

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 6057(b) 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 2022 This Form is Open to Public Inspection
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Part I	Annual Report Identification Information
For calendar plan year 2022 or fiscal plan year beginning <u>01/01/2022</u> and ending <u>12/31/2022</u>	
A This return/report is for:	☐ a multiemployer plan ☐ a multiple-employer plan (Filers checking this box must attach a list of participating employer information in accordance with the form instructions.) ☒ 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:	☒ Form 5558 ☐ automatic extension ☐ the DFVC program ☐ special extension (enter description)
E If this is a retroactively adopted plan permitted by SECURE Act section 201, check here.	☐

Part II	Basic Plan Information —enter all requested information		
1a Name of plan	<u>CERBERUS CAPITAL MANAGEMENT, L.P. PROFIT SHARING 401(K) PLAN</u>		1b Three-digit plan number (PN) ▶ <u>001</u>
			1c Effective date of plan <u>01/01/1994</u>
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)	<u>CERBERUS CAPITAL MANAGEMENT, L.P.</u> <u>875 THIRD AVENUE, FLOOR 11</u> <u>NEW YORK, NY 10022-7223</u>		2b Employer Identification Number (EIN) <u>13-3709388</u> 2c Plan Sponsor's telephone number <u>212-891-2100</u> 2d Business code (see instructions) <u>523900</u>

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.	09/13/2023	SHEILA PELUSO
	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

For Paperwork Reduction Act Notice, see the Instructions for Form 5500.

Form 5500 (2022)
v. 220413

3a Plan administrator's name and address ☒ Same as Plan Sponsor		3b Administrator's EIN	
		3c Administrator's telephone number	
4 If the name and/or EIN of the plan sponsor or the plan name has changed since the last return/report filed for this plan, enter the plan sponsor's name, EIN, the plan name and the plan number from the last return/report: a Sponsor's name c Plan Name		4b EIN	
		4d PN	
5 Total number of participants at the beginning of the plan year		5	1079
6 Number of participants as of the end of the plan year unless otherwise stated (welfare plans complete only lines 6a(1) , 6a(2) , 6b , 6c , and 6d). a(1) Total number of active participants at the beginning of the plan year a(2) Total number of active participants at the end of the plan year b Retired or separated participants receiving benefits c Other retired or separated participants entitled to future benefits..... d Subtotal. Add lines 6a(2) , 6b , and 6c e Deceased participants whose beneficiaries are receiving or are entitled to receive benefits. f Total. Add lines 6d and 6e g Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)..... h Number of participants who terminated employment during the plan year with accrued benefits that were less than 100% vested.....		6a(1) 6a(2) 6b 6c 6d 6e 6f 6g 6h	535 603 291 286 1180 3 1183 1183 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 Characteristics Codes in the instructions: 2A 2E 2F 2H 2J 2S 2T 3B 3D 3H b If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristics Codes in the instructions:			
9a Plan funding arrangement (check all that apply) (1) ☒ Insurance (2) ☐ Code section 412(e)(3) insurance contracts (3) ☒ 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) ☒ Trust (4) ☐ General assets of the sponsor	
10 Check all applicable boxes in 10a and 10b to indicate which schedules are attached, and, where indicated, enter the number attached. (See instructions)			
a Pension Schedules (1) ☒ R (Retirement Plan Information) (2) ☐ MB (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary (3) ☐ SB (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary		b General Schedules (1) ☒ H (Financial Information) (2) ☐ I (Financial Information – Small Plan) (3) ☒ 1 A (Insurance Information) (4) ☒ C (Service Provider Information) (5) ☒ D (DFE/Participating Plan Information) (6) ☐ G (Financial Transaction Schedules)	

Part III Form M-1 Compliance Information (to be completed by welfare benefit plans)

11a If the plan provides welfare benefits, was the plan subject to the Form M-1 filing requirements during the plan year? (See instructions and 29 CFR 2520.101-2.) ☐ Yes ☐ No

If "Yes" is checked, complete lines 11b and 11c.

11b Is the plan currently in compliance with the Form M-1 filing requirements? (See instructions and 29 CFR 2520.101-2.) ☐ Yes ☐ No

11c Enter the Receipt Confirmation Code for the 2022 Form M-1 annual report. If the plan was not required to file the 2022 Form M-1 annual report, enter the Receipt Confirmation Code for the most recent Form M-1 that was required to be filed under the Form M-1 filing requirements. (Failure to enter a valid Receipt Confirmation Code will subject the Form 5500 filing to rejection as incomplete.)

Receipt Confirmation Code _____

SCHEDULE A (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Insurance Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA). ► File as an attachment to Form 5500. ► Insurance companies are required to provide the information pursuant to ERISA section 103(a)(2).	OMB No. 1210-0110 2022 This Form is Open to Public Inspection
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For calendar plan year 2022 or fiscal plan year beginning 01/01/2022 and ending 12/31/2022	
A Name of plan CERBERUS CAPITAL MANAGEMENT, L.P. PROFIT SHARING 401(K) PLAN	B Three-digit plan number (PN) ► 001
C Plan sponsor's name as shown on line 2a of Form 5500 CERBERUS CAPITAL MANAGEMENT, L.P.	D Employer Identification Number (EIN) 13-3709388

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

(a) Name of insurance carrier JOHN HANCOCK LIFE INSURANCE COMPANY OF NEW YORK
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(b) EIN	(c) NAIC code	(d) Contract or identification number	(e) Approximate number of persons covered at end of policy or contract year	Policy or contract year	
				(f) From	(g) To
13-3646501	86375	84668	927	01/01/2022	12/31/2022

2 Insurance fee and commission information. Enter the total fees and total commissions paid. List in line 3 the agents, brokers, and other persons in descending order of the amount paid.
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(a) Total amount of commissions paid 72500	(b) Total amount of fees paid 91406
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3 Persons receiving commissions and fees. (Complete as many entries as needed to report all persons).

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid T R PAUL, INC. 555 HERITAGE ROAD SOUTHBURY, CT 06488
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(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	
0	91406	TPA FEES PAID	5

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

AXA NETWORK LLC 1290 AVENUE OF THE AMERICAS NEW YORK, NY 10104
--

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	
72500	0	ADVISORY FEE	3

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

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

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

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

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

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

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

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

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

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

Part II Investment and Annuity Contract Information

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

4	Current value of plan's interest under this contract in the general account at year end.....	4	0
5	Current value of plan's interest under this contract in separate accounts at year end.....	5	232780344

6 Contracts With Allocated Funds:**a** State the basis of premium rates ▶

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

e Type of contract: (1) ☐ individual policies (2) ☐ group deferred annuity
(3) ☐ other (specify) ▶

f If contract purchased, in whole or in part, to distribute benefits from a terminating plan, check here ▶ ☐**7 Contracts With Unallocated Funds (Do not include portions of these contracts maintained in separate accounts)**

a Type of contract: (1) ☐ deposit administration (2) ☐ immediate participation guarantee
(3) ☐ guaranteed investment (4) ☐ other ▶

b	Balance at the end of the previous year	7b	0
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c	Additions: (1) Contributions deposited during the year	7c(1)		
	(2) Dividends and credits.....	7c(2)		
	(3) Interest credited during the year.....	7c(3)		
	(4) Transferred from separate account.....	7c(4)		
	(5) Other (specify below)	7c(5)		

(6) Total additions.....	7c(6)	0
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d Total of balance and additions (add lines 7b and 7c(6))	7d	0
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e Deductions:

(1) Disbursed from fund to pay benefits or purchase annuities during year	7e(1)		
(2) Administration charge made by carrier.....	7e(2)		
(3) Transferred to separate account.....	7e(3)		
(4) Other (specify below)	7e(4)		

(5) Total deductions.....	7e(5)	0
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f Balance at the end of the current year (subtract line 7e(5) from line 7d)	7f	0
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Part III Welfare Benefit Contract Information

