# 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;
- [X] 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
TEXAS DIGESTIVE DISEASE CONSULTANTS 401K SAVINGS PLAN

**1b** Three-digit plan number (PN) ▶ 001

**1c** Effective date of plan 03/01/1996

**2a** Plan sponsor's name and address (employer, if for a single-employer plan)
(Address should include room or suite no.)
TEXAS DIGESTIVE DISEASE CONSULTANTS

1420 W MOCKINGBIRD LANE, SUITE 340
DALLAS, TX 75247-6916

**2b** Employer Identification Number (EIN)
75-2005254

**2c** Sponsor's telephone number
214-424-2200

**2d** Business code (see instructions)
621111

**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 | PEGGY SEILER |
| | **Signature of plan administrator** | Date | Enter name of individual signing as plan administrator |
| **SIGN HERE** | | | |
| | **Signature of employer/plan sponsor** | Date | Enter name of individual signing as employer or plan sponsor |
| **SIGN HERE** | | | |
| | **Signature of DFE** | Date | Enter name of individual signing as DFE |

**3a** Plan administrator's name and address (if same as plan sponsor, enter "Same")
TEXAS DIGESTIVE DISEASE CONSULTANTS

1420 W MOCKINGBIRD LANE, SUITE 340
DALLAS, TX 75247-6916

**3b** Administrator's EIN
75-2005254

**3c** Administrator's telephone number
214-424-2200

**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** | 235 |
| **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** | 219 |
| **b** | Retired or separated participants receiving benefits | **6b** | 0 |
| **c** | Other retired or separated participants entitled to future benefits | **6c** | 24 |
| **d** | Subtotal. Add lines **6a**, **6b**, and **6c** | **6d** | 243 |
| **e** | Deceased participants whose beneficiaries are receiving or are entitled to receive benefits | **6e** | 0 |
| **f** | Total. Add lines **6d** and **6e** | **6f** | 243 |
| **g** | Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item) | **6g** | 236 |
| **h** | Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested | **6h** | 6 |
| **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 2R

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

**9a** Plan funding arrangement (check all that apply)

| | | |
|---|---|---|
| **(1)** | | Insurance |
| **(2)** | | Code section 412(e)(3) insurance contracts |
| **(3)** | X | Trust |
| **(4)** | | General assets of the sponsor |

**9b** Plan benefit arrangement (check all that apply)

| | | |
|---|---|---|
| **(1)** | | Insurance |
| **(2)** | | Code section 412(e)(3) insurance contracts |
| **(3)** | X | Trust |
| **(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**

| | | |
|---|---|---|
| **(1)** | X | **R** (Retirement Plan Information) |
| **(2)** | | **MB** (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary |
| **(3)** | | **SB** (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary |

**b General Schedules**

| | | |
|---|---|---|
| **(1)** | X | **H** (Financial Information) |
| **(2)** | | **I** (Financial Information – Small Plan) |
| **(3)** | | **A** (Insurance Information) |
| **(4)** | X | **C** (Service Provider Information) |
| **(5)** | X | **D** (DFE/Participating Plan Information) |
| **(6)** | | **G** (Financial Transaction Schedules) |

| SCHEDULE C (Form 5500) | Service Provider Information | OMB No. 1210-0110 |
|---|---|---|
| Department of the Treasury<br>Internal Revenue Service<br>Department of Labor<br>Employee Benefits Security Administration<br>Pension Benefit Guaranty Corporation | This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).<br>▶ **File as an attachment to Form 5500.** | **2009**<br>**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
TEXAS DIGESTIVE DISEASE CONSULTANTS 401K SAVINGS PLAN

**B** Three-digit plan number (PN) ▶ 001

**C** Plan sponsor's name as shown on line 2a of Form 5500
TEXAS DIGESTIVE DISEASE CONSULTANTS

**D** Employer Identification Number (EIN)
75-2005254

## Part I Service Provider Information (see instructions)

You must complete this Part, in accordance with the instructions, to report the information required for **each person** who received, directly or indirectly, $5,000 or more in total compensation (i.e., money or anything else of monetary value) in connection with services rendered to the plan or the person's position with the plan during the plan year. If a person received **only** eligible indirect compensation for which the plan received the required disclosures, you are required to answer line 1 but are not required to include that person when completing the remainder of this Part.

### 1 Information on Persons Receiving Only Eligible Indirect Compensation

**a** Check "Yes" or "No" to indicate whether you are excluding a person from the remainder of this Part because they received only eligible indirect compensation for which the plan received the required disclosures (see instructions for definitions and conditions).. . . . . [X] Yes [ ] No

**b** If you answered line 1a "Yes," enter the name and EIN or address of each person providing the required disclosures for the service providers who received only eligible indirect compensation. Complete as many entries as needed (see instructions).

**(b)** Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation

BANK OF AMERICA, N.A.

94-1687665

**(b)** Enter name and EIN or address of person who provided you disclosure on eligible indirect compensation

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**2. Information on Other Service Providers Receiving Direct or Indirect Compensation.** Except for those persons for whom you answered "yes" to line 1a above, complete as many entries as needed to list each person receiving, directly or indirectly, $5,000 or more in total compensation (i.e., money or anything else of value) in connection with services rendered to the plan or their position with the plan during the plan year. (See instructions).

**(a)** Enter name and EIN or address (see instructions)

MERRILL LYNCH, PIERCE, FENNER AND S

13-5674085

| (b) Service Code(s) | (c) Relationship to employer, employee organization, or person known to be a party-in-interest | (d) Enter direct compensation paid by the plan. If none, enter -0-. | (e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | (f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | (g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | (h) Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| 15 51 52 56 59 60 62 63 71 72 | RECORDKEEPER | 16135 | Yes [X] No [ ] | Yes [X] No [ ] | 0 | Yes [ ] No [ ] |

**(a)** Enter name and EIN or address (see instructions)

| (b) Service Code(s) | (c) Relationship to employer, employee organization, or person known to be a party-in-interest | (d) Enter direct compensation paid by the plan. If none, enter -0-. | (e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | (f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | (g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | (h) Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes [ ] No [ ] | Yes [ ] No [ ] | | Yes [ ] No [ ] |

**(a)** Enter name and EIN or address (see instructions)

| (b) Service Code(s) | (c) Relationship to employer, employee organization, or person known to be a party-in-interest | (d) Enter direct compensation paid by the plan. If none, enter -0-. | (e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | (f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | (g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | (h) Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes [ ] No [ ] | Yes [ ] No [ ] | | Yes [ ] No [ ] |

**(a)** Enter name and EIN or address (see instructions)

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes ☐ No ☐ | Yes ☐ No ☐ | | Yes ☐ No ☐ |

**(a)** Enter name and EIN or address (see instructions)

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes ☐ No ☐ | Yes ☐ No ☐ | | Yes ☐ No ☐ |

**(a)** Enter name and EIN or address (see instructions)

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes ☐ No ☐ | Yes ☐ No ☐ | | Yes ☐ No ☐ |

## Part I Service Provider Information (continued)

**3** If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received $1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

| **(a)** Enter service provider name as it appears on line 2 | **(b)** Service Codes (see instructions) | **(c)** Enter amount of indirect compensation |
|---|---|---|
| | | |
| **(d)** Enter name and EIN (address) of source of indirect compensation | **(e)** Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation. | |
| | | |

| **(a)** Enter service provider name as it appears on line 2 | **(b)** Service Codes (see instructions) | **(c)** Enter amount of indirect compensation |
|---|---|---|
| | | |
| **(d)** Enter name and EIN (address) of source of indirect compensation | **(e)** Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation. | |
| | | |

| **(a)** Enter service provider name as it appears on line 2 | **(b)** Service Codes (see instructions) | **(c)** Enter amount of indirect compensation |
|---|---|---|
| | | |
| **(d)** Enter name and EIN (address) of source of indirect compensation | **(e)** Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation. | |
| | | |

## Part II Service Providers Who Fail or Refuse to Provide Information

**4** Provide, to the extent possible, the following information for each service provider who failed or refused to provide the information necessary to complete this Schedule.

