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

2010

This Form is Open to Public Inspection

Part I Annual Report Identification Information

For calendar plan year 2010 or fiscal plan year beginning 01/01/2010 and ending 12/31/2010

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;
- [ ] the DFVC program;
- [ ] special extension (enter description)

Part II Basic Plan Information—enter all requested information

1a Name of plan
JOHNNY TART ENTERPRISES INC 401(K) PROFIT SHARING PLAN & TRUST

1b Three-digit plan number (PN) ▶ 001

1c Effective date of plan 01/01/2000

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

2901 PACIFIC AVENUE
GREENSBORO, NC 27406

2b Employer Identification Number (EIN) 56-1924851

2c Sponsor's telephone number 336-378-2510

2d Business code (see instructions) 722210

Caution: A penalty for the late or incomplete filing of this return/report will be assessed unless reasonable cause is established.

Under penalties of perjury and other penalties set forth in the instructions, I declare that I have examined this return/report, including accompanying schedules, statements and attachments, as well as the electronic version of this return/report, and to the best of my knowledge and belief, it is true, correct, and complete.

SIGN HERE	Filed with authorized/valid electronic signature.	07/27/2011	JOHNNY TART
	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")
JOHNNY TART ENTERPRISES INC

2901 PACIFIC AVENUE
GREENSBORO, NC 27406

3b Administrator's EIN
56-1924851

3c Administrator's telephone number
336-378-2510

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**	171
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**	165
b	Retired or separated participants receiving benefits	**6b**	0
c	Other retired or separated participants entitled to future benefits	**6c**	48
d	Subtotal. Add lines **6a**, **6b**, and **6c**	**6d**	213
e	Deceased participants whose beneficiaries are receiving or are entitled to receive benefits	**6e**	0
f	Total. Add lines **6d** and **6e**	**6f**	213
g	Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)	**6g**	201
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 2G 2J 2T 3D

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

9a Plan funding arrangement (check all that apply)

(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)		0	**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

2010

This Form is Open to Public Inspection

For calendar plan year 2010 or fiscal plan year beginning 01/01/2010 and ending 12/31/2010

A Name of plan
JOHNNY TART ENTERPRISES INC 401(K) PROFIT SHARING PLAN & TRUST

B Three-digit plan number (PN) ▶ 001

C Plan sponsor's name as shown on line 2a of Form 5500
JOHNNY TART ENTERPRISES INC

D Employer Identification Number (EIN)
56-1924851

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	0	
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions	1b(1)	0	0
(2) Participant contributions	1b(2)	0	0
(3) Other	1b(3)	0	0
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit)	1c(1)	50169	36171
(2) U.S. Government securities	1c(2)	0	
(3) Corporate debt instruments (other than employer securities):			
(A) Preferred	1c(3)(A)	0	
(B) All other	1c(3)(B)	0	
(4) Corporate stocks (other than employer securities):			
(A) Preferred	1c(4)(A)	0	
(B) Common	1c(4)(B)	0	
(5) Partnership/joint venture interests	1c(5)	0	
(6) Real estate (other than employer real property)	1c(6)	0	
(7) Loans (other than to participants)	1c(7)	0	
(8) Participant loans	1c(8)	0	0
(9) Value of interest in common/collective trusts	1c(9)	0	0
(10) Value of interest in pooled separate accounts	1c(10)		
(11) Value of interest in master trust investment accounts	1c(11)	0	0
(12) Value of interest in 103-12 investment entities	1c(12)	0	0
(13) Value of interest in registered investment companies (e.g., mutual funds)	1c(13)	429551	258221
(14) Value of funds held in insurance company general account (unallocated contracts)	1c(14)		
(15) Other	1c(15)	0	0

			(a) Beginning of Year	(b) End of Year
1d	Employer-related investments:			
	(1) Employer securities	1d(1)	0	
	(2) Employer real property	1d(2)	0	
e	Buildings and other property used in plan operation	1e	0	
f	Total assets (add all amounts in lines 1a through 1e)	1f	479720	294392
	Liabilities			
g	Benefit claims payable	1g	0	
h	Operating payables	1h	0	
i	Acquisition indebtedness	1i	0	
j	Other liabilities	1j	0	
k	Total liabilities (add all amounts in lines 1g through1j)	1k	0	
	Net Assets			
l	Net assets (subtract line 1k from line 1f)	1l	479720	294392

