Form 5500	Annual Return/Report of Employee Benefit Plan	OMB Nos. 1210-0110 1210-0089
Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	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.**	**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
TONY PACKOS INC 401(K) PROFIT SHARING PLAN TRUST

1b Three-digit plan number (PN) ▶ 001

1c Effective date of plan 01/29/1995

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

1902 FRONT STREET
TOLEDO, OH 43605

2b Employer Identification Number (EIN) 34-1025386

2c Sponsor's telephone number 419-829-8696

2d Business code (see instructions) 722110

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.	10/14/2010	CATHLEEN DOOLEY
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE			
	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor
SIGN HERE			
	Signature of DFE	Date	Enter name of individual signing as DFE

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

3a Plan administrator's name and address (if same as plan sponsor, enter "Same") TONY PACKOS INC 1902 FRONT STREET TOLEDO, OH 43605	**3b** Administrator's EIN 34-1025386 **3c** Administrator's telephone number 419-829-8696

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:		**4b** EIN
a Sponsor's name		**4c** PN

5 Total number of participants at the beginning of the plan year	**5**	117
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**	75
b Retired or separated participants receiving benefits	**6b**	0
c Other retired or separated participants entitled to future benefits	**6c**	16
d Subtotal. Add lines **6a**, **6b**, and **6c**	**6d**	91
e Deceased participants whose beneficiaries are receiving or are entitled to receive benefits	**6e**	0
f Total. Add lines **6d** and **6e**	**6f**	91
g Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)	**6g**	69
h Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested	**6h**	10
7 Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item)	**7**	

8a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions:
2E 2G 2J 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)	Financial Information	OMB No. 1210-0110
Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	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.**	**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
TONY PACKOS INC 401(K) PROFIT SHARING PLAN TRUST

B Three-digit plan number (PN) ▶ 001

C Plan sponsor's name as shown on line 2a of Form 5500
TONY PACKOS INC

D Employer Identification Number (EIN)
34-1025386

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)	59138	60464
(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)	17734	21148
(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)	307448	412892
(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	384320	494504
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		
Net Assets			
l Net assets (subtract line 1k from line 1f)	1l	384320	494504

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)		
(B) Participants	2a(1)(B)	23862	
(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)		23862
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)	-22528	
(F) Other	2b(1)(F)		
(G) Total interest. Add lines **2b(1)(A)** through **(F)**	2b(1)(G)		-22528
(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)	7389	
(D) Total dividends. Add lines **2b(2)(A)**, **(B)**, and **(C)**	2b(2)(D)		7389
(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)		101904
c Other income	2c		
d Total income. Add all **income** amounts in column (b) and enter total	2d		110627

Expenses

e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	356	
(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)		356
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)		
(4) Other	2i(4)	87	
(5) Total administrative expenses. Add lines **2i(1)** through **(4)**	2i(5)		87
j Total expenses. Add all **expense** amounts in column (b) and enter total	2j		443

Net Income and Reconciliation

k Net income (loss). Subtract line **2j** from line **2d**	2k		110184
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) [X] Unqualified **(2)** [ ] Qualified **(3)** [ ] Disclaimer **(4)** [ ] Adverse

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

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

(1) Name: SOBB ROBERTS INC **(2)** EIN: 34-1841616

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		75000
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)	Retirement Plan Information	OMB No. 1210-0110
Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	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.**	**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
TONY PACKOS INC 401(K) PROFIT SHARING PLAN TRUST

B Three-digit plan number (PN) ▶ 001

C Plan sponsor's name as shown on line 2a of Form 5500
TONY PACKOS INC

D Employer Identification Number (EIN)
34-1025386

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**

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): 16-1470238 _____

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):

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
and Supplemental Schedule

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Years Ended December 31, 2009 and 2008
with Independent Auditors' Reports

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Financial Statements
and Supplemental Schedule

