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 01/01/2008 and ending 12/31/2008

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:
- [ ] Form 5558;
- [ ] automatic extension;
- [X] the DFVC program;
- [ ] special extension (enter description)

Part II Basic Plan Information—enter all requested information

1a Name of plan
JORDAN NICHOLAS ELLIOTT, INC. 401(K) INVESTMENT PL

1b Three-digit plan number (PN) ▶ 001

1c Effective date of plan 01/01/1999

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

1845 E. MEMORIAL BLVD.
LAKELAND, FL 33801

2b Employer Identification Number (EIN)
59-3048205

2c Sponsor's telephone number
863-583-9192

2d Business code (see instructions)
551112

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.	01/26/2011	EDWIN P. DIMALANTA
	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")
JORDAN NICHOLAS ELLIOTT, INC.

1845 E. MEMORIAL BLVD.
LAKELAND, FL 33801

3b Administrator's EIN
59-3048205

3c Administrator's telephone number
863-583-9192

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**	173
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**	127
b	Retired or separated participants receiving benefits	**6b**	0
c	Other retired or separated participants entitled to future benefits	**6c**	8
d	Subtotal. Add lines **6a**, **6b**, and **6c**	**6d**	135
e	Deceased participants whose beneficiaries are receiving or are entitled to receive benefits	**6e**	0
f	Total. Add lines **6d** and **6e**	**6f**	135
g	Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)	**6g**	25
h	Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested	**6h**	0
7	Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item)	**7**	

8a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions:
2E 2F 2G 2J 2K 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)	X	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)	X	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)		**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)	X	1	**A** (Insurance Information)
(4)			**C** (Service Provider Information)
(5)			**D** (DFE/Participating Plan Information)
(6)			**G** (Financial Transaction Schedules)

SCHEDULE A (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Insurance 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.**

▶ Insurance companies are required to provide the information pursuant to ERISA section 103(a)(2).

OMB No. 1210-0110

2009

This Form is Open to Public Inspection

For calendar plan year 2009 or fiscal plan year beginning 01/01/2008 and ending 12/31/2008

A Name of plan
JORDAN NICHOLAS ELLIOTT, INC. 401(K) INVESTMENT PL

B Three-digit plan number (PN) ▶ 001

C Plan sponsor's name as shown on line 2a of Form 5500.
JORDAN NICHOLAS ELLIOTT, INC.

D Employer Identification Number (EIN)
59-3048205

Part I **Information Concerning Insurance Contract Coverage, Fees, and Commissions** Provide information for each contract on a separate Schedule A. Individual contracts grouped as a unit in Parts II and III can be reported on a single Schedule A.

1 Coverage Information:

(a) Name of insurance carrier
JOHN HANCOCK LIFE INSURANCE COMPANY U.S.A

(b) EIN	(c) NAIC code	(d) Contract or identification number	(e) Approximate number of persons covered at end of policy or contract year	Policy or contract year	
				(f) From	(g) To
01-0233346	65838	64040	26	01/01/2008	12/31/2008

2 Insurance fee and commission information. Enter the total fees and total commissions paid. List in item 3 the agents, brokers, and other persons in descending order of the amount paid.

(a) Total amount of commissions paid	(b) Total amount of fees paid
1091	209

3 Persons receiving commissions and fees. (Complete as many entries as needed to report all persons).

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid
CFG INSURANCE SERVICES
4140 ROCKVILLE PIKE
4TH FLOOR
ROCKVILLE, MD 20852

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	
1091			3

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid
EJ REYNOLDS, INC.
9050 PINES BLVD.
SUITE 110
PEMBROKE PINES, FL 33024

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	
	209	CONTRACT MANAGEMENT FEES	5

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		**(e)** Organization code
	(c) Amount	**(d)** Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		**(e)** Organization code
	(c) Amount	**(d)** Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		**(e)** Organization code
	(c) Amount	**(d)** Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		**(e)** Organization code
	(c) Amount	**(d)** Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		**(e)** Organization code
	(c) Amount	**(d)** Purpose	

Part II Investment and Annuity Contract Information

Where individual contracts are provided, the entire group of such individual contracts with each carrier may be treated as a unit for purposes of this report.

