

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>FLORIDA EAST COAST INDUSTRIES, LLC SALARY DEFERRAL PLAN</u>	1b Three-digit plan number (PN) ▶	<u>002</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>FLORIDA EAST COAST INDUSTRIES, LLC</u> <u>P. O. BOX 164739</u> <u>MIAMI, FL 33116</u>	1c Effective date of plan <u>01/01/1984</u>	2b Employer Identification Number (EIN) <u>20-4427296</u>
	2c Plan Sponsor's telephone number <u>305-520-2300</u>	2d Business code (see instructions) <u>482110</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.	09/15/2023	JUAN GODOY
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE	Filed with authorized/valid electronic signature.	09/15/2023	JUAN GODOY
	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		5 484
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		6a(1) 340
a(2) Total number of active participants at the end of the plan year		6a(2) 432
b Retired or separated participants receiving benefits		6b 6
c Other retired or separated participants entitled to future benefits.....		6c 143
d Subtotal. Add lines 6a(2) , 6b , and 6c		6d 581
e Deceased participants whose beneficiaries are receiving or are entitled to receive benefits.		6e 1
f Total. Add lines 6d and 6e		6f 582
g Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item).....		6g 555
h Number of participants who terminated employment during the plan year with accrued benefits that were less than 100% vested.....		6h 65
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: 2E 2F 2G 2J 2K 2T 3D 3H 2S		
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) ☐ 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 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 FLORIDA EAST COAST INDUSTRIES, LLC SALARY DEFERRAL PLAN	B Three-digit plan number (PN) ▶	002
C Plan sponsor's name as shown on line 2a of Form 5500 FLORIDA EAST COAST INDUSTRIES, LLC	D Employer Identification Number (EIN) 20-4427296	

Part I	Service Provider Information (see instructions)
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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)

GLOBAL RETIREMENT PARTNERS LLC

47-1411118

(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?
70	CONSULTANT	22500	Yes ☐ No ☒	Yes ☐ No ☐		Yes ☐ No ☐

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

MERRILL LYNCH, PIERCE, FENNER AND S

13-5674085

(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 52 59 60 62 63 72	RECORDKEEPER	3460	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 ☐

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
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(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.
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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 FLORIDA EAST COAST INDUSTRIES, LLC SALARY DEFERRAL PLAN	B Three-digit plan number (PN) ►	002
C Plan or DFE sponsor's name as shown on line 2a of Form 5500 FLORIDA EAST COAST INDUSTRIES, LLC		
D Employer Identification Number (EIN) 20-4427296		

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)
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a Name of MTIA, CCT, PSA, or 103-12 IE: FEDERATED HERMES CAPITAL PRESERVATI		
b Name of sponsor of entity listed in (a): FEDERATED INVESTORS TRUST COMPANY		
c EIN-PN 22-2712853-001	d Entity code C	e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 3993522
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)
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)
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)
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)
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)
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)
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)

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)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
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103-12 IE at end of year (see instructions)**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)

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

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>FLORIDA EAST COAST INDUSTRIES, LLC SALARY DEFERRAL PLAN</u>	B Three-digit plan number (PN) ►	<u>002</u>
C Plan sponsor's name as shown on line 2a of Form 5500 <u>FLORIDA EAST COAST INDUSTRIES, LLC</u>	D Employer Identification Number (EIN) <u>20-4427296</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	110	0
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions.....	1b(1)	79344	5810
(2) Participant contributions.....	1b(2)		
(3) Other.....	1b(3)	111	0
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit).....	1c(1)	0	22
(2) U.S. Government securities	1c(2)	0	0
(3) Corporate debt instruments (other than employer securities):			
(A) Preferred	1c(3)(A)	0	0
(B) All other	1c(3)(B)	0	0
(4) Corporate stocks (other than employer securities):			
(A) Preferred	1c(4)(A)	0	0
(B) Common.....	1c(4)(B)	0	0
(5) Partnership/joint venture interests	1c(5)	0	0
(6) Real estate (other than employer real property)	1c(6)	0	0
(7) Loans (other than to participants).....	1c(7)	0	0
(8) Participant loans.....	1c(8)	258959	326935
(9) Value of interest in common/collective trusts.....	1c(9)	2388250	3993522
(10) Value of interest in pooled separate accounts	1c(10)		
(11) Value of interest in master trust investment accounts.....	1c(11)		
(12) Value of interest in 103-12 investment entities	1c(12)		
(13) Value of interest in registered investment companies (e.g., mutual funds).....	1c(13)	36578006	31758464
(14) Value of funds held in insurance company general account (unallocated contracts).....	1c(14)		
(15) Other	1c(15)	0	0

1d Employer-related investments:		(a) Beginning of Year	(b) End of Year
(1) Employer securities	1d(1)	0	0
(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	39304780	36084753

Liabilities

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

Net Assets

l Net assets (subtract line 1k from line 1f)	1l	39304780	36084753
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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)	1178698	
(B) Participants	2a(1)(B)	3004240	
(C) Others (including rollovers)	2a(1)(C)	283792	
(2) Noncash contributions	2a(2)	0	4466730
(3) Total contributions. Add lines 2a(1)(A) , (B) , (C) , and line 2a(2)	2a(3)		
b Earnings on investments:			
(1) Interest:			
(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)	-89	
(B) U.S. Government securities	2b(1)(B)	0	
(C) Corporate debt instruments	2b(1)(C)	0	
(D) Loans (other than to participants)	2b(1)(D)		
(E) Participant loans	2b(1)(E)	13246	
(F) Other	2b(1)(F)	0	
(G) Total interest. Add lines 2b(1)(A) through (F)	2b(1)(G)		13157
(2) Dividends: (A) Preferred stock	2b(2)(A)	0	1090342
(B) Common stock	2b(2)(B)	0	
(C) Registered investment company shares (e.g. mutual funds)	2b(2)(C)	1090342	
(D) Total dividends. Add lines 2b(2)(A) , (B) , and (C)	2b(2)(D)		1090342
(3) Rents	2b(3)		
(4) Net gain (loss) on sale of assets: (A) Aggregate proceeds	2b(4)(A)	0	0
(B) Aggregate carrying amount (see instructions)	2b(4)(B)	0	
(C) Subtract line 2b(4)(B) from line 2b(4)(A) and enter result	2b(4)(C)		
(5) Unrealized appreciation (depreciation) of assets: (A) Real estate	2b(5)(A)		0
(B) Other	2b(5)(B)	0	
(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		

