Form 5500

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Annual Return/Report of Employee Benefit Plan

This form is required to be filed for employee benefit plans under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and sections 6047(e), and 6058(a) of the Internal Revenue Code (the Code).

▶ **Complete all entries in accordance with the instructions to the Form 5500.**

OMB Nos. 1210-0110
1210-0089

2009

This Form is Open to Public Inspection

Part I Annual Report Identification Information

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

A This return/report is for:
- [ ] a multiemployer plan;
- [ ] a multiple-employer plan; or
- [X] a single-employer plan;
- [ ] a DFE (specify) ____

B This return/report is:
- [ ] the first return/report;
- [ ] the final return/report;
- [ ] an amended return/report;
- [ ] a short plan year return/report (less than 12 months).

C If the plan is a collectively-bargained plan, check here. . . . . ▶ [ ]

D Check box if filing under:
- [X] Form 5558;
- [ ] automatic extension;
- [ ] the DFVC program;
- [ ] special extension (enter description)

Part II Basic Plan Information—enter all requested information

1a Name of plan
EXCALIBUR PIZZA, LLC 401(K) PROFIT SHARING PLAN

1b Three-digit plan number (PN) ▶ 001

1c Effective date of plan 01/01/2005

2a Plan sponsor's name and address (employer, if for a single-employer plan)
(Address should include room or suite no.)
EXCALIBUR PIZZA, LLC

1830 VERNON ST., SUITE 1
ROSEVILLE, CA 95678

2b Employer Identification Number (EIN)
94-2711128

2c Sponsor's telephone number
916-781-3365

2d Business code (see instructions)
722210

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	CHARLES P. BRENNAN
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE	Filed with authorized/valid electronic signature.	10/12/2010	CHARLES P. BRENNAN
	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor
SIGN HERE			
	Signature of DFE	Date	Enter name of individual signing as DFE

3a Plan administrator's name and address (if same as plan sponsor, enter "Same") EXCALIBUR PIZZA, LLC 1830 VERNON ST., SUITE 1 ROSEVILLE, CA 95678	**3b** Administrator's EIN 94-2711128 **3c** Administrator's telephone number 916-781-3365

4 If the name and/or EIN of the plan sponsor has changed since the last return/report filed for this plan, enter the name, EIN and the plan number from the last return/report: **a** Sponsor's name		**4b** EIN **4c** PN
5 Total number of participants at the beginning of the plan year	**5**	374
6 Number of participants as of the end of the plan year (welfare plans complete only lines **6a, 6b, 6c,** and **6d**).		
a Active participants	**6a**	277
b Retired or separated participants receiving benefits	**6b**	0
c Other retired or separated participants entitled to future benefits	**6c**	1
d Subtotal. Add lines **6a**, **6b**, and **6c**	**6d**	278
e Deceased participants whose beneficiaries are receiving or are entitled to receive benefits	**6e**	0
f Total. Add lines **6d** and **6e**	**6f**	278
g Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)	**6g**	28
h Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested	**6h**	0
7 Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item)	**7**	

8a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions:
2E 2F 2G 2J 2K 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 Plan funding arrangement (check all that apply)		**9b** Plan benefit 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 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		**b General Schedules**	
(1) X	**R** (Retirement Plan Information)	**(1)** X	**H** (Financial Information)
(2)	**MB** (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary	**(2)**	**I** (Financial Information – Small Plan)
		(3) ___	**A** (Insurance Information)
		(4)	**C** (Service Provider Information)
(3)	**SB** (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary	**(5)**	**D** (DFE/Participating Plan Information)
		(6)	**G** (Financial Transaction Schedules)

SCHEDULE H (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Financial Information

This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA), and section 6058(a) of the Internal Revenue Code (the Code).

▶ **File as an attachment to Form 5500.**

OMB No. 1210-0110

2009

This Form is Open to Public Inspection

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

A Name of plan
EXCALIBUR PIZZA, LLC 401(K) PROFIT SHARING PLAN

B Three-digit plan number (PN) ▶ 001

C Plan sponsor's name as shown on line 2a of Form 5500
EXCALIBUR PIZZA, LLC

D Employer Identification Number (EIN)
94-2711128

Part I Asset and Liability Statement

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-by-line basis unless the value is reportable on lines 1c(9) through 1c(14). Do not enter the value of that portion of an insurance contract which guarantees, during this plan year, to pay a specific dollar benefit at a future date. **Round off amounts to the nearest dollar.** MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 1b(1), 1b(2), 1c(8), 1g, 1h, and 1i. CCTs, PSAs, and 103-12 IEs also do not complete lines 1d and 1e. See instructions.