Years Ended December 31, 2009 and 2008

Contents

Independent Auditors' Reports	1
Audited Financial Statements	
Statements of Net Assets Available for Benefits	2
Statement of Changes in Net Assets Available for Benefits	3
Notes to Financial Statements	4
Supplemental Schedule	
Schedule H, Line 4 (i) - Schedule of Assets (Held at End of Year)	9

SobbRoberts Inc.
Certified Public Accountants

Paul S. Sobb, CPA
Garry W. Roberts, CPA
Marcia A. Veres-Sutton, CPA, MBA
Rex A. Decker, CPA, JD, MBA

INDEPENDENT AUDITORS' REPORT

To the Trustee of
Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

We have audited the accompanying statement of net assets available for benefits of Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the years then ended. These financial statements and schedule are the responsibility of the Plan's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the net assets available for benefits of Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust as of December 31, 2009 and 2008, and the changes in its net assets available for benefits for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The accompanying supplemental schedule of assets held at end of year is presented for the purpose of additional analysis and is not a required part of the basic financial statements but is supplementary information required by the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974. This supplemental schedule is the responsibility of the Plan's management. The supplemental schedule has been subjected to the auditing procedures applied in our audits of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Sobb Roberts Inc.

September 29, 2010

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Member of: American Institute of Certified Public Accountants
Ohio Society of Certified Public Accountants, Private Companies Practice Section

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Statements of Net Assets Available for Benefits

December 31, 2009 and 2008

	2009	2008
Assets		
Investments:		
Mutual funds	$ 473,356	$ 366,584
Participant loans	21,148	17,734
Net assets available for benefits	$ 494,504	$ 384,318

See accompanying notes.

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Statement of Changes in Net Assets Available for Benefits

For the Years Ended December 31, 2009 and 2008

	2009	2008
Additions:		
Additions to net assets attributed to:		
Contributions:		
Participants	$ 23,862	$ 24,374
Investment income:		
Net appreciation in fair value of investments	85,688	-
Interest on partcipant loans	1,079	1,689
Total investment income	86,767	1,689
Total additions	110,629	26,063
Deductions:		
Deductions from net assets attributed to:		
Net depreciation in fair value of investments	-	145,299
Benefits paid to participants	356	2,454
Administrative expenses	87	657
Total deductions	443	148,410
Net increase (decrease) in assets available for benefits	110,186	(122,347)
Net assets available for benefits at beginning of year	384,318	506,665
Net assets available for benefits at end of year	$ 494,504	$ 384,318

See accompanying notes.

1. Description of the Plan

The following description of the Tony Packo's, Inc. 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 is a defined contribution plan covering all employees of Tony Packo's, Inc. who have twelve months of service and are age twenty-one or older. The Plan became effective on January 29, 1995. It is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

Contributions

The Plan allows participants to have their compensation deferred by up to the maximum dollar limit allowed by law each year. All participant contributions plus actual earnings thereon are fully vested. Participants may also transfer into the Plan a rollover or other assets from another qualified defined benefit or contribution plans. Participants direct the investment of their contributions into various investment options offered by the Plan. The Plan does not allow the Company to make matching contributions to the Plan. Although the Plan does allow the Company to make a discretionary profit sharing contribution using a pro rata formula, the Company has not made a discretionary profit sharing contribution in 2009 and 2008. Contributions are subject to certain limitations.

Participant Accounts

Each participant's account is credited with the participant's contributions and allocations of the Plan earnings (losses). Allocations are based on participant earnings or account balances, as defined. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.

Vesting

Participants are immediately vested in their contributions plus actual earnings thereon. Vesting in the Company contribution portion of their accounts is based on years of continuous service. A participant is 100% vested after six years of credited service.

Participant Loans

Participants may borrow from their fund accounts a minimum of $1,000 up to a maximum equal to the lesser of $50,000 or 50% of their account balance. The loans are secured by the balance in the participant's account and bear interest at rates ranging from 4.25% to 9.25%, which are commensurate with local prevailing rates as determined by the Plan administrator. Principal and interest is paid ratably through bi-weekly payroll deductions.