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

8 Benefit and contract type (check all applicable boxes)

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

9 Experience-rated contracts:

a Premiums: (1) Amount received	9a(1)		
(2) Increase (decrease) in amount due but unpaid	9a(2)		
(3) Increase (decrease) in unearned premium reserve	9a(3)		
(4) Earned ((1) + (2) - (3))		9a(4)	0
b Benefit charges (1) Claims paid	9b(1)		
(2) Increase (decrease) in claim reserves	9b(2)		
(3) Incurred claims (add (1) and (2))		9b(3)	0
(4) Claims charged		9b(4)	
c Remainder of premium: (1) Retention charges (on an accrual basis) --			
(A) Commissions	9c(1)(A)		
(B) Administrative service or other fees	9c(1)(B)		
(C) Other specific acquisition costs	9c(1)(C)		
(D) Other expenses	9c(1)(D)		
(E) Taxes	9c(1)(E)		
(F) Charges for risks or other contingencies	9c(1)(F)		
(G) Other retention charges	9c(1)(G)		
(H) Total retention		9c(1)(H)	0
(2) Dividends or retroactive rate refunds. (These amounts were ☐ paid in cash, or ☐ credited.)		9c(2)	
d Status of policyholder reserves at end of year: (1) Amount held to provide benefits after retirement		9d(1)	
(2) Claim reserves		9d(2)	
(3) Other reserves		9d(3)	
e Dividends or retroactive rate refunds due. (Do not include amount entered in line 9c(2).)		9e	

10 Nonexperience-rated contracts:

a Total premiums or subscription charges paid to carrier	10a	
b If the carrier, service, or other organization incurred any specific costs in connection with the acquisition or retention of the contract or policy, other than reported in Part I, line 2 above, report amount. Specify nature of costs.	10b	

Part IV Provision of Information

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

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

SCHEDULE C (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Service Provider Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA). ▶ File as an attachment to Form 5500.	OMB No. 1210-0110
		2022
		This Form is Open to Public Inspection.

For calendar plan year 2022 or fiscal plan year beginning 01/01/2022 and ending 12/31/2022	
A Name of plan CERBERUS CAPITAL MANAGEMENT, L.P. PROFIT SHARING 401(K) PLAN	B Three-digit plan number (PN) ▶ 001
C Plan sponsor's name as shown on line 2a of Form 5500 CERBERUS CAPITAL MANAGEMENT, L.P.	D Employer Identification Number (EIN) 13-3709388

Part I Service Provider Information (see instructions)

You must complete this Part, in accordance with the instructions, to report the information required for **each person** who received, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of monetary value) in connection with services rendered to the plan or the person's position with the plan during the plan year. If a person received **only** eligible indirect compensation for which the plan received the required disclosures, you are required to answer line 1 but are not required to include that person when completing the remainder of this Part.

1 Information on Persons Receiving Only Eligible Indirect Compensation

- a Check "Yes" or "No" to indicate whether you are excluding a person from the remainder of this Part because they received only eligible indirect compensation for which the plan received the required disclosures (see instructions for definitions and conditions).. ☐ Yes ☒ No
- b If you answered line 1a "Yes," enter the name and EIN or address of each person providing the required disclosures for the service providers who received only eligible indirect compensation. Complete as many entries as needed (see instructions).

(b) Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation

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2. Information on Other Service Providers Receiving Direct or Indirect Compensation. Except for those persons for whom you answered "Yes" to line 1a above, complete as many entries as needed to list each person receiving, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of value) in connection with services rendered to the plan or their position with the plan during the plan year. (See instructions).

(a) Enter name and EIN or address (see instructions)

JOHN HANCOCK NEW YORK

13-3646501

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
15 28 60 62 63 67 68	RECORDKEEPER	654	Yes ☒ No ☐	Yes ☒ No ☐	0	Yes ☒ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

Part I Service Provider Information (continued)

3. If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	

Part II Service Providers Who Fail or Refuse to Provide Information

4 Provide, to the extent possible, the following information for each service provider who failed or refused to provide the information necessary to complete this Schedule.

(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide

Part III Termination Information on Accountants and Enrolled Actuaries (see instructions)
(complete as many entries as needed)

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

SCHEDULE D (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration	DFE/Participating Plan Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA). ► File as an attachment to Form 5500.	OMB No. 1210-0110 2022 This Form is Open to Public Inspection.
For calendar plan year 2022 or fiscal plan year beginning 01/01/2022 and ending 12/31/2022		
A Name of plan CERBERUS CAPITAL MANAGEMENT, L.P. PROFIT SHARING 401(K) PLAN	B Three-digit plan number (PN) ►	001
C Plan or DFE sponsor's name as shown on line 2a of Form 5500 CERBERUS CAPITAL MANAGEMENT, L.P.		
D Employer Identification Number (EIN) 13-3709388		
Part I Information on interests in MTIAs, CCTs, PSAs, and 103-12 IEs (to be completed by plans and DFEs) (Complete as many entries as needed to report all interests in DFEs)		
a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2055 TD		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 323587
a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2045 TD		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 133240
a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2030 TD		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1467717
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RETIREMENT INCOME		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 257111
a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2020 TD		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 2821
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2060		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 4639889
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2055		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 12314192

a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2035		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 17562330
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2030		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 21157438
a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN CENTURY EM		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1124144
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD MID-CAP VALUE ETF		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 2749995
a Name of MTIA, CCT, PSA, or 103-12 IE: INTL EQUITY INDEX FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1144472
a Name of MTIA, CCT, PSA, or 103-12 IE: SMALL CAP INDEX FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1195961
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD MID-CAP GROWTH ETF		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 2233835
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2025		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 16231872
a Name of MTIA, CCT, PSA, or 103-12 IE: INVESCO SMALL CAP GROWTH FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1123072
a Name of MTIA, CCT, PSA, or 103-12 IE: REAL ESTATE SECURITIES FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1291455

a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2050		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 11258126
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD SMALL CAP VALUE INDEX FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 2133151
a Name of MTIA, CCT, PSA, or 103-12 IE: MID CAP INDEX FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 2326145
a Name of MTIA, CCT, PSA, or 103-12 IE: JOHN HANCOCK DISCIPLINED VALUE FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 4183143
a Name of MTIA, CCT, PSA, or 103-12 IE: CAPITAL APPRECIATION FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 5635992
a Name of MTIA, CCT, PSA, or 103-12 IE: TOTAL STOCK MARKET INDEX FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 3268378
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2045		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 24741007
a Name of MTIA, CCT, PSA, or 103-12 IE: 500 INDEX FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 17962122
a Name of MTIA, CCT, PSA, or 103-12 IE: BLACKROCK GLOBAL ALLOCATION FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 2402176
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2040		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 26005871

a Name of MTIA, CCT, PSA, or 103-12 IE: JOHN HANCOCK STABLE VALUE FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 23819498
a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN BALANCED FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 3891293
a Name of MTIA, CCT, PSA, or 103-12 IE: JH BOND FUND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 3418742
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD INTERMEDIATE TERM BOND IND		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 6109922
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2065		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1705491
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2015		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 0
a Name of MTIA, CCT, PSA, or 103-12 IE: VANGUARD TARGET RET 2020		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 6360741
a Name of MTIA, CCT, PSA, or 103-12 IE: NEW PERSPECTIVE		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 893942
a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2060 TD		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 116817
a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2050 TD		
b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK		
c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 479494

a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2040 TD

b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK

c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 135879
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a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2035 TD

b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK

c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 22587
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a Name of MTIA, CCT, PSA, or 103-12 IE: JANUS HENDERSON GLOBAL EQUITY INC

b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK

c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 296046
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a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2065 TD

b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK

c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 24419
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a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2010 TD

b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK

c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1322
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a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2015

b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK

c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 1322
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a Name of MTIA, CCT, PSA, or 103-12 IE: AMERICAN FUNDS 2025

b Name of sponsor of entity listed in (a): JOHN HANCOCK NEW YORK

c EIN-PN 13-3646501-000	d Entity code P	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 633587
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a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	d Entity code	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)
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a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	d Entity code	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)
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a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	d Entity code	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)
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Part II **Information on Participating Plans (to be completed by DFEs)**

(Complete as many entries as needed to report all participating plans)

a Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
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plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN

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 2022 This Form is Open to Public Inspection
For calendar plan year 2022 or fiscal plan year beginning <u>01/01/2022</u> and ending <u>12/31/2022</u>		
A Name of plan <u>CERBERUS CAPITAL MANAGEMENT, L.P. PROFIT SHARING 401(K) PLAN</u>	B Three-digit plan number (PN) ►	<u>001</u>
C Plan sponsor's name as shown on line 2a of Form 5500 <u>CERBERUS CAPITAL MANAGEMENT, L.P.</u>	D Employer Identification Number (EIN) <u>13-3709388</u>	