Assets		(a) Beginning of Year	(b) End of Year
a Total noninterest-bearing cash	1a		
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions	1b(1)		
(2) Participant contributions	1b(2)		
(3) Other	1b(3)		
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit)	1c(1)	107292	111558
(2) U.S. Government securities	1c(2)		
(3) Corporate debt instruments (other than employer securities):			
(A) Preferred	1c(3)(A)		
(B) All other	1c(3)(B)		
(4) Corporate stocks (other than employer securities):			
(A) Preferred	1c(4)(A)		
(B) Common	1c(4)(B)		
(5) Partnership/joint venture interests	1c(5)		
(6) Real estate (other than employer real property)	1c(6)		
(7) Loans (other than to participants)	1c(7)		
(8) Participant loans	1c(8)	1433	10120
(9) Value of interest in common/collective trusts	1c(9)		
(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)	169259	284415
(14) Value of funds held in insurance company general account (unallocated contracts)	1c(14)		
(15) Other	1c(15)		

		(a) Beginning of Year	(b) End of Year
1d Employer-related investments:			
(1) Employer securities	1d(1)		
(2) Employer real property	1d(2)		
e Buildings and other property used in plan operation	1e		
f Total assets (add all amounts in lines 1a through 1e)	1f	277984	406093
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			
l Net assets (subtract line 1k from line 1f)	1l	277984	406093

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) Total
a Contributions:			
(1) Received or receivable in cash from: **(A)** Employers	2a(1)(A)	10523	
(B) Participants	2a(1)(B)	73459	
(C) Others (including rollovers)	2a(1)(C)		
(2) Noncash contributions	2a(2)		
(3) Total contributions. Add lines **2a(1)(A), (B), (C),** and line **2a(2)**	2a(3)		83982
b Earnings on investments:			
(1) Interest:			
(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)		
(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)	339	
(F) Other	2b(1)(F)		
(G) Total interest. Add lines **2b(1)(A)** through **(F)**	2b(1)(G)		339
(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)	4423	
(D) Total dividends. Add lines **2b(2)(A)**, **(B)**, and **(C)**	2b(2)(D)		4423
(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)		0

		(a) Amount	(b) Total
2b (5) Unrealized appreciation (depreciation) of assets: (A) Real estate	2b(5)(A)		
(B) Other	2b(5)(B)	53853	
(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		53853
(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)		
c Other income	2c		
d Total income. Add all **income** amounts in column (b) and enter total	2d		142597
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	14488	
(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)		14488
f Corrective distributions (see instructions)	2f		
g Certain deemed distributions of participant loans (see instructions)	2g		
h 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)	0	
(4) Other	2i(4)		
(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		0
j Total expenses. Add all **expense** amounts in column (b) and enter total	2j		14488
Net Income and Reconciliation			
k Net income (loss). Subtract line 2j from line 2d	2k		128109
l Transfers of assets:			
(1) To this plan	2l(1)		
(2) From this plan	2l(2)		

Part III Accountant's Opinion

3 Complete lines 3a through 3c if the opinion of an independent qualified public accountant is attached to this Form 5500. Complete line 3d if an opinion is not attached.

a The attached opinion of an independent qualified public accountant for this plan is (see instructions):

(1) [ ] Unqualified (2) [ ] Qualified (3) [X] Disclaimer (4) [ ] Adverse

b Did the accountant perform a limited scope audit pursuant to 29 CFR 2520.103-8 and/or 103-12(d)? [X] Yes [ ] No

c Enter the name and EIN of the accountant (or accounting firm) below:

(1) Name: BENN & LEMAN, CPAS (2) EIN: 20-5281117

d The opinion of an independent qualified public accountant is **not attached** because:

(1) [ ] This form is filed for a CCT, PSA, or MTIA. (2) [ ] It will be attached to the next Form 5500 pursuant to 29 CFR 2520.104-50.

Part IV Compliance Questions

4 CCTs and PSAs do not complete Part IV. MTIAs, 103-12 IEs, and GIAs do not complete 4a, 4e, 4f, 4g, 4h, 4k, 4m, 4n, or 5. 103-12 IEs also do not complete 4j and 4l. MTIAs also do not complete 4l.

During the plan year:

		Yes	No	Amount
a	Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures until fully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.)	4a		X	
b	Were any loans by the plan or fixed income obligations due the plan in default as of the close of the plan year or classified during the year as uncollectible? Disregard participant loans secured by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is checked.)	4b		X	
c	Were any leases to which the plan was a party in default or classified during the year as uncollectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.)	4c		X	
d	Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is checked.)	4d		X	
e	Was this plan covered by a fidelity bond?	4e	X		290000
f	Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?	4f		X	
g	Did the plan hold any assets whose current value was neither readily determinable on an established market nor set by an independent third party appraiser?	4g		X	
h	Did the plan receive any noncash contributions whose value was neither readily determinable on an established market nor set by an independent third party appraiser?	4h		X	
i	Did the plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, and see instructions for format requirements.)	4i	X		
j	Were any plan transactions or series of transactions in excess of 5% of the current value of plan assets? (Attach schedule of transactions if "Yes" is checked, and see instructions for format requirements.)	4j		X	
k	Were all the plan assets either distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC?	4k		X	
l	Has the plan failed to provide any benefit when due under the plan?	4l		X	
m	If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.)	4m		X	
n	If 4m was answered "Yes," check the "Yes" box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3.	4n			

5a Has a resolution to terminate the plan been adopted during the plan year or any prior plan year? If yes, enter the amount of any plan assets that reverted to the employer this year ☐ **Yes** ☒ **No** **Amount:**

5b If, during this plan year, any assets or liabilities were transferred from this plan to another plan(s), identify the plan(s) to which assets or liabilities were transferred. (See instructions.)

5b(1) Name of plan(s)	**5b(2)** EIN(s)	**5b(3)** PN(s)

SCHEDULE R
(Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Retirement Plan Information

This schedule is required to be filed under section 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and section 6058(a) of the Internal Revenue Code (the Code).

