Form 5500-SF

Department of the Treasury Internal Revenue Service

Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation Short Form Annual Return/Report of Small Employee Benefit Plan

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

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OMB Nos. 1210-0110 1210-0089

2010

This Form is Open to Public Inspection

P	ension Benefit Guaranty Corporation	▶ Complete all entries in accor	dance wit	h the instructions to the Form 5500	0-SF.	1			
		dentification Information							
For	For calendar plan year 2010 or fiscal plan year beginning 01/01/2010 and ending 12/31/2010								
Α.	This return/report is for:	single-employer plan	multiple-e	employer plan (not multiemployer)		one-participant plan			
В	This return/report is for:	first return/report	final retur	n/report		_			
		an amended return/report	short plar	year return/report (less than 12 mor	nths)				
С	Check box if filing under:	Form 5558	automatio	extension		DFVC program			
	special extension (enter description)								
Da	rt II Basic Plan Infor	mation—enter all requested inform	,						
	Name of plan	mation—enter all requested inform	ialion		1h	Three-digit			
		TES, LLP RETIREMENT PLAN			10	plan number 001			
					_	(PN) ▶			
					1c	Effective date of plan 07/01/2000			
2a	Plan sponsor's name and addi	ress (employer, if for single-employer	· plan)		2b	Employer Identification Number			
BUF	FALO EMERGENCY ASSOCIA	ITES, LLP	, ,		(EIN) 16-1581332				
1 JO	HN JAMES AUDUBON PARKV	VAY			2c Plan sponsor's telephone number 716-204-4500				
AMH	ERST, NY 14228-1145				2d	Business code (see instructions)			
2-	Di litti di li		. "0	"	2	621493			
BUF	FALO EMERGENCY ASSOCIA	l address (if same as Plan sponsor, e TES, LLP 1 JOHN JAN AMHERST, I			30	Administrator's EIN 16-1581332			
		3с	Administrator's telephone number 716-204-4500						
4	f the name and/or EIN of the pla	port filed for this plan, enter the	4b	EIN					
I	name, EIN, and the plan number	4c PN							
5a	Total number of participants a		5a	103					
b			5b	101					
C									
	complete this item)		<u></u>		5c	100			
	6a Were all of the plan's assets during the plan year invested in eligible assets? (See instructions.)								
b	b Are you claiming a waiver of the annual examination and report of an independent qualified public accountant (IQPA) under 29 CFR 2520.104-46? (See instructions on waiver eligibility and conditions.)								
		ner 6a or 6b, the plan cannot use F		•					
Pa	rt III Financial Inform								
7	Plan Assets and Liabilities			(a) Beginning of Year		(b) End of Year			
-	Total plan assets		. 7a	8297994	ļ.	10063667			
b	. ota. pia accosto			C)				
C	•	7b from line 7a)		8297994	ļ.	10063667			
8	Income, Expenses, and Trans		,.	(a) Amount		(b) Total			
а	Contributions received or rece			(a) Amount		(b) Total			
u			. 8a(1)	671987	7				
	(2) Participants		8a(2)	554416	5				
	(3) Others (including rollovers	3)		81649)				
b	Other income (loss)		8b	1011056	5				
С	Total income (add lines 8a(1).	8a(2), 8a(3), and 8b)	8c			2319108			
d	Benefits paid (including direct	rollovers and insurance premiums		553435	5				
е		tive distributions (see instructions)	. 8d . 8e						
f		ers (salaries, fees, commissions)							
g g									
9 h	•	8e, 8f, and 8g)				553435			
;						1765673			
i		e 8h from line 8c)ee instructions)							
J			· 8i	ĺ					

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art	IV Plan Charact	eristics					
	If the plan provides pension 2A 2E 2F 2J 3D	n benefits, enter the applicable pension feature codes from the List of Plan Char 2R 2G 3B	acteris	stic Co	des in	the instructions:	
,	If the plan provides welfare	benefits, enter the applicable welfare feature codes from the List of Plan Chara	acteris	tic Cod	des in t	the instructions:	
4	V Commission of Our						
rt	V Compliance Qu	estions					
	During the plan year:			Yes	No	Amount	
a		smit to the plan any participant contributions within the time period described in the instructions and DOL's Voluntary Fiduciary Correction Program)	10a		X		
b		ot transactions with any party-in-interest? (Do not include transactions reported	10b		X		
C	Was the plan covered by	a fidelity hand?	10c	X			450000

а	Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? (See instructions and DOL's Voluntary Fiduciary Correction Program)	10a		X					
b	Nere there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 10a.)			X					
С	Was the plan covered by a fidelity bond?	10c	Χ				450000		
d	Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?	10d		X					
е	Were any fees or commissions paid to any brokers, agents, or other persons by an insurance carrier, insurance service or other organization that provides some or all of the benefits under the plan? (See instructions.)	10e		X					
f	Has the plan failed to provide any benefit when due under the plan?	10f		X					
g	Did the plan have any participant loans? (If "Yes," enter amount as of year end.)	10g	X				127998		
h	If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.)	10h	Χ						
i	If 10h was answered "Yes," check the box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3	10i	X						
art	VI Pension Funding Compliance								
11	Is this a defined benefit plan subject to minimum funding requirements? (If "Yes," see instructions and complete Schedule SB (Form 5500))								
2	Is this a defined contribution plan subject to the minimum funding requirements of section 412 of the Code or section 302 of ERISA?								
	(If "Yes," complete 12a or 12b, 12c, 12d, and 12e below, as applicable.)								
	a 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 letter ruling granting the waiver								
	you completed line 12a, complete lines 3, 9, and 10 of Schedule MB (Form 5500), and skip to line 13.		Г	12b					
	Enter the minimum required contribution for this plan year								
a	Subtract the amount in line 12c from the amount in line 12b. Enter the result (enter a minus sign to the left negative amount)		[12d					
е	Will the minimum funding amount reported on line 12d be met by the funding deadline?				Yes	No	N/A		
art	VII Plan Terminations and Transfers of Assets								
3а	Has a resolution to terminate the plan been adopted during the plan year or any prior year?					Y	es X No		
	If "Yes," enter the amount of any plan assets that reverted to the employer this year			13a					
b	b Were all the plan assets distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC?								
С									
						130	13c(3) PN(s)		
				c(2) EII	\-/		., (-)		

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, if applicable, a Schedule SB or Schedule MB completed and signed by an enrolled actuary, 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	Filed with authorized/valid electronic signature.	10/17/2011	IRVING LEVY				
HERE	Signature of plan administrator	Date	Enter name of individual signing as plan administrator				
SIGN	Filed with authorized/valid electronic signature.	10/17/2011	IRVING LEVY				
HERE	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor				