Form 5500

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Annual Return/Report of Employee Benefit Plan

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

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

OMB Nos. 1210-0110
1210-0089

2009

This Form is Open to Public Inspection

Part I Annual Report Identification Information

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

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

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

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

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

Part II Basic Plan Information—enter all requested information

1a Name of plan
SUTTA COMPANY INCORPORATED 401(K) PROFIT SHARING PLAN & TRUST

1b Three-digit plan number (PN) ▶ 002

1c Effective date of plan 01/01/1994

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

1221 3RD STREET
OAKLAND, CA 94607

2b Employer Identification Number (EIN)
94-2970034

2c Sponsor's telephone number
510-873-8777

2d Business code (see instructions)
541990

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.	10/18/2010	LENAE CORCORAN
	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")
SUTTA COMPANY INCORPORATED

1221 3RD STREET
OAKLAND, CA 94607

3b Administrator's EIN
94-2970034

3c Administrator's telephone number
510-873-8777

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**	186
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**	133
b	Retired or separated participants receiving benefits	**6b**	0
c	Other retired or separated participants entitled to future benefits	**6c**	70
d	Subtotal. Add lines **6a**, **6b**, and **6c**	**6d**	203
e	Deceased participants whose beneficiaries are receiving or are entitled to receive benefits	**6e**	0
f	Total. Add lines **6d** and **6e**	**6f**	203
g	Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)	**6g**	177
h	Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested	**6h**	13
7	Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item)	**7**	

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

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)		**C** (Service Provider Information)
(5)		**D** (DFE/Participating Plan Information)
(6)		**G** (Financial Transaction Schedules)

SCHEDULE H (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Financial Information

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

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

OMB No. 1210-0110

2009

This Form is Open to Public Inspection

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

A Name of plan
SUTTA COMPANY INCORPORATED 401(K) PROFIT SHARING PLAN & TRUST

B Three-digit plan number (PN) ▶ 002

C Plan sponsor's name as shown on line 2a of Form 5500
SUTTA COMPANY INCORPORATED

D Employer Identification Number (EIN)
94-2970034

Part I Asset and Liability Statement

1 Current value of plan assets and liabilities at the beginning and end of the plan year. Combine the value of plan assets held in more than one trust. Report the value of the plan's interest in a commingled fund containing the assets of more than one plan on a line-by-line basis unless the value is reportable on lines 1c(9) through 1c(14). Do not enter the value of that portion of an insurance contract which guarantees, during this plan year, to pay a specific dollar benefit at a future date. **Round off amounts to the nearest dollar.** MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 1b(1), 1b(2), 1c(8), 1g, 1h, and 1i. CCTs, PSAs, and 103-12 IEs also do not complete lines 1d and 1e. See instructions.

Assets		(a) Beginning of Year	(b) End of Year
a Total noninterest-bearing cash	1a		
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions	1b(1)		
(2) Participant contributions	1b(2)		3733
(3) Other	1b(3)		
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit)	1c(1)	440054	531161
(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)	10371	4382
(9) Value of interest in common/collective trusts	1c(9)		
(10) Value of interest in pooled separate accounts	1c(10)		
(11) Value of interest in master trust investment accounts	1c(11)		
(12) Value of interest in 103-12 investment entities	1c(12)		
(13) Value of interest in registered investment companies (e.g., mutual funds)	1c(13)	661929	859653
(14) Value of funds held in insurance company general account (unallocated contracts)	1c(14)		
(15) Other	1c(15)		

			(a) Beginning of Year	(b) End of Year
1d	Employer-related investments:			
	(1) Employer securities	1d(1)		
	(2) Employer real property	1d(2)		
e	Buildings and other property used in plan operation	1e		
f	Total assets (add all amounts in lines 1a through 1e)	1f	1112354	1398929
	Liabilities			
g	Benefit claims payable	1g		
h	Operating payables	1h		
i	Acquisition indebtedness	1i		
j	Other liabilities	1j		
k	Total liabilities (add all amounts in lines 1g through1j)	1k		
	Net Assets			
l	Net assets (subtract line 1k from line 1f)	1l	1112354	1398929

Part II Income and Expense Statement

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

	Income		(a) Amount	(b) Total
a	**Contributions:**			
	(1) Received or receivable in cash from: **(A)** Employers	2a(1)(A)		
	(B) Participants	2a(1)(B)	179619	
	(C) Others (including rollovers)	2a(1)(C)		
	(2) Noncash contributions	2a(2)		
	(3) Total contributions. Add lines **2a(1)(A), (B), (C),** and line **2a(2)**	2a(3)		179619
b	**Earnings on investments:**			
	(1) Interest:			
	(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)	1044	
	(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)	630	
	(F) Other	2b(1)(F)		
	(G) Total interest. Add lines **2b(1)(A)** through **(F)**	2b(1)(G)		1674
	(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)	10380	
	(D) Total dividends. Add lines **2b(2)(A)**, **(B)**, and **(C)**	2b(2)(D)		10380
	(3) Rents	2b(3)		
	(4) Net gain (loss) on sale of assets: **(A)** Aggregate proceeds	2b(4)(A)		
	(B) Aggregate carrying amount (see instructions)	2b(4)(B)		
	(C) Subtract line **2b(4)(B)** from line **2b(4)(A)** and enter result	2b(4)(C)		