▶ **File as an attachment to Form 5500.**

OMB No. 1210-0110

2009

This Form is Open to Public Inspection.

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

A Name of plan
EXCALIBUR PIZZA, LLC 401(K) PROFIT SHARING PLAN

B Three-digit plan number (PN) ▶ 001

C Plan sponsor's name as shown on line 2a of Form 5500
EXCALIBUR PIZZA, LLC

D Employer Identification Number (EIN)
94-2711128

Part I Distributions

All references to 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** 0

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): 94-2711128

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 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)? ..... ☐ **Yes** ☐ **No** ☐ **N/A**

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 **6a**

b Enter the amount contributed by the employer to the plan for this plan year **6b**

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) **6c**

If 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? ..... ☐ **Yes** ☐ **No** ☐ **N/A**

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/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** ☐ **No**

11 **a** Does the ESOP hold any preferred stock? ..... ☐ **Yes** ☐ **No**

b If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan? (See instructions for definition of "back-to-back" loan.) ..... ☐ **Yes** ☐ **No**

12 Does the ESOP hold any stock that is not readily tradable on an established securities market? ..... ☐ **Yes** ☐ **No**

Part V Additional Information for Multiemployer Defined Benefit Pension Plans

13 Enter the following information for each employer that contributed more than 5% of total contributions to the plan during the plan year (measured in dollars). See instructions. *Complete as many entries as needed to report all applicable employers.*

a Name 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 ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

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):

---

a Name 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 ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

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):

---

a Name 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 ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

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):

---

a Name 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 ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

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):

---

a Name 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 ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

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):

---

a Name 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 ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

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):

---

a Name 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 ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

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):

14 Enter the number of participants on whose behalf no contributions were made by an employer as an employer of the participant for:

a The current year	**14a**	
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 make an employer contribution during the current plan year to:

a The corresponding number for the plan year immediately preceding the current plan year	**15a**	
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 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, check box and see instructions regarding supplemental information to be included as an attachment. ☐

Part VI Additional Information for Single-Employer and Multiemployer Defined Benefit Pension Plans

18 If any liabilities to participants or their beneficiaries under the plan as of the end of the plan year consist (in whole or in part) of liabilities to such participants and beneficiaries under two or more pension plans as of immediately before such plan year, check box and see instructions regarding supplemental information to be included as an attachment ☐

19 If the total number of participants is 1,000 or more, complete items (a) through (c)

a Enter the percentage of plan assets held as:
Stock: _____% Investment-Grade Debt: _____% High-Yield Debt: _____% Real Estate: _____% Other: _____%

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

c What duration measure was used to calculate item 19(b)?
☐ Effective duration ☐ Macaulay duration ☐ Modified duration ☐ Other (specify):

Financial Statements of

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

December 31, 2009 and 2008

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

CONTENTS

	Page
INDEPENDENT AUDITOR'S REPORT	1
FINANCIAL STATEMENTS	
Statements of Net Assets Available for Plan Benefits	2
Statements of Changes in Net Assets Available for Plan Benefits	3
Notes to Financial Statements	4 - 8
SUPPLEMENTARY INFORMATION	
Schedule of Assets Held for Investment Purposes	9

BENN & LEMAN ■ CPAs & ADVISORS

CHARLES K. BENN, CPA ■ KATHERINE L. LEMAN, CPA

INDEPENDENT AUDITOR'S REPORT

To the Plan Trustees
Excalibur Pizza, LLC 401(k)
Profit Sharing Plan & Trust
Roseville, California

We were engaged to audit the financial statements of Excalibur Pizza, LLC 401(k) Profit Sharing Plan & Trust as of December 31, 2009 and 2008 and for the years then ended and the supplemental schedule as of December 31, 2009 as listed in the accompanying index. These financial statements and supplementary 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 4, which was certified by MG Trust Company, LLC and JP Morgan Chase Bank, the Trustee of the Plan as of December 31, 2009 and 2008, respectively, 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 Trustee holds the Plan's investment assets and executes investment transactions. The plan administrator has obtained certification from the Trustee as of and for the years ended December 31, 2009 and 2008, that the information provided to the plan administrator by the Trustee 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 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 Trustee, has been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, is 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.

Benn & Leman CPAs, Inc.

September 20, 2010
Sacramento, California

1610 Arden Way, Suite 193 ■ cbenn@bandlcpas.com ■ Phone (916) 760-1680
Sacramento, CA 95815 kleman@bandlcpas.com Fax (866) 598-7572

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

STATEMENTS OF NET ASSETS AVAILABLE FOR PLAN BENEFITS
December 31, 2009 and 2008

	2009	2008
ASSETS:		
Investments, at fair market value:	$ 395,973	$ 276,551
Participant loans	10,120	1,433
Total investments	406,093	277,984
Employer contribution receivable	-	-
Employee contributions receivable	-	-
Total receivables	-	-
Net assets available for plan benefits	$ 406,093	$ 277,984

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

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR PLAN BENEFITS
For the Years Ended December 31, 2009 and 2008