4	Current value of plan's interest under this contract in the general account at year end	4	4957
5	Current value of plan's interest under this contract in separate accounts at year end	5	310605

6 Contracts With Allocated Funds:

a State the basis of premium rates ▶

b	Premiums paid to carrier	6b	
c	Premiums due but unpaid at the end of the year	6c	
d	If the carrier, service, or other organization incurred any specific costs in connection with the acquisition or retention of the contract or policy, enter amount.	6d	

Specify nature of costs ▶

e Type of contract: (1) ☐ individual policies (2) ☐ group deferred annuity

(3) ☐ other (specify) ▶

f If contract purchased, in whole or in part, to distribute benefits from a terminating plan check here ▶ ☐

7 Contracts With Unallocated Funds (Do not include portions of these contracts maintained in separate accounts)

a Type of contract: (1) ☐ deposit administration (2) ☐ immediate participation guarantee

(3) ☒ guaranteed investment (4) ☐ other ▶

b	Balance at the end of the previous year			7b	4815
c	Additions: (1) Contributions deposited during the year	7c(1)	33		
	(2) Dividends and credits	7c(2)			
	(3) Interest credited during the year	7c(3)	174		
	(4) Transferred from separate account	7c(4)			
	(5) Other (specify below) ▶	7c(5)			
	(6) Total additions			7c(6)	207
d	Total of balance and additions (add **b** and **c(6)**)			7d	5022
e	Deductions:				
	(1) Disbursed from fund to pay benefits or purchase annuities during year	7e(1)			
	(2) Administration charge made by carrier	7e(2)	65		
	(3) Transferred to separate account	7e(3)			
	(4) Other (specify below) ▶	7e(4)			
	(5) Total deductions			7e(5)	65
f	Balance at the end of the current year (subtract **e(5)** from **d**)			7f	4957

Part III Welfare Benefit Contract Information

If more than one contract covers the same group of employees of the same employer(s) or members of the same employee organization(s), the information may be combined for reporting purposes if such contracts are experience-rated as a unit. Where contracts cover individual employees, the entire group of such individual contracts with each carrier may be treated as a unit for purposes of this report.

8 Benefit and contract type (check all applicable boxes)

a ☐ Health (other than dental or vision) **b** ☐ Dental **c** ☐ Vision **d** ☐ Life insurance
e ☐ Temporary disability (accident and sickness) **f** ☐ Long-term disability **g** ☐ Supplemental unemployment **h** ☐ Prescription drug
i ☐ Stop loss (large deductible) **j** ☐ HMO contract **k** ☐ PPO contract **l** ☐ Indemnity contract
m ☐ Other (specify) ▶

9 Experience-rated contracts:				
a Premiums: (1) Amount received	**9a(1)**			
(2) Increase (decrease) in amount due but unpaid	**9a(2)**			
(3) Increase (decrease) in unearned premium reserve	**9a(3)**			
(4) Earned (**(1)** + **(2)** - **(3)**)			**9a(4)**	
b Benefit charges (1) Claims paid	**9b(1)**			
(2) Increase (decrease) in claim reserves	**9b(2)**			
(3) Incurred claims (add **(1)** and **(2)**)			**9b(3)**	
(4) Claims charged			**9b(4)**	
c Remainder of premium: (1) Retention charges (on an accrual basis) --				
(A) Commissions	**9c(1)(A)**			
(B) Administrative service or other fees	**9c(1)(B)**			
(C) Other specific acquisition costs	**9c(1)(C)**			
(D) Other expenses	**9c(1)(D)**			
(E) Taxes	**9c(1)(E)**			
(F) Charges for risks or other contingencies	**9c(1)(F)**			
(G) Other retention charges	**9c(1)(G)**			
(H) Total retention			**9c(1)(H)**	
(2) Dividends or retroactive rate refunds. (These amounts were ☐ paid in cash, or ☐ credited.)			**9c(2)**	
d Status of policyholder reserves at end of year: (1) Amount held to provide benefits after retirement			**9d(1)**	
(2) Claim reserves			**9d(2)**	
(3) Other reserves			**9d(3)**	
e Dividends or retroactive rate refunds due. (Do not include amount entered in **c(2)**.)			**9e**	
10 Nonexperience-rated contracts:				
a Total premiums or subscription charges paid to carrier			**10a**	
b If the carrier, service, or other organization incurred any specific costs in connection with the acquisition or retention of the contract or policy, other than reported in Part I, item 2 above, report amount.			**10b**	

Specify nature of costs ▶

Part IV Provision of Information

11 Did the insurance company fail to provide any information necessary to complete Schedule A? ☐ Yes ☐ No

12 If the answer to line 11 is "Yes," specify the information not provided. ▶

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 01/01/2008 and ending 12/31/2008

A Name of plan
JORDAN NICHOLAS ELLIOTT, INC. 401(K) INVESTMENT PL

B Three-digit plan number (PN) ▶ 001

C Plan sponsor's name as shown on line 2a of Form 5500
JORDAN NICHOLAS ELLIOTT, INC.