Payment of Benefits

On termination of service due to death, disability, retirement or before normal retirement age, and for termination of service due to other reasons, a participant may elect to receive either a lump-sum, installment payments or annuity contract in amount equal to the value of the participant's vested interest in his or her account.

Forfeited Accounts

At December 31, 2009 and 2008, forfeited non-vested accounts totaled $45 and $1,146, respectively. These accounts will be allocated to individual accounts of qualified participants, as defined in the plan document.

1. Description of the Plan - continued

Expenses

Transaction fees charged by the record keeper are paid by the Plan. Other administrative fees are paid by the Company. Fees paid for services rendered by parties-in-interest were based on customary and reasonable rates for such services.

2. Summary of Significant Accounting Policies

Date of Management's Review

Subsequent events were evaluated through September 29, 2010, which is the date the financial statements were available to be issued.

Basis of Accounting

The financial statements of the Plan are prepared on the accrual method of accounting.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires the plan administrator to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results may differ from those estimates.

Investment Valuation and Income Recognition

The Plan's investments are stated at fair value (see Note 3). Quoted market prices are used to value investments. Shares of mutual funds are valued at quoted market prices which represent the net asset value of shares held by the Plan at year-end. Participant loans are valued at their outstanding balances, which approximate fair value.

Purchases and sales of securities are recorded on a trade-date basis. Dividends are recorded on the ex-dividend date. Net appreciation (depreciation) includes the plan's gains and losses on investments bought and sold as well as held during the year.

Payment of Benefits

Benefits are recorded when paid.

3. Fair Value Measurements

The Plan's investments are reported at fair value in the accompanying statements of net assets available for benefits. The fair value measurement accounting literature 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. Level 3 inputs were used only when Level 1 or Level 2 inputs were not available.

The following tables present by level, within the fair value hierarchy, the Plan investment assets at fair value, as of December 31, 2009 and 2008. As required by the fair value measurement accounting literature, investment assets are classified in their entirety based upon the lowest level of input that is significant to the fair value measurement.

3. Fair Value Measurements - continued

Total Plan investment assets at fair value classified within Level 3 were $21,148 and $17,734 as of December 31, 2009 and 2008, respectively, which consists of the Plan's loans to participants. Such amounts were approximately 4.3% and 4.6% of total investment assets on the Plan's statements of net assets available for benefits at fair value as of December 31, 2009 and 2008, respectively.

	December 31, 2009	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Mutual funds	$ 412,892	$ 412,892	$ -	$ -
US Treasury money market fund	60,464		60,464	
Loans to participants	21,148	-	-	21,148
Total	$ 494,504	$ 412,892	$ 60,464	$ 21,148

	December 31, 2008	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Mutual funds	$ 307,419	$ 307,419	$ -	$ -
US Treasury money market fund	59,165		59,165	
Loans to participants	17,734	-	-	17,734
Total	$ 384,318	$ 307,419	$ 59,165	$ 17,734

Level 1: The fair value of mutual funds is based on quoted net asset values of the shares held by the Plan at year-end.

Level 2: The fair value of US Treasury money market funds are based on historical cost, which approximates fair value.

Level 3: The fair value of participant loans are based on stated interest rates, payment history, collateralization and default rates. The fair value of participant loans approximates the amortized cost of the loans because the loans are secured by each respective participant's account balance.

