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;
- [ ] an amended return/report;
- [ ] a short plan year return/report (less than 12 months).

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

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

Part II Basic Plan Information—enter all requested information

1a Name of plan
COX & COMPANY, INC. EMPLOYEE STOCK OWNERSHIP PLAN

1b Three-digit plan number (PN) ▶ 004

1c Effective date of plan 01/01/2003

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

1664 OLD COUNTRY ROAD
PLAINVIEW, NY 11803

2b Employer Identification Number (EIN)
13-5618975

2c Sponsor's telephone number
212-366-0200

2d Business code (see instructions)
339900

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

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

SIGN HERE	Filed with authorized/valid electronic signature.	10/14/2011	JAMES JAFFE
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE	Filed with authorized/valid electronic signature.	10/14/2011	JAMES JAFFE
	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")
COX & COMPANY, INC.

1664 OLD COUNTRY ROAD
PLAINVIEW, NY 11803

3b Administrator's EIN
13-5618975

3c Administrator's telephone number
212-366-0200

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**	198
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**	143
b	Retired or separated participants receiving benefits	**6b**	12
c	Other retired or separated participants entitled to future benefits	**6c**	62
d	Subtotal. Add lines **6a**, **6b**, and **6c**	**6d**	217
e	Deceased participants whose beneficiaries are receiving or are entitled to receive benefits	**6e**	1
f	Total. Add lines **6d** and **6e**	**6f**	218
g	Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)	**6g**	218
h	Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested	**6h**	4
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:
2P 2I 2Q 3I

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

9a Plan funding arrangement (check all that apply)

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

9b Plan benefit arrangement (check all that apply)

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

10 Check all applicable boxes in 10a and 10b to indicate which schedules are attached, and, where indicated, enter the number attached. (See instructions)

a Pension Schedules

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

b General Schedules

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

SCHEDULE H (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Financial Information

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

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

OMB No. 1210-0110

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
COX & COMPANY, INC. EMPLOYEE STOCK OWNERSHIP PLAN

B Three-digit plan number (PN) ▶ 004

C Plan sponsor's name as shown on line 2a of Form 5500
COX & COMPANY, INC.

D Employer Identification Number (EIN)
13-5618975

Part I Asset and Liability Statement

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

Assets		(a) Beginning of Year	(b) End of Year
a Total noninterest-bearing cash	1a		
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions	1b(1)		
(2) Participant contributions	1b(2)		
(3) Other	1b(3)		
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit)	1c(1)	24	24
(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)		
(9) Value of interest in common/collective trusts	1c(9)		
(10) Value of interest in pooled separate accounts	1c(10)		
(11) Value of interest in master trust investment accounts	1c(11)		
(12) Value of interest in 103-12 investment entities	1c(12)		
(13) Value of interest in registered investment companies (e.g., mutual funds)	1c(13)		
(14) Value of funds held in insurance company general account (unallocated contracts)	1c(14)		
(15) Other	1c(15)		

			(a) Beginning of Year	(b) End of Year
1d	Employer-related investments:			
	(1) Employer securities	1d(1)	6561726	8746437
	(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	6561750	8746461
	Liabilities			
g	Benefit claims payable	1g	1068	
h	Operating payables	1h		
i	Acquisition indebtedness	1i	5375400	4902610
j	Other liabilities	1j		
k	Total liabilities (add all amounts in lines 1g through1j)	1k	5376468	4902610
	Net Assets			
l	Net assets (subtract line 1k from line 1f)	1l	1185282	3843851

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)	729082	
	(B) Participants	2a(1)(B)		
	(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)		729082
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)		
	(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)		
	(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)	2254326	
(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		2254326
(6) Net investment gain (loss) from common/collective trusts	2b(6)		
(7) Net investment gain (loss) from pooled separate accounts	2b(7)		
(8) Net investment gain (loss) from master trust investment accounts	2b(8)		
(9) Net investment gain (loss) from 103-12 investment entities	2b(9)		
(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds)	2b(10)		
c Other income	2c		
d Total income. Add all **income** amounts in column (b) and enter total	2d		2983408
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	68547	
(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)		68547
f Corrective distributions (see instructions)	2f		
g Certain deemed distributions of participant loans (see instructions)	2g		
h Interest expense	2h		256292
i Administrative expenses: (1) Professional fees	2i(1)		
(2) Contract administrator fees	2i(2)		
(3) Investment advisory and management fees	2i(3)		
(4) Other	2i(4)		
(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		0
j Total expenses. Add all **expense** amounts in column (b) and enter total	2j		324839
Net Income and Reconciliation			
k Net income (loss). Subtract line 2j from line 2d	2k		2658569
l Transfers of assets:			
(1) To this plan	2l(1)		
(2) From this plan	2l(2)		