D Employer Identification Number (EIN)
59-3048205

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)	5454	260
(2) Participant contributions	1b(2)	7240	580
(3) Other	1b(3)		
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit)	1c(1)		
(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)	18602	9863
(9) Value of interest in common/collective trusts	1c(9)		
(10) Value of interest in pooled separate accounts	1c(10)	487243	310605
(11) Value of interest in master trust investment accounts	1c(11)		
(12) Value of interest in 103-12 investment entities	1c(12)		
(13) Value of interest in registered investment companies (e.g., mutual funds)	1c(13)		
(14) Value of funds held in insurance company general account (unallocated contracts)	1c(14)	4815	4956
(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	523354	326264
	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	523354	326264

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)	8348	
	(B) Participants	2a(1)(B)	23521	
	(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)		31869
b	**Earnings on investments:**			
	(1) Interest:			
	(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)		
	(B) U.S. Government securities	2b(1)(B)		
	(C) Corporate debt instruments	2b(1)(C)		
	(D) Loans (other than to participants)	2b(1)(D)		
	(E) Participant loans	2b(1)(E)	845	
	(F) Other	2b(1)(F)		
	(G) Total interest. Add lines **2b(1)(A)** through **(F)**	2b(1)(G)		845
	(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)		
	(D) Total dividends. Add lines **2b(2)(A)**, **(B)**, and **(C)**	2b(2)(D)		0
	(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)		
(7) Net investment gain (loss) from pooled separate accounts	2b(7)		-182207
(8) Net investment gain (loss) from master trust investment accounts	2b(8)		
(9) Net investment gain (loss) from 103-12 investment entities	2b(9)		
(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds)	2b(10)		
c Other income	2c		
d Total income. Add all **income** amounts in column (b) and enter total	2d		-149493
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	41961	
(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)		41961
f Corrective distributions (see instructions)	2f		
g Certain deemed distributions of participant loans (see instructions)	2g		
h Interest expense	2h		
i Administrative expenses: (1) Professional fees	2i(1)		
(2) Contract administrator fees	2i(2)	5636	
(3) Investment advisory and management fees	2i(3)		
(4) Other	2i(4)		
(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		5636
j Total expenses. Add all **expense** amounts in column (b) and enter total	2j		47597
Net Income and Reconciliation			
k Net income (loss). Subtract line 2j from line 2d	2k		-197090
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: ASSURANCE DIMENSIONS (2) EIN: 26-3429295

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		11820
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	
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)

ASSURANCE DIMENSIONS



Financial Statements, Supplemental Schedules and Report of Independent Certified Public Accountants

Jordan, Nicholas, Elliott, Inc. 401(k)

Investment Plan

December 31, 2008 and December 31, 2007

DRAFT

Jordan, Nicholas, Elliott, Inc. 401(k) Investment Plan

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DRAFT

REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS

To the Participants and Plan Administrator of the
Jordan, Nicholas, Elliott, Inc. 401(k) Investment Plan:

We were engaged to audit the accompanying statement of net assets available for benefits of **Jordan, Nicholas, Elliott, Inc. 401(k) Investment Plan** (the "Plan") as of December 31, 2008 and 2007, the related statement of changes in net assets available for benefits for the year ended December 31, 2008 and the supplemental Schedule H, line 4i—Schedule of Assets (Held at End of Year) as of December 31, 2008. These financial statements and supplemental schedule are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the Plan administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in Note C, which was certified by John Hancock Financial, the trustee of the Plan, except for comparing such information with the related information included in the 2008 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 December 31, 2008 and 2007, 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 2008 financial statements and supplemental schedule that we did not audit, we are unable to, and do not, express an opinion on the accompanying 2008 financial statements and supplemental schedule taken as a whole. The form and content of the information included in the 2008 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.