3. Fair Value Measurements - continued

The table below sets forth a summary of changes in the fair value of the Plan's Level 3 investment assets for the year ended December 31, 2009 and 2008:

December 31, 2009	
Beginning balance	$ 17,734
Purchases, issuances, and settlements - net	3,414
Ending balance	$ 21,148
December 31, 2008	
Beginning balance	$ 21,569
Purchases, issuances, and settlements - net	(3,835)
Ending balance	$ 17,734

4. Investments

The following presents investments that represent 5% or more of the Plan's net assets at December 31, 2009 and 2008:

	2009	2008
Investments:		
Fidelity Advisor:		
Equity Income T	$ 38,456	$ 27,777
Intermediate Bond T	50,704	41,388
American Funds:		
The Growth Fund of America R2	56,071	37,655
The Investment Company of America R2	133,445	100,487
New Perspective R2	32,821	23,771
Pimco:		
Total Return A	29,131	24,273
Vanguard:		
Small Cap Value Index	25,392	**
Fidelity US Treasury Money Market	60,464	59,165

** Less than 5% of net assets available for benefits

5. Plan Termination

Although it has not expressed any intent to do so, the Company 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 would become 100% vested in their employer contributions.

6. Tax Status

The Plan has received an opinion letter from the Internal Revenue Service dated March 31, 2008 stating that the written form of the underlying prototype plan document is qualified under Section 401(a) of the Internal Revenue Code (the "Code"), and that any employer adopting this form of the Plan will be considered to have a plan qualified under Section 401(a) of the Code. Therefore, the related trust is exempt from taxation. Once qualified, the Plan is required to operate in conformity with the Code to maintain its qualification. The Plan Administrator believes the Plan is being operated in compliance with the applicable requirements of the Code and, therefore, believes that the Plan is qualified and the related trust is tax exempt.

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.

SUPPLEMENTAL SCHEDULE

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Employer Identification Number 34-1025386
Plan Number 001

Schedule H, Line 4(i) - Schedule of Assets (Held at End of Year)

December 31, 2009

(a)	(b) Identity of Issue, Borrower, Lessor or Similar Party	(c) Description of Investment (Shares)	(d) Cost**	(e) Current Value
	Fidelity Advisor:			
	Small Cap T	225.653 shares		$ 4,829
	Mid Cap II T	1,676.854 shares		23,660
	Equity Income T	1,853.283 shares		38,456
	Intermediate Bond T	4,765.470 shares		50,704
	Freedom 2020 T	1,570.147 shares		16,987
	Freedom 2025 T	23.557 shares		244
	Freedom 2030 T	17.927 shares		194
	Freedom 2035 T	11.374 shares		116
	Freedom 2040 T	4.526 shares		49
	Real Estate T	13.484 shares		174
	American Funds:			
	EuroPacific Growth R2	2.262 shares		85
	The Growth Fund of America R2	2,099.254 shares		56,071
	The Investment Company of America R2	5,162.341 shares		133,445
	New Perspective R2	1,309.697 shares		32,821
	New World R2	2.439 shares		112
	Pimco:			
	High Yield A	47.978 shares		422
	Total Return A	2,697.372 shares		29,131
	Vanguard Small Cap Value Index	1,944.291 shares		25,392
	Fidelity US Treasury Money Market	60,442.830 shares		60,464
*	Participants loans	Interest ranging from 4.25% - 9.25%		21,148
			$ -	$ 494,504

* Party-in-interest investment
** Cost information omitted for participant-directed investments

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Employer Identification Number 34-1025386
Plan Number 001

Schedule H, Line 4(i) - Schedule of Assets (Held at End of Year)

December 31, 2009

(a)	(b) Identity of Issue, Borrower, Lessor or Similar Party	(c) Description of Investment (Shares)	(d) Cost**	(e) Current Value
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	Small Cap T	225.653 shares		$ 4,829
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	Intermediate Bond T	4,765.470 shares		50,704
	Freedom 2020 T	1,570.147 shares		16,987
	Freedom 2025 T	23.557 shares		244
	Freedom 2030 T	17.927 shares		194
	Freedom 2035 T	11.374 shares		116
	Freedom 2040 T	4.526 shares		49
	Real Estate T	13.484 shares		174
	American Funds:			
	EuroPacific Growth R2	2.262 shares		85
	The Growth Fund of America R2	2,099.254 shares		56,071
	The Investment Company of America R2	5,162.341 shares		133,445
	New Perspective R2	1,309.697 shares		32,821
	New World R2	2.439 shares		112
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	High Yield A	47.978 shares		422
	Total Return A	2,697.372 shares		29,131
	Vanguard Small Cap Value Index	1,944.291 shares		25,392
	Fidelity US Treasury Money Market	60,442.830 shares		60,464
*	Participants loans	Interest ranging from 4.25% - 9.25%		21,148
			$ -	$ 494,504