Part III Accountant's Opinion

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

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

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

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

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

(1) Name: DDK & COMPANY, LLP (2) EIN: 13-2738625

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

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

Part IV Compliance Questions

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

During the plan year:

		Yes	No	Amount
a	Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures until fully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.)	4a		X	
b	Were any loans by the plan or fixed income obligations due the plan in default as of the close of the plan year or classified during the year as uncollectible? Disregard participant loans secured by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is checked.)	4b		X	
c	Were any leases to which the plan was a party in default or classified during the year as uncollectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.)	4c		X	
d	Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is checked.)	4d		X	
e	Was this plan covered by a fidelity bond?	4e	X		1000000
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			
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
COX & COMPANY, INC. EMPLOYEE STOCK OWNERSHIP PLAN

B Three-digit plan number (PN) ▶ 004

C Plan sponsor's name as shown on line 2a of Form 5500
COX & COMPANY, INC.

D Employer Identification Number (EIN)
13-5618975

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): 20-1179923

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):

COX & COMPANY
EMPLOYEE STOCK OWNERSHIP PLAN

FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS' REPORT

DECEMBER 31, 2010 AND 2009

COX & COMPANY
EMPLOYEE STOCK OWNERSHIP PLAN

FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS' REPORT

DECEMBER 31, 2010 AND 2009

Table of Contents

	Page No.
Independent Auditors' Report	3
Financial Statements	
Statements of Net Assets Available for Benefits	4
Statement of Changes in Net Assets Available for Benefits	5
Notes to Financial Statements	6 - 17
Supplemental Schedule Required by the U.S. Department of Labor (DOL)	18
Schedule H, Line 4i - Schedule of Assets (Held at End of Year)	19

DDK&
COMPANY LLP
CERTIFIED PUBLIC ACCOUNTANTS

1 Penn Plaza, 54th Floor, New York, NY 10119
T. 212.997.0600 F. 212.997.0466
50 Jericho Quadrangle, Jericho, NY 11753
T. 516.277.9700 F. 516.277.9701
www.ddkcpas.com
A Member Firm of KS International

INDEPENDENT AUDITORS' REPORT

The Plan Administrator
Cox & Company
Employee Stock Ownership Plan

We have audited the accompanying statements of net assets available for benefits of the Cox & Company Employee Stock Ownership Plan (the "Plan") as of December 31, 2010 and 2009, and the related statement of changes in net assets available for benefits for the year ended December 31, 2010, and the supplemental Schedule H, line 4i - Schedule of Assets (Held at End of Year), as of December 31, 2010. These financial statements and the supplemental schedule are the responsibility of the Plan's management.

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

In our opinion, the financial statements referred to above present fairly, in all material respects, the net assets available for benefits of the Plan as of December 31, 2010 and 2009, and the changes in net assets available for plan benefits for the year ended December 31, 2010, in conformity with accounting principles generally accepted in the United States of America.

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

DDK & Company LLP

October 13, 2011

COX & COMPANY
EMPLOYEE STOCK OWNERSHIP PLAN
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS
December 31, 2010 and 2009

	2010	2009
ASSETS		
Investments, in Cox & Company:		
Common stock, at estimated fair value	$ 8,746,437	$ 6,561,726
Cash and cash equivalents	24	24
Total assets	8,746,461	6,561,750
LIABILITIES		
Benefit payable	-	1,068
Loans payable	4,902,610	5,375,400
Total liabilities	4,902,610	5,376,468
Net assets available for benefits	$ 3,843,851	$ 1,185,282

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

COX & COMPANY
EMPLOYEE STOCK OWNERSHIP PLAN
STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
Year Ended December 31, 2010