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	1049712039
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions.....		1b(1)	1396592616651034
(2) Participant contributions.....		1b(2)	
(3) Other.....		1b(3)	00
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit).....		1c(1)	
(2) U.S. Government securities		1c(2)	
(3) Corporate debt instruments (other than employer securities):			
(A) Preferred		1c(3)(A)	
(B) All other		1c(3)(B)	
(4) Corporate stocks (other than employer securities):			
(A) Preferred		1c(4)(A)	
(B) Common.....		1c(4)(B)	
(5) Partnership/joint venture interests		1c(5)	
(6) Real estate (other than employer real property)		1c(6)	
(7) Loans (other than to participants).....		1c(7)	
(8) Participant loans.....		1c(8)	718629707622
(9) Value of interest in common/collective trusts.....		1c(9)	
(10) Value of interest in pooled separate accounts		1c(10)	270572804232780344
(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)	142303131418

1d Employer-related investments:		(a) Beginning of Year	(b) End of Year
(1) Employer securities	1d(1)		
(2) Employer real property	1d(2)		
e Buildings and other property used in plan operation	1e		
f Total assets (add all amounts in lines 1a through 1e)	1f	285410159	250282457

Liabilities

g Benefit claims payable	1g		
h Operating payables	1h		
i Acquisition indebtedness	1i		
j Other liabilities	1j	0	1003
k Total liabilities (add all amounts in lines 1g through 1j)	1k	0	1003

Net Assets

l Net assets (subtract line 1k from line 1f)	1l	285410159	250281454
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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)	16651034	
(B) Participants	2a(1)(B)	5473693	
(C) Others (including rollovers)	2a(1)(C)	2640178	
(2) Noncash contributions	2a(2)		
(3) Total contributions. Add lines 2a(1)(A) , (B) , (C) , and line 2a(2)	2a(3)		24764905
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)	32489	
(F) Other	2b(1)(F)		
(G) Total interest. Add lines 2b(1)(A) through (F)	2b(1)(G)		32489
(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
(5) Unrealized appreciation (depreciation) of assets: (A) Real estate	2b(5)(A)		
(B) Other	2b(5)(B)		
(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		0

		(a) Amount	(b) Total
(6) Net investment gain (loss) from common/collective trusts	2b(6)		
(7) Net investment gain (loss) from pooled separate accounts	2b(7)		-43594088
(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		-18796694
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	16122744	
(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)		16122744
f Corrective distributions (see instructions)	2f		1003
g Certain deemed distributions of participant loans (see instructions)	2g		
h Interest expense	2h		
i Administrative expenses: (1) Professional fees	2i(1)	12935	
(2) Contract administrator fees	2i(2)		
(3) Investment advisory and management fees	2i(3)	195329	
(4) Other	2i(4)		
(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		208264
j Total expenses. Add all expense amounts in column (b) and enter total	2j		16332011
Net Income and Reconciliation			
k Net income (loss). Subtract line 2j from line 2d	2k		-35128705
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) ☒ Unmodified (2) ☐ Qualified (3) ☐ Disclaimer (4) ☐ Adverse

b Check the appropriate box(es) to indicate whether the IQPA performed an ERISA section 103(a)(3)(C) audit. Check both boxes (1) and (2) if the audit was performed pursuant to both 29 CFR 2520.103-8 and 29 CFR 2520.103-12(d). Check box (3) if pursuant to neither.

(1) ☒ DOL Regulation 2520.103-8 (2) ☐ DOL Regulation 2520.103-12(d) (3) ☐ neither DOL Regulation 2520.103-8 nor DOL Regulation 2520.103-12(d).

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

(1) Name: PRICEWATERHOUSECOOPERS LLP

(2) EIN: 13-4008324

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 lines 4a, 4e, 4f, 4g, 4h, 4k, 4m, 4n, or 5. 103-12 IEs also do not complete lines 4j and 4l. MTIAs also do not complete line 4l.

During the plan year:

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.)

	Yes	No	Amount
4a		X	

	Yes	No	Amount
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?	X		10000000
f Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?		X	
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?	X		131418
4g	X		131418
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?		X	
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.)	X		
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.)		X	
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?		X	
4k		X	
l Has the plan failed to provide any benefit when due under the plan?		X	
4l		X	
m If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.)		X	
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? ☐ Yes ☒ No
If "Yes," enter the amount of any plan assets that reverted to the employer this year _____.

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)

5c Was the plan a defined benefit plan covered under the PBGC insurance program at any time during this plan year? (See ERISA section 4021 and instructions.) ☐ Yes ☐ No ☐ Not determined

If "Yes" is checked, enter the My PAA confirmation number from the PBGC premium filing for this plan year _____.

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 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). ► File as an attachment to Form 5500.	OMB No. 1210-0110 2022 This Form is Open to Public Inspection.
For calendar plan year 2022 or fiscal plan year beginning 01/01/2022 and ending 12/31/2022		
A Name of plan CERBERUS CAPITAL MANAGEMENT, L.P. PROFIT SHARING 401(K) PLAN		B Three-digit plan number (PN) ► 001
C Plan sponsor's name as shown on line 2a of Form 5500 CERBERUS CAPITAL MANAGEMENT, L.P.		D Employer Identification Number (EIN) 13-3709388
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 0
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): 13-3646501		
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 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 (include any prior year accumulated funding deficiency not waived).....		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 or other authority 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. 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		
For Paperwork Reduction Act Notice, see the Instructions for Form 5500.		
Schedule R (Form 5500) 2022 v. 220413		

Part V Additional Information for Multiemployer Defined Benefit Pension Plans

13 Enter the following information for each employer that (1) contributed more than 5% of total contributions to the plan during the plan year or (2) was one of the top-ten highest contributors (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 lines 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 lines 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 lines 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 lines 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 lines 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 lines 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 deferred vested and retired participants (inactive participants), as of the beginning of the plan year, whose contributing employer is no longer making contributions to the plan for:		
	a The current plan year. Check the box to indicate the counting method used to determine the number of inactive participants: ☐ last contributing employer ☐ alternative ☐ reasonable approximation (see instructions for required attachment).....	14a	
	b The plan year immediately preceding the current plan year. ☐ Check the box if the number reported is a change from what was previously reported (see instructions for required attachment)	14b	
	c The second preceding plan year. ☐ Check the box if the number reported is a change from what was previously reported (see instructions for required attachment)	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 line 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
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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 lines (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 line 19(b)? ☐ Effective duration ☐ Macaulay duration ☐ Modified duration ☐ Other (specify): _____
20	PBGC missed contribution reporting requirements. If this is a multiemployer plan or a single-employer plan that is not covered by PBGC, skip line 20. a Is the amount of unpaid minimum required contributions for all years from Schedule SB (Form 5500) line 40 greater than zero? ☐ Yes ☐ No b If line 20a is "Yes," has PBGC been notified as required by ERISA sections 4043(c)(5) and/or 303(k)(4)? Check the applicable box: ☐ Yes. ☐ No. Reporting was waived under 29 CFR 4043.25(c)(2) because contributions equal to or exceeding the unpaid minimum required contribution were made by the 30th day after the due date. ☐ No. The 30-day period referenced in 29 CFR 4043.25(c)(2) has not yet ended, and the sponsor intends to make a contribution equal to or exceeding the unpaid minimum required contribution by the 30th day after the due date. ☐ No. Other. Provide explanation _____

Cerberus Capital Management, L.P.
Profit Sharing 401(k) Plan

Financial Statements and Supplemental Schedule
December 31, 2022 and 2021

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Index
December 31, 2022 and 2021

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* Additional schedules required by 29 CFR 2520.103-10 of the Department of Labor’s Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974 (“ERISA”) have been omitted because they are not applicable.