		(a) Amount	(b) Total
2b (5) Unrealized appreciation (depreciation) of assets: (A) Real estate	2b(5)(A)		
(B) Other	2b(5)(B)		
(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		
(6) Net investment gain (loss) from common/collective trusts	2b(6)		
(7) Net investment gain (loss) from pooled separate accounts	2b(7)		
(8) Net investment gain (loss) from master trust investment accounts	2b(8)		
(9) Net investment gain (loss) from 103-12 investment entities	2b(9)		
(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds)	2b(10)		183415
c Other income	2c		
d Total income. Add all **income** amounts in column (b) and enter total	2d		375088
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	66547	
(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)		66547
f Corrective distributions (see instructions)	2f		20759
g Certain deemed distributions of participant loans (see instructions)	2g		
h Interest expense	2h		
i Administrative expenses: (1) Professional fees	2i(1)		
(2) Contract administrator fees	2i(2)		
(3) Investment advisory and management fees	2i(3)		
(4) Other	2i(4)	1207	
(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		1207
j Total expenses. Add all **expense** amounts in column (b) and enter total	2j		88513
Net Income and Reconciliation			
k Net income (loss). Subtract line 2j from line 2d	2k		286575
l Transfers of assets:			
(1) To this plan	2l(1)		
(2) From this plan	2l(2)		

Part III Accountant's Opinion

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

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

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

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

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

(1) Name: RIBIS JONES AND MARESCA, P.A (2) EIN: 52-1853933

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

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

Part IV Compliance Questions

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

During the plan year:

		Yes	No	Amount
a	Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures until fully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.)	4a		X	
b	Were any loans by the plan or fixed income obligations due the plan in default as of the close of the plan year or classified during the year as uncollectible? Disregard participant loans secured by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is checked.)	4b		X	
c	Were any leases to which the plan was a party in default or classified during the year as uncollectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.)	4c		X	
d	Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is checked.)	4d		X	
e	Was this plan covered by a fidelity bond?	4e	X		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		X	

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
SUTTA COMPANY INCORPORATED 401(K) PROFIT SHARING PLAN & TRUST

B Three-digit plan number (PN) ▶ 002

C Plan sponsor's name as shown on line 2a of Form 5500
SUTTA COMPANY INCORPORATED

D Employer Identification Number (EIN)
94-2970034

Part I Distributions

All references to distributions relate only to payments of benefits during the plan year.

1 Total value of distributions paid in property other than in cash or the forms of property specified in the instructions **1**

2 Enter the EIN(s) of payor(s) who paid benefits on behalf of the plan to participants or beneficiaries during the year (if more than two, enter EINs of the two payors who paid the greatest dollar amounts of benefits):

EIN(s): 16-1470238

Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.

3 Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan year. **3**

Part II Funding Information (If the plan is not subject to the minimum funding requirements of section of 412 of the Internal Revenue Code or ERISA section 302, skip this Part)

4 Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)? ..... ☐ **Yes** ☒ **No** ☐ **N/A**

If the plan is a defined benefit plan, go to line 8.

5 If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver. **Date:** Month _____ Day _____ Year _____

If you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.

6 **a** Enter the minimum required contribution for this plan year **6a**

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

c Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount) **6c**

If you completed line 6c, skip lines 8 and 9.

7 Will the minimum funding amount reported on line 6c be met by the funding deadline? ..... ☐ **Yes** ☐ **No** ☐ **N/A**

8 If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change? ..... ☐ **Yes** ☐ **No** ☐ **N/A**

Part III Amendments

9 If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box(es). If no, check the "No" box. ..... ☐ **Increase** ☐ **Decrease** ☐ **Both** ☐ **No**

Part IV ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.

10 Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan? ..... ☐ **Yes** ☐ **No**

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

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

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

Part V Additional Information for Multiemployer Defined Benefit Pension Plans

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

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

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):

SUTTA COMPANY INCORPORATED
401(K) PROFIT SHARING PLAN & TRUST

FINANCIAL STATEMENTS
AND INDEPENDENT AUDITORS' REPORT

DECEMBER 31, 2009 AND 2008

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Note: All schedules other than those listed above have been omitted because they are not applicable or not required by 29 CFR 2520.103-10 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Income Security Act of 1974, as amended.

RIBIS, JONES & MARESCA, P.A.

Certified Public Accountants

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Independent Auditors' Report

To the Administrative Committee
Sutta Company Incorporated
401(k) Profit Sharing Plan & Trust
Oakland, CA

We were engaged to audit the financial statements and supplemental schedule of the Sutta Company Incorporated 401(k) Profit Sharing Plan & Trust (the "Plan") as of December 31, 2009, and for the year then ended, as listed in the accompanying table of contents. These financial statements and schedule are the responsibility of the Plan's management.

The financial statements of the Plan as of December 31, 2008 were audited by other auditors. As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the Plan Administrator instructed the other auditors not to perform, and they did not perform, any auditing procedures with respect to the information summarized in Note C, which was certified by Mid Atlantic Trust Company, the Trustee of the Plan, except for comparing the information with the related information included in the financial statements and supplemental schedule. Their report, dated October 6, 2009, indicated that (a) because of the significance of the information that they did not audit, they were unable to, and did not, express an opinion on the financial statements taken as a whole and (b) the form and content of the information included in the financial statements other than that derived from the information certified by the Trustee, were presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

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

Because of the significance of the information in the Plan's 2009 financial statements and supplemental schedule that we did not audit, we are unable to, and do not express an opinion on the accompanying 2009 financial statements and supplemental schedule taken as a whole. The form and content of the information included in the 2009 financial statements and supplemental schedule, other than that derived from the information certified by the Trustee, have been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

Ribis, Graham & Marusca, P.A.

