Form 5500-SF

Department of the Treasury Internal Revenue Service

Employee Benefits Security Administration Pension Benefit Guaranty Corporation

Department of Labor

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 sections 6057(b) and 6058(a) of the Internal Revenue Code (the Code).

2016

This Form is Open to **Public Inspection**

OMB Nos. 1210-0110

1210-0089

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

For calendar plan year 2016 or fiscal plan year beginning 01/01/2016 and ending 12/31/2016 A This return/report is for:
A This return/report is for: a one-participant plan a foreign plan a foreign plan B This return/report is the first return/report the final return/report (less than 12 months) C Check box if filing under: Form 5558 automatic extension DFVC program
B This return/report is
B This return/report is
a short plan year return/report (less than 12 months) C Check box if filing under:
a short plan year return/report (less than 12 months) C Check box if filing under:
C Check box if filing under: Form 5558 automatic extension DFVC program DFV PATION DFV PA
special extension (enter description) Part II Basic Plan Information—enter all requested information 1a Name of plan EERGIO J. ANILLO MD PC 401(K) PLAN 1b Three-digit plan number (PN)
Part II Basic Plan Information—enter all requested information 1a Name of plan ERGIO J. ANILLO MD PC 401(K) PLAN 1b Three-digit plan number (PN) ▶ 001 1c Effective date of plan 08/01/2008 2a Plan sponsor's name (employer, if for a single-employer plan) Mailing address (include room, apt., suite no. and street, or P.O. Box) City or town, state or province, country, and ZIP or foreign postal code (if foreign, see instructions) ERGIO J. ANILLO MD PC 2b Employer Identification Number (EIN) 26-2520398 2c Sponsor's telephone number 716-308-7581 2d Business code (see instructions) 1 PINELAKE DR WILLIAMSVILLE, NY 14221-8307 31 PINELAKE DR WILLIAMSVILLE, NY 14221-8307 32 Plan administrator's name and address Same as Plan Sponsor. 3b Administrator's EIN
1a Name of plan ERGIO J. ANILLO MD PC 401(K) PLAN 2a Plan sponsor's name (employer, if for a single-employer plan) Mailing address (include room, apt., suite no. and street, or P.O. Box) City or town, state or province, country, and ZIP or foreign postal code (if foreign, see instructions) ERGIO J. ANILLO MD PC 2b Employer Identification Number (EIN) 26-2520398 2c Sponsor's telephone number 716-308-7581 2d Business code (see instructions) 1 PINELAKE DR //ILLIAMSVILLE, NY 14221-8307 31 PINELAKE DR WILLIAMSVILLE, NY 14221-8307 32 Plan administrator's name and address Same as Plan Sponsor. 3b Administrator's EIN
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3a Plan administrator's name and address ☒ Same as Plan Sponsor. 3b Administrator's EIN
3a Plan administrator's name and address X Same as Plan Sponsor. 3b Administrator's EIN
3c Administrator's telephone number
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 4c PN
5a Total number of participants at the beginning of the plan year
C. Number of participants with account belonges as of the end of the plan year (only defined contribution plans
complete this item)
d(1) Total number of active participants at the beginning of the plan year
5 (O)
d(2) Total number of active participants at the end of the plan year
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6a Were all of the plan's assets during the plan year invested in elig	ible assets?	(See instructions.)						X Yes	s No
b Are you claiming a waiver of the annual examination and report of under 29 CFR 2520.104-46? (See instructions on waiver eligibility of you answered "No" to either line 6a or line 6b, the plan car	and condit	ions.)						X Yes	s 🗌 No
c If the plan is a defined benefit plan, is it covered under the PBGC					_	-	_	Not det	ermined
Part III Financial Information									
7 Plan Assets and Liabilities		(a) Beginning	of Year				(b) End	of Year	
a Total plan assets	7a		376388				(-7	45759	3
b Total plan liabilities	7b								
C Net plan assets (subtract line 7b from line 7a)	7c		376388	3				45759	3
8 Income, Expenses, and Transfers for this Plan Year		(a) Amour	nt				(b) T	otal	
a Contributions received or receivable from:									
(1) Employers	8a(1)		48000						
(2) Participants	8a(2)		40000						
(3) Others (including rollovers)	— `		33205						
b Other income (loss)								8120	5
C Total income (add lines 8a(1), 8a(2), 8a(3), and 8b) d Benefits paid (including direct rollovers and insurance premiums	8c							0120	
to provide benefits)	8d								
e Certain deemed and/or corrective distributions (see instructions).	8e								
f Administrative service providers (salaries, fees, commissions)	8f								
g Other expenses	8g								
h Total expenses (add lines 8d, 8e, 8f, and 8g)	8h								0
i Net income (loss) (subtract line 8h from line 8c)	8i							8120	5
j Transfers to (from) the plan (see instructions)	8j								
Part IV Plan Characteristics									
9a If the plan provides pension benefits, enter the applicable pension 2E 2F 2G 2J 2K 2T 3D	n feature co	odes from the List of Pl	an Cha	racteri	stic Co	odes in	the inst	ructions:	
b If the plan provides welfare benefits, enter the applicable welfare	feature cod	les from the List of Pla	n Chara	acteris	tic Cod	des in t	he instru	uctions:	
Part V Compliance Questions									
10 During the plan year:				Yes	No	N/A		Amount	
Was there a failure to transmit to the plan any participant contributed in 29 CFR 2510.3-102? (See instructions and DOL's Program)	Voluntary F	iduciary Correction	10a		X				
b Were there any nonexempt transactions with any party-in-intere reported on line 10a.)			10b		X				
C Was the plan covered by a fidelity bond?			10c		X				
d Did the plan have a loss, whether or not reimbursed by the plan by fraud or dishonesty?			10d		X				
Were any fees or commissions paid to any brokers, agents, or carrier, insurance service, or other organization that provides so the plan? (See instructions.)	me or all of	the benefits under	10e	X					3280
f Has the plan failed to provide any benefit when due under the p	lan?		10f		X				
g Did the plan have any participant loans? (If "Yes," enter amount	as of year-	end.)	10g		X				
h If this is an individual account plan, was there a blackout period' 2520.101-3.)			10h		X				
i If 10h was answered "Yes," check the box if you either provided exceptions to providing the notice applied under 29 CFR 2520.1			10i		X				