Report of Independent Auditors

To the Administrator of Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan

Scope and Nature of the ERISA Section 103(a)(3)(C) Audit

We have performed an audit of the accompanying financial statements of Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan (the "Plan"), an employee benefit plan subject to the Employee Retirement Income Security Act of 1974 (ERISA), as permitted by ERISA Section 103(a)(3)(C) (ERISA Section 103(a)(3)(C) audit). The financial statements comprise the statements of net assets available for benefits as of December 31, 2022 and 2021, and the related statement of changes in net assets available for benefits for the year ended December 31, 2022, including the related notes (collectively referred to as the "financial statements").

Management, having determined it is permissible in the circumstances, has elected to have the audit of the Plan's financial statements performed in accordance with ERISA Section 103(a)(3)(C) pursuant to 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. As permitted by ERISA Section 103(a)(3)(C), our audit need not extend to any statements or information related to assets held for investment of the plan (investment information) by a bank or similar institution or insurance carrier that is regulated, supervised, and subject to periodic examination by a state or federal agency, provided that the statements or information regarding assets so held are prepared and certified to by the bank or similar institution or insurance carrier in accordance with 29 CFR 2520.103-5 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA (qualified institution).

Management has obtained certifications from a qualified institution as of December 31, 2022 and 2021 and for the year ended December 31, 2022, stating that the certified investment information, as described in Note 4 to the financial statements, is complete and accurate.

Opinion

In our opinion, based on our audit and on the procedures performed as described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report

- the amounts and disclosures in the accompanying financial statements, other than those agreed to or derived from the certified investment information, are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.
- the information in the accompanying financial statements related to assets held by and certified to by a qualified institution agrees to, or is derived from, in all material respects, the information prepared and certified by an institution that management determined meets the requirements of ERISA Section 103(a)(3)(C).



Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (US GAAS). Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Plan and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our ERISA Section 103(a)(3)(C) audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error. Management's election of the ERISA Section 103(a)(3)(C) audit does not affect management's responsibility for the financial statements.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Plan's ability to continue as a going concern for one year after the date the financial statements are available to be issued.

Management is also responsible for maintaining a current plan instrument, including all plan amendments, administering the plan, and determining that the plan's transactions that are presented and disclosed in the financial statements are in conformity with the plan's provisions, including maintaining sufficient records with respect to each of the participants, to determine the benefits due or which may become due to such participants.

Auditors' Responsibilities for the Audit of the Financial Statements

Except as described in the Scope and Nature of the ERISA Section 103(a)(3)(C) Audit section of our report, our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with US GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with US GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.



- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Plan's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Plan's ability to continue as a going concern for a reasonable period of time.

Our audit did not extend to the certified investment information, except for obtaining and reading the certification, comparing the certified investment information with the related information presented and disclosed in the financial statements, and reading the disclosures relating to the certified investment information to assess whether they are in accordance with the presentation and disclosure requirements of accounting principles generally accepted in the United States of America.

Accordingly, the objective of an ERISA Section 103(a)(3)(C) audit is not to express an opinion about whether the financial statements as a whole are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matter – Supplemental Schedule Required by ERISA

Schedule H, Line 4i - Schedule of Assets (Held at End of Year) as of December 31, 2022 is presented for purposes of additional analysis and is not a required part of the financial statements but is supplementary information required by the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information included in the supplemental schedule, other than that agreed to or derived from the certified investment information, has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with US GAAS. For information included in the supplemental schedule that agreed to or is derived from the certified investment information, we compared such information to the related certified investment information.



In forming our opinion on the supplemental schedule, we evaluated whether the supplemental schedule, other than the information agreed to or derived from the certified investment information, including its form and content, is presented in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. In our opinion

- the form and content of the supplemental schedule, other than the information in the supplemental schedule that agreed to or is derived from the certified investment information, is presented, in all material respects, in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.
- the information in the supplemental schedule related to assets held by and certified to by a qualified institution agrees to, or is derived from, in all material respects, the information prepared and certified by an institution that management determined meets the requirements of ERISA Section 103(a)(3)(C).

PricewaterhouseCoopers LLP

New York, New York
September 5, 2023

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Statements of Net Assets Available for Benefits
As of December 31, 2022 and 2021

	2022	2021
Assets		
Investments, at fair value		
Cerberus International, Ltd.	\$ 131,418	\$ 142,303
John Hancock Pooled Separate Accounts	232,780,344	270,572,804
Total investments	<u>232,911,762</u>	<u>270,715,107</u>
Receivables		
Employer contribution	16,651,034	13,965,926
Notes receivable from participants	707,622	718,629
Total receivables	<u>17,358,656</u>	<u>14,684,555</u>
Noninterest-bearing cash	12,039	10,497
Total assets	<u>250,282,457</u>	<u>285,410,159</u>
Liabilities		
Other liabilities		
Excess contributions	1,003	-
Total liabilities	<u>1,003</u>	<u>-</u>
Net assets available for benefits	<u>\$ 250,281,454</u>	<u>\$ 285,410,159</u>

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

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Statement of Changes in Net Assets Available for Benefits
For the Year Ended December 31, 2022

	2022
Additions / (reductions) to net assets attributed to:	
Investment income/(loss)	
Net appreciation/(depreciation) in fair value	
Cerberus International, Ltd.	\$ (10,397)
John Hancock Pooled Separate Accounts	(43,583,691)
Total investment income/(loss)	<u>(43,594,088)</u>
Contributions	
Participant	5,473,693
Employer	16,651,034
Rollovers	2,640,178
Total contributions	<u>24,764,905</u>
Interest on notes receivable from participants	32,489
Total additions / (reductions)	<u>(18,796,694)</u>
Deductions from net assets attributed to:	
Benefits paid to participants	16,122,744
Administrative fees	208,264
Excess contributions	1,003
Total deductions	<u>16,332,011</u>
Net increase / (decrease) in net assets available for benefits	(35,128,705)
Net assets available for benefits, beginning of year	285,410,159
Net assets available for benefits, end of year	<u>\$ 250,281,454</u>

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

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan

Notes to Financial Statements

December 31, 2022 and 2021

1. Description of Plan

The following description of the Cerberus Capital Management, L.P. (the “Company” or the “Plan Administrator”) Profit Sharing 401(k) Plan (the “Plan”) provides only general information. Participants should refer to the Plan agreement for a more complete description of the Plan’s provisions.

The Plan is a defined contribution profit sharing and 401(k) plan covering employees of the Company who are age twenty-one or older. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

Cerberus International, Ltd. (“Cerberus” or “Investment Fund”) was previously the Plan’s sole nonparticipant-directed investment and available as an investment to eligible participants from Plan inception to December 31, 2008. Effective May 29, 2009, the Company authorized John Hancock New York Retirement Plan Services (“John Hancock”) to be the sole recipient of any contributions made on January 1, 2009 and thereafter.

Participants’ contributions may be made into the default investment option, the Vanguard Target Retirement Funds. At the participants’ discretion, contributions may be allocated to 43 other John Hancock Funds in lieu of the default investment option. Additionally, John Hancock serves as the record-keeper of the Plan. John Hancock Life Insurance Company of New York (“John Hancock Life Insurance”) serves as the custodian of the participants’ investment accounts in the John Hancock portion of the Plan.

a. Eligibility

Employees are eligible to participate in the Plan at the initial date of employment and attainment of age twenty-one (21) as stated in the Plan agreement. From January 1, 2022 through December 31, 2022, any eligible employee who attained the age of twenty-one (21) within the plan year was eligible to participate in the Plan.

b. Contributions and Funding Policy

Each year, participants may contribute up to 75% of pre-tax and post-tax annual compensation as defined in the Plan agreement, which is not to exceed the Internal Revenue Service (“IRS”) pre-tax limit of \$20,500 for the year ended December 31, 2022. Participants who have attained the age of fifty (50) before the end of the plan year are eligible to make catch-up contributions, which is limited to an additional IRS deferral limit increase of \$6,500 for the year ended December 31, 2022. Participants may also contribute amounts representing distributions from other qualified defined benefit or contribution plans.

Each year, the Company contributes to the Plan from its current profits before pension and profit-sharing costs and income taxes. The amount of the Company’s contribution is discretionary and is allocated based on relative levels of compensation and is considered a “Nonelective Contribution”. A “Nonelective Contribution” is defined as any employer contribution (including a contribution made at the employer’s discretion) to the Plan, other than a participant’s elective deferrals, qualified matching contributions and qualified nonelective contributions. The Plan Administrator establishes and maintains a “Nonelective Contribution Account” for each participant with respect to the participant’s total interest in the Plan resulting from Nonelective Contributions. These profit sharing contributions were \$16,651,034 and \$13,965,926 for the years ended December 31, 2022 and 2021, respectively.