September 24, 2010

SUTTA COMPANY INCORPORATED
401(K) PROFIT SHARING PLAN & TRUST
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS
DECEMBER 31, 2009 AND 2008

	2009	2008
ASSETS		
INVESTMENTS, at fair value		
Mutual funds	$ 859,653	$ 661,930
Money market account	531,161	440,054
Participant loans	4,382	10,371
Total Investments	1,395,196	1,112,355
RECEIVABLES		
Employee contribution receivables	3,733	-
Total assets	1,398,929	1,112,355
LIABILITIES		
Due to broker for pending securities transactions	3,733	-
Corrective distributions payable	17,988	19,089
Total liabilities	21,721	19,089
NET ASSETS AVAILABLE FOR BENEFITS	$ 1,377,208	$ 1,093,266

See Independent Auditors' Report and Accompanying Notes.

SUTTA COMPANY INCORPORATED
401(K) PROFIT SHARING PLAN & TRUST
STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
YEARS ENDED DECEMBER 31, 2009 AND 2008

	2009	2008
ADDITIONS TO NET ASSETS ATTRIBUTED TO		
Investment income:		
Dividends	$ 10,380	$ 27,950
Interest	1,674	1,151
Net appreciation (depreciation) in fair value of investments	183,415	(369,123)
Total investment income (loss)	195,469	(340,022)
Contributions:		
Employee contributions	157,898	199,718
Total additions (reductions)	353,367	(140,304)
DEDUCTIONS FROM NET ASSETS ATTRIBUTED TO		
Benefits paid to participants	68,218	48,422
Administrative expenses	1,207	1,319
Total Deductions	69,425	49,741
INCREASE (DECREASE) IN NET ASSETS AVAILABLE FOR BENEFITS	283,942	(190,045)
NET ASSETS AVAILABLE FOR BENEFITS:		
Beginning of year	1,093,266	1,283,311
End of year	$ 1,377,208	$ 1,093,266

See Independent Auditors' Report and Accompanying Notes.

SUTTA COMPANY INCORPORATED
401(K) PROFIT SHARING PLAN & TRUST
NOTES TO FINANCIAL STATEMENTS
DECEMBER 2009 AND 2008

NOTE A – DESCRIPTION OF PLAN

The Sutta Company Incorporated 401(k) Profit Sharing Plan & Trust (the "Plan") is a defined contribution plan established on January 1, 1994 by the Sutta Company, Inc. (the "Company"), based on the prototype defined contribution retirement plan of Paychex Retirement Services.

The following description of the Plan provides only general information. Participants should refer to the Plan agreement for a more complete description of the Plan's provisions.

The Plan covers all of the following companies:

The Sutta Company, Inc.	Cencal Recycling, LLC
Rincon Recycling, Inc.	American Shredding, Inc.
High Desert Recycling, Inc.	

General

The Plan is a defined contribution plan designed to provide participants with a means to defer a portion of their compensation for retirement and to provide benefits in the event of termination, disability, financial hardship, or death. The Plan covers all employees of the Company and its affiliates who meet certain eligibility requirements. Employees who have completed three consecutive months of service and are age twenty-one or older are eligible to participate in the Plan. The Plan is subject to the provisions of the Employees Retirement Income Security Act of 1974 (ERISA), as amended.

The Company is the Plan administrator and, as such, carries out the duties imposed by ERISA. The Company has delegated certain responsibilities for the operation and administration of the Plan. Recordkeeping services are provided by Paychex Retirement Services ("Paychex"), and Mid Atlantic Trust Company serves as the Plan trustee.

Contributions

Participants may contribute a minimum of 1% and a maximum of 75% of their annual pretax compensation, as defined in the Plan, not to exceed the maximum allowable amounts under the Internal Revenue Code. Participants who are at least age 50 can make additional contributions as defined under the Internal Revenue Code. The Plan does not provide employer matching contributions. However, the Company may make a discretionary profit sharing contribution at the option of the Board of Directors.

NOTE A – DESCRIPTION OF PLAN (continued)

Contributions (continued)

For the years ended December 31, 2009 and 2008, there were no profit sharing contributions to the Plan.

Rollover Contributions

The Plan accepts rollover contributions from retirement funds held by participants outside of this Plan, subject to Plan provisions.

Investment Options

The Plan provides for participant-directed investment programs whereby the Plan determines which investment options are available and the participants may choose among the available options. Participants may have their accounts invested in any or a combination of registered investment companies accounts. Participants may change their investment options at any time by reallocating contributions among different investment alternatives. Participants may also transfer contributions into and out of investments provided under the Plan, subject to possible restrictions.

Participant Accounts

Each participant's account is self-directed and is credited with the participant's contributions (including elective deferrals, catch up contributions, after-tax contributions and/or rollover contributions), the Company's contributions, share of any investment earnings, and increases in the value of investments. Participant accounts are also debited with any withdrawals or distributions, investment losses, decreases in values of investments, and share of fees and expenses, as applicable. Allocations are based on participant earnings or account balances, as defined pursuant to the Plan provisions. The benefit to which a participant is entitled to is the benefit that can be provided from the participant's vested account.

Administrative Expenses

Administrative costs, except for certain investment fees and loans fees that are paid out of the related participant accounts, are paid by the Company and have not been included in the accompanying financial statements.

NOTE A – DESCRIPTION OF PLAN (continued)

Payment of Benefits

Benefits may be paid from participant accounts at age 59 1/2, retirement age of 65, or upon disability, termination of employment, death, or upon the Plan's termination. The taxable portion of a withdrawal is subject to federal and state income taxes and an additional tax if the participant has not reached retirement age, unless the amount is rolled over into another eligible plan or an Individual Retirement Account.

Eligible participants may request an in-service hardship distribution of elective deferrals and vested employer contributions, subject to the Plan's provisions.