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Part	VI	Pension Funding Compliance						
11		s a defined benefit plan subject to minimum funding requirements? (If "Yes," see instructions and c n 5500) and line 11a below)						Yes X No
		r the unpaid minimum required contributions for all years from Schedule SB (Form 5500) line 40						
12		is a defined contribution plan subject to the minimum funding requirements of section 412 of the Co A?						Yes X No
	(If "\	es," complete line 12a or lines 12b, 12c, 12d, and 12e below, as applicable.)						
	grant	raiver of the minimum funding standard for a prior year is being amortized in this plan year, see ins ing the waiver	onth _	s, and	d enter t Day		of the lette Year _	er ruling
If	you c	ompleted line 12a, complete lines 3, 9, and 10 of Schedule MB (Form 5500), and skip to line 1	13.	1		1		
<u>b</u>	Enter	the minimum required contribution for this plan year			12b			
С	Enter	the amount contributed by the employer to the plan for this plan year			12c			
d		ract the amount in line 12c from the amount in line 12b. Enter the result (enter a minus sign to the l tive amount)			12d			
		he minimum funding amount reported on line 12d be met by the funding deadline?				Yes	No	N/A
Part	VII	Plan Terminations and Transfers of Assets			1			
13a	Has a	a resolution to terminate the plan been adopted in any plan year?				Yes	s X N	lo
	If "Ye	es," enter the amount of any plan assets that reverted to the employer this year			13a			
b		e all the plan assets distributed to participants or beneficiaries, transferred to another plan, or brougout of the PBGC?		er the			Yes	No
С		ring this plan year, any assets or liabilities were transferred from this plan to another plan(s), identinassets or liabilities were transferred. (See instructions.)	ify the p	lan(s)) to			
	13c(1) Name of plan(s): 13c (13c(3	B) PN(s)
Part	VIII	Trust Information			•			
14a	Name	of trust			14b ⁻	Trust's E	ΞIN	
14c	Name	of trustee or custodian					s or custod ne number	lian's
Par	t IX	IRS Compliance Questions						
15a	Is the	plan a 401(k) plan? If "No," skip b		Yes			No	
		did the plan satisfy the nondiscrimination requirements for employee deferrals under section (3) for the plan year? Check all that apply:	- LL ;		n-based narbor	d [Test	ear" ADP
			ΙП '	"Curre	ent year test	<u>"</u>	N/A	
16a 		testing method was used to satisfy the coverage requirements under section 410(b) for the plan Check all that apply:		Ratio perce test	entage		verage enefit test	□ N/A
	for the	be plan satisfy the coverage and nondiscrimination requirements of sections 410(b) and 401(a)(4) be plan year by combining this plan with any other plan under the permissive aggregation rules?	'	Yes			No	
	the le							
	letter	plan is an individually-designed plan that received a favorable determination letter from the IRS, er	nter the	date	of the m	nost rec	ent determ	ination
18	Were	ed Benefit Plan or Money Purchase Pension Plan Only: any distributions made during the plan year to an employee who attained age 62 and had not sepa e?		rom	Ye	s [No	
19	Was	any plan participant a 5% owner who had attained at least age 70 $\frac{1}{2}$ during the prior plan year?			Ye	s	No	

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 sections 6057(b) and 6058(a) of the Internal Revenue Code (the Code).