* Party-in-interest investment
** Cost information omitted for participant-directed investments

Financial Statements
and Supplemental Schedule

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Years Ended December 31, 2009 and 2008
with Independent Auditors' Reports

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Financial Statements
and Supplemental Schedule

Years Ended December 31, 2009 and 2008

Contents

Independent Auditors' Reports	1
Audited Financial Statements	
Statements of Net Assets Available for Benefits	2
Statement of Changes in Net Assets Available for Benefits	3
Notes to Financial Statements	4
Supplemental Schedule	
Schedule H, Line 4 (i) - Schedule of Assets (Held at End of Year)	9

SobbRoberts Inc.
Certified Public Accountants

Paul S. Sobb, CPA
Garry W. Roberts, CPA
Marcia A. Veres-Sutton, CPA, MBA
Rex A. Decker, CPA, JD, MBA

INDEPENDENT AUDITORS' REPORT

To the Trustee of
Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

We have audited the accompanying statement of net assets available for benefits of Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the years then ended. These financial statements and schedule are the responsibility of the Plan's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the net assets available for benefits of Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust as of December 31, 2009 and 2008, and the changes in its net assets available for benefits for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The accompanying supplemental schedule of assets held at end of year is presented for the purpose of additional analysis and is not a required part of the basic financial statements but is supplementary information required by the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974. This supplemental schedule is the responsibility of the Plan's management. The supplemental schedule has been subjected to the auditing procedures applied in our audits of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Sobb Roberts Inc.

September 29, 2010

3139 N. Republic Blvd. Toledo, OH 43615 Phone 419/ 255-1099 Fax 419/ 255-1120 www.srpcpa.com
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Ohio Society of Certified Public Accountants, Private Companies Practice Section

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Statements of Net Assets Available for Benefits

December 31, 2009 and 2008

	2009	2008
Assets		
Investments:		
Mutual funds	$ 473,356	$ 366,584
Participant loans	21,148	17,734
Net assets available for benefits	$ 494,504	$ 384,318

See accompanying notes.

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Statement of Changes in Net Assets Available for Benefits

For the Years Ended December 31, 2009 and 2008

	2009	2008
Additions:		
Additions to net assets attributed to:		
Contributions:		
Participants	$ 23,862	$ 24,374
Investment income:		
Net appreciation in fair value of investments	85,688	-
Interest on partcipant loans	1,079	1,689
Total investment income	86,767	1,689
Total additions	110,629	26,063
Deductions:		
Deductions from net assets attributed to:		
Net depreciation in fair value of investments	-	145,299
Benefits paid to participants	356	2,454
Administrative expenses	87	657
Total deductions	443	148,410
Net increase (decrease) in assets available for benefits	110,186	(122,347)
Net assets available for benefits at beginning of year	384,318	506,665
Net assets available for benefits at end of year	$ 494,504	$ 384,318

See accompanying notes.

1. Description of the Plan

The following description of the Tony Packo's, Inc. 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 is a defined contribution plan covering all employees of Tony Packo's, Inc. who have twelve months of service and are age twenty-one or older. The Plan became effective on January 29, 1995. It is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

Contributions

The Plan allows participants to have their compensation deferred by up to the maximum dollar limit allowed by law each year. All participant contributions plus actual earnings thereon are fully vested. Participants may also transfer into the Plan a rollover or other assets from another qualified defined benefit or contribution plans. Participants direct the investment of their contributions into various investment options offered by the Plan. The Plan does not allow the Company to make matching contributions to the Plan. Although the Plan does allow the Company to make a discretionary profit sharing contribution using a pro rata formula, the Company has not made a discretionary profit sharing contribution in 2009 and 2008. Contributions are subject to certain limitations.