	2009	2008
ADDITIONS TO NET ASSETS:		
Additions to net assets attributed to:		
Investment income:		
Net appreciation (depreciation) in fair value of investments	$ 53,853	$ (72,297)
Interest	4,762	8,283
Total investment income (loss)	58,615	(64,014)
Contributions:		
Participants	73,459	81,665
Employer	10,523	11,384
Total contributions	83,982	93,049
Total increase	142,597	29,035
DEDUCTIONS FROM NET ASSETS:		
Benefits paid to participants	14,488	21,459
Net increase	128,109	7,576
NET ASSETS AVAILABLE FOR BENEFITS:		
Beginning of year	277,984	270,408
End of year	$ 406,093	$ 277,984

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

NOTES TO FINANCIAL STATEMENTS
December 31, 2009 and 2008

NOTE 1: **DESCRIPTION OF PLAN**

The following description of Excalibur Pizza, LLC 401(k) Profit Sharing Plan & Trust (the Plan) provides only general information. Participants should refer to the Plan agreement for a more complete description of the Plan's provisions.

General

The Plan was established January 1, 2005. An adopted master plan, it is a defined contribution retirement plan covering all employees, except bargaining unit employees, eighteen years of age or older who have completed one year's service of 1,000 hours. Eligible employees can enter the plan on the first day of the month after meeting the eligibility requirements. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA). MG Trust Company, LLC and JP Morgan Chase Bank were the Plan Trustees for years ended December 31, 2009 and 2008, respectively. The Plan is administered by the Plan Sponsor.

The Plan was amended effective January 1, 2006 to comply with current IRS and ERISA regulations.

Plan Year

The Plan year begins January 1 and ends December 31.

Contributions and Allocations

The plan allows for three types of contributions:

- ***Salary Deferral 401(k) Contributions***
  The Plan includes an elective salary deferral arrangement pursuant to Section 401(k) of the Internal Revenue Code. Employees may voluntarily contribute from 1% to 80% of their regular wages subject to various nondiscrimination tests and limitations prescribed by the Internal Revenue Code.

- ***Non-elective Employer Matching Contributions***
  The Plan requires employer matching contributions equal to 25% of salary deferral contributions up to 5% of eligible compensation.

- ***Discretionary Employer Contributions***
  The Company may decide to make a discretionary contribution to the Plan. The non-elective contribution will be allocated to all employees eligible to participate in the Plan in proportion to the employees' eligible earnings. The Company elected to make no discretionary contributions to the Plan in 2009 or 2008.

Participants' Accounts

The Plan allows participants to self-direct his/her account between various investment options. The participant is allowed to invest his/her account in any one of the funds or combination of funds.

- ***Salary Deferral 401(k) Accounts***
  The value of a participant's account in the salary deferral 401(k) plan is determined daily. The participant's account consists of his/her voluntary contributions plus actual earnings allocated on a daily basis.

NOTE 1: **DESCRIPTION OF PLAN (Continued)**

- ***Non-Elective and Discretionary Accounts***
  The value of a participant's account in the non-elective and discretionary accounts is determined daily. Profit sharing contributions and forfeitures are allocated at the Plan's valuation date (December 31). Forfeitures are applied first toward administrative costs of the Plan, then to participants.

Vesting
Participants are always 100% vested in their voluntary contributions and all matching contributions. Profit sharing contributions and gains/losses credited thereon vest on a schedule as follows:

Less than 2 years credited service	0%
At least 2 years, but less than 3	20%
At least 3 years, but less than 4	40%
At least 4 years, but less than 5	60%
At least 5 years, but less than 6	80%
6 years or more	100%

Retirement
Normal retirement under the Plan is age 65.

Payment of Benefits
Payment of retirement benefits may be made at the following times under the Plan: 1) normal retirement; 2) termination of employment of the participant; or 3) death of the participant.

The normal forms of benefit payment are either an annuity or a lump sum distribution in the amount equal to the vested value of the participant's account.

Administrative Costs
The Plan Sponsor pays substantially all administrative costs of the Plan.

Loans
Loans are permitted at a minimum amount of $500. A participant can borrow the lesser of 50% of their vested balance or $50,000. Participants have 5 years to repay the balance of their loan or 30 years if the loan was for the purchase of a primary residence. Loans bear interest at rates determined by the plan administrator.

NOTE 2: **SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Investments
Investments are stated at fair market value as determined by quoted market prices.

Tax Status
The Plan obtained its latest opinion letter on November 6, 2001, in which the Internal Revenue Service stated that the Plan, as then designed, was in compliance with the applicable requirements of the Internal Revenue Code. The Plan has been amended since receiving the determination letter. However, the plan administrator and the Plan's tax counsel believe that the Plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code. Therefore, no provision for income taxes has been included in the Plan's financial statements.

NOTE 2: **SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

Estimates and Assumptions

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 amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and their reported amounts of income and expenses during the reporting period. Actual results could differ from those estimates.

NOTE 3: **PLAN TERMINATION**

Although it has no plans to do so, the Plan Sponsor has the right under the Plan to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA. In the event of Plan termination, participants will become 100% vested in their accounts.

NOTE 4: **INFORMATION CERTIFIED BY PLAN TRUSTEE**

The following information included in the accompanying financial statements and supplemental schedule was obtained from data that has been prepared and certified as complete and accurate by the trustee, MG Trust Company, LLC and JP Morgan Chase Bank.