Revenue Code (the Code).

• Complete all entries in accordance with the instructions to the Form 5500-SF.

OMB Nos. 1210-0110 1210-0089

2016

This Form is Open to Public Inspection

For calendar plan year 2016 o	r fiscal plan year beginning 01/01		and ending 12	2/31/2016						
For calendar plan year 2016 o	a single-employer plan			yer) (Filers checking this box must attach a						
A This return/report is for:	_ a single-employer plan		ployer information in a							
•	a one-participant plan	a foreign plan								
B This return/report is	the first return/report	the final return/report								
	an amended return/report	a short plan year return	n/report (less than 12 m	onths)						
C Check box if filing under:	Form 5558	automatic extension		DFVC progra	am					
	special extension (enter des	cription)								
Part II Basic Plan In	formation—enter all requested i	nformation								
1a Name of plan SERGIO J. ANILLO MD PC 401	(K) PLAN			1b Three-dig plan num	ber					
				(PN))	001					
				1c Effective	date of plan 08/01/2008					
	ployer, if for a single-employer plan) oom, apt., suite no. and street, or P.			2b Employer (EIN)	Identification Number 26-2520398					
	ince, country, and ZIP or foreign por		uctions)	2c Sponsor's	s telephone number					
			code (see instructions)							
31 PINELAKE DR		LAKE DR		Zu Dusniess	621111					
WILLIAMSVILLE, NY 14221-830)7 WILLIAN	MSVILLE, NY 14221-8307		N/P P P P P P P P P P P P P P P P P P P	021111					
3a Plan administrator's name	and address X Same as Plan Sp	onsor.		3b Administr	ator's EIN					
				3c Administr	ator's telephone number					
4 If the name and/or EIN of	the plan sponsor has changed since	e the last return/report filed for	or this plan, enter the	4b EIN						
name, EIN, and the plan	number from the last return/report.			4c PN						
a Sponsor's name				5a						
•	nts at the beginning of the plan year			ļ						
-	nts at the end of the plan year			5b						
	th account balances as of the end o			5c						
d(1) Total number of active	participants at the beginning of the p	plan year		5d(1)	2					
d(2) Total number of active	participants at the end of the plan y	ear		5d(2)	2					
	nat terminated employment during th			5e	(
Caution: A penalty for the la	te or incomplete filing of this retu	rn/report will be assessed	uniess reasonable cai	use is establish	ıed.					
SB or Schedule MB completed	other penalties set forth in the instru I and signed by an enrolled actuary,	uctions, I declare that I have as well as the electronic ver	examined this return/re sion of this return/repor	port, including, i t, and to the bes	f applicable, a Schedule it of my knowledge and					
belief, it is true, correct, and co	Implete.	51117	Sergo F	Avii(lo	MANUTATION OF THE STATE OF THE					
HERE Signature of plan	n administrator	Date	Enter name of individ		lan administrator					
SIGN C	A Commission of the Commission	5/1/17	Sersia	Anillo	ar darin not ato.					
HERE	ployer/plan sponsor	Date		,	mployer or plan sponsor					
Preparer's name (including firm	n name, if applicable) and address (include room or suite numbe	г)		ephone number					