Participant Loans

The Plan allows active participants to borrow from their vested account balances. The minimum loan is $1,000. Participant loans are limited to the lesser of 50% of their vested account balance or $50,000 less the highest outstanding loan balance in the prior twelve-month period. Participants are permitted to have only one outstanding loan at any time and the loan must be repaid within a five-year period, unless the loan is for the acquisition of a primary residence. All loans shall be considered investments of the trust and shall be evidenced by a promissory note signed by the participant. Loans are secured by the balance in the participant's account, and bear interest at a rate commensurate with local prevailing rates. The interest rate shall remain fixed throughout the duration of the loan. Principal and interest payments are made through payroll deductions.

Vesting

Participants are immediately vested in their contributions plus actual earnings on elective deferral contributions. All contributions are 100% vested upon attaining normal retirement age, death or disability. Employer contributions not already fully vested when made (i.e., Safe Harbor matching) are subject to the following vesting schedule:

Years of Service	Vested Interest
1	0%
2	20%
3	40%
4	60%
5	80%
6	100%

NOTE A – DESCRIPTION OF PLAN (continued)

Forfeited Accounts

Forfeitures attributable to profit sharing contributions not required to pay administrative expenses will be reallocated to participants in the current or next succeeding Plan year. As of December 31, 2009 and 2008, forfeited non-vested accounts totaled $0 and $52, respectively.

NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting

The financial statements of the Plan are prepared under the accrual basis of accounting in accordance with generally accepted accounting principles in the United States of America.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles in the United States requires the Plan Administrator to make estimates and assumptions that affect certain reported amounts of assets, liabilities, and changes therein, and in the disclosures of contingent assets and liabilities. Accordingly, actual results could differ from these estimates.

Investment Valuation and Income Recognition

The Plan's investments are stated at fair value. Money market funds and interest-bearing cash are reported at fair value which equals cost. Shares of mutual funds are valued at the net asset value of shares held by the Plan at year end. Quoted market prices are used to value investments when available. Participant loans are valued at their outstanding balances, which approximate fair value.

Purchases and sales of investments are recorded on a trade date basis. Interest and dividend income is recorded when earned. Net appreciation (depreciation) includes the Plan's gains and losses on investments bought and sold as well as held during the year.

Contributions

Employee contributions are recorded in the period that the Company makes payroll deductions from the participant's earnings. The Plan does not provide employer matching contributions.

NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Payment of Benefits

Benefit payments to participants are recorded when paid.

NOTE C – INVESTMENTS

All of the investment information disclosed in the accompanying financial statements and supplemental schedule, including investments held at year-end, net appreciation (depreciation) in fair value of investments, interest, and dividend income for the year then ended, were obtained or derived from information supplied to the Plan Administrator and certified as complete and accurate by the trustee.

Certified Information

The following investment information has been certified by the trustee as of and for the year ended December 31, 2009 and 2008:

	2009	2008
Mutual funds	$ 859,653	$ 661,930
Money market funds	531,161	440,054
Net appreciation (depreciation) in fair value of investments	183,415	(369,123)

Summary of Investments

The following table presents the fair values of investments as of December 31, 2009 and 2008:

	2009	2008
Investments at fair value as determined by quoted market price:		
Mutual funds	$ 859,653	$ 661,930
Investments at estimated fair value:		
Money market funds	531,161	440,054
Loans to participants	4,382	10,371
Total investments	$ 1,395,196	$ 1,112,355

NOTE C – INVESTMENTS (continued)

Significant Investments

The following investments held at December 31, 2009 and 2008 represent five percent or more of the Plan's net assets available for benefits as of December 31, 2009 and 2008:

	2009	2008
Oppenheimer Money Market	$ 531,161	$ 440,054
First American Mid Cap Growth Opp	114,987	86,877
Lord Abbett Small-Cap Blend	104,867	93,940
American Funds Growth Fund of America	99,655	71,948
Eaton Vance Large-Cap Value	91,554	*
American Funds EuroPacific Growth	86,953	92,199
Fidelity Disciplined Equity	74,807	*

* - does not exceed 5% for year ended.

Net Appreciation (Depreciation) in Fair Value of Investments

The Plan's investments in mutual funds (including gains and losses on investments bought and sold, as well as held during the year) appreciated (depreciated) in value for the years ended December 31, 2009 and 2008 by $183,415 and $(369,123), respectively.

NOTE D – FAIR VALUE MEASUREMENTS

Fair Value Measurements, as stated by the Financial Accounting Standards Board, establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurements) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy are described as follows:

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

NOTE D – FAIR VALUE MEASUREMENTS (continued)

Level 2 — Inputs to the valuation methodology include a) quoted prices for similar assets or liabilities in active markets; b) quoted prices for identical or similar assets or liabilities in inactive markets; c) inputs other than quoted prices that are observable for the asset or liability; and d) inputs that are derived principally from, or corroborated by, observable market data by correlation or other means. If the asset or liability has a specific (contractual) term, the level 2 input must be observable for substantially the full term of the asset or liability.

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

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

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

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

Money market account: Valued at the estimated fair value which equals cost.