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

## Part III Termination Information on Accountants and Enrolled Actuaries (see instructions)

(complete as many entries as needed)

| | |
|---|---|
| **a** Name: | **b** EIN: |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

| | |
|---|---|
| **a** Name: | **b** EIN: |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

| | |
|---|---|
| **a** Name: | **b** EIN: |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

| | |
|---|---|
| **a** Name: | **b** EIN; |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

| | |
|---|---|
| **a** Name: | **b** EIN; |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

# SCHEDULE D (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

# DFE/Participating Plan Information

This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).

▶ **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
TEXAS DIGESTIVE DISEASE CONSULTANTS 401K SAVINGS PLAN

**B** Three-digit plan number (PN) ▶ 001

**C** Plan or DFE sponsor's name as shown on line 2a of Form 5500
TEXAS DIGESTIVE DISEASE CONSULTANTS

**D** Employer Identification Number (EIN)
75-2005254

## Part I Information on interests in MTIAs, CCTs, PSAs, and 103-12 IEs (to be completed by plans and DFEs)

(Complete as many entries as needed to report all interests in DFEs)

**a** Name of MTIA, CCT, PSA, or 103-12 IE: ML RETIREMENT PRESERVATION TRUST

**b** Name of sponsor of entity listed in (a): BANK OF AMERICA, N.A.

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| 22-6484001-001 | C | 1945488 |

**a** Name of MTIA, CCT, PSA, or 103-12 IE: ML EQUITY INDEX TRUST

**b** Name of sponsor of entity listed in (a): BANK OF AMERICA, N.A.

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| 22-6575237-014 | C | 913577 |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

## Part II Information on Participating Plans (to be completed by DFEs)

(Complete as many entries as needed to report all participating plans)

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

# 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
TEXAS DIGESTIVE DISEASE CONSULTANTS 401K SAVINGS PLAN

**B** Three-digit plan number (PN) ▶ 001

**C** Plan sponsor's name as shown on line 2a of Form 5500
TEXAS DIGESTIVE DISEASE CONSULTANTS

**D** Employer Identification Number (EIN)
75-2005254

## 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) | 344856 | 373772 |
| **(2)** Participant contributions | 1b(2) | 18610 | 55824 |
| **(3)** Other | 1b(3) | | |
| **c** General investments: | | | |
| **(1)** Interest-bearing cash (include money market accounts & certificates of deposit) | 1c(1) | 235 | 136 |
| **(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) | 246872 | 302217 |
| **(9)** Value of interest in common/collective trusts | 1c(9) | 2054548 | 2859065 |
| **(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) | 5687461 | 9199069 |
| **(14)** Value of funds held in insurance company general account (unallocated contracts) | 1c(14) | | |
| **(15)** Other | 1c(15) | 2140879 | 3335232 |

| | | | (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 | 10493461 | 16125315 |
| | **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 | 10493461 | 16125315 |

## 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) | 1564283 | |
| | **(B)** Participants | 2a(1)(B) | 1035023 | |
| | **(C)** Others (including rollovers) | 2a(1)(C) | 597378 | |
| | **(2)** Noncash contributions | 2a(2) | | |
| | **(3)** Total contributions. Add lines **2a(1)(A), (B), (C),** and line **2a(2)** | 2a(3) | | 3196684 |
| **b** | **Earnings on investments:** | | | |
| | **(1)** Interest: | | | |
| | **(A)** Interest-bearing cash (including money market accounts and certificates of deposit) | 2b(1)(A) | 1 | |
| | **(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) | 18011 | |
| | **(F)** Other | 2b(1)(F) | | |
| | **(G)** Total interest. Add lines **2b(1)(A)** through **(F)** | 2b(1)(G) | | 18012 |
| | **(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) | 139905 | |
| | **(D)** Total dividends. Add lines **2b(2)(A)**, **(B)**, and **(C)** | 2b(2)(D) | | 139905 |
| | **(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) | | |
| (C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B) | 2b(5)(C) | | 0 |
| (6) Net investment gain (loss) from common/collective trusts | 2b(6) | | 305008 |
| (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) | | 1641010 |
| **c** Other income | 2c | | 513460 |
| **d** Total income. Add all **income** amounts in column (b) and enter total | 2d | | 5814079 |
| **Expenses** | | | |
| **e** Benefit payment and payments to provide benefits: | | | |
| (1) Directly to participants or beneficiaries, including direct rollovers | 2e(1) | 171121 | |
| (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) | | 171121 |
| **f** Corrective distributions (see instructions) | 2f | | |
| **g** Certain deemed distributions of participant loans (see instructions) | 2g | | 7314 |
| **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) | 3790 | |
| (5) Total administrative expenses. Add lines 2i(1) through (4) | 2i(5) | | 3790 |
| **j** Total expenses. Add all **expense** amounts in column (b) and enter total | 2j | | 182225 |
| **Net Income and Reconciliation** | | | |
| **k** Net income (loss). Subtract line 2j from line 2d | 2k | | 5631854 |
| **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: RHODES OSIEK & COMPANY LLP (2) EIN: 75-2912970

**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 | | 6460 |
| **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 | | 500000 |
| **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
TEXAS DIGESTIVE DISEASE CONSULTANTS 401K SAVINGS PLAN

**B** Three-digit plan number (PN) ▶ 001

**C** Plan sponsor's name as shown on line 2a of Form 5500
TEXAS DIGESTIVE DISEASE CONSULTANTS

**D** Employer Identification Number (EIN)
75-2005254

## 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): 22-3513863 94-1687665

**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):

Rhodes Osiek & Company, L.L.P. • Certified Public Accountants

Curt H. Osiek
Bryan K. Rhodes
Joan T. Washburn
Lisa M. Wharton

# INDEPENDENT AUDITOR'S REPORT

To the Finance Committee

Texas Digestive Disease Consultants 401(k) Savings Plan:

We have audited the accompanying statements of net assets available for benefits of the Texas Digestive Disease Consultants 401(k) Savings Plan as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009. These financial statements are the responsibility of the Texas Digestive Disease Consultants 401(k) Savings 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 audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, 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 the Texas Digestive Disease Consultants 401(k) Savings Plan as of December 31, 2009 and 2008, and the changes in its net assets available for benefits for the year ended December 31, 2009, in conformity with accounting principles generally accepted in the United States of America.

