\$232,377.56	\$29.47	\$219,183.86
FID REAL ESTATE INVS	5,368.888	\$134,668.76	\$20.16	\$108,236.78
FID BALANCED	17,398.856	\$297,540.64	\$16.36	\$284,645.28
FID INTL DISCOVERY	111.342	\$2,667.19	\$30.35	\$3,379.23
FID CAP APPRECIATION	3,591.086	\$73,022.72	\$21.43	\$76,956.97
FID DISCIPLINED EQTY	286.438	\$4,862.25	\$21.01	\$6,018.06
FID WORLDWIDE	33.116	\$417.13	\$16.07	\$532.17
FID DIVIDEND GROWTH	7,888.540	\$205,128.94	\$23.67	\$186,721.74
FID SM CAP INDEPEND	2,167.923	\$29,742.07	\$13.92	\$30,177.49
FID SMALL CAP STOCK	3,000.138	\$41,914.32	\$15.94	\$47,822.20
FID FREEDOM INCOME	310.344	\$3,110.14	\$10.74	\$3,333.09
FID FREEDOM 2000	91.469	\$1,058.44	\$11.35	\$1,038.17
FID FREEDOM 2010	27.674	\$353.52	\$12.51	\$346.20
FID FREEDOM 2020	1,015.009	\$11,220.67	\$12.55	\$12,738.36
FID FREEDOM 2030	4,015.071	\$52,734.03	\$12.39	\$49,746.73
FID SM CAP DISCOVERY	1,377.547	\$20,116.04	\$15.54	\$21,407.08
FID SEL CONS DISCR	111.782	\$2,221.48	\$18.79	\$2,100.38
FIDELITY RET GOVT MM	95,272.260	\$95,272.26	\$1.00	\$95,272.26
SPARTAN US EQ INDEX	7,221.165	\$273,027.58	\$39.43	\$284,730.54

#### SUMMARY OF NET TRUST ASSETS

#### Total Plan Assets as of 12/31/2009

	Share Balance		<b>.</b> .	<b>-</b>
<u>Fund Name (Cusip #)</u> FIDELITY US BD INDEX	<u>12/31/2009</u> 8,239.588	Historical Cost \$89,124.50	<u>Price</u> \$11.06	Total Market Value \$91,129.84
	0,2001000	<i>403/11</i>	41100	<i>451/1101</i>
FID FREEDOM 2040	10,899.423	\$79,744.41	\$7.16	\$78,039.87
FID MID CAP GROWTH	4,816.347	\$45,016.10	\$9.94	\$47,874.49
FID FREEDOM 2005	0.000	\$0.00	\$10.03	\$0.00
FID FREEDOM 2015	50.160	\$464.72	\$10.42	\$522.67
FID FREEDOM 2025	0.000	\$0.00	\$10.39	\$0.00
FID FREEDOM 2035	1,691.846	\$21,160.06	\$10.26	\$17,358.34
FID FREEDOM 2045	1,368.109	\$10,149.58	\$8.47	\$11,587.88
FID FREEDOM 2050	56.761	\$590.80	\$8.35	\$473.95
OUTSTANDING LOAN BALANCE				\$20,774.15
		NET ASSETS 1	2/31/2009:	\$2,223,223.80

Assets are presented at fair value with the exception to fully benefit responsive investment contracts which are presented at contract value as in previous years. See chapter 7 of the Fidelity auditor's guide for financial statement presentation and disclosure information.

# **Financial Statements and Report of Independent Certified Public Accountants**

**EKOS Corporation 401(k) Plan** 

December 31, 2009 and 2008

# Contents

# Page

Report of Independent Certified Public Accountants	3
Statements of net assets available for benefits	4
Statement of changes in net assets available for benefits	5
Notes to financial statements	6
Schedule H, Part IV, Line 4i - schedule of assets (held at end of year)	16



# Report of Independent Certified Public Accountants

Audit • Tax • Advisory

Grant Thornton LLP 520 Pike Street, Suite 2800 Seattle, WA 98101-1389

T 206.623.1121 F 206.623.9247 www.GrantThornton.com

Plan Administrator EKOS Corporation 401(k) Plan

We were engaged to audit the accompanying statements of net assets available for benefits of EKOS Corporation 401(k) Plan (the Plan) as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009, and the supplemental Schedule H, line 4i – Schedule of Assets (held at end of year) as of December 31, 2009. These financial statements and supplemental schedule are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the Plan Administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in Note C, which was certified by Fidelity Management Trust Company, the Custodian of the Plan, except for comparing the information with the related information included in the financial statements and supplemental schedule. We have been informed by the Plan Administrator that the Custodian holds the Plan's investment assets and executes investment transactions. The Plan Administrator has obtained certifications from the Custodian as of and for the year ended December 31, 2009, that the information provided to the Plan Administrator by the Custodian is complete and accurate.