		(a) Amount	(b) Total
(6) Net investment gain (loss) from common/collective trusts	2b(6)		30669
(7) Net investment gain (loss) from pooled separate accounts	2b(7)		0
(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)		-7361116
c Other income	2c		76779
d Total income. Add all income amounts in column (b) and enter total	2d		-1683439
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	1505842	
(2) To insurance carriers for the provision of benefits	2e(2)		
(3) Other	2e(3)	0	
(4) Total benefit payments. Add lines 2e(1) through (3)	2e(4)		1505842
f Corrective distributions (see instructions)	2f		4786
g Certain deemed distributions of participant loans (see instructions)	2g		0
h Interest expense	2h		0
i Administrative expenses: (1) Professional fees	2i(1)		
(2) Contract administrator fees	2i(2)		
(3) Investment advisory and management fees	2i(3)		
(4) Other	2i(4)	25960	
(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		25960
j Total expenses. Add all expense amounts in column (b) and enter total	2j		1536588
Net Income and Reconciliation			
k Net income (loss). Subtract line 2j from line 2d	2k		-3220027
l Transfers of assets:			
(1) To this plan	2l(1)		0
(2) From this plan	2l(2)		0

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: **ERNST & YOUNG LLP**

(2) EIN: **34-6565596**

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.)		X	
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.)		X	
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.)		X	
4d		X	
e Was this plan covered by a fidelity bond?	X		5000000
4e	X		5000000
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	
4g		X	
h Did the plan receive any noncash contributions whose value was neither readily determinable on an established market nor set by an independent third party appraiser?		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 FLORIDA EAST COAST INDUSTRIES, LLC SALARY DEFERRAL PLAN		B Three-digit plan number (PN) 002
C Plan sponsor's name as shown on line 2a of Form 5500 FLORIDA EAST COAST INDUSTRIES, LLC		D Employer Identification Number (EIN) 20-4427296
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): 94-1687665		
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 _____



Florida East Coast Industries, LLC Salary Deferral Plan

FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULE

With Report of Independent Auditors

Years Ended December 31, 2022 and 2021

**FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN**

**INDEX TO FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULE
Years Ended December 31, 2022 and 2021**

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Report of Independent Auditors

Fiduciary Committee
Florida East Coast Industries, LLC Salary Deferral Plan

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

We have performed audits of the financial statements of Florida East Coast Industries, LLC Salary Deferral 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, and the related notes (collectively referred to as the “financial statements”).

Management, having determined it is permissible in the circumstances, has elected to have the audits of the 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 audits 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 3 to the financial statements, is complete and accurate.

Opinion

In our opinion, based on our audits and on the procedures performed as described in the Auditor’s Responsibilities for the Audit of the Financial Statements section:

- 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 audits in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's 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 audits. 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 that 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.

Auditor's 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 auditor's 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 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 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 audits 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

The supplemental schedule of assets (held at end of year) as of December 31, 2022, (referred to as the “supplemental schedule”), 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 auditing procedures applied in the audits 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 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, are 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).

Ernst + Young LLP

September 13, 2023

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS

	As of December 31,	
	2022	2021
Assets:		
Cash	\$ 22	\$ 110
Investments at fair value:		
Mutual funds	31,758,464	36,578,006
Collective trust fund	3,993,522	2,388,250
Total investments	35,751,986	38,966,256
Receivable from employer	5,810	79,344
Interest receivable	—	111
Notes receivable from participants	327,019	259,044
Total assets	36,084,837	39,304,865
Net assets available for benefits	\$ 36,084,837	\$ 39,304,865

See accompanying notes to the financial statements.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

	Year Ended December 31,	
	2022	2021
Additions to net assets attributed to:		
Investment income:		
Net (depreciation) appreciation in fair value of investments	\$ (7,361,116)	\$ 2,534,860
Interest and dividends	1,121,012	1,949,197
Total investment (loss) income	(6,240,104)	4,484,057
Interest income on notes receivable from participants	13,157	8,612
Contributions:		
Participants	3,004,240	2,365,680
Employer	1,178,698	784,810
Rollovers	283,792	572,702
Total contributions	4,466,730	3,723,192
Other income	76,778	77,961
Total additions, net of investment losses	(1,683,439)	8,293,822
Deductions from net assets attributed to:		
Benefits paid to participants	1,510,629	821,970
Administrative expenses	25,960	32,315
Total deductions	1,536,589	854,285
Net (decrease) increase in net assets available for benefits	(3,220,028)	7,439,537
Net assets available for benefits:		
Beginning of year	39,304,865	31,865,328
End of year	\$ 36,084,837	\$ 39,304,865

See accompanying notes to the financial statements.

**FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS**

December 31, 2022

1. Description of Plan

The following description of the Florida East Coast Industries, LLC Salary Deferral Plan (the “Plan”) provides only general information. Participants should refer to the Plan Adoption Agreement and the basic Plan Document (the “Plan Agreements”), copies of which may be obtained from the Plan Sponsor (as defined below).

General

The Plan is a 401(k) defined contribution retirement plan substantially covering all employees of Florida East Coast Industries, LLC and its subsidiaries (the “Company” and “Plan Sponsor”). Eligible employees become participants of the Plan after 90 days of continuous service and attainment of age 21 years or older. Variable Hours Employees, as defined by the Plan, become participants upon completing one-year of eligibility of service, attaining a minimum of 1,000 hours of service, and age 21 years or older. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (“ERISA”), as amended.