Our audits were performed for the purpose of forming an opinion on the basic financial statements taken as a whole. The supplemental schedule of assets held for investment purposes as of December 31, 2009 and 2008 and delinquent participant contributions for the year ended December 31, 2009 together referred to as "supplemental information," are presented for the purpose of additional analysis and are not a required part of the basic financial statements but are 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 information is the responsibility of the Plan's management. The supplemental information has been subjected to the auditing procedures applied in the audits of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Rhodes Osiek & Company

Arlington, Texas

October 11, 2010

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS
AS OF DECEMBER 31, 2009 and 2008

| | 2009 | 2008 |
|---|---|---|
| ASSETS | | |
| Cash | $ 136 | $ 235 |
| Investments, at fair value (Note 3) | 15,393,366 | 9,882,887 |
| Receivables: | | |
| Employer's contribution | 380,673 | 346,750 |
| Participants' contributions | 56,137 | 18,806 |
| | 436,810 | 365,556 |
| Participant loans | 302,217 | 246,872 |
| Total assets | 16,132,529 | 10,495,550 |
| LIABILITIES | | |
| Accounts payable | 0 | 0 |
| Total liabilities | 0 | 0 |
| Net assets available for benefits at fair value | 16,132,529 | 10,495,550 |
| Adjustment from fair value to contract value for fully benefit-responsive investment contracts | 141,945 | 210,004 |
| Net assets available for benefits at contract value | $16,274,474 | $10,705,554 |

The accompanying notes are an integral part of these financial statements

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
FOR THE YEAR ENDED DECEMBER 31, 2009

| | | |
|---|---|---|
| ADDITIONS: | | |
| Additions (reductions) to net assets attributed to: | | 2009 |
| Investment income: | | |
| Net appreciation (depreciation) of investments (Note 3) | $ | 2,951,569 |
| Interest and dividends | | 181,397 |
| Capital gain distributions and capital gain (loss) | | (585,425) |
| | | 2,547,541 |
| Contributions: | | |
| Participants' | | 1,632,518 |
| Employer's | | 1,568,536 |
| | | 3,201,054 |
| Total additions | | 5,748,595 |
| DEDUCTIONS: | | |
| Deductions from net assets attributed to: | | |
| Benefits paid to participants | | 175,885 |
| Plan expenses | | 3,790 |
| Total deductions | | 179,675 |
| Net increase | | 5,568,920 |
| Net assets available for benefits, beginning of year | | 10,705,554 |
| Net assets available for benefits, end of year | $ | 16,274,474 |

The accompanying notes are an integral part of these financial statements

NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2009 and 2008

NOTE (1) - DESCRIPTION OF PLAN:

The following description of the Texas Digestive Disease Consultants ("Company") 401(k) Savings Plan ("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 full time employees of the Company who have one year of service and are twenty-one or older. It is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

Contributions-

Each year, participants may contribute up to 92% of pretax annual compensation, as defined in the Plan. Participants may also contribute amounts representing distributions from other qualified defined benefit or contribution plans. Participants direct the investment of their contributions into various investment options offered by the Plan. The Company contributes 100% of the first 6% of base compensation that a participant contributes to the Plan. The matching Company contribution is invested directly into various options offered by the Plan as designated by the participants. Additional profit sharing amounts may be contributed at the option of the Company's board of directors and are invested into various options offered by the Plan as designated by the participants. Contributions are subject to certain limitations.

Participant Accounts-

Each participant's account is credited with the participant's contribution and allocation of (a) the Company's contribution and, (b) Plan earnings, and charged with an allocation of administrative expense. 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's 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 a rate between 4.25 to 8.5%, which is commensurate with local prevailing rates as determined by the Plan administrator. Principal and interest is paid ratably through monthly payroll deductions.

Forfeited Accounts-

At December 31, 2009 and 2008, forfeited non-vested accounts totaled $91,258.57 and $73,386.35, respectively. These accounts will be used to reduce future employer contributions.

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

Payment of Benefits-

On termination of service due to death, disability or retirement, a participant may elect to receive either a lump-sum amount equal to the value of the participant's vested interest in his or her account, or annual installments. For termination of service due to other reasons, a participant may receive the value of the vested interest in his or her account as a lump-sum distribution.

NOTE (2) - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

Basis of accounting-

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

Use of Estimates-

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from these estimates.

Investment Valuation and Income Recognition-

The Plan's investments are stated at fair value based on the hierarchy established by generally accepted accounting principles effective for financial statements issued for years beginning after November 17, 2008.

Purchases and sales of securities are recorded on a trade-date basis. Dividends are recorded as received.

Payment of Benefits-

Benefits are recorded when paid.

Operating Expenses-

All expenses of maintaining the Plan are paid by the Company.

NOTE (3)-INVESTMENTS:

Generally accepted accounting principles clarifies the definition of fair value and establishes a framework for measuring fair value. The framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy are described below.

NOTE (3)-INVESTMENTS (Continued):

Level 1- Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Plan has the ability to access.

Level 2- Inputs (other than quoted market prices included within level 1) that are either directly or indirectly observable for the asset or liability through correlation with market data at the measurement date and fair value is determined through the use of models or other valuation techniques.

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

Following is a description of the valuation methodologies used for assets measured at fair value.

Mutual funds and SMA Investment Fund: Valued at the net asset value of shares held by the plan at year end.

Common/Collective Trusts: Valued based on the quoted market price of the underlying assets held in the fund, except the Merrill Lynch Preservation Trust. The Merrill Lynch Retirement Trust, a common/collective trust, primarily holds investments in fully benefit-responsive insurance contracts that provide that the Plan may make withdrawals at contract value for benefit-responsive requirements. Accordingly, the Plan's investment in units of the Merrill Lynch Retirement Preservation Trust is presented at fair value in the Statements of Net Assets Available for Plan Benefits, with an adjustment to its contract value separately disclosed, as provided by ASC 962-325. The Merrill Lynch Retirement Preservation Trust fund's reported fair value is determined as the sum of (a) the fair value of the investments in guaranteed company, bank or other financial institution (collectively, the "Investment Contracts"), as determined by that fund's trustee and (b) the fair value of that fund's investments in externally managed collective investment funds as determined by those funds' trustees. Merrill Lynch is considered a party-in - interest

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

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

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

| | Assets at Fair Value as of December 31, 2009 | | | |
|---|---|---|---|---|
| | Level 1 | Level 2 | Level 3 | Total |
| Mutual Funds | $ 9,199,069 | | | $ 9,199,069 |
| Common/Collective Trusts | | $ 2,859,065 | | 2,859,065 |
| SMA Investment Fund | 3,335,232 | | | 3,335,232 |
| Participant loans | 0 | 0 | $ 302,217 | 302,217 |
| Assets at fair value | $12,534,301 | $ 2,859,065 | $ 302,217 | $15,695,583 |

NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2009 and 2008

The following table sets forth by level, within the fair value hierarchy, the Plan's assets at fair value as of December 31, 2008:

| | Assets at Fair Value as of December 31, 2008 | | | |
|---|---|---|---|---|
| | Level 1 | Level 2 | Level 3 | Total |
| Mutual Funds | $ 5,687,460 | | | $ 5,687,460 |
| Common/Collective Trusts | | $ 2,054,548 | | 2,054,548 |
| SMA Investment Fund | 2,140,879 | | | 2,140,879 |
| Participant loans | 0 | 0 | $ 246,872 | 246,872 |
| Assets at fair value | $ 7,828,339 | $ 2,054,548 | $ 246,872 | $ 10,129,759 |

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

| | Level 3 Assets Year Ended December 31, 2009 |
|---|---|
| | Participant loans |
| Balance, beginning of year | $ 246,872 |
| Purchases, sales, issuances and settlements, net | 55,345 |
| Balance, end of year | $ 302,217 |

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

| | Level 3 Assets Year Ended December 31, 2008 |
|---|---|
| | Participant loans |
| Balance, beginning of year | $ 250,505 |
| Purchases, sales, issuances and settlements, net | (3,633) |
| Balance, end of year | $ 246,872 |

The following represents the Plan's investments as of December 31, 2009 and 2008:

| | 2009 | 2008 |
|---|---|---|
| Common/ Collective Trusts | $ 2,859,065 | $ 2,054,548 |
| Mutual Funds | 9,199,069 | 5,687,460 |
| SMA Investment Fund | 3,335,232 | 2,140,879 |
| | $ 15,393,366 | $ 9,882,887 |

During 2009, the Plan's investments (including gains and losses on investments bought and sold, as well as held during the year) appreciated (depreciated) in value by $2,951,569 as follows:

| | 2009 |
|---|---|
| ML Retirement Preservation Trust | $ 254,494 |
| Mutual Funds | 2,189,084 |
| SMA Investment Fund | 507,991 |
| | $ 2,951,569 |

NOTE (4)-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.

NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2009 and 2008

NOTE (5)-RECONCILIATION OF FINANCIAL STATEMENTS TO SCHEDULE H OF FORM 5500:

The following is a reconciliation of net assets available for benefits per the financial statements at December 31, 2009 and 2008 to Schedule H of Form 5500:

| | 2009 | 2008 |
|---|---|---|
| Net assets available for benefits per Form 5500 Schedule H | $16,125,315 | $ 10,493,461 |
| Receivable for employer's profit sharing contribution | 7,214 | 2,089 |
| Adjustment from contract value to fair value for fully benefit-responsive investment contracts | 141,945 | 210,004 |
| Net assets available for benefits per the financial statements | $16,274,474 | $ 10,705,554 |

NOTE (6) -TAX STATUS:

The Internal Revenue Service has determined and informed the Company that the Plan and related trust are designed in accordance with applicable sections of the Internal Revenue Code. Although the Plan has been amended since receiving the determination letter, the Plan administrator and the Plan's tax counsel believe that the Plan is designed and is currently being operated in compliance with the applicable requirements of the Internal Revenue Code.

NOTE (7) -PROHIBITED TRANSACTIONS:

During 2009, the Plan sponsor did not remit certain employer contributions in a timely manner as defined by ERISA on two occasions. On the first occasion, the participant contribution was late on a $2,891 participant contribution. On the second occasion, the participant contribution was late on a $3,569 employer contribution. These contributions are considered non-exempt party-in-interest transactions. The lost earnings of $754.83 were deposited in 2010.

NOTE (8) -RELATED PARTY TRANSACTIONS:

Certain Plan investments are shares of common/ collective trusts managed by Merrill Lynch & Co, Inc. Merrill Lynch, Pierce, Fenner & Smith, Inc. is the trustee as defined by the Plan, and, therefore, these transactions qualify as party-in-interest transactions. Fees paid by the Plan for the investment management services amounted to $3,790 for the year ended December 31, 2009.

NOTE (9) -ADMINISTRATION OF PLAN ASSETS:

Certain administrative functions are performed by employees of the Plan Sponsor. No such employees receive compensation from the Plan. The Plan Sponsor paid certain administrative expenses of the Plan for the year ended December 31, 2009.

NOTE (10) -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.

NOTE (11) -SUBSEQUENT EVENTS:

The management of the Plan evaluated subsequent events after the statement of net assets available for benefits of December 31, 2009 through October 11, 2010, which is the date the financial statements were issued, and concluded that no additional disclosures are required.

SUPPLEMENTAL INFORMATION

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

SCHEDULE H LINE 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)
AS OF DECEMBER 31, 2009

Plan Sponsor EIN (EN): 75-2005254
Plan No (PN): 001

| (a) | (b) Identity of Issuer | (c) Description of Investment | (d) Cost Basis | (e) Current Value |
|---|---|---|---|---|
| | Mainstay | Large Cap Growth Fund A | $ 271,397 | $ 251,403 |
| | Oakmark | Equity & income Fund | 1,567 | 1,681 |
| | Davis | Davis NY Venture Fund Cl A | 1,086,647 | 947,686 |
| | AIM | AIM Capital Development A | 315,501 | 269,287 |
| X | Merrill Lynch | ML Retirement Preservation Trust | 1,689,780 | 1,574,875 |
| X | Merrill Lynch | ML Retirement Preservation Trust | 397,654 | 370,614 |
| X | Merrill Lynch | Equity Index Trust II | 1,043,308 | 913,577 |
| | American Funds | Growth Fund of America | 580,195 | 525,321 |
| | American Funds | Growth Fund of America | 452,389 | 462,761 |
| | American Funds | Small Cap World Fund | 435,010 | 386,355 |
| | Jennison | Mid Cap Growth Fund | 35,152 | 35,189 |
| | Jennison | Mid Cap Growth Fund | 277,656 | 312,882 |
| | American Century | Govt bond fund | 190 | 185 |
| | American Century | Govt bond fund | 450,588 | 444,903 |
| | Henderson | International Opportunity A | 141,465 | 125,832 |
| | Principal | High yield fund | 615 | 627 |
| | Thornburg | Thornburg International | 415,529 | 358,819 |
| | Thornburg | Thornburg International | 657,564 | 653,467 |
| | Black Rock | BlackRock Eurofund | 154,930 | 143,139 |
| | Black Rock | BlackRock Large Cap Core Fund A | 26,396 | 23,737 |
| | Black Rock | BlackRock Global Allocation Fund | 1,862,235 | 1,817,878 |
| | Black Rock | BlackRock Equity Dividend Fund A | 621,047 | 546,186 |
| | Black Rock | BlackRock Equity Dividend Fund A | 660,459 | 647,542 |
| | JPMorgan | Small cap equity | 563 | 583 |
| | JPMorgan | Small cap equity | 210,530 | 229,892 |
| | PIMCO | Total return fund | 240,757 | 244,293 |
| | PIMCO | Total return fund | 756,162 | 769,420 |
| | TDDC | Self-direct investment fund | 3,335,232 | 3,335,232 |
| | Participant loans | Principal with 4.25%-8.5% interest | 0 | 302,217 |
| X | Merrill Lynch | Cash | 136 | 136 |
| | | | $16,120,654 | $15,695,719 |

Note: Column (a) marked by X indicates parties-in-interest

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

SCHEDULE H LINE 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)
AS OF DECEMBER 31, 2008