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

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

NOTE D – FAIR VALUE MEASUREMENTS (continued)

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

	Assets at Fair Value as of December 31, 2009			
	Level 1	Level 2	Level 3	Total
Mutual funds	$ 862,492	$ -	$ -	$ 862,492
Money market account	532,055	-	-	532,055
Loans to participants	-	-	4,382	4,382
Total assets at fair value	$ 1,394,547	$ -	$ 4,382	$ 1,398,929

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	$ 661,929	$ -	$ -	$ 661,929
Money market account	440,054	-	-	440,054
Loans to participants	-	-	10,371	10,371
Total assets at fair value	$ 1,101,983	$ -	$ 10,371	$ 1,112,354

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

	2009	2008
Balance, beginning of period	$ 10,371	$ 16,795
Net change	(5,989)	(6,424)
Balance, end of period	$ 4,382	$ 10,371

NOTE E – INCOME TAX STATUS

The Internal Revenue Service (IRS) has determined as of November 26, 2001, the Paychex Retirement Services Proto-type Defined Contribution Retirement Plan was designed in accordance with applicable sections of the Internal Revenue Code (IRC). The Proto-type Plan was adopted by the Company on November 20, 2005. The Plan has been subsequently amended. The Plan Administrator is not aware of any course of action or series of events that have occurred that might affect the Plan's tax exempt status, and therefore, believes that the Plan and the related trust are tax-exempt.

NOTE F – PRIORITIES UPON PLAN TERMINATION

Although the Company has not expressed any intent to do so, the Company has the right under the Plan to amend 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 account balances as of the date of termination.

NOTE G – RISKS AND UNCERTAINTIES

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

NOTE H – RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500

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

	2009	2008
Net assets available for benefits per financial statements	$ 1,377,208	$ 1,093,266
Add: participant contribution receivable	3,733	-
Add: corrective distributions payable	17,988	19,089
Less: rounding difference	-	(1)
Net assets available for benefits per Form 5500	$ 1,398,929	$ 1,112,354

NOTE H – RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500 (continued)

The following is a reconciliation of changes in net assets available for benefits per the financial statements for the year ended December 31, 2009 and 2008 to the Form 5500:

Changes in net assets available for benefit per financial statements	$ 283,942
Add: participant contribution receivable	3,733
Add: corrective distributions payable as of December 31, 2009	17,988
Less: corrective distributions payable as of December 31, 2008	(19,089)
Add: rounding difference	1
Change in net assets available for benefits per Form 5500	$ 286,575

The following is a reconciliation of participant contributions per the financial statements for the year ended December 31, 2009 to the Form 5500:

Participant contributions per financial statements	$ 157,898
Add: participant contribution receivable as of December 31, 2009	3,733
Add: corrective distributions payable as of December 31, 2009	17,988
Participant contributions per the form 5500	$ 179,619

The following is a reconciliation of benefits paid to participants per the financial statements for the year ended December 31, 2009 to the Form 5500:

Benefits paid to participants per financial statements	$ 68,218
Less: corrective distributions not recorded in prior year financials	(1,670)
Less: rounding difference	(1)
Participant contributions per the Form 5500	$ 66,547

NOTE I – CONTRIBUTIONS FROM PARTICIPANTS

Contributions received from participants for 2009 are net of payments of $17,988 made in 2010 to certain active participants to return to them excess deferral contributions as required to satisfy the relevant nondiscrimination provisions of the Plan. That amount is also included in the Plan's statement of net assets available as excess contributions payable as of December 31, 2009.

NOTE I – CONTRIBUTIONS FROM PARTICIPANTS, continued

Contributions received from participants for 2008 are net of payments of $19,089 made in 2009 to certain active participants to return to them excess deferral contributions as required to satisfy the relevant nondiscrimination provisions of the Plan. Corrective distributions actually paid in 2009 totaled $20,759 resulting in $1,670 recorded in benefits for the year ended December 31, 2009. The Plan's statement of net assets available reports the $19,089 as excess contributions payable as of December 31, 2008.

NOTE J – SUBSEQUENT EVENTS

On February 27, 2010, the Company returned excess contributions totaling $17,988 to certain participants for excess contributions above the IRS limitations.

Except as noted above, there were no events subsequent to December 31, 2009 as of September 24, 2010 that would require disclosure in these financial statements.

SUPPLEMENTAL SCHEDULE REQUIRED BY THE DEPARTMENT OF LABOR (DOL)

SUTTA COMPANY INCORPORATED
401(K) PROFIT SHARING PLAN & TRUST
SCHEDULE OF ASSETS HELD AT END OF YEAR
EIN # 94-2970034, PLAN # 002
FORM 5500, SCHEDULE H, LINE 4i
DECEMBER 31, 2009

(a)	(b) Identity of Issue, borrower, lessor	(c) Description of Investment	(c) 2009 Shares	(e) 2009 Current Value
	Interest in registered investment companies (mutual funds):			
	AllianceBernstein	AllianceBernstein International Value	454.743	$ 6,207
	American Funds Group	American Funds American Balanced	1,754.723	28,339
	American Funds Group	American Funds Capital World G/I	460.134	15,603
	Cohen and Steers	Cohen & Steers Realty Shares	148.099	6,970
	Eaton Vance	Eaton Vance Large-Cap Value	5,469.185	91,554
	Eaton Vance	Eaton Vance Strategic Income	6,566.449	52,532
	Black Rock	BlackRock International Bond Inv	1,230.268	12,992
	American Funds Group	American Funds EuroPacific Gr	2,307.664	86,953
	Fidelity Management Trust Company	Fidelity Disciplined Equity	3,560.569	74,807
	First American Funds	First American Mid Cap Growth Opp	3,608.018	114,987
	Franklin Templeton	Franklin Natural Resources	805.747	25,010
	Franklin Templeton	Franklin Small Cap Value	404.135	14,230
	American Funds Group	American Funds Fundamental Invs	1,280.140	41,822
	American Funds Group	American Funds Growth Fund of Amer	3,700.537	99,655
	Lord Abbett	Lord Abbett Small-Cap Blend	7,831.732	104,867
	Franklin Templeton	Mutual Shares	186.351	3,552
	Franklin Templeton	Mutual Discovery	1,308.424	34,961
	American Funds Group	American Funds New World	275.545	12,882
	Pioneer Investments	Pioneer Global High Yield	623.805	6,007
	Franklin Templeton	Templeton Developing Markets	857.386	18,897
	Invesco Van Kampen	Van Kampen Government Securities	724.629	6,826
		Total		859,653
	Interest bearing cash:			
		Money Market	531,161	531,161
*	Loans to participants	Loans to participants, interest rate of 7.00%-9.25%	n/a	4,382
	Total investments			$ 1,395,196