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Tampa, Florida
February 25, 2010

Jordan, Nicholas, Elliott, Inc. 401(k) Investment Plan

Statements of Net Assets Available for Benefits
As of December 31, 2008 and December 31, 2007

	2008	2007
Investments, at fair value:		
Pooled separate accounts (PSAs)	$ 310,605	$ 487,243
Guaranteed interest account (GICs)	4,956	4,815
Loans	9,863	18,602
Total investments	325,424	510,660
Contributions receivable:		
Participant	580	7,240
Employer	260	5,454
Total contributions receivable	840	12,694
Net assets available for benefits at fair value	$ 326,264	$ 523,354

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

Jordan, Nicholas, Elliott, Inc. 401(k) Investment Plan

Statement of Changes in Net Assets Available for Benefits
For the year ending December 31, 2008

	2008
Additions (Reductions) to net assets attributed to:	
Investment gain:	
Net depreciation in fair value of investments	$ (182,207)
Interest earned on participant loans	845
Net investment gain (loss)	(181,362)
Contributions:	
Participant contributions:	23,521
Employer contributions:	8,348
Total contributions	31,869
Total reductions	(149,493)
Deductions from net assets attributed to:	
Benefits paid to participants	41,961
Administrative expenses	5,636
Total deductions	47,597
Net increase (decrease)	(197,090)
Net assets available for benefits:	
Beginning of year	523,354
End of year	$ 326,264

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

Note A – Description of Plan

The following description of the **Jordan, Nicholas, Elliott, Inc. 401(k) Investment Plan** (the Plan) provides only general information. Participants should refer to the Plan document for a more complete description of the Plan's provisions.

General

The plan is a defined contribution plan covering all non-union employees of Jordan, Nicholas, Elliott, Inc. (the "Company") who have completed a year of service and have attained age twenty-one. The Plan is subject to the Employee Retirement Income Security Act of 1974 (ERISA). The Plan's custodian has been EJ Reynolds, Inc., a subsidiary of John Hancock Financial.

Administration of the Plan

The accounting records are maintained by the Company. The Plan's assets are held and managed by John Hancock Financial (the Trustee). Contributions are held by the Trustee, who invests cash received, interest and dividend income, as directed by the participant, and makes distributions to participants.

Safe Harbor and Discretionary Contributions

Participants may contribute up to 75% of pretax annual compensation, as defined in the Plan, subject to Internal Revenue Code (IRC) limitations. Participants may contribute a percentage of their base compensation, as defined, subject to Internal Revenue Code limitations. The plan was amended to be a Safe Harbor plan as of January 1, 2007. The employers Safe Harbor match is 100% not to exceed 3% of compensation plus 50% of salary deferrals between 3% and 5% of compensation. The employer may also make additional matching contributions at their discretion. Participants may also contribute amounts representing distributions from other qualified retirement plans. Participants who will be at least 50 years of age by the end of the year are able to make catch-up elective deferral contributions up to the maximum allowable amounts. Participants direct the investment of their contributions and Employer contributions into various investment options offered by the Plan. For the year ended December 31, 2008, the Company did not provide a discretionary matching contribution.

Participant Accounts

Each participant's account is credited with the participant's contribution and the Company's matching contribution and performance sharing amounts, if applicable. Each participant's account shall be allocated earnings, gains, expenses, and losses with respect to the investments of the participant's account. Allocations of plan earnings or losses are based on each participant's investment fund balance in proportion to the total investment fund balance.

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Vesting

Participants are vested immediately in their contributions and Safe Harbor contributions plus actual earnings or losses thereon. Employer matching and profit sharing contributions begin to vest ratably over five years after the employee has provided two years of service to the Company for matching contributions and three years of service for profit sharing contributions. Should the employee return to work prior to the forfeiture date, no unvested contributions are forfeited. Any portion of a forfeiture remaining after paying Plan expenses is used to offset future employer contributions.

Investment Options

Upon enrollment in the Plan, a participant may direct employee contributions, in 1% increments in any of the Plan's investment options. Participants may change their current or future investment options at any time via both telephone and online access systems.

Participant Loans

There are various rules and requirements that apply for any loan. These rules and requirements are outlined in a written loan policy. You can request a copy of the loan program from the Administrator. The Administrator may periodically revise the Plan's loan policy. If you have any questions on participant loans or the current loan policy, please contact the Administrator.

Distribution of Benefits

On termination of service due to death, disability or retirement, a participant will receive a lump-sum payment in cash or property. If the vested benefit in the Plan exceeds $1,000 then the participant must consent to the distribution before it may be made.

Forfeitures

Forfeited balances of terminated participants' non-vested accounts are used to reduce future Employer contributions. During 2007, Employer contribution payments were reduced by approximately $0 from forfeited non-vested accounts. As of December 31, 2008, there were $0 amounts outstanding that could be used to offset future profit sharing Company contributions.

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Note B – Summary of Significant Accounting Policies

Basis of Presentation

The accompanying financial statements are presented on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America (US GAAP).