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)	27161	
	(B) Participants	2a(1)(B)	61839	
	(C) Others (including rollovers)	2a(1)(C)	0	
	(2) Noncash contributions	2a(2)		
	(3) Total contributions. Add lines **2a(1)(A), (B), (C),** and line **2a(2)**	2a(3)		89000
b	**Earnings on investments:**			
	(1) Interest:			
	(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)	0	
	(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)	0	
	(F) Other	2b(1)(F)		
	(G) Total interest. Add lines **2b(1)(A)** through **(F)**	2b(1)(G)		0
	(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)	3951	
	(D) Total dividends. Add lines **2b(2)(A)**, **(B)**, and **(C)**	2b(2)(D)		3951
	(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)		0
(7) Net investment gain (loss) from pooled separate accounts	2b(7)		0
(8) Net investment gain (loss) from master trust investment accounts	2b(8)		0
(9) Net investment gain (loss) from 103-12 investment entities	2b(9)		0
(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds)	2b(10)		33000
c Other income	2c		
d Total income. Add all **income** amounts in column (b) and enter total	2d		125951
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	309939	
(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)		309939
f Corrective distributions (see instructions)	2f		0
g Certain deemed distributions of participant loans (see instructions)	2g		0
h Interest expense	2h		
i Administrative expenses: **(1)** Professional fees	2i(1)		
(2) Contract administrator fees	2i(2)	0	
(3) Investment advisory and management fees	2i(3)		
(4) Other	2i(4)	1340	
(5) Total administrative expenses. Add lines **2i(1)** through **(4)**	2i(5)		1340
j Total expenses. Add all **expense** amounts in column (b) and enter total	2j		311279
Net Income and Reconciliation			
k Net income (loss). Subtract line **2j** from line **2d**	2k		-185328
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: BROOKS, MCGINNIS & COMPANY **(2)** EIN: 58-2161308

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)** [X] 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	
f	Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?	4f		X	
g	Did the plan hold any assets whose current value was neither readily determinable on an established market nor set by an independent third party appraiser?	4g		X	
h	Did the plan receive any noncash contributions whose value was neither readily determinable on an established market nor set by an independent third party appraiser?	4h		X	
i	Did the plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, and see instructions for format requirements.)	4i	X		
j	Were any plan transactions or series of transactions in excess of 5% of the current value of plan assets? (Attach schedule of transactions if "Yes" is checked, and see instructions for format requirements.)	4j		X	
k	Were all the plan assets either distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC?	4k		X	
l	Has the plan failed to provide any benefit when due under the plan?	4l		X	
m	If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.)	4m		X	
n	If 4m was answered "Yes," check the "Yes" box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3.	4n			

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

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

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

SCHEDULE R
(Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Retirement Plan Information

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

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

OMB No. 1210-0110

2010

This Form is Open to Public Inspection.

For calendar plan year 2010 or fiscal plan year beginning 01/01/2010 and ending 12/31/2010

A Name of plan
JOHNNY TART ENTERPRISES INC 401(K) PROFIT SHARING PLAN & TRUST

B Three-digit plan number (PN) ▶ 001

C Plan sponsor's name as shown on line 2a of Form 5500
JOHNNY TART ENTERPRISES INC

D Employer Identification Number (EIN)
56-1924851

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):

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST

FINANCIAL STATEMENTS WITH
INDEPENDENT AUDITOR'S REPORT

DECEMBER 31, 2010

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST

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* Other schedules required by Section 2520.103-10 of the U.S Department of Labor Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974 have been omitted because they are not applicable.

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INDEPENDENT AUDITOR'S REPORT

To the Plan Administrator of the Johnny Tart Enterprises, Inc.
401(k) Profit Sharing Plan and Trust:

We were engaged to audit the accompanying statements of net assets available for plan benefits of Johnny Tart Enterprises, Inc. 401(k) Profit Sharing Plan and Trust (the Plan) as of December 31, 2010 and 2009 the related statement of changes in net assets available for plan benefits for the year ended December 31, 2010, and the supplemental schedule for the year ended December 31, 2010, as listed in the accompanying table of contents. 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 3, 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 December 31, 2010 and 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 financial statements that we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedule taken as a whole. The form and content of the information included in the 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.