	2009	2008
Investments in mutual funds – individually and in total	$ 284,415	$ 169,159
Money Market	$ 111,264	$ 107,128
Cash	$ 294	$ 264
Participant loans	$ 10,120	$ 1,433
Net appreciation (depreciation) in fair value of investments	$ 53,853	$ (72,297)
Interest	$ 4,762	$ 8,283
Participant contributions	$ 73,459	$ 81,665
Employer contributions	$ 10,523	$ 11,384
Benefits paid to participants	$ 14,488	$ 21,459

NOTE 5: **INVESTMENTS**

At December 31, 2009 and 2008, investments included mutual funds that represent 5% or more of the net assets available for Plan benefits as follows:

	2009	2008
Federated Auto Cash Management Trust	$ 111,264	$ 107,128
AM FDS Europacific Growth	$ 29,837	$ 17,955
Putnam Small Cap Growth	$ 25,584	$ 2,628
AM FDS Capital World Bond Fund	$ 23,075	$ 16,125
AM FDS Growth FD of America	$ 22,900	$ 16,158
AM FDS New Economy Fund	$ 21,381	$ 7,962

NOTE 6: **FAIR VALUE MEASUREMENTS**

The Plan's investments are reported at fair value in the accompanying statement of net assets available for benefit.

		Fair Value Measurements Using:	
	Fair Value	Quoted Prices in Active Markets For Identical Assets (Level 1)	Significant Unobservable Inputs (Level 3)
December 31, 2009			
Mutual funds	$ 395,973	$ 395,973	$ -
Participant loans	10,120	-	10,120
Total	$ 406,093	$ 395,973	$ 10,120
December 31, 2008			
Mutual funds	$ 276,551	$ 276,551	$ -
Participant loans	1,433	-	1,433
Total	$ 277,984	$ 276,551	$ 1,433

SFAS No. 157, Fair Value Measurements, establishes a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. This hierarchy consists of three broad levels: Level 1 inputs consist of unadjusted quoted prices in active markets for identical assets and have the highest priority, Level 2 inputs consist of observable inputs other than quoted prices for identical assets, and Level 3 inputs have the lowest priority. The Plan uses appropriate valuation techniques based on the available inputs to measure the fair value of its investments. When available, the Plan measures fair value using Level 1 inputs because they generally provide the most reliable evidence of fair value. No Level 2 inputs were available to the Plan, and Level 3 inputs were only used when Level 1 or Level 2 inputs were not available.

Level 1 Fair Value Measurements

The fair value of mutual funds is based on quoted net asset values of the shares held by the Plan at year-end. The fair values of common stock, corporate bonds, and U.S. Government securities are based on quoted market prices.

Level 3 Fair Value Measurements

The participant loans are not actively traded and significant other observable inputs are not available. Thus, the fair value of the participant loans is equal to the amortized cost of the loans because the loans are secured by each respective participant's account balance. The following table provides further details of the Level 3 fair value measurements.

Fair Value Measurements Using Significant Unobservable Inputs (Level 3)

	Participant Loans	Total
December 31, 2009		
Beginning balance	$ 1,433	$ 1,433
Purchases, sales, issuances, and settlements (net)	8,687	8,687
Ending balance	$ 10,120	$ 10,120
December 31, 2008		
Beginning balance	$ 3,269	$ 3,269
Purchases, sales, issuances, and settlements (net)	(1,836)	(1,836)
Ending balance	$ 1,433	$ 1,433

NOTE 7: **RISKS AND UNCERTAINTIES**

The Plan invests in various investment securities. Investment securities 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 statement of net assets available for benefits.

SUPPLEMENTARY INFORMATION

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

SCHEDULE OF ASSETS HELD FOR INVESTMENT PURPOSES
EIN 94-2711128, Plan No. 001
December 31, 2009

	Identity	Description	Current Value
	MG Trust Company	Federated Auto Cash Management Trust - 111,264 Shares	$ 111,264
	MG Trust Company	AM FDS Europacific Growth - 799 Shares	29,837
	MG Trust Company	Putnam Small Cap Growth - 1,897 Shares	25,584
	MG Trust Company	AM FDS Capital World Bond Fund - 1,157 Shares	23,075
	MG Trust Company	AM FDS Growth Fund of America - 857 Shares	22,900
	MG Trust Company	AM FDS New Economy Fund - 974 Shares	21,381
	MG Trust Company	AM FDS New World Fund - 359 Shares	16,537
	MG Trust Company	AM FDS High-Income Trust - 1,344 Shares	14,260
	MG Trust Company	AM FDS AMCAP Fund - 881 Shares	14,135
	MG Trust Company	MFS Mid Cap Value Fund CL - 1,406 Shares	13,981
	MG Trust Company	AM FDS Wash Mutual Investors - 571 Shares	13,935
	MG Trust Company	American 2010 Target Date Ret FD - 1,526 Shares	13,078
	MG Trust Company	AM FDS Fundamental Investors - 382 Shares	12,465
	MG Trust Company	AM FDS Bond Fund of America - 940 Shares	11,098
	MG Trust Company	American 2040 Target Date Ret FD - 1,165 Shares	9,835
	MG Trust Company	MFS Core Equity Fund - 657 Shares	9,209
	MG Trust Company	AM FDS Smallcap World Fund - 239 Shares	7,261
	MG Trust Company	MFS Value Fund CL - 336 Shares	6,881
	MG Trust Company	MFS Utilities Fund CL - 425 Shares	6,322
	MG Trust Company	MFS Bond Fund - 310 Shares	3,940
	MG Trust Company	AM FDS Cap World Growth Income - 103 Shares	3,478
	MG Trust Company	AM FDS Capital Income Builder - 33 Shares	1,566
	MG Trust Company	MFS Lifetime 2040 Fund - 94 Shares	831
	MG Trust Company	AM FDS Interm Bond Fund of America - 57 Shares	752
	MG Trust Company	AM FDS US Govt. Securities Fund - 46 Shares	640
	MG Trust Company	MFS Lifetime 2010 Fund - 33 Shares	358
	MG Trust Company	Cash	294
	MG Trust Company	AM FDS American Balanced Fund - 16 Shares	264
	MG Trust Company	Federated Max-Cap Index FD C - 22 Shares	264
	MG Trust Company	MFS Lifetime Retirement Inc - 19 Shares	198
	MG Trust Company	AM FDS New Perspective Fund - 5 Shares	131
	MG Trust Company	AM FDS Investment Co of America - 5 Shares	126
	MG Trust Company	MFS Total Return Fund - 7 Shares	93
*	MG Trust Company	Outstanding Participant Loans - Prime + 2%	10,120
	Total investments		$ 406,093