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6a	Were all of the plan's assets during the plan year invested in eligit	ole assets	? (See instructions.)			· · · · · · · · · · · · · · · · · · ·		X Yes No
	Are you claiming a walver of the annual examination and report of under 29 CFR 2520.104-46? (See instructions on walver eligibility	an indepe	ndent qualified public a	ccount	ant (IC	PA)		X Yes No
	If you answered "No" to either line 6a or line 6b, the plan can						_	
С	If the plan is a defined benefit plan, is it covered under the PBGC i	nsurance	orogram (see ERISA se	ection 4	021)?		Yes	No Not determined
Pa	rt III Financial Information	The same of the same of	:					
7	Plan Assets and Liabilities		(a) Beginning					(b) End of Year
a	Total plan assets	7a		376388	3			457593
<u>b</u>	Total plan liabilities	7b						
<u>c</u>	Net plan assets (subtract line 7b from line 7a)	7c		376388	3			457593
8	Income, Expenses, and Transfers for this Plan Year		(a) Amour	ıt				(b) Total
a	Contributions received or receivable from: (1) Employers	8a(1)						
	(2) Participants	8a(2)		48000				Sexual Control of the
	(3) Others (including rollovers)	8a(3)						
b	Other income (loss)	8b		33205	5			
<u> </u>	Total income (add lines 8a(1), 8a(2), 8a(3), and 8b)	8c						81205
d	Benefits paid (including direct rollovers and insurance premiums to provide benefits)	8d			:			
е	Certain deemed and/or corrective distributions (see instructions).	8e						
f	Administrative service providers (salaries, fees, commissions)	8f						
g	Other expenses	8g			1			
h	Total expenses (add lines 8d, 8e, 8f, and 8g)	8h						0
ī	Net income (loss) (subtract line 8h from line 8c)	8i						81205
j	Transfers to (from) the plan (see instructions)	8i						
Pa	rt IV Plan Characteristics						****	
9a	If the plan provides pension benefits, enter the applicable pension 2E 2F 2G 2J 2K 2T 3D	feature co	odes from the List of Pl	an Cha	racteri	stic Co	odes in	the instructions:
b	If the plan provides welfare benefits, enter the applicable welfare	feature co	des from the List of Pla	n Char	acteris	tic Co	des in t	the instructions:
Pai	t V Compliance Questions							
10	During the plan year:				Yes	No	N/A	Amount
a	 Was there a failure to transmit to the plan any participant contributes described in 29 CFR 2510.3-102? (See instructions and DOL's ' 	Voluntary I	Fiduciary Correction	10a		x		
b	Program) Were there any nonexempt transactions with any party-in-interes reported on line 10a.)	t? (Do not	include transactions	10b		Х	11.00	· ·
				10c		Х		
C	Did the plan have a loss, whether or not reimbursed by the plan's by fraud or dishonesty?			10d		Х		
e	· · · · · · · · · · · · · · · · · · ·	her persor ne or all of	ns by an insurance the benefits under	10e	х			3280
f				10f		Х		
9	Did the plan have any participant loans? (If "Yes," enter amount a	as of year-	end.)	10g		Х		
r	2520.101-3.)	`		10h		Х		
i	If 10h was answered "Yes," check the box if you either provided exceptions to providing the notice applied under 29 CFR 2520.10			101		Х		

· ·					
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e .					
Part	/I Pension Funding Compliance				
11	Is this a defined benefit plan subject to minimum funding requirements? (If "Yes," see instructions and c (Form 5500) and line 11a below)				Yes 🛭 No
11a	Enter the unpaid minimum required contributions for all years from Schedule SB (Form 5500) line 40		11a		
12	Is this a defined contribution plan subject to the minimum funding requirements of section 412 of the CERISA?	ode or sectio	n 302 of		Yes X No
	(If "Yes," complete line 12a or lines 12b, 12c, 12d, and 12e below, as applicable.)				
	If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see ins granting the waiver.	1onth	enter t Day		of the letter ruling Year
lf :	rou completed line 12a, complete lines 3, 9, and 10 of Schedule MB (Form 5500), and skip to line	13.			
b	Enter the minimum required contribution for this plan year		12b		
С	Enter the amount contributed by the employer to the plan for this plan year		12c		
	Subtract the amount in line 12c from the amount in line 12b. Enter the result (enter a minus sign to the negative amount)	eft of a	12d		
е	Will the minimum funding amount reported on line 12d be met by the funding deadline?			Yes	∐ No ∐ N/A
Part	Control of the Contro				
	Has a resolution to terminate the plan been adopted in any plan year?			Yes	s 🛛 No
	If "Yes," enter the amount of any plan assets that reverted to the employer this year		13a		
b	Were all the plan assets distributed to participants or beneficiaries, transferred to another plan, or broug control of the PBGC?				Yes 🛛 No
С	If, during this plan year, any assets or liabilities were transferred from this plan to another plan(s), ident which assets or liabilities were transferred. (See instructions.)	ify the plan(s) to		
1	3c(1) Name of plan(s):	13c(2)	EIN(s)		13c(3) PN(s)
Part	5000(500)		441.		
14a	Name of trust		140	Trust's F	≐IN
14c	Name of trustee or custodian				s or custodian's ne number
Par	IX IRS Compliance Questions				
15a	ls the plan a 401(k) plan? If "No," skip b	Yes			No
15b	How did the plan satisfy the nondiscrimination requirements for employee deferrals under section	Designation Designation	n-based narbor	1 ["Prior year" ADP test

"Current year" N/A ADP test 16a What testing method was used to satisfy the coverage requirements under section 410(b) for the plan Ratio Average ∏ N/A year? Check all that apply: percentage benefit test test 16b Did the plan satisfy the coverage and nondiscrimination requirements of sections 410(b) and 401(a)(4) No Yes for the plan year by combining this plan with any other plan under the permissive aggregation rules?...... 17a If the plan is a master and prototype plan (M&P) or volume submitter plan that received a favorable IRS opinion letter or advisory letter, enter the date of and the serial number the letter 17b If the plan is an individually-designed plan that received a favorable determination letter from the IRS, enter the date of the most recent determination Defined Benefit Plan or Money Purchase Pension Plan Only: No Yes Were any distributions made during the plan year to an employee who attained age 62 and had not separated from service? No Yes 19 Was any plan participant a 5% owner who had attained at least age 70 ½ during the prior plan year?