Because of the significance of the information that we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedule taken as a whole. The form and content of the information included in the financial statements and schedule, other than that derived from the information certified by the Custodian, have been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

brant Thomaton LLP

Seattle, Washington October 1, 2010

# STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS

# As of December 31,

	2009			2008		
ASSETS						
Investments, at fair value						
Mutual funds	\$	2,107,178	\$	1,509,085		
Money market funds		95,272		86,390		
Participant loans		20,774		27,137		
Total investments		2,223,224		1,622,612		
Total assets		2,223,224		1,622,612		
LIABILITIES						
Refundable excess contributions		31,698		-		
NET ASSETS AVAILABLE FOR BENEFITS	\$	2,191,526	\$	1,622,612		

The accompanying notes are an integral part of these financial statements.

# STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

Year ended December 31, 2009

ADDITIONS	
Additions to net assets attributed to:	
Participant contributions and rollovers	\$ 550,656
Investment income	
Interest and dividends	44,658
Net depreciation in fair value of investments	453,559
Total additions	1,048,873
DEDUCTIONS	
Deductions from net assets attributed to:	
Participant distributions	479,777
Administrative expenses	182
Total deductions	479,959
Net increase in net assets available for benefits	568,914
NET ASSETS AVAILABLE FOR BENEFITS	
Beginning of year	1,622,612
End of year	<u>\$ 2,191,526</u>

The accompanying notes are an integral part of this financial statement.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

# NOTE A - DESCRIPTION OF PLAN

The following description of the EKOS Corporation 401(k) Plan (the Plan) is provided for general information purposes only. Participants should refer to the Summary Plan Description for a more complete description of the Plan's provisions.

### 1. <u>General</u>

The Plan is a defined contribution plan, established February 1, 1999, covering all eligible employees of EKOS Corporation (the Company). The Plan provides for contributions pursuant to Section 401(a) of the Internal Revenue Code and is subject to the provisions of the Employee Retirement Income Security Act of 1974.

### 2. <u>Eligibility</u>

Effective November 2008, employees become eligible for the Plan the first day of the month subsequent to hire date. Prior to November 2008, employees became eligible for the Plan on the first day of the calendar quarter subsequent to hire date.

### 3. <u>Contributions</u>

Plan participants may contribute up to 60% of their qualified compensation to the Plan, subject to Internal Revenue Code regulations. Participants may also contribute amounts representing rollover distributions from other qualified plans.

The Company does not match contributions made by participants. The Company may make qualified nonelective contributions and profit sharing contributions at the discretion of the Board of Directors. There were no discretionary contributions for the year ended December 31, 2009.

### 4. <u>Participant Accounts</u>

Participants' accounts are credited with their contributions, any Company contributions and earnings on the investment funds in their accounts. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.

## 5. <u>Vesting</u>

Participants' contributions, employer-qualified non-elective contributions and all earnings thereon are 100% vested at all times. Employer profit sharing contributions vest at 25% for each year of service and are 100% vested after four years.

In the event of death, disability, or retirement at the age of 65, participants become fully vested in all of their accounts, regardless of the vesting percentage attained at that date.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

## NOTE A - DESCRIPTION OF PLAN - Continued

### 6. <u>Investment Options</u>

Participants may select one or more predetermined investment options for the investing of contributions and earnings. Contributions are deposited directly into the participant-elected investment vehicles by the trustee and custodian of the Plan.

### 7. <u>Participant Loans and Hardship Withdrawals</u>

Plan participants may borrow from their fund accounts, generally for periods not to exceed five years, a minimum of \$1,000 up to a maximum equal to the lesser of \$50,000 or 50% of their account balance. If loans are for the purchase of a primary residence, repayment periods can be up to 10 years. Interest is paid by the borrower at a rate determined by the administrator based on the prevailing interest rates for loans made under similar circumstances. Interest payments become part of the participant's account balance. The Plan also allows hardship withdrawals, subject to a \$500 minimum, to meet certain defined financial needs.