** Party-in-interest*

Financial Statements of

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

December 31, 2009 and 2008

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

CONTENTS

	Page
INDEPENDENT AUDITOR'S REPORT	1
FINANCIAL STATEMENTS	
Statements of Net Assets Available for Plan Benefits	2
Statements of Changes in Net Assets Available for Plan Benefits	3
Notes to Financial Statements	4 - 8
SUPPLEMENTARY INFORMATION	
Schedule of Assets Held for Investment Purposes	9

BENN & LEMAN ■ CPAs & ADVISORS

CHARLES K. BENN, CPA ■ KATHERINE L. LEMAN, CPA

INDEPENDENT AUDITOR'S REPORT

To the Plan Trustees
Excalibur Pizza, LLC 401(k)
Profit Sharing Plan & Trust
Roseville, California

We were engaged to audit the financial statements of Excalibur Pizza, LLC 401(k) Profit Sharing Plan & Trust as of December 31, 2009 and 2008 and for the years then ended and the supplemental schedule as of December 31, 2009 as listed in the accompanying index. These financial statements and supplementary 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 4, which was certified by MG Trust Company, LLC and JP Morgan Chase Bank, the Trustee of the Plan as of December 31, 2009 and 2008, respectively, 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 Trustee holds the Plan's investment assets and executes investment transactions. The plan administrator has obtained certification from the Trustee as of and for the years ended December 31, 2009 and 2008, that the information provided to the plan administrator by the Trustee 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 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 Trustee, has been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, is 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.

Benn & Leman CPAs, Inc.

September 20, 2010
Sacramento, California

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EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

STATEMENTS OF NET ASSETS AVAILABLE FOR PLAN BENEFITS
December 31, 2009 and 2008

	2009	2008
ASSETS:		
Investments, at fair market value:	$ 395,973	$ 276,551
Participant loans	10,120	1,433
Total investments	406,093	277,984
Employer contribution receivable	-	-
Employee contributions receivable	-	-
Total receivables	-	-
Net assets available for plan benefits	$ 406,093	$ 277,984

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

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR PLAN BENEFITS
For the Years Ended December 31, 2009 and 2008

	2009	2008
ADDITIONS TO NET ASSETS:		
Additions to net assets attributed to:		
Investment income:		
Net appreciation (depreciation) in fair value of investments	$ 53,853	$ (72,297)
Interest	4,762	8,283
Total investment income (loss)	58,615	(64,014)
Contributions:		
Participants	73,459	81,665
Employer	10,523	11,384
Total contributions	83,982	93,049
Total increase	142,597	29,035
DEDUCTIONS FROM NET ASSETS:		
Benefits paid to participants	14,488	21,459
Net increase	128,109	7,576
NET ASSETS AVAILABLE FOR BENEFITS:		
Beginning of year	277,984	270,408
End of year	$ 406,093	$ 277,984

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

NOTES TO FINANCIAL STATEMENTS
December 31, 2009 and 2008

NOTE 1: **DESCRIPTION OF PLAN**

The following description of Excalibur Pizza, LLC 401(k) Profit Sharing Plan & Trust (the Plan) provides only general information. Participants should refer to the Plan agreement for a more complete description of the Plan's provisions.

General

The Plan was established January 1, 2005. An adopted master plan, it is a defined contribution retirement plan covering all employees, except bargaining unit employees, eighteen years of age or older who have completed one year's service of 1,000 hours. Eligible employees can enter the plan on the first day of the month after meeting the eligibility requirements. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA). MG Trust Company, LLC and JP Morgan Chase Bank were the Plan Trustees for years ended December 31, 2009 and 2008, respectively. The Plan is administered by the Plan Sponsor.

The Plan was amended effective January 1, 2006 to comply with current IRS and ERISA regulations.

Plan Year

The Plan year begins January 1 and ends December 31.