Plan Sponsor EIN (EN): 75-2005254
Plan No (PN): 001

| (a) | (b) Identity of Issuer | (c) Description of Investment | (d) Cost Basis | (e) Current Value |
|---|---|---|---|---|
| | Mainstay | Large Cap Growth Fund A | $ 236,533 | $ 151,201 |
| | Davis | Davis NY Venture Fund Cl A | 1,274,151 | 787,407 |
| | AIM | AIM Capital Development A | 524,626 | 292,680 |
| | AIM | AIM Capital Development A | 175,575 | 115,670 |
| X | Merrill Lynch | ML Retirement Preservation Trust | 1,310,642 | 1,128,463 |
| X | Merrill Lynch | ML Retirement Preservation Trust | 200,177 | 172,352 |
| X | Merrill Lynch | Equity Index Trust II | 1,128,739 | 753,732 |
| | American Funds | Growth Fund of America | 634,964 | 400,054 |
| | American Funds | Growth Fund of America | 446,533 | 310,906 |
| | American Funds | Small Cap World Fund | 377,136 | 201,534 |
| | American Funds | Small Cap World Fund | 120,747 | 77,363 |
| | American Funds | Bond Fund of America | 70,918 | 59,734 |
| | American Funds | Bond Fund of America | 709,971 | 607,953 |
| | Henderson | International Opportunity A | 312,634 | 195,718 |
| | Thornburg | Thornburg International | 362,772 | 222,617 |
| | Thornburg | Thornburg International | 486,006 | 328,200 |
| | Black Rock | BlackRock Eurofund | 81,556 | 49,436 |
| | Black Rock | BlackRock Large Cap Core Fund A | 19,301 | 13,017 |
| | Black Rock | BlackRock Global Allocation Fund | 1,482,381 | 1,160,022 |
| | Black Rock | BlackRock Equity Dividend Fund A | 552,408 | 379,066 |
| | Black Rock | BlackRock Equity Dividend Fund A | 459,631 | 334,883 |
| | TDDC | Self-direct investment fund | 2,140,879 | 2,140,879 |
| | Participant loans | Principal with 4%-8.5% interest | 0 | 246,872 |
| X | Merrill Lynch | Cash | 235 | 235 |
| | | | $13,108,515 | $10,129,994 |

Note: Column (a) marked by X indicates parties-in-interest

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

SCHEDULE H LINE 4a - SCHEDULE OF DELINQUENT EMPLOYER CONTRIBUTIONS
AS OF DECEMBER 31, 2009

Plan Sponsor EIN (EN): 75-2005254
Plan No (PN): 001

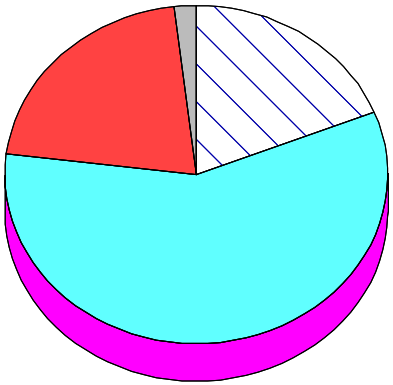
| | Total that Constitute Nonexempt Prohibited Transactions | |
|---|---|---|
| Employer Contributions Transferred Late to Plan | Contributions Corrected in VFCP | Total Fully Corrected Under VFCP and PTE 2002-51 |
| $ 3,569 | $ 3,569 | $ 3,569 |
| $ 2,891 | $ 2,891 | $ 2,891 |

# REVALUED STATEMENT OF ASSETS

FOR THE PERIOD 01/01/2009 - 12/31/2009

TEXAS DIGESTIVE DISEASE
CONSULTANTS 401(K) SAVINGS PLAN
CONSOLIDATION

## ALLOCATION OF PLAN ASSETS




| Investment Category | Shares/Units | Price/NAV | Cost/Book Value | Market Value | Difference |
|---|---|---|---|---|---|
| COMMON / COLLECTIVE TRUSTS | | | | | |
| ML EQUITY INDEX TRUST II | 10,045.9324 | 90.940 | 734,727.50 | 913,577.09 | 178,849.59 |
| ML RET PRESERVATION TRUST | 1,689,779.5500 | 1.000 | 1,689,779.55 | 1,689,779.55 | 0.00 |
| ML RET PRES TRUST GM | 397,654.1400 | 1.000 | 397,654.14 | 397,654.14 | 0.00 |
| TOTAL COMMON / COLLECTIVE | | | 2,822,161.19 | 3,001,010.78 | 178,849.59 |
| MUTUAL FUNDS | | | | | |
| THE OAKMARK EQ & INC FD CL II | 66.1037 | 25.430 | 1,566.85 | 1,681.02 | 114.17 |
| BLACKROCK LG CAP CORE A | 2,409.8731 | 9.850 | 20,078.05 | 23,737.25 | 3,659.20 |
| AMERICAN BOND FD. OF AMERICA | 0.0000 | 11.800 | 0.01 | 0.00 | (0.01) |
| AMERICAN BOND FD OF AMERICA GM | 0.0000 | 11.800 | 23.73 | 0.00 | (23.73) |
| AMERICAN GROWTH FD OF AMER R3 | 19,506.8971 | 26.930 | 404,345.48 | 525,320.74 | 120,975.26 |
| AMERICAN GRTH FD OF AMER R3 GM | 17,183.8582 | 26.930 | 367,074.23 | 462,761.30 | 95,687.07 |