The accompanying financial statements have been prepared assuming that the Plan will continue as a going concern. As discussed in Note 5 to the financial statements, the Plan's sponsor, Johnny Tart Enterprises, Inc. decided in December 2010 to terminate the Plan, with a termination date of December 13, 2010.

Brooks, McGinnis & Company, LLC

Atlanta, Georgia
July 25, 2011

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST
STATEMENTS OF NET ASSETS AVAILABLE FOR PLAN BENEFITS
DECEMBER 31, 2010 AND 2009

	2010	2009
Assets:		
Investments, participant directed, at fair value	$ 294,392	$ 479,720
Employer contributions receivable	27,161	27,228
Net assets available for plan benefits	$ 321,553	$ 506,948

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

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST
STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR PLAN BENEFITS
FOR THE YEAR ENDED DECEMBER 31, 2010

Additions to net assets attributed to:		
Investment income:		
Net appreciation in fair value of investments	$	32,933
Interest and dividends		3,951
		36,884
Contributions/rollovers:		
Employer		27,161
Participant		61,839
		89,000
Total additions		125,884
Deductions from net assets attributed to:		
Benefits paid to participants/rollovers		309,939
Record keeping fees		1,340
Total deductions		311,279
Net decrease		(185,395)
Net assets available for plan benefits:		
Beginning of year		506,948
End of year	$	321,553

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

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2010

1. Description of Plan

The following description of the Plan provides only general information. Participants should refer to the Plan documents for a more complete description of the Plan's provisions. Johnny Tart Enterprises, Inc. (the "Company" or "Sponsor") originally established the Plan effective as of January 1, 2000. The amended and restated provisions of the Plan became effective on January 1, 2008 (the "Amendment Date").

General – The Plan is a defined contribution plan covering all employees of the Company who are age twenty-one or older. Plan investments are managed by Mid Atlantic Trust Company (the Trustee). Employees are eligible to make salary deferrals and receive matching contributions upon completion of one year of service from date of hire. However, employees must meet other service hour requirements to participate in Employer matching contributions to the Plan. Employees who satisfy the participation requirements begin participating in the Plan on the first day of the calendar month following the date the employee satisfies the requirements.

Contributions - Each year participants may elect to have a portion of their compensation contributed to the plan on a before tax basis pursuant to code section 401(k), as defined in the Plan. Participants direct the investment of their contributions into various investment options offered by the Plan. The Company may make a discretionary non-elective employer contribution on behalf of eligible active participants each year. The Company contributes a fixed amount of 100% of salary deferrals up to the first 3% of compensation contributed and 50% of the next 2% of compensation contributed. Contributions are subject to certain limitations. Such contributions are allocated to eligible active participants on the ratio that each eligible active participant's compensation bears to the total compensation period to all eligible active participants for the plan. Participants may contribute amounts representing distributions from other qualified plans as well. The Company has the right under the Plan to discontinue contributions at any time and to terminate or amend the Plan.

Investment Options - Upon enrollment in the Plan, a participant may direct contributions in any of twenty basic investment options. Participants may change their investment options at any time.

Participant Accounts - Each participant's account is credited with the participant's contributions, allocations of the Company's matching contributions and Plan earnings. Plan earnings and gains or losses are allocated on actual investment performance of each individual participant's account. The benefit to which a participant is entitled is the vested benefit that can be provided from the participant's account.

1. Description of Plan - Continued

Payment of Benefits - Upon termination of service due to death, disability or retirement, a participant may elect to receive either a lump-sum amount equal to the value of the participant's vested interest in his or her account, or annual installments as specified by the Plan. For termination of service due to other reasons, participant account balances are distributed as soon as administratively possible and the participant may receive the value of their vested interest as a lump-sum distribution or roll the amount over to a qualified retirement plan.

Vesting and Forfeitures - Upon entry into the Plan, participants are immediately vested in salary deferral contributions, employer matching contributions, and earnings thereon therefore there are no forfeitures in the plan.

Plan Administration Expenses – A significant portion of the Plan's administrative costs are paid by the Plan sponsor.

2. Summary of Significant Accounting Policies

Basis of Accounting - The accompanying financial statements of the Plan are prepared under the liquidation basis of accounting in accordance with generally accepted accounting principles in the United States of America.

Recordkeeping Expenses – Certain recordkeeping fees associated with participant distributions and specific mutual funds are charged directly to participant accounts. For the years ended December 31, 2010 and 2009 these fees were $1,340 and $900, respectively.