ADDITIONS	
Investment Income	
Net unrealized appreciation in estimated fair value of investments	$ 2,254,326
Employer contribution	729,082
Allocation of 57,737 shares of Cox & Company common stock at estimated fair value	577,944
Total income	3,561,352
DEDUCTIONS	
Interest expense	256,292
Distributions to participants	68,547
Allocation of 57,737 shares of Cox & Company common stock at estimated fair value	577,944
Total deductions	902,783
Net increase	2,658,569
Net assets available for benefits at beginning of year	1,185,282
Net assets available for benefits at end of year	$ 3,843,851

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

COX & COMPANY
EMPLOYEE STOCK OWNERSHIP PLAN
NOTES TO FINANCIAL STATEMENTS
December 31, 2010 and 2009

NOTE 1 - DESCRIPTION OF PLAN

The following description of the Cox & Company Employee Stock Ownership Plan is provided for general information purposes only. A more complete description is provided in the Plan agreement.

General

Cox & Company, Inc. (the "Company") established the Cox & Company Employee Stock Ownership Plan (the "Plan") effective as of January 1, 2003. On September 15, 2009, the Company amended and restated its Plan effective January 1, 2008. The Plan operates as a leveraged employee stock ownership plan ("ESOP"), and is designed to comply with Section 4975(e)(7) and the regulations thereunder of the Internal Revenue Code of 1986, as amended (the "Code") and is subject to the applicable provisions of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"). The Plan is administered by an Employee Benefits Administration Committee comprising persons appointed by the Company's Board of Directors. The trust department of an independent third party is the Plan's trustee.

The Plan purchased common shares using the proceeds of a loan from the Company, which had obtained financing from a third party. The borrowing is to be repaid over a period of 15 years by fully deductible Company contributions to the trust fund. As the Plan makes each payment of principal and interest, an appropriate percentage of stock will be allocated to eligible employees' accounts in accordance with applicable regulations under the Code.

The borrowing is collateralized by the unallocated shares of stock. The lender has no rights against shares once they are allocated under the ESOP. Accordingly, the financial statements of the Plan as of December 31, 2010 and 2009 and for the year ended December 31, 2010 present separately, the assets and liabilities and changes therein pertaining to:

1. The accounts of employees with vested rights in allocated stock (allocated) and;
2. Stock not yet allocated to employees (unallocated).

Eligibility

Employees of the Company are eligible to participate in the Plan provided they have one year of service, consisting of at least 1,000 hours during such plan year. Plan entry date shall be the January 1 or July 1 following satisfaction of the eligibility requirements.

Contributions

The Company is obligated to make contributions in cash to the Plan which, when aggregated with the Plan's dividends and interest earnings, equal the amount necessary to enable the Plan to make its regularly scheduled payments of principal and interest due on its loans (discussed in Note 6).

NOTE 1 - DESCRIPTION OF PLAN *(Continued)*

Participants' Accounts

The Plan is a defined contribution plan under which a separate individual account is established for each participant. Each participant's account is credited as of the last day of each plan year with an allocation of shares of the Company's common stock released by the trustee from the unallocated account and forfeitures of terminated participants' non-vested accounts.

An allocation of shares of the Company's common stock and possible forfeitures is made to respective participants who are employed as of the last day of the plan year. Eligible employees are entitled to an allocation if not employed at the end of the year if they die, become disabled or reach normal retirement age (age 62). Allocations and forfeitures are based on a participant's eligible compensation, relative to total eligible compensation.

There were 1,898 forfeited shares of terminated non-vested account balances allocated to remaining participants at December 31, 2010. Plan earnings are allocated to each participant's account based on the ratio of the participant's beginning account balance to all participants' beginning account balances.

Vesting

Vesting of participants' accounts is determined on the basis of their years of service. For employer contributions made through the end of the Plan year in which the first acquisition loan is paid in full (scheduled to be December 31, 2018), a participant is fully vested after 6 years of service in accordance with the following schedule:

Years of Service	Percentage of Vested Interest
2	20%
3	40%
4	60%
5	80%
6 or more	100%

For employer contributions made thereafter:

Years of Service	Percentage of Vested Interest
3	20%
4	40%
5	60%
6	80%
7 or more	100%

NOTE 1 - DESCRIPTION OF PLAN *(Continued)*

Vesting *(Continued)*

Participants' benefits under the ESOP also become 100% vested and non-forfeitable upon attainment of normal retirement age while employed by the Company or if they die or become permanently disabled while still employed by the Company.