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

c. Participant Accounts

Each participant's account is credited with the participant's contribution and an allocation of (a) the Company's contribution and (b) Plan profit and loss. Allocations are based on participant earnings or account balances, as defined in the Plan agreement. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.

d. Vesting

Participants are immediately vested in their allocated employer and participant contributions plus actual earnings thereon.

e. Payment of Benefits

On termination of service due to death, disability or retirement, or other reasons, a participant or the designated beneficiary may choose to receive an amount equal to the value of the participant's vested interest in his or her account in a lump sum amount, or may elect to maintain his or her account in the Plan. If any of the assets of a Nonelective Contribution Account are invested in securities whose sale or redemption is restricted, the distribution to the beneficiary will be limited to the unrestricted assets of the Nonelective Contribution Account. As further payments are received from Cerberus with respect to the restricted securities, the beneficiary will receive additional amounts equal to the proportionate share of the cash received from Cerberus. Alternatively, the beneficiary may be able to receive a distribution in-kind of the securities whose sale or redemption is restricted.

A participant's vested interest is determined as of the Plan's valuation date coincident with or preceding the date of determination. For a participant's balance in Cerberus, the determination dates are March 31, June 30, September 30, and December 31, while the determination date for a participant's balance in John Hancock is daily. For participants with John Hancock account balances in excess of \$1,000, an election is available to defer the distribution until the participant is required by law to receive minimum required distributions. If the participant in John Hancock or Cerberus has not attained the Plan's normal retirement age, 59 ½, they are not eligible to request a distribution of their vested account balance.

Liquidity risk arises when the Plan is not able to redeem its investments or raise other cash resources to settle the benefit payment obligations. The Plan may make distributions in-kind and may cause any distribution to be composed of cash, property or undivided fractional shares in property, provided, however, that no participant or beneficiary shall be required to accept more than his pro rata share of any in-kind distribution. See Note 3 for restrictions on redeeming from Cerberus.

f. Notes Receivable from Participants

Participants may borrow from their accounts at a minimum of \$1,000 and a maximum of the lesser of one-half of the vested account balance or \$50,000 reduced by the highest outstanding loan balance in the account during the prior twelve month period. A participant may only have one loan outstanding at any given time and the participant may not refinance an existing loan or obtain a second loan for the purpose of paying off the existing loan.

All loans bear interest at the Prime Rate + 1% as determined by the Plan Administrator based on the prevailing interest rates charged by persons in the business of lending money for loans which would be made under similar circumstances. The interest rate remains fixed throughout the duration of the loan.

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

Notes receivable from participants must be repaid over a period not to exceed five years unless for the purchase of a principal residence.

2. Summary of Accounting Policies

a. Basis of Accounting

The accompanying financial statements of the Plan are prepared in compliance with the Department of Labor's ("DOL") Rules and Regulations for Reporting and Disclosure under ERISA and the accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America ("GAAP").

b. Use of Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, and changes therein, and disclosure of contingent assets and liabilities. Accordingly, actual results could differ from those estimates.

c. Investment Valuation and Income Recognition

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 3 for discussion of fair value measurements.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on an accrual basis. Net appreciation / (depreciation) includes the Plan's gains and losses on investments bought and sold, as well as held during the year.

d. Payment of Benefits

Benefits are recorded when paid. Outstanding benefit payments at year end are treated as a reduction of benefits paid to participants in the Statement of Changes in Net Assets Available for Benefits. These amounts are reflected in Noninterest-bearing cash on the Statement of Net Assets Available for Benefits.

e. Excess Contributions

The excess contributions were \$1,003 and \$0 for the years ended December 31, 2022 and 2021, respectively. The balance included in other liabilities for the years ended 2022 and 2021 is comprised of participant contributions and catch-up contributions in excess of IRS pre-tax limits.

f. Notes Receivable from Participants

Notes receivable from participants are measured at their unpaid principal balance plus any accrued but unpaid interest.

The Plan Administrator will treat a loan in default if any scheduled payment remains unpaid beyond the last day of the calendar quarter following the calendar quarter in which the participant missed the scheduled payment or if the participant makes or furnishes any false representation or statement to the Plan. The participant will have the opportunity to repay the loan and resume current status of the loan by paying any missed payment plus interest. If the loan remains in default, the Plan Administrator will offset the participants vested account balances by the outstanding balance of the loan to the extent permitted by law. The Plan Administrator will treat the note as repaid to the extent

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan

Notes to Financial Statements

December 31, 2022 and 2021

of any permissible offset. Pending final disposition of the note, the participant remains obligated for any unpaid principal and accrued interest.

If the participant is unable to repay the loan, or if the participant's employment is terminated without having paid back the loan in full, the outstanding (unpaid) amount is considered to be a withdrawal. In effect, the participant would owe state and federal taxes on the amount of the withdrawal, as well as a 10% penalty if under the age of 59 ½.

3. Fair Value Measurement

The Plan reports investments at fair value.

In accordance with the authoritative guidance on fair value measurements and disclosures under GAAP, the Plan discloses the fair value of its financial instruments in a hierarchy that prioritizes the inputs to valuation techniques used to measure the fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurements) and the lowest priority to unobservable inputs (level 3 measurements).

The three levels of the fair value hierarchy are as follows:

Level 1 – Inputs that reflect unadjusted quoted prices in active markets for identical assets or liabilities that the Plan has the ability to access at the measurement date;

Level 2 – Inputs other than quoted prices that are observable for the asset or liability either directly or indirectly, including inputs in markets that are not considered to be active; and

Level 3 – Inputs that are significant and unobservable.

Inputs are used in applying the various valuation techniques and broadly refer to the assumptions that market participants use to make valuation decisions, including assumptions about risk. Inputs may include price information, volatility statistics, specific and broad credit data, liquidity statistics, and other factors.

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. However, the determination of what constitutes "observable" requires significant judgment by the Plan Administrator. The Plan Administrator considers observable data to be that market data which is readily available, regularly distributed or updated, reliable and verifiable, not proprietary, and provided by independent sources that are actively involved in the relevant market. The categorization of a financial instrument within the hierarchy is based upon the pricing transparency of the instrument and does not necessarily correspond to the Plan Administrator's perceived risk of that instrument.

If the Plan Administrator determines that either the volume and/or level of activity for an asset or liability has significantly decreased (from normal conditions for that asset or liability) or price quotations or observable inputs are not associated with orderly transactions, increased analysis and management judgment will be required to estimate fair value. Valuation techniques such as an income approach might be appropriate to supplement or replace a market approach in those circumstances. The guidance also provides a list of factors to determine whether there has been a significant decrease in relation to normal market activity. Regardless of the valuation technique and

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

inputs used, the objective for the fair value measurement in those circumstances is unchanged from what it would be if markets were operating at normal activity levels and/or transactions were orderly; that is, to determine the current exit price.

Nonparticipant-directed Investment in Investment Fund. The Plan's investment in the Investment Fund is reported at fair value based on the Plan's share in the net assets of the Investment Fund. This investment does not have readily ascertainable market values and is subject to certain withdrawal restrictions. The value of the Plan's investment in the Investment Fund represents the amount the Plan would expect to receive at December 31, 2022 and December 31, 2021, respectively, if it were to liquidate its investment. The Investment Fund is valued at its net asset value adjusted for expenses.

Due to the inherent uncertainty of the valuation of the Plan's investment and certain underlying investments held by the Investment Fund (which are valued by the Company in the absence of readily ascertainable market values), the estimated fair value of the Investment Fund may differ from the value that would have been used had a ready market existed for this investment, and the difference could be material.

The Investment Fund is a corporation organized in the Bahamas. The investment objective is to maximize total return on capital by seeking capital appreciation and, from time to time, current income, through the development and management of a diversified portfolio of distressed investments. The Company seeks to achieve this objective primarily through investment in securities and assets of companies: (i) facing operating difficulties; (ii) undergoing, or considered likely to undergo, reorganization under U.S. bankruptcy law or similar laws in other countries; (iii) which are or have been engaged in other transactions, such as debt restructuring, reorganization and liquidation outside of bankruptcy; and (iv) facing a broad range of liquidity issues.