Participant Accounts

Each participant's account is credited with the participant's contributions and allocations of the Plan earnings (losses). Allocations are based on participant earnings or account balances, as defined. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.

Vesting

Participants are immediately vested in their contributions plus actual earnings thereon. Vesting in the Company contribution portion of their accounts is based on years of continuous service. A participant is 100% vested after six years of credited service.

Participant Loans

Participants may borrow from their fund accounts a minimum of $1,000 up to a maximum equal to the lesser of $50,000 or 50% of their account balance. The loans are secured by the balance in the participant's account and bear interest at rates ranging from 4.25% to 9.25%, which are commensurate with local prevailing rates as determined by the Plan administrator. Principal and interest is paid ratably through bi-weekly payroll deductions.

Payment of Benefits

On termination of service due to death, disability, retirement or before normal retirement age, and for termination of service due to other reasons, a participant may elect to receive either a lump-sum, installment payments or annuity contract in amount equal to the value of the participant's vested interest in his or her account.

Forfeited Accounts

At December 31, 2009 and 2008, forfeited non-vested accounts totaled $45 and $1,146, respectively. These accounts will be allocated to individual accounts of qualified participants, as defined in the plan document.

1. Description of the Plan - continued

Expenses

Transaction fees charged by the record keeper are paid by the Plan. Other administrative fees are paid by the Company. Fees paid for services rendered by parties-in-interest were based on customary and reasonable rates for such services.

2. Summary of Significant Accounting Policies

Date of Management's Review

Subsequent events were evaluated through September 29, 2010, which is the date the financial statements were available to be issued.

Basis of Accounting

The financial statements of the Plan are prepared on the accrual method of accounting.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires the plan administrator to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results may differ from those estimates.

Investment Valuation and Income Recognition

The Plan's investments are stated at fair value (see Note 3). Quoted market prices are used to value investments. Shares of mutual funds are valued at quoted market prices which represent the net asset value of shares held by the Plan at year-end. Participant loans are valued at their outstanding balances, which approximate fair value.

Purchases and sales of securities are recorded on a trade-date basis. Dividends are recorded on the ex-dividend date. Net appreciation (depreciation) includes the plan's gains and losses on investments bought and sold as well as held during the year.

Payment of Benefits

Benefits are recorded when paid.

3. Fair Value Measurements

The Plan's investments are reported at fair value in the accompanying statements of net assets available for benefits. The fair value measurement accounting literature 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. Level 3 inputs were used only when Level 1 or Level 2 inputs were not available.

The following tables present by level, within the fair value hierarchy, the Plan investment assets at fair value, as of December 31, 2009 and 2008. As required by the fair value measurement accounting literature, investment assets are classified in their entirety based upon the lowest level of input that is significant to the fair value measurement.

3. Fair Value Measurements - continued

Total Plan investment assets at fair value classified within Level 3 were $21,148 and $17,734 as of December 31, 2009 and 2008, respectively, which consists of the Plan's loans to participants. Such amounts were approximately 4.3% and 4.6% of total investment assets on the Plan's statements of net assets available for benefits at fair value as of December 31, 2009 and 2008, respectively.

	December 31, 2009	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Mutual funds	$ 412,892	$ 412,892	$ -	$ -
US Treasury money market fund	60,464		60,464	
Loans to participants	21,148	-	-	21,148
Total	$ 494,504	$ 412,892	$ 60,464	$ 21,148

	December 31, 2008	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Mutual funds	$ 307,419	$ 307,419	$ -	$ -
US Treasury money market fund	59,165		59,165	
Loans to participants	17,734	-	-	17,734
Total	$ 384,318	$ 307,419	$ 59,165	$ 17,734

Level 1: The fair value of mutual funds is based on quoted net asset values of the shares held by the Plan at year-end.