### 8. <u>Distribution of Benefits</u>

Upon retirement, disability, or termination, a participant may elect to take a distribution up to the vested balance of the participant's account, which is paid as a lump sum payment of cash, rollover the vested balance into another qualified plan, or a combination of distribution and rollover. The Plan has the option to distribute all account balances less than \$1,000 upon participant termination without participant consent. Upon death, the stated beneficiary is entitled to receive the account balance.

### 9. <u>Tax Status</u>

The Company has adopted a Prototype Standardized Profit Sharing/401(k) Plan with a deferral arrangement, which received a favorable opinion letter from the Internal Revenue Service on December 5, 2001. The opinion letter stated that the Plan and its related trust are designed in accordance with applicable sections of the Internal Revenue Code (IRC). The Plan has since been amended and restated. In the opinion of the Plan Administrator, the Plan and its related trust are designed and currently operating in compliance with the applicable requirements of the IRC.

### 10. <u>Forfeitures</u>

Forfeitures of nonvested account balances may be used to pay administrative expenses under the Plan or to reduce future employer contributions. There were no forfeitures in 2009.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

# NOTE B - SUMMARY OF ACCOUNTING POLICIES

## 1. Basis of Accounting

The financial statements of the Plan are prepared on the accrual basis of accounting. Benefits are recorded when paid.

### 2. <u>Investment Valuation and Income Recognition</u>

The Plan's investments are reported at fair value. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. See Note E for discussion of fair value measurements.

Purchases and sales of securities are recorded on a trade date basis. Interest and dividend income are accrued as earned. Net appreciation or depreciation in fair value is the net gain or loss on disposition of investments plus the net unrealized increase or decrease in fair value during the year for investments held at year end.

### 3. <u>Risks and Uncertainties</u>

The Plan invests in various investment securities which are exposed to various risks such as interest rate, market and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits and changes therein.

### 4. Payment of Benefits

Benefits are recorded when paid.

5. <u>Contributions</u>

Employee contributions are recorded in the period during which the Company makes payroll deductions from the Plan participants' earnings. There are presently no employer contributions.

### 6. <u>Use of Estimates</u>

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of additions and deductions during the reporting period. Actual results could differ from those estimates.

## 7. <u>Administrative Expenses</u>

The Plan's administrator fees are paid by the Plan Sponsor.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

### NOTE B - SUMMARY OF ACCOUNTING POLICIES - Continued

### 8. <u>New Accounting Standards - Fair Value</u>

In April 2009, FASB Staff Position 157-4, *Determining Fair Value When the Volume and Level of Activity for the Asset or Liability Have Significantly Decreased and Identifying Transactions That Are Not Orderly* (FSP), was issued and later codified into ASC 820. The FSP expanded disclosures and required that major category for debt and equity securities in the fair value hierarchy table be determined on the basis of the nature and risks of the investments. The Plan adopted this guidance effective for the year ending December 31, 2009. The adoption did not have a material impact on the Plan's financial statements.

In September 2009, the FASB issued guidance which is effective for the first reporting period ending after December 15, 2009. The guidance permits, as a practical expedient, an entity holding investments in certain entities that calculate net asset value per share or its equivalent for which the fair value is not readily determinable, to measure the fair value of such investments on the basis of that net asset value per share or its equivalent without adjustment. The guidance also expands the required disclosures for certain investments with a reported net asset value (NAV). Such disclosures include the nature of any restrictions on an investor's ability to redeem its investments at the measurement date, any unfunded commitments, and the investment strategies of the investee. The Plan has adopted the new guidance for the year ended December 31, 2009. The adoption did not have a material impact on the fair value determination and disclosure of applicable investments and had no impact on the statements of net assets available for benefits and statement of changes in net assets available for benefits.

In January 2010, new guidance clarifies and requires new disclosures about fair value measurements. The clarifications and requirements to disclose the amounts and reasons for significant transfers between level 1 and level 2, as well as significant transfers in and out of level 3 of the fair value hierarchy are effective for periods beginning after December 15, 2009. The new guidance also requires that purchases, sales, issuances and settlements be presented gross in the level 3 reconciliation and that requirement is effective for years beginning after December 15, 2010. Levels 1, 2 and 3 of fair value measurements are defined in Note E. The Plan is currently evaluating the impact of its pending adoption on the Plan's financial statements.