* = party in interest

SUTTA COMPANY INCORPORATED
401(K) PROFIT SHARING PLAN & TRUST

FINANCIAL STATEMENTS
AND INDEPENDENT AUDITORS' REPORT

DECEMBER 31, 2009 AND 2008

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Note: All schedules other than those listed above have been omitted because they are not applicable or not required by 29 CFR 2520.103-10 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Income Security Act of 1974, as amended.

RIBIS, JONES & MARESCA, P.A.

Certified Public Accountants

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Independent Auditors' Report

To the Administrative Committee
Sutta Company Incorporated
401(k) Profit Sharing Plan & Trust
Oakland, CA

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Ribis, Graham & Marusca, P.A.

September 24, 2010

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401(K) PROFIT SHARING PLAN & TRUST
STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
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401(K) PROFIT SHARING PLAN & TRUST
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DECEMBER 2009 AND 2008

NOTE A – DESCRIPTION OF PLAN

The Sutta Company Incorporated 401(k) Profit Sharing Plan & Trust (the "Plan") is a defined contribution plan established on January 1, 1994 by the Sutta Company, Inc. (the "Company"), based on the prototype defined contribution retirement plan of Paychex Retirement Services.

The following description of the Plan provides only general information. Participants should refer to the Plan agreement for a more complete description of the Plan's provisions.

The Plan covers all of the following companies:

The Sutta Company, Inc.	Cencal Recycling, LLC
Rincon Recycling, Inc.	American Shredding, Inc.
High Desert Recycling, Inc.	

General

The Plan is a defined contribution plan designed to provide participants with a means to defer a portion of their compensation for retirement and to provide benefits in the event of termination, disability, financial hardship, or death. The Plan covers all employees of the Company and its affiliates who meet certain eligibility requirements. Employees who have completed three consecutive months of service and are age twenty-one or older are eligible to participate in the Plan. The Plan is subject to the provisions of the Employees Retirement Income Security Act of 1974 (ERISA), as amended.

The Company is the Plan administrator and, as such, carries out the duties imposed by ERISA. The Company has delegated certain responsibilities for the operation and administration of the Plan. Recordkeeping services are provided by Paychex Retirement Services ("Paychex"), and Mid Atlantic Trust Company serves as the Plan trustee.

Contributions

Participants may contribute a minimum of 1% and a maximum of 75% of their annual pretax compensation, as defined in the Plan, not to exceed the maximum allowable amounts under the Internal Revenue Code. Participants who are at least age 50 can make additional contributions as defined under the Internal Revenue Code. The Plan does not provide employer matching contributions. However, the Company may make a discretionary profit sharing contribution at the option of the Board of Directors.

NOTE A – DESCRIPTION OF PLAN (continued)

Contributions (continued)

For the years ended December 31, 2009 and 2008, there were no profit sharing contributions to the Plan.

Rollover Contributions

The Plan accepts rollover contributions from retirement funds held by participants outside of this Plan, subject to Plan provisions.

Investment Options

The Plan provides for participant-directed investment programs whereby the Plan determines which investment options are available and the participants may choose among the available options. Participants may have their accounts invested in any or a combination of registered investment companies accounts. Participants may change their investment options at any time by reallocating contributions among different investment alternatives. Participants may also transfer contributions into and out of investments provided under the Plan, subject to possible restrictions.

Participant Accounts

Each participant's account is self-directed and is credited with the participant's contributions (including elective deferrals, catch up contributions, after-tax contributions and/or rollover contributions), the Company's contributions, share of any investment earnings, and increases in the value of investments. Participant accounts are also debited with any withdrawals or distributions, investment losses, decreases in values of investments, and share of fees and expenses, as applicable. Allocations are based on participant earnings or account balances, as defined pursuant to the Plan provisions. The benefit to which a participant is entitled to is the benefit that can be provided from the participant's vested account.

Administrative Expenses

Administrative costs, except for certain investment fees and loans fees that are paid out of the related participant accounts, are paid by the Company and have not been included in the accompanying financial statements.

NOTE A – DESCRIPTION OF PLAN (continued)

Payment of Benefits

Benefits may be paid from participant accounts at age 59 1/2, retirement age of 65, or upon disability, termination of employment, death, or upon the Plan's termination. The taxable portion of a withdrawal is subject to federal and state income taxes and an additional tax if the participant has not reached retirement age, unless the amount is rolled over into another eligible plan or an Individual Retirement Account.

Eligible participants may request an in-service hardship distribution of elective deferrals and vested employer contributions, subject to the Plan's provisions.

Participant Loans

The Plan allows active participants to borrow from their vested account balances. The minimum loan is $1,000. Participant loans are limited to the lesser of 50% of their vested account balance or $50,000 less the highest outstanding loan balance in the prior twelve-month period. Participants are permitted to have only one outstanding loan at any time and the loan must be repaid within a five-year period, unless the loan is for the acquisition of a primary residence. All loans shall be considered investments of the trust and shall be evidenced by a promissory note signed by the participant. Loans are secured by the balance in the participant's account, and bear interest at a rate commensurate with local prevailing rates. The interest rate shall remain fixed throughout the duration of the loan. Principal and interest payments are made through payroll deductions.