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

Valuation of Investments - The Plan's investments are stated at fair value. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. See Note 7 for discussion of fair value measurements. Shares of registered investment companies are valued at quoted market prices, which represent the net asset value of shares held by the Plan at year-end. Money market funds and cash equivalents are valued at cost, which approximates fair value. Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded as earned. Dividends are recorded on the ex-dividend date. Net appreciation (depreciation) in the fair value of investments consists of realized gains or losses and the unrealized appreciation (depreciation) on investments.

2. Summary of Significant Accounting Policies - Continued

Payment of Benefits - Benefits are recorded when paid.

New Accounting Pronouncements - In January, the Financial Accounting Standards Board (FASB) issued Accounting Standards Update 2010-06, Improving Disclosures about Fair Value Measurements (ASU 2010-06). ASU 2010-06 clarifies certain existing fair value disclosures and requires a number of additional disclosures. The guidance in ASU 2010-06 clarified that disclosures should be presented separately for each "class" of assets and liabilities measured at fair value and provided guidance on how to determine the appropriate classes of assets and liabilities to be presented. ASU 2010-06 also clarified the requirement for entities to disclose information about both the valuation techniques and inputs used in estimating Level 2 and Level 3 fair value measurements. In addition, ASU 2010-06 introduced new requirements to disclose the amounts (on a gross basis) and reasons for any significant transfers between Levels 1,2 and 3 of the fair value hierarchy and presented information regarding the purchases, sales, issuances, and settlements of Level 3 assets and liabilities on a gross basis. With the exception of the requirement to present changes in Level 3 measurements on a gross basis, which is delayed until 2011, the guidance in ASU 2010-06 becomes effective for reporting periods beginning after December 15, 2009. Adoption of ASU 2010-06 did not have a material effect on the Plan's net assets available for benefits or its changes in net assets available for benefits.

Uncertain Tax Positions – Accounting principles generally accepted in the United States of America require plan management to evaluate tax positions taken by the plan and recognize a tax liability (or asset) if the plan has taken an uncertain position that more-likely-than–not would be sustained upon examination by a taxing authority. The plan administrator has analyzed the tax positions taken by the plan, and has concluded that as of December 31, 2010, there were no uncertain positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the financial statements.

3. Information Certified by Trustee

The financial information contained in the statements of net assets available for plan benefits, and certain information in the statement of changes in net assets available for plan benefits and supplemental schedule were prepared from information supplied by the Trustee, Mid Atlantic Trust Company. The plan administrator obtained certifications from the Trustee that such information is complete and accurate.

4. Investments

The Plan's investments are held with Mid Atlantic Trust Company. The Trustee invests participants' contributions, according to their investment elections. The plan offers twenty (20) various mutual funds in which participants may choose to invest. These mutual funds offer various types of investments including stocks, bonds, other debt and equity securities, fixed income, and short and long-term funds.

5. Plan Termination

The Company has the authority to terminate or amend the Plan by an appropriate resolution or resolutions, which shall specify the date of termination or amendments. By resolution of the Plan Sponsor's Board of Directors the Plan was terminated effective December 13, 2010. As a result, all participants became fully vested. In accordance with the Plan's termination participants are given the option of receiving a lump sum distribution of their accrued benefits or rollover to another qualified plan.

6. Investments

The Plan's investments consist of mutual funds which are held with Mid Atlantic Trust Company. The fair market values of investments that represent five percent or more of the Plan's net assets are as follows at December 31, 2010:

	Major Credit Ratings		Fair Value		% of Total Investments
Automated Cash Management Instl Svc	NA	$	36,171	*	12%
America Funds Amcap R2	NA		6,833		2%
American Funds American Balanced R2	NA		7,082		2%
American Funds Capital Inc Bldr R2	NA		8,142		3%
Federated Capital Appreciation K	NA		20,227	*	7%
Franklin Flex Cap Growth R	NA		780		0%
Franklin Small Cap Value R	NA		8,435		3%
American Funds Fundamental Invs R2	NA		18,868	*	6%
Goldman Sachs Growth Opportunities A	NA		23,390	*	8%
American Funds Grth Fund of Amer R2	NA		7,436		3%
Hartford Growth R3	NA		10,602		4%
Hartford Dividend & Growth R3	NA		6,715		2%
Lord Abbett America's Value A	NA		31,323	*	11%
Lord Abbett Affiliated A	NA		2,965		1%
American Fund New Perspective R1	NA		15,011	*	5%
Van Kampen Comstock R	NA		35,860	*	12%
Van Kampen Equity and Income R	NA		31,133	*	11%
Van Kampen Growth and Income R	NA		1,185		0%
American Funds Washington Mutual R2	NA		11,177		4%
American Funds Bond Fund of Amer R2	NA		11,057		4%
		$	294,392		100%

* Represents 5% or more of net assets available for benefits

No cost information is required to be disclosed for participant directed investments.