Administrative Expenses

The Company pays for all administrative expenses of the Plan other than those directly related to investments.

Distributions

The Company adopted a new distribution policy for the plan year 2009, which may be modified from time to time, but remains in effect until modified.

Distributions from the Plan will be made upon normal retirement (age 62), death or disability, or as otherwise provided by the Plan. All distributions will be made in cash. In determining the dollar amount of distributions, the value of Company stock will be determined by an independent appraiser.

Distribution of a participant's account will commence as soon as practicable, but in no event later than one year after the close of the Plan year in which the participant separates from service. Distributions will be made in a lump sum for participant accounts with a value of $10,000 or less. Distributions for accounts with a value that exceeds $10,000 shall be made in five annual payments, with the first installment equal to the greater of $10,000 or 1/5 of the value of the participant account. Each subsequent installment will be equal to the value of the participant's account at the time of the installment payment divided by the remaining number of installments to be made.

For purposes of determining distribution amounts to a participant whose separation from service occurs prior to November 1 in a Plan year, the value of the participant's interest in Company stock for purposes of the first installment payment of lump sum payment shall be as of the valuation date immediately preceding the date upon which the participant's employment terminates. For purposes of determining distribution amounts to a participant whose separation from service occurs on or after November 1 in a Plan year, the value of the participant's interest in Company stock for purposes of the first installment payment or lump sum payment shall be as of the valuation date immediately following the date upon which the participant's employment terminates.

NOTE 1 - DESCRIPTION OF PLAN *(Continued)*

Plan Administration

The Plan sponsor is Cox & Company, Inc. The Plan is administered by an administrative committee. Certain administrative functions are performed by officers and employees of the Company. No such officer or employee receives compensation from the Plan. Administrative expenses for the trustee's fees are paid by the Company.

First Bankers Trust Services, Inc. was the trustee and custodian of the Plan for the years ended December 31, 2010 and 2009. The Plan's assets, which are principally comprised of Company common shares, are held by the trustee of the Plan. Company contributions are held and managed by the trustee, which invests cash received and may make distributions to participants.

Forfeited Accounts

If a participant's account is not fully vested under the Plan upon a participant's termination of employment, the non-vested portion of the participant's account shall remain in the Plan, but no further allocations of Company contributions (or forfeitures) shall be made to the participant's account. If the participant completes a five-year break in service, the non-vested portion of the participant's account shall be forfeited and deemed to be a Company contribution to the Plan made pursuant to the Plan document for the plan year in which the forfeiture occurs.

Income Taxes

The Plan is deemed to be qualified under Section 401(a) of the Internal Revenue Code ("Code") and is therefore exempt from taxation under Section 501(a) of the Code. The Plan received a favorable IRS determination letter dated September 30, 2005. The Plan has been amended since receiving the determination letter; however, the Plan's administrator believes that the Plan is currently designed and being operated in accordance with the applicable requirements of the Internal Revenue Code and that its exempt status has been maintained. Therefore, no provision for income taxes has been included in the Plan's financial statements.

NOTE 1 - DESCRIPTION OF PLAN *(Continued)*

Income Taxes (Continued)

The Plan adopted the provisions of Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 740, regarding accounting for uncertainty in income taxes, on January 1, 2009. The standard clarifies the accounting for uncertainty in income taxes recognized in an entity's financial statements and prescribes a threshold of more-likely-than-not for recognition of tax benefits of uncertain tax positions taken or expected to be taken in a tax return. The standard also provides related guidance on measurement, derecognition, classification, interest and penalties, and disclosure. The adoption of this standard did not have an impact on the Plan's financial statements.

Voting Rights

The trustee shall vote all shares of Company stock held by the Plan with respect to all corporate matters in the collective best interest of plan participants and beneficiaries. Each participant, however, shall be entitled to direct the trustee as to the voting of the shares of Company stock allocated to his or her account with respect to approval or disapproval of any corporate merger or consolidation, recapitalization, reclassification, liquidation, dissolution and sale of substantially all assets of a trade or business.