Vesting

Participants are immediately vested in their contributions plus actual earnings on elective deferral contributions. All contributions are 100% vested upon attaining normal retirement age, death or disability. Employer contributions not already fully vested when made (i.e., Safe Harbor matching) are subject to the following vesting schedule:

Years of Service	Vested Interest
1	0%
2	20%
3	40%
4	60%
5	80%
6	100%

NOTE A – DESCRIPTION OF PLAN (continued)

Forfeited Accounts

Forfeitures attributable to profit sharing contributions not required to pay administrative expenses will be reallocated to participants in the current or next succeeding Plan year. As of December 31, 2009 and 2008, forfeited non-vested accounts totaled $0 and $52, respectively.

NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting

The financial statements of the Plan are prepared under the accrual basis of accounting in accordance with generally accepted accounting principles in the United States of America.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles in the United States requires the Plan Administrator to make estimates and assumptions that affect certain reported amounts of assets, liabilities, and changes therein, and in the disclosures of contingent assets and liabilities. Accordingly, actual results could differ from these estimates.

Investment Valuation and Income Recognition

The Plan's investments are stated at fair value. Money market funds and interest-bearing cash are reported at fair value which equals cost. Shares of mutual funds are valued at the net asset value of shares held by the Plan at year end. Quoted market prices are used to value investments when available. Participant loans are valued at their outstanding balances, which approximate fair value.

Purchases and sales of investments are recorded on a trade date basis. Interest and dividend income is recorded when earned. Net appreciation (depreciation) includes the Plan's gains and losses on investments bought and sold as well as held during the year.

Contributions

Employee contributions are recorded in the period that the Company makes payroll deductions from the participant's earnings. The Plan does not provide employer matching contributions.

NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Payment of Benefits

Benefit payments to participants are recorded when paid.

NOTE C – INVESTMENTS

All of the investment information disclosed in the accompanying financial statements and supplemental schedule, including investments held at year-end, net appreciation (depreciation) in fair value of investments, interest, and dividend income for the year then ended, were obtained or derived from information supplied to the Plan Administrator and certified as complete and accurate by the trustee.

Certified Information

The following investment information has been certified by the trustee as of and for the year ended December 31, 2009 and 2008:

	2009	2008
Mutual funds	$ 859,653	$ 661,930
Money market funds	531,161	440,054
Net appreciation (depreciation) in fair value of investments	183,415	(369,123)

Summary of Investments

The following table presents the fair values of investments as of December 31, 2009 and 2008:

	2009	2008
Investments at fair value as determined by quoted market price:		
Mutual funds	$ 859,653	$ 661,930
Investments at estimated fair value:		
Money market funds	531,161	440,054
Loans to participants	4,382	10,371
Total investments	$ 1,395,196	$ 1,112,355

NOTE C – INVESTMENTS (continued)

Significant Investments

The following investments held at December 31, 2009 and 2008 represent five percent or more of the Plan's net assets available for benefits as of December 31, 2009 and 2008:

	2009	2008
Oppenheimer Money Market	$ 531,161	$ 440,054
First American Mid Cap Growth Opp	114,987	86,877
Lord Abbett Small-Cap Blend	104,867	93,940
American Funds Growth Fund of America	99,655	71,948
Eaton Vance Large-Cap Value	91,554	*
American Funds EuroPacific Growth	86,953	92,199
Fidelity Disciplined Equity	74,807	*

* - does not exceed 5% for year ended.

Net Appreciation (Depreciation) in Fair Value of Investments

The Plan's investments in mutual funds (including gains and losses on investments bought and sold, as well as held during the year) appreciated (depreciated) in value for the years ended December 31, 2009 and 2008 by $183,415 and $(369,123), respectively.

NOTE D – FAIR VALUE MEASUREMENTS

Fair Value Measurements, as stated by the Financial Accounting Standards Board, establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurements) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy are described as follows:

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

NOTE D – FAIR VALUE MEASUREMENTS (continued)

Level 2 — Inputs to the valuation methodology include a) quoted prices for similar assets or liabilities in active markets; b) quoted prices for identical or similar assets or liabilities in inactive markets; c) inputs other than quoted prices that are observable for the asset or liability; and d) inputs that are derived principally from, or corroborated by, observable market data by correlation or other means. If the asset or liability has a specific (contractual) term, the level 2 input must be observable for substantially the full term of the asset or liability.

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

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

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

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

Money market account: Valued at the estimated fair value which equals cost.

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

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

NOTE D – FAIR VALUE MEASUREMENTS (continued)

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

	Assets at Fair Value as of December 31, 2009			
	Level 1	Level 2	Level 3	Total
Mutual funds	$ 862,492	$ -	$ -	$ 862,492
Money market account	532,055	-	-	532,055
Loans to participants	-	-	4,382	4,382
Total assets at fair value	$ 1,394,547	$ -	$ 4,382	$ 1,398,929

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	$ 661,929	$ -	$ -	$ 661,929
Money market account	440,054	-	-	440,054
Loans to participants	-	-	10,371	10,371
Total assets at fair value	$ 1,101,983	$ -	$ 10,371	$ 1,112,354

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

	2009	2008
Balance, beginning of period	$ 10,371	$ 16,795
Net change	(5,989)	(6,424)
Balance, end of period	$ 4,382	$ 10,371

NOTE E – INCOME TAX STATUS

The Internal Revenue Service (IRS) has determined as of November 26, 2001, the Paychex Retirement Services Proto-type Defined Contribution Retirement Plan was designed in accordance with applicable sections of the Internal Revenue Code (IRC). The Proto-type Plan was adopted by the Company on November 20, 2005. The Plan has been subsequently amended. The Plan Administrator is not aware of any course of action or series of events that have occurred that might affect the Plan's tax exempt status, and therefore, believes that the Plan and the related trust are tax-exempt.