The Plan's investments (including investments bought, sold, and held during the year) appreciated in value by $32,933 for the year ended December 31, 2010.

6. Investments - Continued

The fair market values of investments that represent five percent or more of the Plan's net assets are as follows at December 31, 2009:

	Major Credit Ratings		Fair Value		% of Total Investments
Automated Cash Management Instl Svc	NA	$	50,169	*	10%
America Funds Amcap R2	NA		9,232		2%
American Funds American Balanced R2	NA		29,821	*	6%
American Funds Capital Inc Bldr R2	NA		7,550		2%
Federated Capital Appreciation K	NA		5		0%
Franklin Flex Cap Growth R	NA		9,690		2%
Franklin Small Cap Value R	NA		37,787	*	8%
American Funds Fundamental Invs R2	NA		6,086		1%
Goldman Sachs Growth Opportunities A	NA		49,663	*	10%
American Funds Grth Fund of Amer R2	NA		5,014		1%
Hartford Growth R3	NA		23,167	*	5%
Hartford Dividend & Growth R3	NA		31,505	*	7%
Lord Abbett America's Value A	NA		52,246	*	11%
Lord Abbett Affiliated A	NA		2,762		1%
American Fund New Perspective R1	NA		21,695	*	4%
Van Kampen Comstock R	NA		56,146	*	12%
Van Kampen Equity and Income R	NA		40,475	*	8%
Van Kampen Growth and Income R	NA		1,420		1%
American Funds Washington Mutual R2	NA		26,868	*	5%
American Funds Bond Fund of Amer R2	NA		18,419		4%
		$	479,720		100%

* Represents 5% or more of net assets available for benefits

No cost information is required to be disclosed for participant directed investments.

The Plan's investments (including investments bought, sold, and held during the year) depreciated in value by $85,952 for the year ended December 31, 2009.

7. Fair Value Measurements

GAAP 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 measurement) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy 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.

Mutual funds are valued at net asset value ("NAV") of shares held by the Plan at the end of each period.

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 Sponsor 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.

7. 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:

	Assets at Fair Value as of December 31, 2010			
	Level 1	Level 2	Level 3	Total
Mutual funds:				
Growth funds	$ 177,350	$	$	$ 177,350
Balanced funds	105,985			105,985
Fixed income fund	11,057			11,057
Total assets at fair value	$ 294,392	$ -	$ -	$ 294,392

	Assets at Fair Value as of December 31, 2009			
	Level 1	Level 2	Level 3	Total
Mutual funds				
Growth funds	$ 311,593	$	$	$ 311,593
Balanced funds	149,707			149,707
Fixed income fund	18,419			18,419
Total assets at fair value	$ 479,719	$ -	$ -	$ 479,719

8. Income Tax Status

The Plan's current determination letter is dated September 4, 2001, in which the Internal Revenue Service stated that the Plan as then designed, was in compliance with applicable requirements of the Internal Revenue Code. The Plan has been amended since receiving the determination letter. However, the Plan administrator believes that the Plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code.

9. Risks and Uncertainties

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

10. Subsequent Events

Subsequent events have been evaluated by management through July 25, 2011, which is the date that the financial statements were available to be issued. There was no impact on the Plan's financial statements as a result of this evaluation.