Plan Administration

The Plan is administered through the Company’s 401(k) Fiduciary Committee; however, recordkeeping and trustee services are provided by Merrill Lynch, Pierce, Fenner & Smith, Inc. (“Merrill Lynch”), whose parent company is Bank of America, N.A. (collectively, the “Trustee”).

Contributions

Each year, participants may contribute up to 25% of pretax annual compensation received during the year, as defined in the Plan Agreements, by means of payroll deductions. Unless a new participant elects otherwise, he or she will be automatically enrolled in the Plan at 3% of the participant’s annual compensation. Unless a participant elects otherwise, the annual deferral rate increases every year by 1% of the participant’s compensation up to 10% of the participant’s annual compensation. A participant may also elect to defer up to 10% of after-tax compensation received during the year, as defined by the Plan Agreements, by means of payroll deductions. Participants may also contribute amounts representing distributions from other qualified defined benefit contributions plans (rollovers). Total contributions from the participant are subject to certain limitations up to 25% of the participant’s annual compensation or limits set by the Internal Revenue Code (the “Code”). Participants aged 50 and over, before the close of the Plan year, are eligible to make catch-up contributions of a maximum of \$6,500 in 2022 and 2021.

The Company matches the participant’s contributions up to the first \$1,200 contributed by the participant. For participant contributions in excess of \$1,200, the Company matches 25% in contributions up to a maximum total contribution of the lesser of (i) \$6,025 per participant in 2022 and \$5,775 per participant in 2021, and (ii) 10% of participant’s compensation in 2022 and in 2021.

Starting in October 2021, for qualified participants in the Company’s Transportation segment, as defined, the Company matches the participant’s contributions 150% up to 5% of qualified participant’s compensation, and 50% match thereafter up to 14% of qualified participant’s compensation, up to a maximum of \$14,305 in 2022 and \$13,912 in 2021.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

The definition of compensation for purposes of determining salary deferrals and employer matching contributions includes the participant's total earnings. The Plan is required to return contributions received during the Plan year in excess of the Code's limits.

Participants direct their elective contributions into various investment options offered by the Plan and may change their investment options on a daily basis. The Company's contributions are allocated in the same manner as that of the participant's elective contributions.

Participant Accounts

Each participant's account is credited with the participant's contributions, Company contributions and allocations of Plan investment earnings (losses). Allocations are based on participant earnings or account balances, as defined in the Plan Agreements. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.

Vesting

Participants hired prior to January 1, 2017 are fully-vested immediately (which means that they are entitled to all of the amounts) in their account attributable to salary deferrals, as well as in the following contributions: (i) voluntary after-tax contributions; (ii) rollover contributions; (iii) profit-sharing contributions; (iv) matching contributions; and (v) Qualified Non-Elective Contributions ("QNEC"). Participants hired after December 31, 2016 have a three-year vesting schedule for the employer matching contribution of 35% upon completion of one year of employment, 70% after two-years of employment and 100% after three-years of employment.

Notes Receivable from Participants

Participants may borrow from their fund accounts a minimum of \$1,000 up to a maximum of \$50,000, or the lesser of (i) 50% of their vested account balance, and (ii) \$50,000 less the highest outstanding loan balance in the previous 12-month period. A participant may only have two loans outstanding at any one time. The participant must sign a promissory note along with a loan pledge. The participant's vested account balance is used for security. Participants are charged a reasonable rate of interest, as determined by the Plan Administrator, commensurate with interest rates charged for similar types of loans by other lenders. Principal and interest is paid ratably through monthly payroll deductions. If a participant terminated employment with the Company, the participant may continue to make loan payments directly to the trustee. If any scheduled loan repayments remain outstanding for greater than 90 days, the Participant loan may be placed in default, at which time the participant can elect from certain remediation options, including distribution. If no remediation occurs, the loan is reported as a deemed distribution.

Payment of Benefits

Upon separation from service with the Company, a participant whose vested account balance exceeds \$5,000 may elect to receive a lump-sum payment. A participant whose vested account balance is \$5,000 or less may only receive a lump-sum distribution equal to their vested account balance. If a participant's vested benefit in the Plan exceeds \$1,000, the participant must consent to the distribution before it is made.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

In-service withdrawals are available in certain limited circumstances, as defined by the Plan Agreements. Hardship withdrawals are allowed for participants incurring a financial need, as defined by the Plan Agreements. Hardship withdrawals are strictly regulated by the Internal Revenue Service (“IRS”).

Plan Expenses

The Plan absorbs all expenses for administration and record-keeping of the Plan and these expenses have been reflected in the accompanying financial statements as administrative expenses. All other administrative expenses of the Plan are paid by the Company.

Investment Options

Upon enrollment in the Plan, a participant may direct employer and participant contributions into any of the fund options. Participants may change their fund options at their discretion.

Forfeitures

The Plan used \$12,023 and \$25,338 of forfeitures during the years ended December 31, 2022 and 2021, respectively, to reduce employer contributions. As of December 31, 2022 and 2021, \$45,941 and \$9,838, respectively, of the Plan’s assets related to forfeitures that had not yet been allocated.

Plan Termination

Although it has not expressed any intention to do so, the Company has the right under the Plan to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA. In the event of plan termination, all participants will become 100% vested and the Company may direct benefits to be distributed in a manner permitted by the Plan as soon as practicable or the trust created by the Plan to be continued and benefits be distributed as if the Plan had not been terminated.

2. Summary of Significant Accounting Policies

Basis of Accounting

The accrual basis of accounting in accordance with U.S. generally accepted accounting principles (“U.S. GAAP”) has been utilized in preparing the accompanying financial statements.

Use of Estimates

The preparation of financial statements in conformity with U.S. GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of additions to and deductions from net assets available for benefits during the reporting period. Actual results could differ from those estimates and assumptions.