# REVALUED STATEMENT OF ASSETS

FOR THE PERIOD 01/01/2009 - 12/31/2009

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN CONSOLIDATION

| Investment Category | Shares/Units | Price/NAV | Cost/Book Value | Market Value | Difference |
|---|---|---|---|---|---|
| AMERICAN SMALLCAP WORLD R3 | 12,499.3592 | 30.910 | 262,967.32 | 386,355.19 | 123,387.87 |
| AMERICAN SMALLCAP WORLD R3 GM | 0.0000 | 30.910 | 0.01 | 0.00 | (0.01) |
| JENNISON MID CAP GROWTH FD | 1,542.0416 | 22.820 | 35,152.41 | 35,189.39 | 36.98 |
| JENNISON MID CAP GROWTH FD GM | 13,710.8679 | 22.820 | 277,825.64 | 312,882.01 | 35,056.37 |
| AMERICAN CENT GOV BD FD ADV CL | 16.8742 | 10.970 | 189.91 | 185.11 | (4.80) |
| AMERICAN CENT GOV BD FD ADV GM | 40,556.3571 | 10.970 | 450,624.21 | 444,903.24 | (5,720.97) |
| HENDERSON INTERNAT OPP CL A | 6,263.3980 | 20.090 | 103,952.71 | 125,831.67 | 21,878.96 |
| MAINSTAY LARGE CAP GROWTH FD A | 41,078.8987 | 6.120 | 188,750.14 | 251,402.86 | 62,652.72 |
| PRINCIPAL HIGH YIELD FUND | 80.7286 | 7.770 | 615.46 | 627.26 | 11.80 |
| THORNBURG INTERNATIONAL | 14,515.3205 | 24.720 | 278,838.06 | 358,818.72 | 79,980.66 |
| THORNBURG INTERNATIONAL GM | 26,434.7297 | 24.720 | 523,471.19 | 653,466.52 | 129,995.33 |
| BLACKROCK EUROFUND A | 11,244.2217 | 12.730 | 126,878.32 | 143,138.94 | 16,260.62 |
| BLACKROCK GLOBAL ALLOC A | 101,614.2112 | 17.890 | 1,566,957.31 | 1,817,878.24 | 250,920.93 |
| BLACKROCK EQ DIVIDEND A | 34,525.0181 | 15.820 | 462,773.55 | 546,185.79 | 83,412.24 |
| BLACKROCK EQ DIVIDEND A GM | 40,931.8787 | 15.820 | 551,064.69 | 647,542.32 | 96,477.63 |
| JPMORGAN SMALL CAP EQTY FD CLA | 21.0516 | 27.710 | 562.80 | 583.34 | 20.54 |
| JPMORGAN SMALL CAP EQTY CLA GM | 8,296.3564 | 27.710 | 210,838.49 | 229,892.04 | 19,053.55 |
| AIM CAPITAL DEVELOPMENT | 19,556.0649 | 13.770 | 199,626.02 | 269,287.01 | 69,660.99 |
| AIM CAP DEVLMT GM | 0.0000 | 13.770 | 0.02 | 0.00 | (0.02) |
| PIMCO TOTAL RETURN FUND CL A | 22,619.6841 | 10.800 | 241,257.76 | 244,292.59 | 3,034.83 |
| PIMCO TOT RET FD CL A GM | 71,242.5779 | 10.800 | 756,343.32 | 769,419.84 | 13,076.52 |
| DAVIS NY VENTURE FD CL A | 30,590.2622 | 30.980 | 736,317.58 | 947,686.32 | 211,368.74 |
| TOTAL MUTUAL FUNDS | | | 7,768,095.27 | 9,199,068.71 | 1,430,973.44 |

# REVALUED STATEMENT OF ASSETS

FOR THE PERIOD 01/01/2009 - 12/31/2009

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN CONSOLIDATION

| Investment Category | Shares/Units | Price/NAV | Cost/Book Value | Market Value | Difference |
|---|---|---|---|---|---|
| OTHER ASSETS | | | | | |
| SELF-DIRECT ACCT | 3,293,197.1000 | 1.000 | 3,293,197.10 | 3,293,197.10 | 0.00 |
| SELF-DIRECT ACCT | 42,034.4400 | 1.000 | 42,034.44 | 42,034.44 | 0.00 |
| TOTAL OTHER ASSETS | | | 3,335,231.54 | 3,335,231.54 | 0.00 |
| LOANS | | | | | |
| LOAN FUND | 302,217.0800 | 1.000 | 302,217.08 | 302,217.08 | 0.00 |
| PENDING SETTLEMENT FUNDS | | | | | |
| PENDING SETTLEMENT FUND | 100.0000 | 1.000 | 100.00 | 100.00 | 0.00 |
| INVESTMENT TOTAL | | | 14,227,805.08 | 15 837 628.11 | 1,609,823.03 |
| UNINVESTED CASH | | | 0.00 | 0.00 | 0.00 |
| ACCRUED INCOME | | | 35.74 | 35.74 | 0.00 |
| CASH | | | 0.00 | 0.00 | 0.00 |
| TOTAL ASSETS | | | 14,227,840.82 | 15,837,663.85 | 1,609,823.03 |

The balance in the cash fund may be temporarily invested in the CMA Money Fund. Additional amounts not reported as cash may also be invested in the CMA Money Fund pending settlement of trades.





Rhodes Osiek & Company, L.L.P. • Certified Public Accountants

Curt H. Osiek
Bryan K. Rhodes
Joan T. Washburn
Lisa M. Wharton

# INDEPENDENT AUDITOR'S REPORT

To the Finance Committee

Texas Digestive Disease Consultants 401(k) Savings Plan:

We have audited the accompanying statements of net assets available for benefits of the Texas Digestive Disease Consultants 401(k) Savings Plan as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009. These financial statements are the responsibility of the Texas Digestive Disease Consultants 401(k) Savings 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 audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, 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 the Texas Digestive Disease Consultants 401(k) Savings Plan as of December 31, 2009 and 2008, and the changes in its net assets available for benefits for the year ended December 31, 2009, in conformity with accounting principles generally accepted in the United States of America.

Our audits were performed for the purpose of forming an opinion on the basic financial statements taken as a whole. The supplemental schedule of assets held for investment purposes as of December 31, 2009 and 2008 and delinquent participant contributions for the year ended December 31, 2009 together referred to as "supplemental information," are presented for the purpose of additional analysis and are not a required part of the basic financial statements but are 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 information is the responsibility of the Plan's management. The supplemental information has been subjected to the auditing procedures applied in the audits of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Rhodes Osiek & Company

Arlington, Texas

October 11, 2010

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS
AS OF DECEMBER 31, 2009 and 2008

| | 2009 | 2008 |
|---|---|---|
| ASSETS | | |
| Cash | $ 136 | $ 235 |
| Investments, at fair value (Note 3) | 15,393,366 | 9,882,887 |
| Receivables: | | |
| Employer's contribution | 380,673 | 346,750 |
| Participants' contributions | 56,137 | 18,806 |
| | 436,810 | 365,556 |
| Participant loans | 302,217 | 246,872 |
| Total assets | 16,132,529 | 10,495,550 |
| LIABILITIES | | |
| Accounts payable | 0 | 0 |
| Total liabilities | 0 | 0 |
| Net assets available for benefits at fair value | 16,132,529 | 10,495,550 |
| Adjustment from fair value to contract value for fully benefit-responsive investment contracts | 141,945 | 210,004 |
| Net assets available for benefits at contract value | $16,274,474 | $10,705,554 |

The accompanying notes are an integral part of these financial statements

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
FOR THE YEAR ENDED DECEMBER 31, 2009

| | | |
|---|---|---|
| ADDITIONS: | | |
| Additions (reductions) to net assets attributed to: | | 2009 |
| Investment income: | | |
| Net appreciation (depreciation) of investments (Note 3) | $ | 2,951,569 |
| Interest and dividends | | 181,397 |
| Capital gain distributions and capital gain (loss) | | (585,425) |
| | | 2,547,541 |
| Contributions: | | |
| Participants' | | 1,632,518 |
| Employer's | | 1,568,536 |
| | | 3,201,054 |
| Total additions | | 5,748,595 |
| DEDUCTIONS: | | |
| Deductions from net assets attributed to: | | |
| Benefits paid to participants | | 175,885 |
| Plan expenses | | 3,790 |
| Total deductions | | 179,675 |
| Net increase | | 5,568,920 |
| Net assets available for benefits, beginning of year | | 10,705,554 |
| Net assets available for benefits, end of year | $ | 16,274,474 |

The accompanying notes are an integral part of these financial statements

NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2009 and 2008

NOTE (1) - DESCRIPTION OF PLAN:

The following description of the Texas Digestive Disease Consultants ("Company") 401(k) Savings Plan ("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 full time employees of the Company who have one year of service and are twenty-one or older. It is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

Contributions-

Each year, participants may contribute up to 92% of pretax annual compensation, as defined in the Plan. Participants may also contribute amounts representing distributions from other qualified defined benefit or contribution plans. Participants direct the investment of their contributions into various investment options offered by the Plan. The Company contributes 100% of the first 6% of base compensation that a participant contributes to the Plan. The matching Company contribution is invested directly into various options offered by the Plan as designated by the participants. Additional profit sharing amounts may be contributed at the option of the Company's board of directors and are invested into various options offered by the Plan as designated by the participants. Contributions are subject to certain limitations.