11. Reconciliation to Form 5500

The following is a reconciliation of net assets available for benefits per the financial statements at December 31, 2010 to Form 5500:

Net assets available for benefits per the financial statements	$ 321,553
Less: amounts receivable at December 31, 2010	(27,161)
Net assets available for benefits per the Form 5500	$ 294,392

SUPPLEMENTAL SCHEDULE

DECEMBER 31, 2010

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST
SCHEDULE H – LINE 4(i)
SCHEDULE OF ASSETS HELD FOR INVESTMENT PURPOSES
EMPLOYER IDENTIFICATION NUMBER 56-1924851
PLAN NUMBER 001
DECEMBER 31, 2010

(a)	(b) Identity of issuer, borrower, Lessor or similar party	(c) Description of investment including maturity date, rate of interest Collateral, par, or maturity date	(d) Cost **	(e) Current Value
*	Automated Cash Management Instl Svc	Registered Investment Company	$	$ 36,171
	America Funds Amcap R2	Registered Investment Company		6,833
	American Funds American Balanced R2	Registered Investment Company		7,082
	American Funds Capital Inc Bldr R2	Registered Investment Company		8,142
	Federated Capital Appreciation K	Registered Investment Company		20,227
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	Van Kampen Growth and Income R	Registered Investment Company		1,184
	American Funds Washington Mutual R2	Registered Investment Company		11,177
	American Funds Bond Fund of Amer R2	Registered Investment Company		11,057
	Total assets held for investment purposes		$ -	$ 294,392

* - Party-in-Interest
** - Cost information is not required for participant directed investments.

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST

FINANCIAL STATEMENTS WITH
INDEPENDENT AUDITOR'S REPORT

DECEMBER 31, 2010

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST

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INDEPENDENT AUDITOR'S REPORT

To the Plan Administrator of the Johnny Tart Enterprises, Inc.
401(k) Profit Sharing Plan and Trust:

We were engaged to audit the accompanying statements of net assets available for plan benefits of Johnny Tart Enterprises, Inc. 401(k) Profit Sharing Plan and Trust (the Plan) as of December 31, 2010 and 2009 the related statement of changes in net assets available for plan benefits for the year ended December 31, 2010, and the supplemental schedule for the year ended December 31, 2010, as listed in the accompanying table of contents. 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 3, 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 December 31, 2010 and 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 financial statements that we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedule taken as a whole. The form and content of the information included in the 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.

The accompanying financial statements have been prepared assuming that the Plan will continue as a going concern. As discussed in Note 5 to the financial statements, the Plan's sponsor, Johnny Tart Enterprises, Inc. decided in December 2010 to terminate the Plan, with a termination date of December 13, 2010.

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Atlanta, Georgia
July 25, 2011

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST
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JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST
STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR PLAN BENEFITS
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Additions to net assets attributed to:		
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Total deductions		311,279
Net decrease		(185,395)
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DECEMBER 31, 2010

1. Description of Plan

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1. Description of Plan - Continued

Payment of Benefits - Upon termination of service due to death, disability or retirement, a participant may elect to receive either a lump-sum amount equal to the value of the participant's vested interest in his or her account, or annual installments as specified by the Plan. For termination of service due to other reasons, participant account balances are distributed as soon as administratively possible and the participant may receive the value of their vested interest as a lump-sum distribution or roll the amount over to a qualified retirement plan.

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2. Summary of Significant Accounting Policies - Continued

Payment of Benefits - Benefits are recorded when paid.

New Accounting Pronouncements - In January, the Financial Accounting Standards Board (FASB) issued Accounting Standards Update 2010-06, Improving Disclosures about Fair Value Measurements (ASU 2010-06). ASU 2010-06 clarifies certain existing fair value disclosures and requires a number of additional disclosures. The guidance in ASU 2010-06 clarified that disclosures should be presented separately for each "class" of assets and liabilities measured at fair value and provided guidance on how to determine the appropriate classes of assets and liabilities to be presented. ASU 2010-06 also clarified the requirement for entities to disclose information about both the valuation techniques and inputs used in estimating Level 2 and Level 3 fair value measurements. In addition, ASU 2010-06 introduced new requirements to disclose the amounts (on a gross basis) and reasons for any significant transfers between Levels 1,2 and 3 of the fair value hierarchy and presented information regarding the purchases, sales, issuances, and settlements of Level 3 assets and liabilities on a gross basis. With the exception of the requirement to present changes in Level 3 measurements on a gross basis, which is delayed until 2011, the guidance in ASU 2010-06 becomes effective for reporting periods beginning after December 15, 2009. Adoption of ASU 2010-06 did not have a material effect on the Plan's net assets available for benefits or its changes in net assets available for benefits.