Risks and Uncertainties

The Plan invests in various securities, including mutual funds and collective trusts. Investment securities are exposed to various risks, such as interest rate and credit risks and overall market

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)
December 31, 2022

volatility. Due to the level of risk associated with certain investment securities, it is reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participant account balances and the amounts reported in the financial statements and supplemental schedule.

Valuation of Investments and Income Recognition

Investments are reported 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 (an exit price). See Note 4 for discussion of fair value measurements.

Net (depreciation) appreciation in fair value of investments is reflected in the Statements of Changes in Net Assets Available for Benefits and includes realized gains and losses on investments bought and sold and the change in (depreciation) appreciation from one period to the next.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

Payment of Benefits

Benefits are recorded when paid.

Notes Receivable From Participants

Notes receivable from participants are recorded at their unpaid principal balance, plus any accrued but unpaid interest. Interest income on notes receivable from participants is recorded when it is earned. Related fees are recorded as administrative expenses and are expensed when they are incurred. No allowance for credit losses has been recorded as of December 31, 2022 or 2021. If a participant ceases to make loan repayments and the Plan administrator deems the participant loan to be a distribution, the participant loan balance is reduced and a benefit payment is recorded.

Participants may borrow from their vested balances in the Plan, subject to certain restrictions and limitations set forth in the Plan Agreements. Loan terms range from one to five years as established by the Plan administrator. The loans are secured by the vested balance in the participant's account and bear interest at a rate determined by the Plan administrator.

3. Investments

Certain information related to investments and notes receivable from participants disclosed in the accompanying financial statements and supplemental schedule, including investments held and notes receivable from participants at December 31, 2022 and 2021, and net (depreciation) appreciation in fair value of investments, interest, dividends, and interest income on notes receivable from participants for the years ended December 31, 2022 and 2021, was obtained or derived from information provided to the Plan administrator and certified as complete and accurate by the Trustee of the Plan.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

4. Fair Value Measurements

Accounting guidance establishes a framework for measuring fair value. That framework classifies assets and liabilities measured at fair value into one of three levels based on the lowest level of input significant to the valuation. The three levels are defined as follows:

- Level 1 – quoted prices for identical instruments in active markets.
- Level 2 – quoted prices for similar instruments in active markets, quoted prices for identical or similar instruments in markets that are not active, and inputs model-derived valuations, in which all significant inputs are observable in active markets.
- Level 3 – unobservable inputs in which there is little or no market data, which require the reporting entity to develop its own assumptions.

The asset or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

The following is a description of the valuation methodologies used for assets measured at fair value on a recurring basis.

Mutual funds: Valued at the net asset value ("NAV") of shares held by the Plan at December 31, 2022 and 2021. The NAV of the mutual funds are based on quoted prices in active markets and have been classified as Level 1.

Collective trust fund: Valued at the NAV. The NAV of the collective trust fund is determined by the issuer of the fund based on the shares outstanding at year end.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, although the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

The following table sets forth by level within the fair value hierarchy, the Plan's assets measured at fair value:

Investment Assets at Fair Value as of December 31, 2022				
	Level 1	Level 2	Level 3	Total
Mutual funds	\$ 31,758,464	\$ —	\$ —	\$ 31,758,464
Collective trust fund	3,993,522	—	—	3,993,522
Total investments at fair value	\$ 35,751,986	\$ —	\$ —	\$ 35,751,986

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

	Investment Assets at Fair Value as of December 31, 2021			
	Level 1	Level 2	Level 3	Total
Mutual funds	\$ 36,578,006	\$ —	\$ —	\$ 36,578,006
Collective trust fund	2,388,250	—	—	2,388,250
Total investments at fair value	\$ 38,966,256	\$ —	\$ —	\$ 38,966,256

5. Related-Party and Party-in-Interest Transactions

Certain Plan investments are managed by the Trustee and its affiliates and therefore, these transactions qualify as party-in-interest transactions. Fees paid by the Plan for the investment management services amounted to \$25,960 and \$32,315 for the years ended December 31, 2022 and 2021, respectively, and are included in administrative expenses in the accompanying Statements of Changes in Net Assets Available for Benefits.

6. Tax Status

The underlying prototype plan has received an opinion letter from the IRS dated June 30, 2020, stating that the form of the underlying prototype document is qualified under Section 401 of the Code. Any employer adopting this form of the plan will be considered to have a plan qualified under Section 401 of the Code, and, therefore, the related trust is tax-exempt. Once qualified, the Plan is required to operate in conformity with the Code to maintain its qualified status. The Plan administrator believes the Plan is being operated in compliance with the applicable requirements of the Code and, therefore, believes the Plan is qualified and the related trust is tax-exempt.

Accounting principles generally accepted in the United States require Plan management to evaluate tax positions taken by the Plan and recognize a tax liability if the Plan has taken an uncertain position that more likely than not would not be sustained upon examination by the IRS. The Plan management has analyzed the tax positions taken by the Plan, and has concluded that there are no uncertain positions taken or expected to be taken. The Plan is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress.

7. Reconciliation of Financial Statements to Form 5500

The following is a reconciliation of net assets available for benefits per the financial statements to Form 5500:

	As of December 31,	
	2022	2021
Net assets available for benefits per the financial statements	\$ 36,084,837	\$ 39,304,865
Less: Adjustment for deemed distribution on defaulted note receivable from participant	(85)	(85)
Net assets available for benefits per the Form 5500	\$ 36,084,752	\$ 39,304,780

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

The following is a reconciliation of net increase per the financial statements to the net income (loss) per the Form 5500:

	Year Ended December 31,	
	2022	2021
Net (decrease) increase per the financial statements	\$ (3,220,028)	\$ 7,439,537
Less: Adjustment for deemed distribution on defaulted note receivable from participant	—	(85)
Net (loss) income per the Form 5500	<u>\$ (3,220,028)</u>	<u>\$ 7,439,452</u>

8. Subsequent Events

The Plan evaluated subsequent events through September 13, 2023, the date that these financial statements were available to be issued.

SUPPLEMENTAL SCHEDULE

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
SCHEDULE H, LINE 4I – SCHEDULE OF ASSETS (Held at End of Year)
EIN #20-4427296 PLAN #002
December 31, 2022

Identity of issue, borrower, lessor, or similar party	Description of investment, including Maturity Date, Rate of Interest, Collateral, Par, or Maturity Value	Cost **	Current value
iShares S&P 500 Index Institutional Fund	Mutual Fund, 12,171 shares	\$	5,476,624
Federated Capital Preservation Fund	Collective Trust Fund, 399,352 shares		3,993,522
J P Morgan Equity Income Fund Class R3	Mutual Fund, 160,787 shares		3,554,993
AB Large Cap Growth A Fund	Mutual Fund, 56,844 shares		3,534,007
iShares MSCI Total International Fund Class K	Mutual Fund, 327,820 shares		2,901,209
Western Asset Core Plus A Bond Fund	Mutual Fund, 307,573 shares		2,878,883
Janus Henderson Overseas A Fund	Mutual Fund, 68,291 shares		2,731,644
PGIM Total Return Bond A Fund	Mutual Fund, 217,552 shares		2,560,589
iShares Russell 2000 Mid Cap Index Fund Class K	Mutual Fund, 144,507 shares		1,739,865
Janus Enterprise A Fund	Mutual Fund, 12,874 shares		1,473,408
Principal Real Estate Securities A Fund	Mutual Fund, 51,563 shares		1,300,424
American Century Mid Cap A Fund	Mutual Fund, 70,322 shares		1,082,257
iShares Russell 2000 Small Cap Index Fund Class K	Mutual Fund, 44,690 shares		904,518
iShares US Aggregate Bond Fund Class K	Mutual Fund, 69,522 shares		618,747
Emerald Growth Investor Fund	Mutual Fund, 26,103 shares		524,660
Victory Small Company Opportunity Fund	Mutual Fund, 10,418 shares		476,636
*Notes receivable from participants	Varying maturity dates with interest rates at 4.25% and 7.25%		326,934
Total		\$	36,078,920

* Identifies party-in-interest

** Participant-directed investment, cost not required

Attachment to 2022 Form 5500
Schedule H, line 4i - Schedule of Assets (Held At End of Year)

Plan Name: Florida East Coast Industries, LLC Salary Deferral Plan
Plan Sponsor's Name: Florida East Coast Industries, LLC

EIN:20-4427296
PN:002

(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
	ACCRUED INCOME	ACCRUED INCOME	22	22
	FEDERATED HERMES CP PRSV SP GM	COMMON / COLLECTIVE TRUSTS	1,338,256	1,338,255
	FEDERATED HERMES CPTL PRSV SP	COMMON / COLLECTIVE TRUSTS	2,655,267	2,655,267
	LOAN FUND	LOANS	326,935	326,934
	AB LARGE CAP GROWTH FD A GM	MUTUAL FUNDS	3,315,422	3,194,348
	AB LARGE CAP GROWTH FUND A	MUTUAL FUNDS	368,581	339,659
	AMERICAN CENTURY MID CAP A GM	MUTUAL FUNDS	1,031,895	910,884
	AMERICAN CENTURY MID CAP CL A	MUTUAL FUNDS	191,054	171,373
	EMERALD GROWTH FD CL INV	MUTUAL FUNDS	118,818	89,426
	EMERALD GROWTH FD CL INV GM	MUTUAL FUNDS	548,912	435,234
	ISHARES MSCI TOTAL INTL IDX K	MUTUAL FUNDS	377,779	354,505
	ISHARES MSCI TOTAL INTL K GM	MUTUAL FUNDS	2,697,413	2,546,704
	ISHARES RUSSELL 2000 SML-CP GM	MUTUAL FUNDS	530,435	529,921
	ISHARES RUSSELL 2000 SML-CP K	MUTUAL FUNDS	396,976	374,597
	ISHARES RUSSELL MID-CAP IDX GM	MUTUAL FUNDS	1,104,364	1,179,563
	ISHARES RUSSELL MID-CAP IDX K	MUTUAL FUNDS	549,015	560,302
	ISHARES S&P 500 INDEX CL K GM	MUTUAL FUNDS	3,202,217	3,286,434
	ISHARES S&P 500 INDEX FD CL K	MUTUAL FUNDS	1,995,905	2,190,190
	ISHARES U.S. AGGREGATE BND K	MUTUAL FUNDS	717,758	618,747

Attachment to 2022 Form 5500
Schedule H, line 4i - Schedule of Assets (Held At End of Year)

Plan Name: Florida East Coast Industries, LLC Salary Deferral Plan
Plan Sponsor's Name: Florida East Coast Industries, LLC

EIN:20-4427296
PN:002

(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
	JANUS HENDERSON ENTERPRISE A	MUTUAL FUNDS	557,463	557,438
	JANUS HENDERSON ENTERPRISE GM	MUTUAL FUNDS	968,392	915,970
	JANUS HNDRSN OVERSEAS FD A	MUTUAL FUNDS	173,675	198,625
	JANUS HNDRSN OVERSEAS FD A GM	MUTUAL FUNDS	2,180,325	2,533,019
	JP MORGAN EQT INCM FD CL R3 GM	MUTUAL FUNDS	2,649,642	3,211,799
	JP MORGAN EQUITY INCM FD CL R3	MUTUAL FUNDS	293,945	343,194
	PGIM TOTAL RETURN BOND FD A GM	MUTUAL FUNDS	3,021,977	2,510,592
	PGIM TOTAL RETURN BOND FUND A	MUTUAL FUNDS	61,701	49,997
	PRINCIPAL INVESTORS REAL A GM	MUTUAL FUNDS	1,239,695	1,075,911
	PRINCIPAL INVESTORS REAL SEC A	MUTUAL FUNDS	230,333	224,513
	VICTORY SYCAMORE SMALL COMP A	MUTUAL FUNDS	42,038	40,572
	VICTORY SYCAMORE SML COMP A GM	MUTUAL FUNDS	408,451	436,064
	WESTERN ASSET CORE PLUS A GM	MUTUAL FUNDS	3,227,521	2,636,670
	WESTERN ASSET CORE PLUS CL A	MUTUAL FUNDS	303,079	242,213
	UNINVESTED CASH	UNINVESTED CASH	0	0



Florida East Coast Industries, LLC Salary Deferral Plan

FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULE

With Report of Independent Auditors

Years Ended December 31, 2022 and 2021

**FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN**

**INDEX TO FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULE
Years Ended December 31, 2022 and 2021**

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Report of Independent Auditors

Fiduciary Committee
Florida East Coast Industries, LLC Salary Deferral Plan

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

We have performed audits of the financial statements of Florida East Coast Industries, LLC Salary Deferral 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, and the related notes (collectively referred to as the “financial statements”).