NOTE F – PRIORITIES UPON PLAN TERMINATION

Although the Company has not expressed any intent to do so, the Company has the right under the Plan to amend 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 account balances as of the date of termination.

NOTE G – RISKS AND UNCERTAINTIES

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

NOTE H – RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500

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

	2009	2008
Net assets available for benefits per financial statements	$ 1,377,208	$ 1,093,266
Add: participant contribution receivable	3,733	-
Add: corrective distributions payable	17,988	19,089
Less: rounding difference	-	(1)
Net assets available for benefits per Form 5500	$ 1,398,929	$ 1,112,354

NOTE H – RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500 (continued)

The following is a reconciliation of changes in net assets available for benefits per the financial statements for the year ended December 31, 2009 and 2008 to the Form 5500:

Changes in net assets available for benefit per financial statements	$ 283,942
Add: participant contribution receivable	3,733
Add: corrective distributions payable as of December 31, 2009	17,988
Less: corrective distributions payable as of December 31, 2008	(19,089)
Add: rounding difference	1
Change in net assets available for benefits per Form 5500	$ 286,575

The following is a reconciliation of participant contributions per the financial statements for the year ended December 31, 2009 to the Form 5500:

Participant contributions per financial statements	$ 157,898
Add: participant contribution receivable as of December 31, 2009	3,733
Add: corrective distributions payable as of December 31, 2009	17,988
Participant contributions per the form 5500	$ 179,619

The following is a reconciliation of benefits paid to participants per the financial statements for the year ended December 31, 2009 to the Form 5500:

Benefits paid to participants per financial statements	$ 68,218
Less: corrective distributions not recorded in prior year financials	(1,670)
Less: rounding difference	(1)
Participant contributions per the Form 5500	$ 66,547

NOTE I – CONTRIBUTIONS FROM PARTICIPANTS

Contributions received from participants for 2009 are net of payments of $17,988 made in 2010 to certain active participants to return to them excess deferral contributions as required to satisfy the relevant nondiscrimination provisions of the Plan. That amount is also included in the Plan's statement of net assets available as excess contributions payable as of December 31, 2009.

NOTE I – CONTRIBUTIONS FROM PARTICIPANTS, continued

Contributions received from participants for 2008 are net of payments of $19,089 made in 2009 to certain active participants to return to them excess deferral contributions as required to satisfy the relevant nondiscrimination provisions of the Plan. Corrective distributions actually paid in 2009 totaled $20,759 resulting in $1,670 recorded in benefits for the year ended December 31, 2009. The Plan's statement of net assets available reports the $19,089 as excess contributions payable as of December 31, 2008.

NOTE J – SUBSEQUENT EVENTS

On February 27, 2010, the Company returned excess contributions totaling $17,988 to certain participants for excess contributions above the IRS limitations.

Except as noted above, there were no events subsequent to December 31, 2009 as of September 24, 2010 that would require disclosure in these financial statements.

SUPPLEMENTAL SCHEDULE REQUIRED BY THE DEPARTMENT OF LABOR (DOL)

SUTTA COMPANY INCORPORATED
401(K) PROFIT SHARING PLAN & TRUST
SCHEDULE OF ASSETS HELD AT END OF YEAR
EIN # 94-2970034, PLAN # 002
FORM 5500, SCHEDULE H, LINE 4i
DECEMBER 31, 2009

(a)	(b) Identity of Issue, borrower, lessor	(c) Description of Investment	(c) 2009 Shares	(e) 2009 Current Value
	Interest in registered investment companies (mutual funds):			
	AllianceBernstein	AllianceBernstein International Value	454.743	$ 6,207
	American Funds Group	American Funds American Balanced	1,754.723	28,339
	American Funds Group	American Funds Capital World G/I	460.134	15,603
	Cohen and Steers	Cohen & Steers Realty Shares	148.099	6,970
	Eaton Vance	Eaton Vance Large-Cap Value	5,469.185	91,554
	Eaton Vance	Eaton Vance Strategic Income	6,566.449	52,532
	Black Rock	BlackRock International Bond Inv	1,230.268	12,992
	American Funds Group	American Funds EuroPacific Gr	2,307.664	86,953
	Fidelity Management Trust Company	Fidelity Disciplined Equity	3,560.569	74,807
	First American Funds	First American Mid Cap Growth Opp	3,608.018	114,987
	Franklin Templeton	Franklin Natural Resources	805.747	25,010
	Franklin Templeton	Franklin Small Cap Value	404.135	14,230
	American Funds Group	American Funds Fundamental Invs	1,280.140	41,822
	American Funds Group	American Funds Growth Fund of Amer	3,700.537	99,655
	Lord Abbett	Lord Abbett Small-Cap Blend	7,831.732	104,867
	Franklin Templeton	Mutual Shares	186.351	3,552
	Franklin Templeton	Mutual Discovery	1,308.424	34,961
	American Funds Group	American Funds New World	275.545	12,882
	Pioneer Investments	Pioneer Global High Yield	623.805	6,007
	Franklin Templeton	Templeton Developing Markets	857.386	18,897
	Invesco Van Kampen	Van Kampen Government Securities	724.629	6,826
		Total		859,653
	Interest bearing cash:			
		Money Market	531,161	531,161
*	Loans to participants	Loans to participants, interest rate of 7.00%-9.25%	n/a	4,382
	Total investments			$ 1,395,196

* = party in interest