There are restrictions on redemptions from the Investment Fund. Redemption proceeds may be in the form of cash or securities or a combination of the two, as determined by the Investment Fund's Board of Directors. A portion of such proceeds may be withheld on the redemption date and paid upon completion of its annual financial statement audit.

Partridge Hill Overseas Management, L.L.C., an affiliate of the Company, serves as the Investment Manager (the "Investment Manager") of the Investment Fund.

On September 30, 2009, the Investment Manager lifted the suspension of redemptions previously implemented and offered all shareholders the following choice: (i) have all or a portion of the shareholder's shares from the Investment Fund compulsorily redeemed as of September 30, 2009, and receive in connection with such redemptions, participating, vesting shares in a special purpose vehicle, Cerberus International SPV, Ltd. (the "SPV") that holds a pro-rata share of all the cash, securities, assets and liabilities of the Investment Fund attributable to the percentage of the shareholders seeking to redeem or; (ii) remain fully or partially invested in the Investment Fund under new terms that include reinvesting proceeds from the sale of the Investment Fund's securities and assets into Cerberus International II, Ltd., a newly formed Cayman Islands exempted company ("Cerberus International II") and/or receive distributions in cash. At that time, the Company chose election (ii) on behalf of the participants in the Plan.

The Investment Fund will be managed to optimize the realized value of its existing portfolio and will have the ability to make follow-on investments, engage in hedging transactions and enter into repurchase agreements or other leverage arrangements. Proceeds from the realization of the

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

Investment Fund's investments (after deduction for actual or anticipated expenses and such reserves as may be determined by the Investment Manager are needed for hedging transactions, repurchase agreements and follow-on investments) (such amounts "Available Cash") are either invested in Cerberus International II or distributed directly to continuing shareholders. Each remaining shareholder received new shares in Cerberus International II corresponding to its pro rata amount of the Available Cash contributed to Cerberus International II.

For the years ended December 31, 2022 and 2021, the Plan elected to receive all distributions from the Investment Fund in cash and reinvest such distributions in John Hancock. Distributions of \$487 and \$57,297 were received for the years ended December 31, 2022 and 2021, respectively.

The amount of investments in the Investment Fund related to participants who have terminated services due to death, disability, retirement or other qualifying events and who have also requested to receive an amount equal to the value of their respective vested interest in his or her account in a lump sum amount at the time of termination of services as of December 31, 2022 and 2021 is \$85,493 and \$69,000, respectively. These amounts are pending distribution to these participants in accordance with the terms detailed above and as required by applicable laws or regulations.

Pooled Separate Accounts. Investments in pooled separate accounts are valued at the unit value of units held by the Plan at year end as determined by John Hancock and are reviewed by the Plan Administrator. These securities generally may be redeemed daily.

The following table set forth by level presents, within the fair value hierarchy, the Plan's investments at fair value as of December 31, 2022.

Investments at Fair Value as of December 31, 2022				
Description	Quoted Prices In Active Markets For Identical Assets Level 1	Significant Other Observable Inputs Level 2	Significant Unobservable Inputs Level 3	Total
Distressed Fund:				
Cerberus International, Ltd. ^(a)	\$ -	\$ -	\$ 131,418	\$ 131,418
Total Distressed Fund	-	-	131,418	131,418
John Hancock New York Sub-accounts:				
Investments valued at practical expedient (excluded from the fair value hierarchy)				232,780,344
Total Investments at fair value				<u>\$ 232,911,762</u>

^(a) The Investment Fund is valued at its net asset value adjusted for expenses.

For the year ended December 31, 2022, there were no purchases of, or transfers in or out of, level 3 within the fair value hierarchy.

The following table set forth by level presents, within the fair value hierarchy, the Plan's investments at fair value as of December 31, 2021.

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

Investments at Fair Value as of December 31, 2021

Description	Quoted Prices In Active Markets For Identical Assets	Significant Other Observable Inputs	Significant Unobservable Inputs	Total
	Level 1	Level 2	Level 3	
Distressed Fund:				
Cerberus International, Ltd. (a)	\$ -	\$ -	\$ 142,303	\$ 142,303
Total Distressed Fund	-	-	142,303	142,303
John Hancock New York Sub-accounts:				
Investments valued at practical expedient (excluded from the fair value hierarchy)				270,572,804
Total Investments at fair value				<u>\$ 270,715,107</u>

(a) The Investment Fund is valued at its net asset value adjusted for expenses.

For the year ended December 31, 2021, there were no purchases of, or transfers in or out of, level 3 within the fair value hierarchy.

4. Information Certified by John Hancock Life Insurance

Certain information related to investments and notes receivable from participants disclosed in the accompanying financial statements, including investments and notes receivable from participants held at December 31, 2022 and 2021, and net investment income / (loss) and interest income on notes receivable from participants for the year ended December 31, 2022, was obtained by management and agreed to or derived from information certified as complete and accurate by John Hancock Life Insurance. Reported values were determined as described in Note 2 and Note 3.

Assets held by the Plan and certified by John Hancock Life Insurance at December 31, 2022 were as follows:

	December 31, 2022
Assets	
Investments valued at practical expedient	\$ 232,780,344
Notes Receivable from participants	<u>707,622</u>
Total certified assets	<u>\$ 233,487,966</u>

Assets held by the Plan and certified by John Hancock Life Insurance at December 31, 2021 were as follows:

	December 31, 2021
Assets	
Investments valued at practical expedient	\$ 270,572,804
Notes Receivable from participants	<u>718,629</u>
Total certified assets	<u>\$ 271,291,433</u>

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

Investments held by the Plan and certified by the custodian at December 31, 2022 were as follows:

Identity of issue, borrower, lessor, or similar party	Description of investment	Current value
Vanguard Target Ret 2040	Pooled Separate Account	26,005,871
Vanguard Target Ret 2045	Pooled Separate Account	24,741,007
John Hancock Stable Value Fund	Pooled Separate Account	23,819,498
Vanguard Target Ret 2030	Pooled Separate Account	21,157,438
500 Index Fund	Pooled Separate Account	17,962,122
Vanguard Target Ret 2035	Pooled Separate Account	17,562,330
Vanguard Target Ret 2025	Pooled Separate Account	16,231,872
Vanguard Target Ret 2055	Pooled Separate Account	12,314,192
Vanguard Target Ret 2050	Pooled Separate Account	11,258,126
Vanguard Target Ret 2020	Pooled Separate Account	6,360,741
Vanguard Intermediate-Term Bond Index	Pooled Separate Account	6,109,922
Capital Appreciation Fund	Pooled Separate Account	5,635,992
Vanguard Target Ret 2060	Pooled Separate Account	4,639,889
John Hancock Disciplined Value Fund	Pooled Separate Account	4,183,143
American Balanced Fund	Pooled Separate Account	3,891,293
John Hancock Bond Fund	Pooled Separate Account	3,418,742
Total Stock Market Index Fund	Pooled Separate Account	3,268,378
Vanguard Mid-Cap Value ETF	Pooled Separate Account	2,749,995
BlackRock Global Allocation Fund	Pooled Separate Account	2,402,176
Mid Cap Index Fund	Pooled Separate Account	2,326,145
Vanguard Mid-Cap Growth ETF	Pooled Separate Account	2,233,835
Vanguard Small Cap Value Index Fund	Pooled Separate Account	2,133,151
Vanguard Target Ret 2065	Pooled Separate Account	1,705,491
American Funds 2030 TD	Pooled Separate Account	1,467,717
Real Estate Securities Fund	Pooled Separate Account	1,291,455
Small Cap Index Fund	Pooled Separate Account	1,195,961
International Equity Index Fund	Pooled Separate Account	1,144,472
American Century Em Fund	Pooled Separate Account	1,124,144
Invesco Small Cap Growth Fund	Pooled Separate Account	1,123,072
New Perspective Fund	Pooled Separate Account	893,942
American Funds 2025 TD	Pooled Separate Account	633,587
American Funds 2050 TD	Pooled Separate Account	479,494
American Funds 2055 TD	Pooled Separate Account	323,587
Janus Henderson Gbl Eq Income 19	Pooled Separate Account	296,046
Vanguard Target Ret Income	Pooled Separate Account	257,111
American Funds 2040 TD	Pooled Separate Account	135,879
American Funds 2045 TD	Pooled Separate Account	133,240
American Funds 2060 TD	Pooled Separate Account	116,817
American Funds 2065 TD	Pooled Separate Account	24,419
American Funds 2035 TD	Pooled Separate Account	22,587
American Funds 2020 TD	Pooled Separate Account	2,821
American Funds 2010 TD	Pooled Separate Account	1,322
American Funds 2015 TD	Pooled Separate Account	1,322
		\$232,780,344