Uncertain Tax Positions – Accounting principles generally accepted in the United States of America require plan management to evaluate tax positions taken by the plan and recognize a tax liability (or asset) if the plan has taken an uncertain position that more-likely-than–not would be sustained upon examination by a taxing authority. The plan administrator has analyzed the tax positions taken by the plan, and has concluded that as of December 31, 2010, there were no uncertain positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the financial statements.

3. Information Certified by Trustee

The financial information contained in the statements of net assets available for plan benefits, and certain information in the statement of changes in net assets available for plan benefits and supplemental schedule were prepared from information supplied by the Trustee, Mid Atlantic Trust Company. The plan administrator obtained certifications from the Trustee that such information is complete and accurate.

4. Investments

The Plan's investments are held with Mid Atlantic Trust Company. The Trustee invests participants' contributions, according to their investment elections. The plan offers twenty (20) various mutual funds in which participants may choose to invest. These mutual funds offer various types of investments including stocks, bonds, other debt and equity securities, fixed income, and short and long-term funds.

5. Plan Termination

The Company has the authority to terminate or amend the Plan by an appropriate resolution or resolutions, which shall specify the date of termination or amendments. By resolution of the Plan Sponsor's Board of Directors the Plan was terminated effective December 13, 2010. As a result, all participants became fully vested. In accordance with the Plan's termination participants are given the option of receiving a lump sum distribution of their accrued benefits or rollover to another qualified plan.

6. Investments

The Plan's investments consist of mutual funds which are held with Mid Atlantic Trust Company. The fair market values of investments that represent five percent or more of the Plan's net assets are as follows at December 31, 2010:

	Major Credit Ratings		Fair Value		% of Total Investments
Automated Cash Management Instl Svc	NA	$	36,171	*	12%
America Funds Amcap R2	NA		6,833		2%
American Funds American Balanced R2	NA		7,082		2%
American Funds Capital Inc Bldr R2	NA		8,142		3%
Federated Capital Appreciation K	NA		20,227	*	7%
Franklin Flex Cap Growth R	NA		780		0%
Franklin Small Cap Value R	NA		8,435		3%
American Funds Fundamental Invs R2	NA		18,868	*	6%
Goldman Sachs Growth Opportunities A	NA		23,390	*	8%
American Funds Grth Fund of Amer R2	NA		7,436		3%
Hartford Growth R3	NA		10,602		4%
Hartford Dividend & Growth R3	NA		6,715		2%
Lord Abbett America's Value A	NA		31,323	*	11%
Lord Abbett Affiliated A	NA		2,965		1%
American Fund New Perspective R1	NA		15,011	*	5%
Van Kampen Comstock R	NA		35,860	*	12%
Van Kampen Equity and Income R	NA		31,133	*	11%
Van Kampen Growth and Income R	NA		1,185		0%
American Funds Washington Mutual R2	NA		11,177		4%
American Funds Bond Fund of Amer R2	NA		11,057		4%
		$	294,392		100%

* Represents 5% or more of net assets available for benefits

No cost information is required to be disclosed for participant directed investments.

The Plan's investments (including investments bought, sold, and held during the year) appreciated in value by $32,933 for the year ended December 31, 2010.

6. Investments - Continued

The fair market values of investments that represent five percent or more of the Plan's net assets are as follows at December 31, 2009:

	Major Credit Ratings		Fair Value		% of Total Investments
Automated Cash Management Instl Svc	NA	$	50,169	*	10%
America Funds Amcap R2	NA		9,232		2%
American Funds American Balanced R2	NA		29,821	*	6%
American Funds Capital Inc Bldr R2	NA		7,550		2%
Federated Capital Appreciation K	NA		5		0%
Franklin Flex Cap Growth R	NA		9,690		2%
Franklin Small Cap Value R	NA		37,787	*	8%
American Funds Fundamental Invs R2	NA		6,086		1%
Goldman Sachs Growth Opportunities A	NA		49,663	*	10%
American Funds Grth Fund of Amer R2	NA		5,014		1%
Hartford Growth R3	NA		23,167	*	5%
Hartford Dividend & Growth R3	NA		31,505	*	7%
Lord Abbett America's Value A	NA		52,246	*	11%
Lord Abbett Affiliated A	NA		2,762		1%
American Fund New Perspective R1	NA		21,695	*	4%
Van Kampen Comstock R	NA		56,146	*	12%
Van Kampen Equity and Income R	NA		40,475	*	8%
Van Kampen Growth and Income R	NA		1,420		1%
American Funds Washington Mutual R2	NA		26,868	*	5%
American Funds Bond Fund of Amer R2	NA		18,419		4%
		$	479,720		100%

* Represents 5% or more of net assets available for benefits

No cost information is required to be disclosed for participant directed investments.