Put Option

Under federal income tax regulations, the employer stock that is held by the Plan and its participants, and is not readily tradable on an established market, or is subject to trading limitations, includes a put option. The put option is a right to demand that the Company buy any shares of its stock distributed to participants for which there is no market. The put price is representative of the fair market value of the stock. The Company can pay for the purchase with interest over a period of five years. The purpose of the put option is to ensure that the participant has the ability to ultimately receive cash.

Plan Termination and Amendment

The Company reserves the right, under the Plan agreement, to amend any and all provisions of the Plan, as well as to terminate the Plan at any time, subject to plan provisions. Upon such termination of the Plan, the interest of each participant in the trust fund will be distributed to such participant or his or her beneficiary at the time prescribed by the Plan's terms and the Code. Upon termination of the Plan, the Employee Benefits Administration Committee shall direct the trustee to pay all liabilities and expenses of the trust fund and to sell shares of financed stock held in the loan suspense account to the extent it determines such sale to be necessary in order to repay the loan.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting

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

Use of Estimates

The financial statements are presented in conformity with accounting principles generally accepted in the United States of America, which require management to make significant estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

Investment Valuations

All investments are in the form of the Company's stock. Since the Company is closely held and, there is no public market for its ownership interests, an appraisal is performed by an independent consulting firm according to guidelines established by the Department of Labor in its proposed Regulation 29 CFR Part 2510, and in conformity with appraisal practices promulgated by the American Society of Appraisers in the Principles of Appraisal Practice and Code of Ethics and the Uniform Standards of Professional Appraisal Practice. This appraisal reflects the estimated fair value of the stock to be $10.01 and $7.43 per share at December 31, 2010 and 2009, respectively.

In accordance with the policy of stating investments at market value, the Plan presents in the statement of changes in net assets available for benefits the net appreciation/(depreciation) in the fair value of its investments, which consists of the realized gains/losses and appreciation/depreciation on those investments.

Subsequent Events

Subsequent events were evaluated through October 13, 2011, which is the date the financial statements were available to be issued.

NOTE 3 - RISKS AND UNCERTAINTIES

The Plan's investments are in the Company's stock. Investment securities are exposed to various risks, such as interest rates, market and credit. Due to the level of risk associated with certain investment securities and the level of uncertainty related to changes in the value of investment securities, it is at least reasonably possible that changes in the near term would materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits and the statement of changes in net assets available for benefits.

NOTE 4 - INVESTMENT

The Plan's investment at December 31, 2010 is comprised of the following:

	Number of Shares	Original Cost	Fair Value
Cox & Company Common Shares			
Allocated	343,366	$ 3,261,969	$ 3,437,093
Unallocated	530,404	4,430,671	5,309,344
Total	873,770	$ 7,692,640	$ 8,746,437

The Plan retired 9,226 shares during the year ended December 31, 2010 and had an adjustment for 143 shares.

The Plan's investment at December 31, 2009 is comprised of the following:

	Number of Shares	Original Cost	Fair Value
Cox & Company Common Shares			
Allocated	294,998	$ 2,802,482	$ 2,191,836
Unallocated	588,141	4,909,843	4,369,890
Total	883,139	$ 7,712,325	$ 6,561,726

The Plan retired 7,404 shares during the year ended December 31, 2009. An additional 144 shares were accrued for allocation at December 31, 2009.

NOTE 5 - FAIR VALUE MEASUREMENTS

The Plan implemented FASB ASC 820-10, "*Fair Value Measurements and Disclosures.*" FASB ASC 820-10 establishes a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted observable 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 under FASB ASC 820-10 are described below:

Basis of Fair Value Measurement

Level 1 Unadjusted quoted prices in active markets that are accessible at the measurement date for identical, unrestricted assets or liabilities;

Level 2 Quoted prices in markets that are not considered to be active or financial instruments for which all significant inputs are observable, either directly or indirectly;

Level 3 Prices or valuations that require inputs that are both significant to the fair value measurement and unobservable.

A financial instrument's level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement.