Level 2: The fair value of US Treasury money market funds are based on historical cost, which approximates fair value.

Level 3: The fair value of participant loans are based on stated interest rates, payment history, collateralization and default rates. The fair value of participant loans approximates the amortized cost of the loans because the loans are secured by each respective participant's account balance.

3. Fair Value Measurements - continued

The table below sets forth a summary of changes in the fair value of the Plan's Level 3 investment assets for the year ended December 31, 2009 and 2008:

December 31, 2009	
Beginning balance	$ 17,734
Purchases, issuances, and settlements - net	3,414
Ending balance	$ 21,148
December 31, 2008	
Beginning balance	$ 21,569
Purchases, issuances, and settlements - net	(3,835)
Ending balance	$ 17,734

4. Investments

The following presents investments that represent 5% or more of the Plan's net assets at December 31, 2009 and 2008:

	2009	2008
Investments:		
Fidelity Advisor:		
Equity Income T	$ 38,456	$ 27,777
Intermediate Bond T	50,704	41,388
American Funds:		
The Growth Fund of America R2	56,071	37,655
The Investment Company of America R2	133,445	100,487
New Perspective R2	32,821	23,771
Pimco:		
Total Return A	29,131	24,273
Vanguard:		
Small Cap Value Index	25,392	**
Fidelity US Treasury Money Market	60,464	59,165

** Less than 5% of net assets available for benefits

5. Plan Termination

Although it has not expressed any intent to do so, the Company 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 would become 100% vested in their employer contributions.

6. Tax Status

The Plan has received an opinion letter from the Internal Revenue Service dated March 31, 2008 stating that the written form of the underlying prototype plan document is qualified under Section 401(a) of the Internal Revenue Code (the "Code"), and that any employer adopting this form of the Plan will be considered to have a plan qualified under Section 401(a) of the Code. Therefore, the related trust is exempt from taxation. Once qualified, the Plan is required to operate in conformity with the Code to maintain its qualification. The Plan Administrator believes the Plan is being operated in compliance with the applicable requirements of the Code and, therefore, believes that the Plan is qualified and the related trust is tax exempt.

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.

SUPPLEMENTAL SCHEDULE

Tony Packo's, Inc. 401(K) Profit Sharing Plan & Trust

Employer Identification Number 34-1025386
Plan Number 001

Schedule H, Line 4(i) - Schedule of Assets (Held at End of Year)

December 31, 2009

(a)	(b) Identity of Issue, Borrower, Lessor or Similar Party	(c) Description of Investment (Shares)	(d) Cost**	(e) Current Value
	Fidelity Advisor:			
	Small Cap T	225.653 shares		$ 4,829
	Mid Cap II T	1,676.854 shares		23,660
	Equity Income T	1,853.283 shares		38,456
	Intermediate Bond T	4,765.470 shares		50,704
	Freedom 2020 T	1,570.147 shares		16,987
	Freedom 2025 T	23.557 shares		244
	Freedom 2030 T	17.927 shares		194
	Freedom 2035 T	11.374 shares		116
	Freedom 2040 T	4.526 shares		49
	Real Estate T	13.484 shares		174
	American Funds:			
	EuroPacific Growth R2	2.262 shares		85
	The Growth Fund of America R2	2,099.254 shares		56,071
	The Investment Company of America R2	5,162.341 shares		133,445
	New Perspective R2	1,309.697 shares		32,821
	New World R2	2.439 shares		112
	Pimco:			
	High Yield A	47.978 shares		422
	Total Return A	2,697.372 shares		29,131
	Vanguard Small Cap Value Index	1,944.291 shares		25,392
	Fidelity US Treasury Money Market	60,442.830 shares		60,464
*	Participants loans	Interest ranging from 4.25% - 9.25%		21,148
			$ -	$ 494,504

* Party-in-interest investment
** Cost information omitted for participant-directed investments