Contributions and Allocations

The plan allows for three types of contributions:

- ***Salary Deferral 401(k) Contributions***
  The Plan includes an elective salary deferral arrangement pursuant to Section 401(k) of the Internal Revenue Code. Employees may voluntarily contribute from 1% to 80% of their regular wages subject to various nondiscrimination tests and limitations prescribed by the Internal Revenue Code.

- ***Non-elective Employer Matching Contributions***
  The Plan requires employer matching contributions equal to 25% of salary deferral contributions up to 5% of eligible compensation.

- ***Discretionary Employer Contributions***
  The Company may decide to make a discretionary contribution to the Plan. The non-elective contribution will be allocated to all employees eligible to participate in the Plan in proportion to the employees' eligible earnings. The Company elected to make no discretionary contributions to the Plan in 2009 or 2008.

Participants' Accounts

The Plan allows participants to self-direct his/her account between various investment options. The participant is allowed to invest his/her account in any one of the funds or combination of funds.

- ***Salary Deferral 401(k) Accounts***
  The value of a participant's account in the salary deferral 401(k) plan is determined daily. The participant's account consists of his/her voluntary contributions plus actual earnings allocated on a daily basis.

NOTE 1: **DESCRIPTION OF PLAN (Continued)**

- ***Non-Elective and Discretionary Accounts***
  The value of a participant's account in the non-elective and discretionary accounts is determined daily. Profit sharing contributions and forfeitures are allocated at the Plan's valuation date (December 31). Forfeitures are applied first toward administrative costs of the Plan, then to participants.

Vesting
Participants are always 100% vested in their voluntary contributions and all matching contributions. Profit sharing contributions and gains/losses credited thereon vest on a schedule as follows:

Less than 2 years credited service	0%
At least 2 years, but less than 3	20%
At least 3 years, but less than 4	40%
At least 4 years, but less than 5	60%
At least 5 years, but less than 6	80%
6 years or more	100%

Retirement
Normal retirement under the Plan is age 65.

Payment of Benefits
Payment of retirement benefits may be made at the following times under the Plan: 1) normal retirement; 2) termination of employment of the participant; or 3) death of the participant.

The normal forms of benefit payment are either an annuity or a lump sum distribution in the amount equal to the vested value of the participant's account.

Administrative Costs
The Plan Sponsor pays substantially all administrative costs of the Plan.

Loans
Loans are permitted at a minimum amount of $500. A participant can borrow the lesser of 50% of their vested balance or $50,000. Participants have 5 years to repay the balance of their loan or 30 years if the loan was for the purchase of a primary residence. Loans bear interest at rates determined by the plan administrator.

NOTE 2: **SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Investments
Investments are stated at fair market value as determined by quoted market prices.

Tax Status
The Plan obtained its latest opinion letter on November 6, 2001, in which the Internal Revenue Service stated that the Plan, as then designed, was in compliance with the applicable requirements of the Internal Revenue Code. The Plan has been amended since receiving the determination letter. However, the plan administrator and the Plan's tax counsel believe that the Plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code. Therefore, no provision for income taxes has been included in the Plan's financial statements.

NOTE 2: **SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

Estimates and Assumptions

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 amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and their reported amounts of income and expenses during the reporting period. Actual results could differ from those estimates.

NOTE 3: **PLAN TERMINATION**

Although it has no plans to do so, the Plan Sponsor has the right under the Plan to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA. In the event of Plan termination, participants will become 100% vested in their accounts.

NOTE 4: **INFORMATION CERTIFIED BY PLAN TRUSTEE**

The following information included in the accompanying financial statements and supplemental schedule was obtained from data that has been prepared and certified as complete and accurate by the trustee, MG Trust Company, LLC and JP Morgan Chase Bank.

	2009	2008
Investments in mutual funds – individually and in total	$ 284,415	$ 169,159
Money Market	$ 111,264	$ 107,128
Cash	$ 294	$ 264
Participant loans	$ 10,120	$ 1,433
Net appreciation (depreciation) in fair value of investments	$ 53,853	$ (72,297)
Interest	$ 4,762	$ 8,283
Participant contributions	$ 73,459	$ 81,665
Employer contributions	$ 10,523	$ 11,384
Benefits paid to participants	$ 14,488	$ 21,459

NOTE 5: **INVESTMENTS**

At December 31, 2009 and 2008, investments included mutual funds that represent 5% or more of the net assets available for Plan benefits as follows:

	2009	2008
Federated Auto Cash Management Trust	$ 111,264	$ 107,128
AM FDS Europacific Growth	$ 29,837	$ 17,955
Putnam Small Cap Growth	$ 25,584	$ 2,628
AM FDS Capital World Bond Fund	$ 23,075	$ 16,125
AM FDS Growth FD of America	$ 22,900	$ 16,158
AM FDS New Economy Fund	$ 21,381	$ 7,962

NOTE 6: **FAIR VALUE MEASUREMENTS**

The Plan's investments are reported at fair value in the accompanying statement of net assets available for benefit.