## NOTE C - CERTIFIED INVESTMENT INFORMATION

The Plan Administrator has obtained certification from Fidelity Management Trust Company, trustee and custodian of the Plan, that the following unaudited information included in the Plan's financial statements and supplemental schedule is complete and accurate:

- Investment assets, as shown in the statements of net assets available for benefits as of December 31, 2009 and 2008.
- Trust transactions, including investment income and securities transactions, as shown in the statement of changes in net assets available for benefits for the year ended December 31, 2009.
- Information included on Schedule H, Line 4i, Schedule of assets (held at end of year) as of December 31, 2009.

## NOTES TO FINANCIAL STATEMENTS

### For the years ended December 31, 2009 and 2008

### NOTE C - CERTIFIED INVESTMENT INFORMATION - Continued

The Plan Administrator elected the method of compliance permitted by Section 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Under the provisions of ERISA, information certified by a trust company or an insurance company need not be subjected to independent audit.

### NOTE D - RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500

The following is a reconciliation of net assets available for benefits per for the financial statements to the Form 5500:

	2009	2008
Net assets available for benefits per the financial statements Refundable excess contributions	\$ 2,191,526 31,698	\$ 1,622,612
Net assets available for benefits per the Form 5500	\$ 2,223,224	\$ 1,622,612

The following is a reconciliation of new increase in net assets per the financial statements to the Form 5500:

Total net increase (decrease) in net assets per the financial statements Adjustments for refundable excess contributions	\$ 568,914 31,698	\$ (347,298) (2,106)
Total net increase (decrease) in net assets per the Form 5500	\$ 600,612	\$ (349,404)

### NOTE E - FAIR VALUE MEASUREMENTS

ASC 820, *Fair Value Measurements and Disclosures*, (formerly FASB Statement No. 157) establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurements) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy under FASB Statement No. 157 are described as follows:

- Level 1 Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the plan has the ability to access.
- Level 2 Inputs to the valuation methodology include
  - quoted prices for similar assets or liabilities in active markets;
  - quoted prices for identical or similar assets or liabilities in inactive markets;

# NOTES TO FINANCIAL STATEMENTS

## For the years ended December 31, 2009 and 2008

### NOTE E - FAIR VALUE MEASUREMENTS - Continued

- inputs other than quoted prices that are observable for the asset or liability;
- inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specified (contractual) term, the level 2 input must be observable for substantially the full term of the asset or liability.

Level 3 Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at December 31, 2009.

Mutual funds: Valued at the net asset value (NAV) of shares held by the plan at year end.

Money market funds: Valued at cost, which approximates fair value.

Participant loans: Valued at amortized cost, which approximates fair value.

The preceding methods described may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, although the plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

# NOTES TO FINANCIAL STATEMENTS

# For the years ended December 31, 2009 and 2008

# NOTE E - FAIR VALUE MEASUREMENTS - Continued

The following table sets forth by level, within the fair value hierarchy, the Plan's assets at fair value as of December 31, 2009:

	Assets at Fair Value as of December 31, 2009							
		Level 1	Lev	vel 2	Level 3			Total
Mutual funds								
Growth funds	\$	681,074	\$	-	\$	-	\$	681,074
Growth and income funds		420,406		-		-		420,406
International		223,095		-		-		223,095
Index		284,731		-		-		284,731
Fixed income funds		322,687		-		-		322,687
Balanced funds		175,185		-		-		175,185
Money market funds		95,272		-		-		95,272
Participant loans		-		-		20,774		20,774
Total assets at fair value	\$	2,202,450	\$	-	\$	20,774	\$	2,223,224

	Assets at Fair Value as of December 31, 2008					
	Level 1	Lev	el 2	I	Level 3	Total
Mutual funds	\$ 1,509,085	\$	-	\$	-	\$ 1,509,085
Money market funds	86,390		-		-	86,390
Participant loans			-		27,137	27,137
Total assets at fair value	\$ 1,595,475	\$	_	\$	27,137	\$ 1,622,612

# NOTES TO FINANCIAL STATEMENTS

### For the years ended December 31, 2009 and 2008

### NOTE E - FAIR VALUE MEASUREMENTS - Continued

### Level 3 Gains and Losses

The following table sets forth a summary of changes in the fair value of the Plan's level 3 assets for the year ended December 31, 2009.

	Level 3 Assets	
	Year ended December 31, 2009 Participant loans	
Balance, beginning of year	\$	27,137
Purchases, (sales), issuances, and (settlements), net		(6,363)
Balance, end of year	\$	20,774

The following table sets forth a summary of changes in the fair value of the Plan's level 3 assets for the year ended December 31, 2008.

