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| <div>Form 5500</div> <div>Department of the Treasury<br/>Internal Revenue Service</div> <div>Department of Labor<br/>Employee Benefits Security<br/>Administration</div> <div>Pension Benefit Guaranty Corporation</div> | <div>Annual Return/Report of Employee Benefit Plan</div> <div>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).</div> <div>▶ Complete all entries in accordance with the instructions to the Form 5500.</div> | <div>OMB Nos. 1210-0110<br/>1210-0089</div> <div>2023</div> <div>This Form is Open to Public Inspection</div> |
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|                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Part I                                                                                     | Annual Report Identification Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| For calendar plan year 2023 or fiscal plan year beginning 01/01/2023 and ending 12/31/2023 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| A                                                                                          | This return/report is for: <div><div><input type="checkbox"/> a multiemployer plan</div><div><input type="checkbox"/> a multiple-employer plan (Filers checking this box must provide participating employer information in accordance with the form instructions.)</div><div><input checked="" type="checkbox"/> a single-employer plan</div><div><input type="checkbox"/> a DFE (specify) _____</div><div><input type="checkbox"/> the first return/report</div><div><input type="checkbox"/> the final return/report</div><div><input type="checkbox"/> an amended return/report</div><div><input type="checkbox"/> a short plan year return/report (less than 12 months)</div></div> |
| C                                                                                          | If the plan is a collectively-bargained plan, check here. .... ▶ <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| D                                                                                          | Check box if filing under: <div><div><input checked="" type="checkbox"/> Form 5558</div><div><input type="checkbox"/> automatic extension</div><div><input type="checkbox"/> the DFVC program</div><div><input type="checkbox"/> special extension (enter description)</div></div>                                                                                                                                                                                                                                                                                                                                                                                                       |
| E                                                                                          | If this is a retroactively adopted plan permitted by SECURE Act section 201, check here. .... ▶ <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

|         |                                                                                                                                                                                                                                                                                                                                              |
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| Part II | Basic Plan Information—enter all requested information                                                                                                                                                                                                                                                                                       |
| 1a      | Name of plan<br>WEBBER, LLC 401(K) SAVINGS PLAN                                                                                                                                                                                                                                                                                              |
| 1b      | Three-digit plan number (PN) ▶ 001                                                                                                                                                                                                                                                                                                           |
| 1c      | Effective date of plan<br>07/01/1991                                                                                                                                                                                                                                                                                                         |
| 2a      | Plan sponsor's name (employer, if for a single-employer plan)<br>Mailing address (include room, apt., suite no. and street, or P.O. Box)<br>City or town, state or province, country, and ZIP or foreign postal code (if foreign, see instructions)<br>WEBBER, LLC.<br><br>1725 HUGHES LANDING BLVD<br>SUITE 1200<br>THE WOODLANDS, TX 77380 |
| 2b      | Employer Identification Number (EIN)<br>74-2454910                                                                                                                                                                                                                                                                                           |
| 2c      | Plan Sponsor's telephone number<br>281-907-8600                                                                                                                                                                                                                                                                                              |
| 2d      | Business code (see instructions)<br>237310                                                                                                                                                                                                                                                                                                   |