The following tables present by level, within the fair value hierarchy, the Plan investment assets at fair value as of December 31, 2010 and 2009. As required by FASB ASC 820-10, investment assets are classified in their entirety based upon the lowest level of input that is significant to the fair value measurement.

Total Plan investment assets at fair value classified within level 3 were $8,746,437, as of December 31, 2010, which primarily consists of the estimated fair value of the Plan's common stock. Such amounts were nearly 100% of total investment assets on the Plan's statement of net assets available for benefits at fair value as of December 31, 2010 and 2009, respectively.

Description	12/31/10	Quoted Prices In Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Cox & Company Common Stock	$ 8,746,437	$ -	$ -	$ 8,746,437

NOTE 5 - FAIR VALUE MEASUREMENTS *(Continued)*

Basis of Fair Value Measurement *(Continued)*

Description	12/31/09	Quoted Prices In Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Cox & Company Common Stock	$ 6,561,726	$ -	$ -	$ 6,561,726

In addition to quoted market prices in active markets, valuation techniques included:

Level 3 The fair value of the sponsor company common stock is determined by an annual independent appraisal. This appraisal was based on a combination of the market and income valuation methods consistent with prior years. The appraiser took into account historical and projected cash flow and net income, return on assets, return on equity, market comparables, and estimated fair value of company assets and liabilities.

Level 3 Gains and Losses

The table below sets forth a summary of changes in the fair value of the Plan's Level 3 investment assets for the year ended December 31, 2010.

Description	Fair Value Measurements Using Significant Unobservable Inputs (Level 3)	
	Common Stock	Total
Beginning balance	$ 6,561,726	$ 6,561,726
Settlements to participants	(69,615)	(69,615)
Unrealized gains related to instruments held at the reporting date	2,254,326	2,254,326
Ending balance	$ 8,746,437	$ 8,746,437

NOTE 5 - FAIR VALUE MEASUREMENTS *(Continued)*

Basis of Fair Value Measurement *(Continued)*

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

Description	Fair Value Measurements Using Significant Unobservable Inputs (Level 3)	
	Common Stock	Total
Beginning balance	$ 5,975,547	$ 5,975,547
Settlements to participants	(49,680)	(49,680)
Unrealized gains related to instruments held at the reporting date	635,859	635,859
Ending balance	$ 6,561,726	$ 6,561,726

NOTE 6 - LOANS PAYABLE

On December 29, 2003, the Plan entered into a $6,222,500 term loan agreement with the Company. The proceeds of the loan were used to purchase common stock of the Company. Unallocated shares are collateral for the loan. The agreement provides for annual principal payments of $414,833 plus interest on the outstanding balance at 5%. The scheduled amortization of the loan for the next five years and thereafter is as follows:

Years Ending December 31,	Amounts
2011	$ 414,833
2012	414,833
2013	414,833
2014	414,833
2015	414,833
Thereafter	1,244,502
	$ 3,318,667

The principal amount due under this loan payable was $3,318,667 and $3,733,500 at December 31, 2010 and 2009, respectively.

NOTE 6 - LOANS PAYABLE *(Continued)*

On November 26, 2008, the Company elected to sell 250,000 shares of treasury stock to the Plan for a total of $1,697,500. The shares were purchased with the proceeds from a 20 year loan obtained by the Company from a bank. Such shares were pledged as collateral. Scheduled principal and interest payments are $127,574 annually with interest calculated on the outstanding balance using an interest rate of 4.24% per annum. The scheduled amortization of the loan for the next five years and thereafter is as follows:

Years Ending December 31,	Amounts
2011	$ 60,415
2012	62,799
2013	65,639
2014	68,422
2015	71,323
Thereafter	1,255,345
	$ 1,583,943

The principal amount due under this loan payable was $1,583,943 and $1,641,900 at December 31, 2010 and 2009, respectively.

NOTE 7 - PARTY-IN-INTEREST TRANSACTIONS

The Plan allows for transactions with certain parties who have or may perform services or have fiduciary responsibilities to the Plan. Certain employees and officers of the Company, who are also participants in the Plan, perform administrative services to the Plan at no cost to the Plan. The Company pays all the administrative and accounting fees of the Plan. These transactions qualify as party-in-interest transactions.