	Level 3 Assets	
	Year ended	
	December 31, 2008 Participant loans	
Balance, beginning of year	\$	10,667
Purchases, (sales), issuances, and (settlements), net		16,470
Balance, end of year	\$	27,137

### NOTE F - PLAN TERMINATION

In the event of Plan termination, the net assets will be available for the exclusive use of the participants. All employer contributions will be considered vested upon termination of the Plan, regardless of each participant's vested status at the date of termination. The complete provisions covering the Plan termination are included in the Plan document, which is available to all participants.

### NOTE G - PARTY-IN-INTEREST TRANSACTIONS

Certain Plan investments are shares of mutual funds managed by an entity affiliated with Fidelity Management Trust Company, the trustee and custodian of the Plan. These transactions qualify as party-ininterest transactions.

# NOTES TO FINANCIAL STATEMENTS

### For the years ended December 31, 2009 and 2008

### NOTE H - INVESTMENTS IN EXCESS OF 5% OF NET ASSETS

The following table presents the fair value of individual investments that represent 5% or more of the Plan's net assets at December 31:

	2009 2008		2008	
Spartan U.S. Equity Index Fund	\$	284,731	\$	86,390
Fidelity Balanced Fund		284,645		242,045
Fidelity Europe Fund		219,184		121,238
Fidelity Value Fund		189,156		129,194
Fidelity Government Income Fund		189,103		152,150
Fidelity Dividend Growth Fund		186,722		158,961
Fidelity Retirement Government Money Market Fund		95,272		167,986
Fidelity U.S. Bond Index Fund		-		238,107

Transactions with Fidelity are party-in-interest transactions.

The Plan's investments in mutual funds appreciated in value by \$453,559 during 2009.

### NOTE I - SUBSEQUENT EVENTS

The Plan evaluated its December 31, 2009 financial statements for subsequent events through October 1, 2010, the date the financial statements were available to be issued. The Company is not aware of any subsequent events which would require recognition or disclosure in the financial statements.

**Supplemental Schedule** 

Identity of Issuer	Investment Option	Current Value
	Money market funds:	
Fidelity	Retirement Government Money Market	\$ 95,272
	Growth mutual funds:	
Fidelity	Value Fund	189,156
Fidelity	Leveraged Company Stock Fund	80,957
Fidelity	Capital Appreciation Fund	76,957
Fidelity	Dividend Growth Fund	186,722
Fidelity	Small Cap Independence Fund	30,178
Fidelity	Small Cap Stock Fund	47,822
Fidelity	Small Cap Discovery Fund	21,407
Fidelity	Mid Cap Growth Fund	47,875
j	··········	681,074
	Growth and income funds:	
Fidelity	Equity-Income Fund	19,406
Fidelity	Disciplined Equity	6,018
Fidelity	Real Estate Investment Portfolio	108,237
Fidelity	Balanced Fund	284,645
Fidelity	Select Consumer Discretionary Portfolio	2,100
		420,406
	Fidelity freedom funds:	1.00
Fidelity	Freedom 2000 Fund	1,038
Fidelity	Freedom 2010 Fund	346
Fidelity	Freedom 2015 Fund	523
Fidelity	Freedom 2020 Fund	12,738
Fidelity	Freedom 2030 Fund	49,747
Fidelity	Freedom 2035 Fund	17,358
Fidelity	Freedom 2040 Fund	78,040
Fidelity	Freedom 2045 Fund	11,588
Fidelity	Freedom 2050 Fund	474
Fidelity	Freedom Income Fund	3,333
	International funds:	175,185
Fidelity	Europe Fund	219,184
Fidelity	International Discovery	
5	Worldwide Fund	3,379 532
Fidelity	wondwide Fund	223,095
	Index mutual funds:	220,000
Spartan	U.S. Equity Index Fund	284,731
	Fixed income funds:	
Fidelity	Investment Grade Bond Fund	42,454
Fidelity	Government Income Fund	189,103
Fidelity	U.S. Bond Index Fund	91,130
j		322,687
	Participant loans	20,774
	T	20,11

# SCHEDULE H, LINE 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)

December 31, 2009

Transactions with Fidelity are party-in-interest transactions. The interest rate on participant loans ranged from 6.0% to 8.0% per annum. Cost is not disclosed due to all accounts being participant directed.

2,223,224

\$