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

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

|           |                                                   |            |                                                              |
|-----------|---------------------------------------------------|------------|--------------------------------------------------------------|
| SIGN HERE | Filed with authorized/valid electronic signature. | 10/10/2024 | JENNIFER WAGNER                                              |
|           | Signature of plan administrator                   | Date       | Enter name of individual signing as plan administrator       |
| SIGN HERE |                                                   |            |                                                              |
|           | Signature of employer/plan sponsor                | Date       | Enter name of individual signing as employer or plan sponsor |
| SIGN HERE |                                                   |            |                                                              |
|           | Signature of DFE                                  | Date       | Enter name of individual signing as DFE                      |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>3a</b> Plan administrator's name and address <input checked="" type="checkbox"/> Same as Plan Sponsor                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>3b</b> Administrator's EIN<br><br><b>3c</b> Administrator's telephone number<br><br><div style="background-color: #cccccc; height: 40px; width: 100%;"></div>                                                                                              |
| <b>4</b> 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:<br><b>a</b> Sponsor's name<br><b>c</b> Plan Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>4b</b> EIN<br><br><b>4d</b> PN                                                                                                                                                                                                                             |
| <b>5</b> Total number of participants at the beginning of the plan year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>5</b> 3599                                                                                                                                                                                                                                                 |
| <b>6</b> Number of participants as of the end of the plan year unless otherwise stated (welfare plans complete only lines <b>6a(1)</b> , <b>6a(2)</b> , <b>6b</b> , <b>6c</b> , and <b>6d</b> ).<br><b>a(1)</b> Total number of active participants at the beginning of the plan year .....<br><b>a(2)</b> Total number of active participants at the end of the plan year .....<br><b>b</b> Retired or separated participants receiving benefits .....<br><b>c</b> Other retired or separated participants entitled to future benefits .....<br><b>d</b> Subtotal. Add lines <b>6a(2)</b> , <b>6b</b> , and <b>6c</b> . .....<br><b>e</b> Deceased participants whose beneficiaries are receiving or are entitled to receive benefits. ....<br><b>f</b> Total. Add lines <b>6d</b> and <b>6e</b> . .....<br><b>g(1)</b> Number of participants with account balances as of the beginning of the plan year (only defined contribution plans complete this item) .....<br><b>g(2)</b> Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item) .....<br><b>h</b> Number of participants who terminated employment during the plan year with accrued benefits that were less than 100% vested ..... | <div style="background-color: #cccccc; height: 20px; width: 100%;"></div> <b>6a(1)</b> 2860<br><b>6a(2)</b> 3778<br><b>6b</b> 6<br><b>6c</b> 1079<br><b>6d</b> 4863<br><b>6e</b> 1<br><b>6f</b> 4864<br><b>6g(1)</b> 2063<br><b>6g(2)</b> 2618<br><b>6h</b> 1 |
| <b>7</b> Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item) .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>7</b>                                                                                                                                                                                                                                                      |

**8a** If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristics Codes in the instructions:

2E 2G 2J 2K 2S 2T 3H 3D 2F

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

|                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>9a</b> Plan funding arrangement (check all that apply)<br>(1) <input type="checkbox"/> Insurance<br>(2) <input type="checkbox"/> Code section 412(e)(3) insurance contracts<br>(3) <input checked="" type="checkbox"/> Trust<br>(4) <input type="checkbox"/> General assets of the sponsor | <b>9b</b> Plan benefit arrangement (check all that apply)<br>(1) <input type="checkbox"/> Insurance<br>(2) <input type="checkbox"/> Code section 412(e)(3) insurance contracts<br>(3) <input checked="" type="checkbox"/> Trust<br>(4) <input type="checkbox"/> 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
- (4) ☐ **DCG** (Individual Plan Information) – Number Attached \_\_\_\_\_
- (5) ☐ **MEP** (Multiple-Employer Retirement Plan Information)

**b General Schedules**

- (1) ☒ **H** (Financial Information)
- (2) ☐ **I** (Financial Information – Small Plan)
- (3) ☐ **A** (Insurance Information) – Number Attached 0
- (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 2023 Form M-1 annual report. If the plan was not required to file the 2023 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 \_\_\_\_\_

|                                                                                                                                                                                                                                              |                                                                                                                                                                                                                             |                                         |
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| <div>SCHEDULE C</div> <div>(Form 5500)</div> <div>Department of the Treasury<br/>Internal Revenue Service</div> <div>Department of Labor<br/>Employee Benefits Security Administration</div> <div>Pension Benefit Guaranty Corporation</div> | <div>Service Provider Information</div> <div>This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).</div> <div>▶ File as an attachment to Form 5500.</div> | OMB No. 1210-0110                       |
|                                                                                                                                                                                                                                              |                                                                                                                                                                                                                             | 2023                                    |
|                                                                                                                                                                                                                                              |                                                                                                                                                                                                                             | This Form is Open to Public Inspection. |

|                                                                                            |                                                      |     |
|--------------------------------------------------------------------------------------------|------------------------------------------------------|-----|
| For calendar plan year 2023 or fiscal plan year beginning 01/01/2023 and ending 12/31/2023 |                                                      |     |
| A Name of plan<br>WEBBER, LLC 401(K) SAVINGS PLAN                                          | B Three-digit plan number (PN) ▶                     | 001 |
|                                                                                            |                                                      |     |
| C Plan sponsor's name as shown on line 2a of Form 5500<br>WEBBER, LLC.                     | D Employer Identification Number (EIN)<br>74-2454910 |     |

|        |                                                 |
|--------|-------------------------------------------------|
| Part I | Service Provider Information (see instructions) |
|--------|-------------------------------------------------|