The Plan investments are shares of Cox & Company common stock managed by First Bankers Trust Services, Inc., who is the custodian as defined by the Plan; therefore, these transactions qualify as party-in-interest transactions. Fees paid by the Company on behalf of the Plan for the investment management services amounted to $9,613 for the year ended December 31, 2010.

The Plan also uses the services of an independent appraiser to perform the annual stock valuation, an ESOP consultant to perform the annual share allocation, and a law firm. Those service providers were paid $9,250, $6,911 and $5,270, respectively for the year ended December 31, 2010.

NOTE 8 - RECONCILIATION OF FINANCIAL STATEMENTS TO SCHEDULE H OF FORM 5500

The following is a reconciliation of contributions per the financial statements for the year ended December 31, 2010 to Schedule H of Form 5500:

Total income per the financial statements	$ 3,561,352
Less: Allocation of 57,737 shares of Cox & Company common stock at market	(577,944)
Total income per the Form 5500	$ 2,983,408

The following is a reconciliation of deductions per the financial statements at December 31, 2010 to Schedule H of Form 5500:

Total deductions per the financial statements	$ 902,783
Less: Allocation of 57,737 shares of Cox & Company common stock at market	(577,944)
Total expenses per the Form 5500	$ 324,839

NOTE 9 - SUBSEQUENT EVENTS

On May 4, 2011, the ESOP committee re-elected the six existing board members and elected three new board members, consisting of two who also serve on the Company's management team and one external member. In addition, the existing Chairman of the Board (Chairman) and Chief Executive Officer (CEO) resigned and the existing Company President was elected and assumed the responsibilities of Chairman and CEO.

On May 16, 2011, the Company received notification from the Internal Revenue Service (IRS) identifying certain requirements which had to be satisfied in order to receive a favorable ruling on its application for an updated determination letter. The Company issued the amendments and the IRS will be treating them as if they were adopted timely. The Company also agreed to hire special counsel to monitor required changes to the Plan. The submission also included an updated IRS determination letter that is currently in process.

On August 2, 2011, the United States Department of Labor (DOL) sent the Company a voluntary compliance letter regarding the conclusion of its investigation of the Plan and the activities of Cox & Co. Inc. (Cox) as fiduciary of the Plan. The DOL believed that the wording of the ESOP note between Cox and the Plan provided for recourse against the Plan in the event of default resulting in a non-exempt loan which is a violation of various ERISA code sections. As a result, a proposed amended and restated ESOP Note was drafted, executed, and submitted to the DOL on September 1, 2011. The Plan's management and counsel are of the opinion that these actions will satisfactorily resolve the matter.

SUPPLEMENTAL SCHEDULE REQUIRED BY THE U.S. DEPARTMENT OF LABOR (DOL)

COX & COMPANY
EMPLOYEE STOCK OWNERSHIP PLAN
SUPPLEMENTAL SCHEDULE
SPONSOR'S EMPLOYER IDENTIFICATION NUMBER 13-5618975
PLAN NUMBER 004
December 31, 2010

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

(a)	(b)	(c)	(d)	(e)
	Identity of issuer, borrower, lessor, or similar party	**Description of investment including maturity date, rate of interest, collateral, par or maturity value**	**Original Cost**	**Current Value**
*	Cox & Company	Common Shares of Cox & Company No maturity date or interest rate, par value $.001 per share	$ 7,692,640	$ 8,746,437

* Denotes party-in-interest

See Independent Auditors' Report.

COX & COMPANY
EMPLOYEE STOCK OWNERSHIP PLAN
SUPPLEMENTAL SCHEDULE
SPONSOR'S EMPLOYER IDENTIFICATION NUMBER 13-5618975
PLAN NUMBER 004
December 31, 2010

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

(a)	(b)	(c)	(d)	(e)
	Identity of issuer, borrower, lessor, or similar party	**Description of investment including maturity date, rate of interest, collateral, par or maturity value**	**Original Cost**	**Current Value**
*	Cox & Company	Common Shares of Cox & Company No maturity date or interest rate, par value $.001 per share	$ 7,692,640	$ 8,746,437

* Denotes party-in-interest

See Independent Auditors' Report.