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

Investments held by the Plan and certified by the custodian at December 31, 2021 were as follows:

Identity of issue, borrower, lessor, or similar party	Description of investment	Current value
Vanguard Target Ret 2040	Pooled Separate Account	31,044,633
Vanguard Target Ret 2045	Pooled Separate Account	29,759,031
Vanguard Target Ret 2030	Pooled Separate Account	25,574,386
John Hancock Stable Value Fund	Pooled Separate Account	23,261,447
Vanguard Target Ret 2035	Pooled Separate Account	21,728,165
500 Index Fund	Pooled Separate Account	21,104,617
Vanguard Target Ret 2025	Pooled Separate Account	18,515,298
Vanguard Target Ret 2050	Pooled Separate Account	13,305,974
Vanguard Target Ret 2055	Pooled Separate Account	13,077,816
Capital Appreciation Fund	Pooled Separate Account	10,224,794
Vanguard Target Ret 2020	Pooled Separate Account	7,913,740
John Hancock Bond Fund	Pooled Separate Account	4,547,547
John Hancock Disciplined Value Fund	Pooled Separate Account	4,405,008
Vanguard Target Ret 2060	Pooled Separate Account	4,098,771
Vanguard Mid-Cap Growth ETF	Pooled Separate Account	3,712,322
American Funds 2030 TD	Pooled Separate Account	3,521,940
Total Stock Market Index Fund	Pooled Separate Account	3,462,387
American Balanced Fund	Pooled Separate Account	3,381,021
Vanguard Intermediate-Term Bond Index	Pooled Separate Account	3,333,342
BlackRock Global Allocation Fund	Pooled Separate Account	3,235,474
Mid Cap Index Fund	Pooled Separate Account	2,932,322
Vanguard Mid-Cap Value ETF	Pooled Separate Account	2,820,001
International Equity Index Fund	Pooled Separate Account	2,154,308
Vanguard Small Cap Value Index Fund	Pooled Separate Account	2,077,329
Real Estate Securities Fund	Pooled Separate Account	2,068,843
Invesco Small Cap Growth Fund	Pooled Separate Account	1,971,580
Small Cap Index Fund	Pooled Separate Account	1,664,170
American Century Em Fund	Pooled Separate Account	1,632,291
New Perspective Fund	Pooled Separate Account	1,466,321
Vanguard Target Ret 2015	Pooled Separate Account	611,970
American Funds 2050 TD	Pooled Separate Account	338,483
Janus Henderson Gbl Eq Income 19	Pooled Separate Account	305,264
Vanguard Target Ret 2065	Pooled Separate Account	285,217
American Funds 2020 TD	Pooled Separate Account	209,965
American Funds 2055 TD	Pooled Separate Account	196,991
American Funds 2040 TD	Pooled Separate Account	189,766
Vanguard Target Ret Income	Pooled Separate Account	179,499
American Funds 2045 TD	Pooled Separate Account	154,614
American Funds 2060 TD	Pooled Separate Account	68,137
American Funds 2035 TD	Pooled Separate Account	31,687
American Funds 2065 TD	Pooled Separate Account	6,333
		\$ 270,572,804

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

Net investment income / (loss) and interest on notes receivable from participants of the Plan for the year ended December 31, 2022 were as follows:

	December 31, 2022
Investment income/(loss)	\$ (43,583,691)
Interest on notes receivable from participants	32,489

5. Plan Termination

Although it has not expressed any intent to do so, the Company has the right to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA. In the event of Plan termination, any unallocated assets of the Plan shall be allocated to participant accounts and distributed in such a manner as the Company may determine.

6. Tax Status

The Internal Revenue Service has determined and informed the Company by letter dated September 19, 2011, that the Plan and related trust are designed in accordance with the applicable sections of the Internal Revenue Code ("IRC"). Although the Plan has been amended since receiving the determination letter, the Plan Administrator and the Plan's tax counsel believe that the Plan is designed and is currently being operated in compliance with the applicable provisions of the IRC.

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 tax position that more likely than not would not be sustained upon examination by the Internal Revenue Service. The Plan Administrator has analyzed the tax positions taken by the Plan and has concluded that as of December 31, 2022, there are no uncertain tax positions taken or expected to be taken that would require recognition of a liability (or asset) for disclosure in the financial statements. The Plan is subject to routine audits by taxing jurisdictions; however there are currently no audits for any periods in progress. The Plan Administrator believes it is no longer subject to income tax examinations for years prior to 2019.

7. Risks and Uncertainties

The Plan provides for various investment options. Pooled Separate Accounts invest in funds holding a combination of stocks, bonds, fixed income securities and other investments securities. Investment securities are exposed to various risks such as interest rate, market, and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participants' account balances and the amounts reported in the Statements of Net Assets Available for Benefits.

The Plan is also exposed to liquidity risk. Note 1 to the financial statements further explains liquidity risk.

In the normal course of operations, the Investment Fund makes investments in both long and short securities, and other financial instruments, including derivatives, where the risk of potential loss due

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Notes to Financial Statements
December 31, 2022 and 2021

to changes in the market (market risk) or failure of the other party to the transaction to perform (credit risk) exceeds the related amounts recorded. The Investment Fund also utilizes various degrees of leverage. However, due to the nature of the Plan's interest, such risks are limited to the Plan's investment in the Investment Fund.

8. Related Parties

The Investment Fund is managed by the Company and its affiliates. Certain Plan investments are units of pooled separate accounts managed by John Hancock, the record-keeper and custodian of the Plan. Additionally, the Plan trustees, who are principals of the Company, are participants in the Plan. Therefore, these transactions qualify as party-in-interest transactions. The Company pays for certain administrative costs on the Plan's behalf.

9. Subsequent Events

The Plan Administrator has evaluated subsequent events through September 5, 2023, the date the financial statements were available to be issued, and except as already included in the notes to these financial statements, has determined that no additional items require disclosure.

Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan
Supplemental Schedule
Schedule H, Line 4i – Schedule of Assets (Held at End of Year)
As of December 31, 2022