As required by the *Reporting of fully Benefit-Responsive Investment contracts Held by certain Investment companies and Defined-Contribution Health and Welfare and Pension Plans (the FSP)* topic sections of the FASB Accounting Standards Codification investment contracts held by a defined-contribution plan are required to be reported at fair value. However, contract value is the relevant measurement attribute to fully benefit-responsive investment contracts because contract value is the amount participants would receive if they were to initiate permitted transactions under the terms of the Plan. The Plan invests in investment contracts through a collective trust. As required by the FSP, the Statement of Net Assets Available for Benefits presents the fair value of the investment contracts as well as the adjustment of the fully benefit-responsive investment contracts from fair value to contract value. The Plan had no fully benefit-responsive investments as of December 31, 2008.

Use of Estimates

The preparation of financial statements in conformity with US GAAP requires management to make estimates and assumptions that affect the reported amounts of net assets available for benefits and the changes in net assets available for benefits and disclosure of contingent assets and liabilities during the reporting period. Actual results could differ from these estimates.

Investment Valuation and Income Recognition

The Plan's investments are stated at fair value. Quoted market prices are used to value investments. Shares of mutual funds are valued at the net asset value of shares held by the Plan at year end. Purchases and sales of securities are recorded on a trade-date basis.

Benefits

Benefit payments to participants are recorded when paid.

Fair Value Measurements

The Plan's investments are stated at fair value. Quoted market prices are used to value investments. Shares of mutual funds are valued at the net asset value of shares held by the Plan at year end. Purchases and sales of investments are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

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Note B – Summary of Significant Accounting Policies (continued)

Fair Value Measurements

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

Level 1	Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Plan has the ability to access.
Level 2	Inputs to the valuation methodology include: Quoted prices for similar assets or liabilities in active markets; Quoted prices for identical or similar assets or liabilities in inactive markets; Inputs other than quoted prices that are observable for the asset or liability; Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

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

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

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

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at December 31, 2007 and 2008.

Common stocks, corporate bonds and U.S. government securities: Valued at the closing price reported on the active market on which the individual securities are traded.

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

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. 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.

At December 31, 2008, all of the Plan's assets were maintained in pooled separate accounts . All of the aforementioned assets qualify as Level I assets, in that their valuation inputs are observable with active markets supporting fair value measurements.

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Note C - Investments

The plan administrator has elected the method of compliance permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, as permitted under such election, the plan administrator instructed the auditors not to perform any auditing procedures with respect to the information certified by the Trustee, except for comparing such information to the related information included in the financial statements and supplemental schedule. The plan administrator has obtained a certification from the Trustee that the information provided to the plan administrator by the Trustee as of December 31, 2008 and December 31, 2007, and for the year ended December 31, 2008, is complete and accurate. Such information includes all investments excluding participant loans, investment income and loss excluding interest on participant loans, and the information in the supplemental schedule of assets (held at end of year).

Each of these investments represents 5 percent or more of the Plan's net assets available for benefits as of December 31:

	2008	2007
John Hancock Retirement Services:		
Lifestyle Fund Growth Portfolio	$95,059	$125,511
Lifestyle Fund Aggressive Portfolio	65,121	92,121
Mutual Beacon	30,141	**
Index 500 Fund	21,477	39,133
Pimco Total Return	20,796	**
Short-Term Federal	20,731	**
Science & Technology Fund	20,005	42,423
Weitz Partners Fund	*	51,691

*- Fund did not exceed 5% in 2008

**- Fund did not exceed 5% in 2007

During 2008, the Plan's investments (including gains on investments bought and sold, as well as held during the year) depreciated in value as follows:

Pooled separate accounts, at fair value	$ (182,207)

Note D – Income Tax Status

The plan obtained its latest determination letter on March 9, 1993, in which the Internal Revenue Service stated that the plan, as then designed, was in compliance with the applicable requirements of the Internal Revenue Code. The plan has been amended since receiving the determination letter. However, the plan administrator and the plan's tax counsel believe that the plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code.

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Note E – 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 statements of net assets available for benefits.

Note F – Party-In-Interest

Section 3(14) of ERISA defines a party-in-interest to include, among others, fiduciaries or employees of the Plan, any person who provides services to the Plan, or an employer whose employees are covered by the Plan. Certain plan investments are mutual funds and guaranteed interest contracts managed by the Trustee. Transactions related to these investments qualify as party-in-interest transactions. Fees paid to the Trustee by the Plan for investment services amounted to approximately $5,636 during the year ended December 31, 2008.