Management, having determined it is permissible in the circumstances, has elected to have the audits of the 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 audits 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 3 to the financial statements, is complete and accurate.

Opinion

In our opinion, based on our audits and on the procedures performed as described in the Auditor’s Responsibilities for the Audit of the Financial Statements section:

- 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 audits in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's 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 audits. 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 that 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.

Auditor's 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 auditor's 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 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 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 audits 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

The supplemental schedule of assets (held at end of year) as of December 31, 2022, (referred to as the “supplemental schedule”), 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 auditing procedures applied in the audits 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 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, are 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).

Ernst + Young LLP

September 13, 2023

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS

	As of December 31,	
	2022	2021
Assets:		
Cash	\$ 22	\$ 110
Investments at fair value:		
Mutual funds	31,758,464	36,578,006
Collective trust fund	3,993,522	2,388,250
Total investments	35,751,986	38,966,256
Receivable from employer	5,810	79,344
Interest receivable	—	111
Notes receivable from participants	327,019	259,044
Total assets	36,084,837	39,304,865
Net assets available for benefits	\$ 36,084,837	\$ 39,304,865

See accompanying notes to the financial statements.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

	Year Ended December 31,	
	2022	2021
Additions to net assets attributed to:		
Investment income:		
Net (depreciation) appreciation in fair value of investments	\$ (7,361,116)	\$ 2,534,860
Interest and dividends	1,121,012	1,949,197
Total investment (loss) income	(6,240,104)	4,484,057
Interest income on notes receivable from participants	13,157	8,612
Contributions:		
Participants	3,004,240	2,365,680
Employer	1,178,698	784,810
Rollovers	283,792	572,702
Total contributions	4,466,730	3,723,192
Other income	76,778	77,961
Total additions, net of investment losses	(1,683,439)	8,293,822
Deductions from net assets attributed to:		
Benefits paid to participants	1,510,629	821,970
Administrative expenses	25,960	32,315
Total deductions	1,536,589	854,285
Net (decrease) increase in net assets available for benefits	(3,220,028)	7,439,537
Net assets available for benefits:		
Beginning of year	39,304,865	31,865,328
End of year	\$ 36,084,837	\$ 39,304,865

See accompanying notes to the financial statements.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS

December 31, 2022

1. Description of Plan

The following description of the Florida East Coast Industries, LLC Salary Deferral Plan (the “Plan”) provides only general information. Participants should refer to the Plan Adoption Agreement and the basic Plan Document (the “Plan Agreements”), copies of which may be obtained from the Plan Sponsor (as defined below).

General

The Plan is a 401(k) defined contribution retirement plan substantially covering all employees of Florida East Coast Industries, LLC and its subsidiaries (the “Company” and “Plan Sponsor”). Eligible employees become participants of the Plan after 90 days of continuous service and attainment of age 21 years or older. Variable Hours Employees, as defined by the Plan, become participants upon completing one-year of eligibility of service, attaining a minimum of 1,000 hours of service, and age 21 years or older. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (“ERISA”), as amended.

Plan Administration

The Plan is administered through the Company’s 401(k) Fiduciary Committee; however, recordkeeping and trustee services are provided by Merrill Lynch, Pierce, Fenner & Smith, Inc. (“Merrill Lynch”), whose parent company is Bank of America, N.A. (collectively, the “Trustee”).

Contributions

Each year, participants may contribute up to 25% of pretax annual compensation received during the year, as defined in the Plan Agreements, by means of payroll deductions. Unless a new participant elects otherwise, he or she will be automatically enrolled in the Plan at 3% of the participant’s annual compensation. Unless a participant elects otherwise, the annual deferral rate increases every year by 1% of the participant’s compensation up to 10% of the participant’s annual compensation. A participant may also elect to defer up to 10% of after-tax compensation received during the year, as defined by the Plan Agreements, by means of payroll deductions. Participants may also contribute amounts representing distributions from other qualified defined benefit contributions plans (rollovers). Total contributions from the participant are subject to certain limitations up to 25% of the participant’s annual compensation or limits set by the Internal Revenue Code (the “Code”). Participants aged 50 and over, before the close of the Plan year, are eligible to make catch-up contributions of a maximum of \$6,500 in 2022 and 2021.

The Company matches the participant’s contributions up to the first \$1,200 contributed by the participant. For participant contributions in excess of \$1,200, the Company matches 25% in contributions up to a maximum total contribution of the lesser of (i) \$6,025 per participant in 2022 and \$5,775 per participant in 2021, and (ii) 10% of participant’s compensation in 2022 and in 2021.

Starting in October 2021, for qualified participants in the Company’s Transportation segment, as defined, the Company matches the participant’s contributions 150% up to 5% of qualified participant’s compensation, and 50% match thereafter up to 14% of qualified participant’s compensation, up to a maximum of \$14,305 in 2022 and \$13,912 in 2021.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

The definition of compensation for purposes of determining salary deferrals and employer matching contributions includes the participant's total earnings. The Plan is required to return contributions received during the Plan year in excess of the Code's limits.

Participants direct their elective contributions into various investment options offered by the Plan and may change their investment options on a daily basis. The Company's contributions are allocated in the same manner as that of the participant's elective contributions.