Identity of issue, borrower, lessor, or similar party	Description of investment	Cost	Current value
Distressed Fund:			
* Cerberus International, Ltd.	Investment Fund	\$ 22,164	\$ 131,418
John Hancock New York Sub-accounts :			
* Vanguard Target Ret 2040	Pooled Separate Account	(1)	26,005,871
* Vanguard Target Ret 2045	Pooled Separate Account	(1)	24,741,007
* John Hancock Stable Value Fund	Pooled Separate Account	(1)	23,819,498
* Vanguard Target Ret 2030	Pooled Separate Account	(1)	21,157,438
* 500 Index Fund	Pooled Separate Account	(1)	17,962,122
* Vanguard Target Ret 2035	Pooled Separate Account	(1)	17,562,330
* Vanguard Target Ret 2025	Pooled Separate Account	(1)	16,231,872
* Vanguard Target Ret 2055	Pooled Separate Account	(1)	12,314,192
* Vanguard Target Ret 2050	Pooled Separate Account	(1)	11,258,126
* Vanguard Target Ret 2020	Pooled Separate Account	(1)	6,360,741
* Vanguard Intermediate-Term Bond Index	Pooled Separate Account	(1)	6,109,922
* Capital Appreciation Fund	Pooled Separate Account	(1)	5,635,992
* Vanguard Target Ret 2060	Pooled Separate Account	(1)	4,639,889
* John Hancock Disciplined Value Fund	Pooled Separate Account	(1)	4,183,143
* American Balanced Fund	Pooled Separate Account	(1)	3,891,293
* John Hancock Bond Fund	Pooled Separate Account	(1)	3,418,742
* Total Stock Market Index Fund	Pooled Separate Account	(1)	3,268,378
* Vanguard Mid-Cap Value ETF	Pooled Separate Account	(1)	2,749,995
* BlackRock Global Allocation Fund	Pooled Separate Account	(1)	2,402,176
* Mid Cap Index Fund	Pooled Separate Account	(1)	2,326,145
* Vanguard Mid-Cap Growth ETF	Pooled Separate Account	(1)	2,233,835
* Vanguard Small Cap Value Index Fund	Pooled Separate Account	(1)	2,133,151
* Vanguard Target Ret 2065	Pooled Separate Account	(1)	1,705,491
* American Funds 2030 TD	Pooled Separate Account	(1)	1,467,717
* Real Estate Securities Fund	Pooled Separate Account	(1)	1,291,455
* Small Cap Index Fund	Pooled Separate Account	(1)	1,195,961
* International Equity Index Fund	Pooled Separate Account	(1)	1,144,472
* American Century Em Fund	Pooled Separate Account	(1)	1,124,144
* Invesco Small Cap Growth Fund	Pooled Separate Account	(1)	1,123,072
* New Perspective Fund	Pooled Separate Account	(1)	893,942
* American Funds 2025 TD	Pooled Separate Account	(1)	633,587
* American Funds 2050 TD	Pooled Separate Account	(1)	479,494
* American Funds 2055 TD	Pooled Separate Account	(1)	323,587
* Janus Henderson Gbl Eq Income 19	Pooled Separate Account	(1)	296,046
* Vanguard Target Ret Income	Pooled Separate Account	(1)	257,111
* American Funds 2040 TD	Pooled Separate Account	(1)	135,879
* American Funds 2045 TD	Pooled Separate Account	(1)	133,240
* American Funds 2060 TD	Pooled Separate Account	(1)	116,817
* American Funds 2065 TD	Pooled Separate Account	(1)	24,419
* American Funds 2035 TD	Pooled Separate Account	(1)	22,587
* American Funds 2020 TD	Pooled Separate Account	(1)	2,821
* American Funds 2010 TD	Pooled Separate Account	(1)	1,322
* American Funds 2015 TD	Pooled Separate Account	(1)	1,322
Notes receivable from participants	Interest rate of 4.25% - 8%; Maturity dates ranging from 2023 through 2052.	-0-	707,622
Total			\$ 233,619,384

* Party-in-Interest

(1) This is a participant directed investment, therefore cost is not applicable.

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 6057(b) 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 2022 This Form is Open to Public Inspection
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Part I Annual Report Identification Information	
For calendar plan year 2022 or fiscal plan year beginning <u>01/01/2022</u> and ending <u>12/31/2022</u>	
A This return/report is for:	☐ a multiemployer plan ☐ a multiple-employer plan (Filers checking this box must attach a list of participating employer information in accordance with the form instructions.) ☒ 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:	☒ Form 5558 ☐ automatic extension ☐ the DFVC program ☐ special extension (enter description)
E If this is a retroactively adopted plan permitted by SECURE Act section 201, check here. ☐	

Part II Basic Plan Information—enter all requested information					
1a Name of plan CERBERUS CAPITAL MANAGEMENT, L.P. PROFIT SHARING 401(K) PLAN	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding: 2px;">1b Three-digit plan number (PN) ▶</td> <td style="width: 20%; padding: 2px;">001</td> </tr> <tr> <td colspan="2" style="padding: 2px;">1c Effective date of plan 01/01/1994</td> </tr> </table>	1b Three-digit plan number (PN) ▶	001	1c Effective date of plan 01/01/1994	
1b Three-digit plan number (PN) ▶	001				
1c Effective date of plan 01/01/1994					
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) CERBERUS CAPITAL MANAGEMENT, L.P. 875 THIRD AVENUE, FLOOR 11 NEW YORK NY 10022-7223	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding: 2px;">2b Employer Identification Number (EIN) 13-3709388</td> </tr> <tr> <td style="padding: 2px;">2c Plan Sponsor's telephone number 212-891-2100</td> </tr> <tr> <td style="padding: 2px;">2d Business code (see instructions) 523900</td> </tr> </table>	2b Employer Identification Number (EIN) 13-3709388	2c Plan Sponsor's telephone number 212-891-2100	2d Business code (see instructions) 523900	
2b Employer Identification Number (EIN) 13-3709388					
2c Plan Sponsor's telephone number 212-891-2100					
2d Business code (see instructions) 523900					

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		<u>9/13/23</u>	SHEILA PELUSO
	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

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

Name of Plan:

► Cerberus Capital Management, L.P. Profit Sharing 401(k) Plan

Employer Identification Number: ► 13-3709388

For plan year (beginning/ending): ► 01/01/2022 to 12/31/2022

Plan number: ► 001

(a)	(b) Identity of issue, borrower, lessor, or similar party	(c) Description of investment including maturity date, rate of interest, collateral, par or maturity value	(d) Cost	(e) Current value
*	Cerberus International, Ltd.	Investment Fund	22,164	131,418
*	John Hancock NY	Vanguard Target Ret 2040		26,005,871
*	John Hancock NY	Vanguard Target Ret 2045		24,741,007
*	John Hancock NY	JH Stable Value		23,819,498
*	John Hancock NY	Vanguard Target Ret 2030		21,157,438
*	John Hancock NY	500 Index Fund		17,962,122
*	John Hancock NY	Vanguard Target Ret 2035		17,562,330
*	John Hancock NY	Vanguard Target Ret 2025		16,231,872
*	John Hancock NY	Vanguard Target Ret 2055		12,314,192
*	John Hancock NY	Vanguard Target Ret 2050		11,258,126
*	John Hancock NY	Vanguard Target Ret 2020		6,360,741
*	John Hancock NY	Vanguard Interm-Term Bond Index		6,109,922
*	John Hancock NY	Capital Appreciation Fund		5,635,992
*	John Hancock NY	Vanguard Target Ret 2060		4,639,889
*	John Hancock NY	JH Disciplined Value		4,183,143
*	John Hancock NY	American Balanced Fund		3,891,293
*	John Hancock NY	JH Bond Fund		3,418,742
*	John Hancock NY	Total Stock Market Index Fund		3,268,378
*	John Hancock NY	Vanguard Mid-Cap Value ETF		2,749,995
*	John Hancock NY	BlackRock Global Allocation		2,402,176
*	John Hancock NY	MidCap Index Fund		2,326,145
*	John Hancock NY	Vanguard Mid-Cap Growth ETF		2,233,835
*	John Hancock NY	Vanguard Small Cap Value Index		2,133,151
*	John Hancock NY	Vanguard Target Ret 2065		1,705,491
*	John Hancock NY	American Funds 2030 Target Date		1,467,717
*	John Hancock NY	Real Est. Securities Fund		1,291,455
*	John Hancock NY	Small Cap Index Fund		1,195,961
*	John Hancock NY	International Equity Index		1,144,472
*	John Hancock NY	American Century EM Fund		1,124,144
*	John Hancock NY	Invesco Small Cap Growth		1,123,072
*	John Hancock NY	New Perspective Fund		893,942
*	John Hancock NY	American Funds 2025 Target Date		633,587
*	John Hancock NY	American Funds 2050 Target Date		479,494
*	John Hancock NY	American Funds 2055 Target Date		323,587
*	John Hancock NY	Janus Henderson Global Eq Income		296,046
*	John Hancock NY	Vanguard Target Ret Income		257,111
*	John Hancock NY	American Funds 2040 Target Date		135,879
*	John Hancock NY	American Funds 2045 Target Date		133,240
*	John Hancock NY	American Funds 2060 Target Date		116,817
*	John Hancock NY	American Funds 2065 Target Date		24,419

*	John Hancock NY	American Funds 2035 Target Date		22,587
*	John Hancock NY	American Funds 2020 Target Date		2,821
*	John Hancock NY	American Funds 2015 Target Date		1,322
*	John Hancock NY	American Funds 2010 Target Date		1,322
*	John Hancock NY	Vanguard Target Ret 2015		0
	Plan Participant Loans	Maturity Dates: 2023 through 2052 Rate: 4.25% - 8.00%		707,622