Note G – 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 the Plan is terminated, participants would become 100 percent vested in their accounts.

Note H – Reconciliation of Financial Statements to Form 5500

	2008	2007
Net assets available for benefits per the financial statements	$326,264	$511,488
Add: Adjustment to receivable due to variance between cash and accrual methods	(840)	(828)
Net assets available for benefits per the Form 5500	$325,424	$510,660

The following is a reconciliation of total assets per the financial statements to the Form 5500:

	2008
Total additions per the financial statements	$(149,493)
Add: Adjustment to receivable due to variance between cash and accrual methods	(840)
Total additions per the Form 5500	$(150,333)

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Note I – Subsequent Events

Fidelity Bond

ERISA section 412 and related regulations 29 C.F.R. § 2550.412-1 and 29 C.F.R. Part 2580 generally require that every fiduciary of an employee benefit plan and every person who handles funds or other property of such a plan shall be bonded. ERISA's bonding requirements are intended to protect employee benefit plans from risk of loss due to fraud or dishonesty on the part of persons who "handle" plan funds or other property. ERISA refers to persons who handle funds or other property of an employee benefit plan as "plan officials." A plan official must be bonded for at least 10% of the amount of funds he or she handles, subject to a minimum bond amount of $1,000 per plan with respect to which the plan official has handling functions. In most instances, the maximum bond amount that can be required under ERISA with respect to any one plan official is $500,000 per plan.

The Jordan, Nicholas, Elliott, Inc. 401(k) Profit Sharing Plan, plan administrator and officials were not bonded during the 2008 Plan year. Subsequent to December 31, 2008, the bonding requirement was met, making the Plan compliant with ERISA section 412 for the 2010 Plan year.

Change in Plan Trustee

Subsequent to December 31, 2008, the Plan terminated its relationship with its trustee and engaged a new trustee. The turnover to the new trustee occurred in fiscal 2009.

Delinquent Employee Contributions

The Company identified instances of delinquent employee contributions to the Plan for the plan year ended 2008. Subsequent to year-end the Company computed the required excise tax and submitted the Form 5330, with appropriate payment, as required by the Internal Revenue Service.

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Jordan, Nicholas, Elliott, Inc. 401(k) Investment Plan

Supplemental Schedule of Assets (Held at End of Year)
As of December 31, 2008

(a)	(b) Identity of issuer	(c) Description of investment	(d) Cost	(e) Current value
	(i) Pooled separate accounts			
*	Lifestyle Growth	PSA		95,059
*	Lifestyle Aggressive	PSA		65,121
*	Mutual Beacon	PSA		30,141
*	Index 500 Fund	PSA		21,477
*	Pimco Total Return	PSA		20,796
*	Short-Term Federal	PSA		20,731
*	T. Rowe Price Sci & Tech	PSA		20,005
*	All Cap Growth Fund	PSA		5,884
*	Davis New York Venture	PSA		3,804
*	Jennison Growth	PSA		3,785
*	Lifestyle Balance	PSA		3,195
*	Franklin Balance Sheet	PSA		3,132
*	Quantitative All Cap Fund	PSA		2,526
*	Quantitative Value Fund	PSA		2,425
*	Mid Cap Stock Fund	PSA		2,205
*	Domini Social Equity	PSA		2,166
*	Legg Mason Growth	PSA		1,871
*	Oppenheimer Developing Mkt	PSA		1,737
*	Excelsior Value & Restruct	PSA		1,664
*	T. Rowe Price Blue Chip	PSA		1,320
*	Salomon Bros High Yield	PSA		361
*	Franklin Small-Mid Growth	PSA		352
*	Legg Partners Agg Growth	PSA		324
*	Davis Financial	PSA		310
*	Templeton World	PSA		214
	Total pooled separate accounts:			**310,605**
	(ii) Guaranteed interest accounts			
*	3 Year Guaranteed Account	GA		1,056
	10 Year Guaranteed Account	GA		3,900
	Total guaranteed interest accounts:			**4,956**
	(iii) Loans (5- 8%)			
*	Participant loans (5 - 8%)			9,863
	Total loans:			**9,863**
	Total investments at fair value:			**$ 325,424**

* Managed by John Hancock Retirement Services, the Trustee, a party-in-interest.

Jordan, Nicholas, Elliott, Inc. 401(k) Investment Plan

Supplemental Schedule of Assets (Held at End of Year)
As of December 31, 2008

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*	Quantitative Value Fund	PSA		2,425
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