		Fair Value Measurements Using:	
	Fair Value	Quoted Prices in Active Markets For Identical Assets (Level 1)	Significant Unobservable Inputs (Level 3)
December 31, 2009			
Mutual funds	$ 395,973	$ 395,973	$ -
Participant loans	10,120	-	10,120
Total	$ 406,093	$ 395,973	$ 10,120
December 31, 2008			
Mutual funds	$ 276,551	$ 276,551	$ -
Participant loans	1,433	-	1,433
Total	$ 277,984	$ 276,551	$ 1,433

SFAS No. 157, Fair Value Measurements, establishes a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. This hierarchy consists of three broad levels: Level 1 inputs consist of unadjusted quoted prices in active markets for identical assets and have the highest priority, Level 2 inputs consist of observable inputs other than quoted prices for identical assets, and Level 3 inputs have the lowest priority. The Plan uses appropriate valuation techniques based on the available inputs to measure the fair value of its investments. When available, the Plan measures fair value using Level 1 inputs because they generally provide the most reliable evidence of fair value. No Level 2 inputs were available to the Plan, and Level 3 inputs were only used when Level 1 or Level 2 inputs were not available.

Level 1 Fair Value Measurements

The fair value of mutual funds is based on quoted net asset values of the shares held by the Plan at year-end. The fair values of common stock, corporate bonds, and U.S. Government securities are based on quoted market prices.

Level 3 Fair Value Measurements

The participant loans are not actively traded and significant other observable inputs are not available. Thus, the fair value of the participant loans is equal to the amortized cost of the loans because the loans are secured by each respective participant's account balance. The following table provides further details of the Level 3 fair value measurements.

Fair Value Measurements Using Significant Unobservable Inputs (Level 3)

	Participant Loans	Total
December 31, 2009		
Beginning balance	$ 1,433	$ 1,433
Purchases, sales, issuances, and settlements (net)	8,687	8,687
Ending balance	$ 10,120	$ 10,120
December 31, 2008		
Beginning balance	$ 3,269	$ 3,269
Purchases, sales, issuances, and settlements (net)	(1,836)	(1,836)
Ending balance	$ 1,433	$ 1,433

NOTE 7: **RISKS AND UNCERTAINTIES**

The Plan invests in various investment securities. Investment securities 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 statement of net assets available for benefits.

SUPPLEMENTARY INFORMATION

EXCALIBUR PIZZA, LLC 401(k) PROFIT SHARING PLAN & TRUST

SCHEDULE OF ASSETS HELD FOR INVESTMENT PURPOSES
EIN 94-2711128, Plan No. 001
December 31, 2009

	Identity	Description	Current Value
	MG Trust Company	Federated Auto Cash Management Trust - 111,264 Shares	$ 111,264
	MG Trust Company	AM FDS Europacific Growth - 799 Shares	29,837
	MG Trust Company	Putnam Small Cap Growth - 1,897 Shares	25,584
	MG Trust Company	AM FDS Capital World Bond Fund - 1,157 Shares	23,075
	MG Trust Company	AM FDS Growth Fund of America - 857 Shares	22,900
	MG Trust Company	AM FDS New Economy Fund - 974 Shares	21,381
	MG Trust Company	AM FDS New World Fund - 359 Shares	16,537
	MG Trust Company	AM FDS High-Income Trust - 1,344 Shares	14,260
	MG Trust Company	AM FDS AMCAP Fund - 881 Shares	14,135
	MG Trust Company	MFS Mid Cap Value Fund CL - 1,406 Shares	13,981
	MG Trust Company	AM FDS Wash Mutual Investors - 571 Shares	13,935
	MG Trust Company	American 2010 Target Date Ret FD - 1,526 Shares	13,078
	MG Trust Company	AM FDS Fundamental Investors - 382 Shares	12,465
	MG Trust Company	AM FDS Bond Fund of America - 940 Shares	11,098
	MG Trust Company	American 2040 Target Date Ret FD - 1,165 Shares	9,835
	MG Trust Company	MFS Core Equity Fund - 657 Shares	9,209
	MG Trust Company	AM FDS Smallcap World Fund - 239 Shares	7,261
	MG Trust Company	MFS Value Fund CL - 336 Shares	6,881
	MG Trust Company	MFS Utilities Fund CL - 425 Shares	6,322
	MG Trust Company	MFS Bond Fund - 310 Shares	3,940
	MG Trust Company	AM FDS Cap World Growth Income - 103 Shares	3,478
	MG Trust Company	AM FDS Capital Income Builder - 33 Shares	1,566
	MG Trust Company	MFS Lifetime 2040 Fund - 94 Shares	831
	MG Trust Company	AM FDS Interm Bond Fund of America - 57 Shares	752
	MG Trust Company	AM FDS US Govt. Securities Fund - 46 Shares	640
	MG Trust Company	MFS Lifetime 2010 Fund - 33 Shares	358
	MG Trust Company	Cash	294
	MG Trust Company	AM FDS American Balanced Fund - 16 Shares	264
	MG Trust Company	Federated Max-Cap Index FD C - 22 Shares	264
	MG Trust Company	MFS Lifetime Retirement Inc - 19 Shares	198
	MG Trust Company	AM FDS New Perspective Fund - 5 Shares	131
	MG Trust Company	AM FDS Investment Co of America - 5 Shares	126
	MG Trust Company	MFS Total Return Fund - 7 Shares	93
*	MG Trust Company	Outstanding Participant Loans - Prime + 2%	10,120
	Total investments		$ 406,093

** Party-in-interest*