The Plan's investments (including investments bought, sold, and held during the year) depreciated in value by $85,952 for the year ended December 31, 2009.

7. Fair Value Measurements

GAAP 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 measurement) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy 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.

Mutual funds are valued at net asset value ("NAV") of shares held by the Plan at the end of each period.

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 Sponsor 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.

7. 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:

	Assets at Fair Value as of December 31, 2010			
	Level 1	Level 2	Level 3	Total
Mutual funds:				
Growth funds	$ 177,350	$	$	$ 177,350
Balanced funds	105,985			105,985
Fixed income fund	11,057			11,057
Total assets at fair value	$ 294,392	$ -	$ -	$ 294,392

	Assets at Fair Value as of December 31, 2009			
	Level 1	Level 2	Level 3	Total
Mutual funds				
Growth funds	$ 311,593	$	$	$ 311,593
Balanced funds	149,707			149,707
Fixed income fund	18,419			18,419
Total assets at fair value	$ 479,719	$ -	$ -	$ 479,719

8. Income Tax Status

The Plan's current determination letter is dated September 4, 2001, in which the Internal Revenue Service stated that the Plan as then designed, was in compliance with applicable requirements of the Internal Revenue Code. The Plan has been amended since receiving the determination letter. However, the Plan administrator believes that the Plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code.

9. Risks and Uncertainties

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

10. Subsequent Events

Subsequent events have been evaluated by management through July 25, 2011, which is the date that the financial statements were available to be issued. There was no impact on the Plan's financial statements as a result of this evaluation.

11. Reconciliation to Form 5500

The following is a reconciliation of net assets available for benefits per the financial statements at December 31, 2010 to Form 5500:

Net assets available for benefits per the financial statements	$ 321,553
Less: amounts receivable at December 31, 2010	(27,161)
Net assets available for benefits per the Form 5500	$ 294,392

SUPPLEMENTAL SCHEDULE

DECEMBER 31, 2010

JOHNNY TART ENTERPRISES, INC.
401(k) PROFIT SHARING PLAN AND TRUST
SCHEDULE H – LINE 4(i)
SCHEDULE OF ASSETS HELD FOR INVESTMENT PURPOSES
EMPLOYER IDENTIFICATION NUMBER 56-1924851
PLAN NUMBER 001
DECEMBER 31, 2010

(a)	(b) Identity of issuer, borrower, Lessor or similar party	(c) Description of investment including maturity date, rate of interest Collateral, par, or maturity date	(d) Cost **	(e) Current Value
*	Automated Cash Management Instl Svc	Registered Investment Company	$	$ 36,171
	America Funds Amcap R2	Registered Investment Company		6,833
	American Funds American Balanced R2	Registered Investment Company		7,082
	American Funds Capital Inc Bldr R2	Registered Investment Company		8,142
	Federated Capital Appreciation K	Registered Investment Company		20,227
	Franklin Flex Cap Growth R	Registered Investment Company		780
	Franklin Small Cap Value R	Registered Investment Company		8,435
	American Funds Fundamental Invs R2	Registered Investment Company		18,868
	Goldman Sachs Growth Oppertunities A	Registered Investment Company		23,390
	American Funds Grth Fund of Amer R2	Registered Investment Company		7,436
	Hartford Growth R3	Registered Investment Company		10,602
	Hartford Dividend & Growth R3	Registered Investment Company		6,715
	Lord Abbett America's Value A	Registered Investment Company		31,323
	Lord Abbett Affilated A	Registered Investment Company		2,965
	American Fund New Perspective R1	Registered Investment Company		15,011
	Van Kampen Comstock R	Registered Investment Company		35,860
	Van Kampen Equity and Income R	Registered Investment Company		31,133
	Van Kampen Growth and Income R	Registered Investment Company		1,184
	American Funds Washington Mutual R2	Registered Investment Company		11,177
	American Funds Bond Fund of Amer R2	Registered Investment Company		11,057
	Total assets held for investment purposes		$ -	$ 294,392

* - Party-in-Interest
** - Cost information is not required for participant directed investments.