Participant Accounts

Each participant's account is credited with the participant's contributions, Company contributions and allocations of Plan investment earnings (losses). Allocations are based on participant earnings or account balances, as defined in the Plan Agreements. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.

Vesting

Participants hired prior to January 1, 2017 are fully-vested immediately (which means that they are entitled to all of the amounts) in their account attributable to salary deferrals, as well as in the following contributions: (i) voluntary after-tax contributions; (ii) rollover contributions; (iii) profit-sharing contributions; (iv) matching contributions; and (v) Qualified Non-Elective Contributions ("QNEC"). Participants hired after December 31, 2016 have a three-year vesting schedule for the employer matching contribution of 35% upon completion of one year of employment, 70% after two-years of employment and 100% after three-years of employment.

Notes Receivable from Participants

Participants may borrow from their fund accounts a minimum of \$1,000 up to a maximum of \$50,000, or the lesser of (i) 50% of their vested account balance, and (ii) \$50,000 less the highest outstanding loan balance in the previous 12-month period. A participant may only have two loans outstanding at any one time. The participant must sign a promissory note along with a loan pledge. The participant's vested account balance is used for security. Participants are charged a reasonable rate of interest, as determined by the Plan Administrator, commensurate with interest rates charged for similar types of loans by other lenders. Principal and interest is paid ratably through monthly payroll deductions. If a participant terminated employment with the Company, the participant may continue to make loan payments directly to the trustee. If any scheduled loan repayments remain outstanding for greater than 90 days, the Participant loan may be placed in default, at which time the participant can elect from certain remediation options, including distribution. If no remediation occurs, the loan is reported as a deemed distribution.

Payment of Benefits

Upon separation from service with the Company, a participant whose vested account balance exceeds \$5,000 may elect to receive a lump-sum payment. A participant whose vested account balance is \$5,000 or less may only receive a lump-sum distribution equal to their vested account balance. If a participant's vested benefit in the Plan exceeds \$1,000, the participant must consent to the distribution before it is made.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

In-service withdrawals are available in certain limited circumstances, as defined by the Plan Agreements. Hardship withdrawals are allowed for participants incurring a financial need, as defined by the Plan Agreements. Hardship withdrawals are strictly regulated by the Internal Revenue Service (“IRS”).

Plan Expenses

The Plan absorbs all expenses for administration and record-keeping of the Plan and these expenses have been reflected in the accompanying financial statements as administrative expenses. All other administrative expenses of the Plan are paid by the Company.

Investment Options

Upon enrollment in the Plan, a participant may direct employer and participant contributions into any of the fund options. Participants may change their fund options at their discretion.

Forfeitures

The Plan used \$12,023 and \$25,338 of forfeitures during the years ended December 31, 2022 and 2021, respectively, to reduce employer contributions. As of December 31, 2022 and 2021, \$45,941 and \$9,838, respectively, of the Plan’s assets related to forfeitures that had not yet been allocated.

Plan Termination

Although it has not expressed any intention to do so, the Company has the right under the Plan to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA. In the event of plan termination, all participants will become 100% vested and the Company may direct benefits to be distributed in a manner permitted by the Plan as soon as practicable or the trust created by the Plan to be continued and benefits be distributed as if the Plan had not been terminated.

2. Summary of Significant Accounting Policies

Basis of Accounting

The accrual basis of accounting in accordance with U.S. generally accepted accounting principles (“U.S. GAAP”) has been utilized in preparing the accompanying financial statements.

Use of Estimates

The preparation of financial statements in conformity with U.S. GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of additions to and deductions from net assets available for benefits during the reporting period. Actual results could differ from those estimates and assumptions.

Risks and Uncertainties

The Plan invests in various securities, including mutual funds and collective trusts. Investment securities are exposed to various risks, such as interest rate and credit risks and overall market

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)
December 31, 2022

volatility. Due to the level of risk associated with certain investment securities, it is reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participant account balances and the amounts reported in the financial statements and supplemental schedule.

Valuation of Investments and Income Recognition

Investments are reported 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 (an exit price). See Note 4 for discussion of fair value measurements.

Net (depreciation) appreciation in fair value of investments is reflected in the Statements of Changes in Net Assets Available for Benefits and includes realized gains and losses on investments bought and sold and the change in (depreciation) appreciation from one period to the next.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

Payment of Benefits

Benefits are recorded when paid.

Notes Receivable From Participants

Notes receivable from participants are recorded at their unpaid principal balance, plus any accrued but unpaid interest. Interest income on notes receivable from participants is recorded when it is earned. Related fees are recorded as administrative expenses and are expensed when they are incurred. No allowance for credit losses has been recorded as of December 31, 2022 or 2021. If a participant ceases to make loan repayments and the Plan administrator deems the participant loan to be a distribution, the participant loan balance is reduced and a benefit payment is recorded.

Participants may borrow from their vested balances in the Plan, subject to certain restrictions and limitations set forth in the Plan Agreements. Loan terms range from one to five years as established by the Plan administrator. The loans are secured by the vested balance in the participant's account and bear interest at a rate determined by the Plan administrator.

3. Investments

Certain information related to investments and notes receivable from participants disclosed in the accompanying financial statements and supplemental schedule, including investments held and notes receivable from participants at December 31, 2022 and 2021, and net (depreciation) appreciation in fair value of investments, interest, dividends, and interest income on notes receivable from participants for the years ended December 31, 2022 and 2021, was obtained or derived from information provided to the Plan administrator and certified as complete and accurate by the Trustee of the Plan.

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

4. Fair Value Measurements

Accounting guidance establishes a framework for measuring fair value. That framework classifies assets and liabilities measured at fair value into one of three levels based on the lowest level of input significant to the valuation. The three levels are defined as follows:

- Level 1 – quoted prices for identical instruments in active markets.
- Level 2 – quoted prices for similar instruments in active markets, quoted prices for identical or similar instruments in markets that are not active, and inputs model-derived valuations, in which all significant inputs are observable in active markets.
- Level 3 – unobservable inputs in which there is little or no market data, which require the reporting entity to develop its own assumptions.