Participant Accounts-

Each participant's account is credited with the participant's contribution and allocation of (a) the Company's contribution and, (b) Plan earnings, and charged with an allocation of administrative expense. 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's 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 a rate between 4.25 to 8.5%, which is commensurate with local prevailing rates as determined by the Plan administrator. Principal and interest is paid ratably through monthly payroll deductions.

Forfeited Accounts-

At December 31, 2009 and 2008, forfeited non-vested accounts totaled $91,258.57 and $73,386.35, respectively. These accounts will be used to reduce future employer contributions.

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

Payment of Benefits-

On termination of service due to death, disability or retirement, a participant may elect to receive either a lump-sum amount equal to the value of the participant's vested interest in his or her account, or annual installments. For termination of service due to other reasons, a participant may receive the value of the vested interest in his or her account as a lump-sum distribution.

NOTE (2) - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

Basis of accounting-

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

Use of Estimates-

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from these estimates.

Investment Valuation and Income Recognition-

The Plan's investments are stated at fair value based on the hierarchy established by generally accepted accounting principles effective for financial statements issued for years beginning after November 17, 2008.

Purchases and sales of securities are recorded on a trade-date basis. Dividends are recorded as received.

Payment of Benefits-

Benefits are recorded when paid.

Operating Expenses-

All expenses of maintaining the Plan are paid by the Company.

NOTE (3)-INVESTMENTS:

Generally accepted accounting principles clarifies the definition of fair value and establishes a framework for measuring fair value. The framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy are described below.

NOTE (3)-INVESTMENTS (Continued):

Level 1- Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Plan has the ability to access.

Level 2- Inputs (other than quoted market prices included within level 1) that are either directly or indirectly observable for the asset or liability through correlation with market data at the measurement date and fair value is determined through the use of models or other valuation techniques.

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

Following is a description of the valuation methodologies used for assets measured at fair value.

Mutual funds and SMA Investment Fund: Valued at the net asset value of shares held by the plan at year end.

Common/Collective Trusts: Valued based on the quoted market price of the underlying assets held in the fund, except the Merrill Lynch Preservation Trust. The Merrill Lynch Retirement Trust, a common/collective trust, primarily holds investments in fully benefit-responsive insurance contracts that provide that the Plan may make withdrawals at contract value for benefit-responsive requirements. Accordingly, the Plan's investment in units of the Merrill Lynch Retirement Preservation Trust is presented at fair value in the Statements of Net Assets Available for Plan Benefits, with an adjustment to its contract value separately disclosed, as provided by ASC 962-325. The Merrill Lynch Retirement Preservation Trust fund's reported fair value is determined as the sum of (a) the fair value of the investments in guaranteed company, bank or other financial institution (collectively, the "Investment Contracts"), as determined by that fund's trustee and (b) the fair value of that fund's investments in externally managed collective investment funds as determined by those funds' trustees. Merrill Lynch is considered a party-in - interest

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

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

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

| | Assets at Fair Value as of December 31, 2009 | | | |
|---|---|---|---|---|
| | Level 1 | Level 2 | Level 3 | Total |
| Mutual Funds | $ 9,199,069 | | | $ 9,199,069 |
| Common/Collective Trusts | | $ 2,859,065 | | 2,859,065 |
| SMA Investment Fund | 3,335,232 | | | 3,335,232 |
| Participant loans | 0 | 0 | $ 302,217 | 302,217 |
| Assets at fair value | $12,534,301 | $ 2,859,065 | $ 302,217 | $15,695,583 |

NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2009 and 2008

The following table sets forth by level, within the fair value hierarchy, the Plan's assets at fair value as of December 31, 2008:

| | Assets at Fair Value as of December 31, 2008 | | | |
|---|---|---|---|---|
| | Level 1 | Level 2 | Level 3 | Total |
| Mutual Funds | $ 5,687,460 | | | $ 5,687,460 |
| Common/Collective Trusts | | $ 2,054,548 | | 2,054,548 |
| SMA Investment Fund | 2,140,879 | | | 2,140,879 |
| Participant loans | 0 | 0 | $ 246,872 | 246,872 |
| Assets at fair value | $ 7,828,339 | $ 2,054,548 | $ 246,872 | $ 10,129,759 |

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

| | Level 3 Assets Year Ended December 31, 2009 |
|---|---|
| | Participant loans |
| Balance, beginning of year | $ 246,872 |
| Purchases, sales, issuances and settlements, net | 55,345 |
| Balance, end of year | $ 302,217 |

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

| | Level 3 Assets Year Ended December 31, 2008 |
|---|---|
| | Participant loans |
| Balance, beginning of year | $ 250,505 |
| Purchases, sales, issuances and settlements, net | (3,633) |
| Balance, end of year | $ 246,872 |

The following represents the Plan's investments as of December 31, 2009 and 2008:

| | 2009 | 2008 |
|---|---|---|
| Common/ Collective Trusts | $ 2,859,065 | $ 2,054,548 |
| Mutual Funds | 9,199,069 | 5,687,460 |
| SMA Investment Fund | 3,335,232 | 2,140,879 |
| | $ 15,393,366 | $ 9,882,887 |

During 2009, the Plan's investments (including gains and losses on investments bought and sold, as well as held during the year) appreciated (depreciated) in value by $2,951,569 as follows:

| | 2009 |
|---|---|
| ML Retirement Preservation Trust | $ 254,494 |
| Mutual Funds | 2,189,084 |
| SMA Investment Fund | 507,991 |
| | $ 2,951,569 |

NOTE (4)-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.

NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2009 and 2008

NOTE (5)-RECONCILIATION OF FINANCIAL STATEMENTS TO SCHEDULE H OF FORM 5500:

The following is a reconciliation of net assets available for benefits per the financial statements at December 31, 2009 and 2008 to Schedule H of Form 5500:

| | 2009 | 2008 |
|---|---|---|
| Net assets available for benefits per Form 5500 Schedule H | $16,125,315 | $ 10,493,461 |
| Receivable for employer's profit sharing contribution | 7,214 | 2,089 |
| Adjustment from contract value to fair value for fully benefit-responsive investment contracts | 141,945 | 210,004 |
| Net assets available for benefits per the financial statements | $16,274,474 | $ 10,705,554 |

NOTE (6) -TAX STATUS:

The Internal Revenue Service has determined and informed the Company that the Plan and related trust are designed in accordance with applicable sections of the Internal Revenue Code. Although the Plan has been amended since receiving the determination letter, the Plan administrator and the Plan's tax counsel believe that the Plan is designed and is currently being operated in compliance with the applicable requirements of the Internal Revenue Code.