The asset or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

The following is a description of the valuation methodologies used for assets measured at fair value on a recurring basis.

Mutual funds: Valued at the net asset value ("NAV") of shares held by the Plan at December 31, 2022 and 2021. The NAV of the mutual funds are based on quoted prices in active markets and have been classified as Level 1.

Collective trust fund: Valued at the NAV. The NAV of the collective trust fund is determined by the issuer of the fund based on the shares outstanding at year end.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, although the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

The following table sets forth by level within the fair value hierarchy, the Plan's assets measured at fair value:

Investment Assets at Fair Value as of December 31, 2022				
	Level 1	Level 2	Level 3	Total
Mutual funds	\$ 31,758,464	\$ —	\$ —	\$ 31,758,464
Collective trust fund	3,993,522	—	—	3,993,522
Total investments at fair value	\$ 35,751,986	\$ —	\$ —	\$ 35,751,986

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

	Investment Assets at Fair Value as of December 31, 2021			
	Level 1	Level 2	Level 3	Total
Mutual funds	\$ 36,578,006	\$ —	\$ —	\$ 36,578,006
Collective trust fund	2,388,250	—	—	2,388,250
Total investments at fair value	\$ 38,966,256	\$ —	\$ —	\$ 38,966,256

5. Related-Party and Party-in-Interest Transactions

Certain Plan investments are managed by the Trustee and its affiliates and therefore, these transactions qualify as party-in-interest transactions. Fees paid by the Plan for the investment management services amounted to \$25,960 and \$32,315 for the years ended December 31, 2022 and 2021, respectively, and are included in administrative expenses in the accompanying Statements of Changes in Net Assets Available for Benefits.

6. Tax Status

The underlying prototype plan has received an opinion letter from the IRS dated June 30, 2020, stating that the form of the underlying prototype document is qualified under Section 401 of the Code. Any employer adopting this form of the plan will be considered to have a plan qualified under Section 401 of the Code, and, therefore, the related trust is tax-exempt. Once qualified, the Plan is required to operate in conformity with the Code to maintain its qualified status. The Plan administrator believes the Plan is being operated in compliance with the applicable requirements of the Code and, therefore, believes the Plan is qualified and the related trust is tax-exempt.

Accounting principles generally accepted in the United States require Plan management to evaluate tax positions taken by the Plan and recognize a tax liability if the Plan has taken an uncertain position that more likely than not would not be sustained upon examination by the IRS. The Plan management has analyzed the tax positions taken by the Plan, and has concluded that there are no uncertain positions taken or expected to be taken. The Plan is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress.

7. Reconciliation of Financial Statements to Form 5500

The following is a reconciliation of net assets available for benefits per the financial statements to Form 5500:

	As of December 31,	
	2022	2021
Net assets available for benefits per the financial statements	\$ 36,084,837	\$ 39,304,865
Less: Adjustment for deemed distribution on defaulted note receivable from participant	(85)	(85)
Net assets available for benefits per the Form 5500	\$ 36,084,752	\$ 39,304,780

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2022

The following is a reconciliation of net increase per the financial statements to the net income (loss) per the Form 5500:

	Year Ended December 31,	
	2022	2021
Net (decrease) increase per the financial statements	\$ (3,220,028)	\$ 7,439,537
Less: Adjustment for deemed distribution on defaulted note receivable from participant	—	(85)
Net (loss) income per the Form 5500	<u>\$ (3,220,028)</u>	<u>\$ 7,439,452</u>

8. Subsequent Events

The Plan evaluated subsequent events through September 13, 2023, the date that these financial statements were available to be issued.

SUPPLEMENTAL SCHEDULE

FLORIDA EAST COAST INDUSTRIES, LLC
SALARY DEFERRAL PLAN
SCHEDULE H, LINE 4I – SCHEDULE OF ASSETS (Held at End of Year)
EIN #20-4427296 PLAN #002
December 31, 2022

Identity of issue, borrower, lessor, or similar party	Description of investment, including Maturity Date, Rate of Interest, Collateral, Par, or Maturity Value	Cost **	Current value
iShares S&P 500 Index Institutional Fund	Mutual Fund, 12,171 shares	\$	5,476,624
Federated Capital Preservation Fund	Collective Trust Fund, 399,352 shares		3,993,522
J P Morgan Equity Income Fund Class R3	Mutual Fund, 160,787 shares		3,554,993
AB Large Cap Growth A Fund	Mutual Fund, 56,844 shares		3,534,007
iShares MSCI Total International Fund Class K	Mutual Fund, 327,820 shares		2,901,209
Western Asset Core Plus A Bond Fund	Mutual Fund, 307,573 shares		2,878,883
Janus Henderson Overseas A Fund	Mutual Fund, 68,291 shares		2,731,644
PGIM Total Return Bond A Fund	Mutual Fund, 217,552 shares		2,560,589
iShares Russell 2000 Mid Cap Index Fund Class K	Mutual Fund, 144,507 shares		1,739,865
Janus Enterprise A Fund	Mutual Fund, 12,874 shares		1,473,408
Principal Real Estate Securities A Fund	Mutual Fund, 51,563 shares		1,300,424
American Century Mid Cap A Fund	Mutual Fund, 70,322 shares		1,082,257
iShares Russell 2000 Small Cap Index Fund Class K	Mutual Fund, 44,690 shares		904,518
iShares US Aggregate Bond Fund Class K	Mutual Fund, 69,522 shares		618,747
Emerald Growth Investor Fund	Mutual Fund, 26,103 shares		524,660
Victory Small Company Opportunity Fund	Mutual Fund, 10,418 shares		476,636
*Notes receivable from participants	Varying maturity dates with interest rates at 4.25% and 7.25%		326,934
Total		\$	36,078,920

* Identifies party-in-interest

** Participant-directed investment, cost not required