NOTE (7) -PROHIBITED TRANSACTIONS:

During 2009, the Plan sponsor did not remit certain employer contributions in a timely manner as defined by ERISA on two occasions. On the first occasion, the participant contribution was late on a $2,891 participant contribution. On the second occasion, the participant contribution was late on a $3,569 employer contribution. These contributions are considered non-exempt party-in-interest transactions. The lost earnings of $754.83 were deposited in 2010.

NOTE (8) -RELATED PARTY TRANSACTIONS:

Certain Plan investments are shares of common/ collective trusts managed by Merrill Lynch & Co, Inc. Merrill Lynch, Pierce, Fenner & Smith, Inc. is the trustee as defined by the Plan, and, therefore, these transactions qualify as party-in-interest transactions. Fees paid by the Plan for the investment management services amounted to $3,790 for the year ended December 31, 2009.

NOTE (9) -ADMINISTRATION OF PLAN ASSETS:

Certain administrative functions are performed by employees of the Plan Sponsor. No such employees receive compensation from the Plan. The Plan Sponsor paid certain administrative expenses of the Plan for the year ended December 31, 2009.

NOTE (10) -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.

NOTE (11) -SUBSEQUENT EVENTS:

The management of the Plan evaluated subsequent events after the statement of net assets available for benefits of December 31, 2009 through October 11, 2010, which is the date the financial statements were issued, and concluded that no additional disclosures are required.

SUPPLEMENTAL INFORMATION

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

SCHEDULE H LINE 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)
AS OF DECEMBER 31, 2009

Plan Sponsor EIN (EN): 75-2005254
Plan No (PN): 001

| (a) | (b) Identity of Issuer | (c) Description of Investment | (d) Cost Basis | (e) Current Value |
|---|---|---|---|---|
| | Mainstay | Large Cap Growth Fund A | $ 271,397 | $ 251,403 |
| | Oakmark | Equity & income Fund | 1,567 | 1,681 |
| | Davis | Davis NY Venture Fund Cl A | 1,086,647 | 947,686 |
| | AIM | AIM Capital Development A | 315,501 | 269,287 |
| X | Merrill Lynch | ML Retirement Preservation Trust | 1,689,780 | 1,574,875 |
| X | Merrill Lynch | ML Retirement Preservation Trust | 397,654 | 370,614 |
| X | Merrill Lynch | Equity Index Trust II | 1,043,308 | 913,577 |
| | American Funds | Growth Fund of America | 580,195 | 525,321 |
| | American Funds | Growth Fund of America | 452,389 | 462,761 |
| | American Funds | Small Cap World Fund | 435,010 | 386,355 |
| | Jennison | Mid Cap Growth Fund | 35,152 | 35,189 |
| | Jennison | Mid Cap Growth Fund | 277,656 | 312,882 |
| | American Century | Govt bond fund | 190 | 185 |
| | American Century | Govt bond fund | 450,588 | 444,903 |
| | Henderson | International Opportunity A | 141,465 | 125,832 |
| | Principal | High yield fund | 615 | 627 |
| | Thornburg | Thornburg International | 415,529 | 358,819 |
| | Thornburg | Thornburg International | 657,564 | 653,467 |
| | Black Rock | BlackRock Eurofund | 154,930 | 143,139 |
| | Black Rock | BlackRock Large Cap Core Fund A | 26,396 | 23,737 |
| | Black Rock | BlackRock Global Allocation Fund | 1,862,235 | 1,817,878 |
| | Black Rock | BlackRock Equity Dividend Fund A | 621,047 | 546,186 |
| | Black Rock | BlackRock Equity Dividend Fund A | 660,459 | 647,542 |
| | JPMorgan | Small cap equity | 563 | 583 |
| | JPMorgan | Small cap equity | 210,530 | 229,892 |
| | PIMCO | Total return fund | 240,757 | 244,293 |
| | PIMCO | Total return fund | 756,162 | 769,420 |
| | TDDC | Self-direct investment fund | 3,335,232 | 3,335,232 |
| | Participant loans | Principal with 4.25%-8.5% interest | 0 | 302,217 |
| X | Merrill Lynch | Cash | 136 | 136 |
| | | | $16,120,654 | $15,695,719 |

Note: Column (a) marked by X indicates parties-in-interest

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

SCHEDULE H LINE 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)
AS OF DECEMBER 31, 2008

Plan Sponsor EIN (EN): 75-2005254
Plan No (PN): 001

| (a) | (b) Identity of Issuer | (c) Description of Investment | (d) Cost Basis | (e) Current Value |
|---|---|---|---|---|
| | Mainstay | Large Cap Growth Fund A | $ 236,533 | $ 151,201 |
| | Davis | Davis NY Venture Fund Cl A | 1,274,151 | 787,407 |
| | AIM | AIM Capital Development A | 524,626 | 292,680 |
| | AIM | AIM Capital Development A | 175,575 | 115,670 |
| X | Merrill Lynch | ML Retirement Preservation Trust | 1,310,642 | 1,128,463 |
| X | Merrill Lynch | ML Retirement Preservation Trust | 200,177 | 172,352 |
| X | Merrill Lynch | Equity Index Trust II | 1,128,739 | 753,732 |
| | American Funds | Growth Fund of America | 634,964 | 400,054 |
| | American Funds | Growth Fund of America | 446,533 | 310,906 |
| | American Funds | Small Cap World Fund | 377,136 | 201,534 |
| | American Funds | Small Cap World Fund | 120,747 | 77,363 |
| | American Funds | Bond Fund of America | 70,918 | 59,734 |
| | American Funds | Bond Fund of America | 709,971 | 607,953 |
| | Henderson | International Opportunity A | 312,634 | 195,718 |
| | Thornburg | Thornburg International | 362,772 | 222,617 |
| | Thornburg | Thornburg International | 486,006 | 328,200 |
| | Black Rock | BlackRock Eurofund | 81,556 | 49,436 |
| | Black Rock | BlackRock Large Cap Core Fund A | 19,301 | 13,017 |
| | Black Rock | BlackRock Global Allocation Fund | 1,482,381 | 1,160,022 |
| | Black Rock | BlackRock Equity Dividend Fund A | 552,408 | 379,066 |
| | Black Rock | BlackRock Equity Dividend Fund A | 459,631 | 334,883 |
| | TDDC | Self-direct investment fund | 2,140,879 | 2,140,879 |
| | Participant loans | Principal with 4%-8.5% interest | 0 | 246,872 |
| X | Merrill Lynch | Cash | 235 | 235 |
| | | | $13,108,515 | $10,129,994 |

Note: Column (a) marked by X indicates parties-in-interest

TEXAS DIGESTIVE DISEASE CONSULTANTS 401(K) SAVINGS PLAN

SCHEDULE H LINE 4a - SCHEDULE OF DELINQUENT EMPLOYER CONTRIBUTIONS
AS OF DECEMBER 31, 2009

Plan Sponsor EIN (EN): 75-2005254
Plan No (PN): 001

| | Total that Constitute Nonexempt Prohibited Transactions | |
|---|---|---|
| Employer Contributions Transferred Late to Plan | Contributions Corrected in VFCP | Total Fully Corrected Under VFCP and PTE 2002-51 |
| $ 3,569 | $ 3,569 | $ 3,569 |
| $ 2,891 | $ 2,891 | $ 2,891 |