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

1 Information on Persons Receiving Only Eligible Indirect Compensation

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

|                                                                                                            |
|------------------------------------------------------------------------------------------------------------|
| (b) Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation |
| FIDELITY INVESTMENTS INSTITUTIONAL                                                                         |
| 04-2647786                                                                                                 |

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

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

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

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

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**(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)

FIDELITY INVESTMENTS INSTITUTIONAL

04-2647786

| (b)<br>Service Code(s) | (c)<br>Relationship to employer, employee organization, or person known to be a party-in-interest | (d)<br>Enter direct compensation paid by the plan. If none, enter -0-. | (e)<br>Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | (f)<br>Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | (g)<br>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)<br>Did the service provider give you a formula instead of an amount or estimated amount? |
|------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 37 64 65               | RECORDKEEPER                                                                                      | 263395                                                                 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                  | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                                            | 0                                                                                                                                                                               | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>                          |

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

GLOBAL RETIREMENT PARTNERS LLC

47-1411118

| (b)<br>Service Code(s) | (c)<br>Relationship to employer, employee organization, or person known to be a party-in-interest | (d)<br>Enter direct compensation paid by the plan. If none, enter -0-. | (e)<br>Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | (f)<br>Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | (g)<br>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)<br>Did the service provider give you a formula instead of an amount or estimated amount? |
|------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 27                     | ADVISOR                                                                                           | 99000                                                                  | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>                                  | Yes <input type="checkbox"/> No <input type="checkbox"/>                                                                       |                                                                                                                                                                                 | Yes <input type="checkbox"/> No <input type="checkbox"/>                                     |

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

STRATEGIC ADVISORS, INC.

04-2654524

| (b)<br>Service Code(s) | (c)<br>Relationship to employer, employee organization, or person known to be a party-in-interest | (d)<br>Enter direct compensation paid by the plan. If none, enter -0-. | (e)<br>Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | (f)<br>Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | (g)<br>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)<br>Did the service provider give you a formula instead of an amount or estimated amount? |
|------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 27                     | ADVISOR                                                                                           | 12836                                                                  | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>                                  | Yes <input type="checkbox"/> No <input type="checkbox"/>                                                                       |                                                                                                                                                                                 | Yes <input type="checkbox"/> No <input type="checkbox"/>                                     |

**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<br>(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<br>(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<br>(see instructions)                                                                                                                            | (c) Enter amount of indirect compensation |
|                                                                     |                                                                                                                                                                    |                                           |
| (d) Enter name and EIN (address) of source of indirect compensation | (e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation. |                                           |
|                                                                     |                                                                                                                                                                    |                                           |

**Part II Service Providers Who Fail or Refuse to Provide Information**

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

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

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

|                    |                     |
|--------------------|---------------------|
| <b>a</b> Name:     | <b>b</b> EIN:       |
| <b>c</b> Position: |                     |
| <b>d</b> Address:  | <b>e</b> Telephone: |
|                    |                     |

Explanation:

|                    |                     |
|--------------------|---------------------|
| <b>a</b> Name:     | <b>b</b> EIN:       |
| <b>c</b> Position: |                     |
| <b>d</b> Address:  | <b>e</b> Telephone: |
|                    |                     |

Explanation:

|                    |                     |
|--------------------|---------------------|
| <b>a</b> Name:     | <b>b</b> EIN:       |
| <b>c</b> Position: |                     |
| <b>d</b> Address:  | <b>e</b> Telephone: |
|                    |                     |

Explanation:

|                    |                     |
|--------------------|---------------------|
| <b>a</b> Name:     | <b>b</b> EIN:       |
| <b>c</b> Position: |                     |
| <b>d</b> Address:  | <b>e</b> Telephone: |
|                    |                     |

Explanation:

|                    |                     |
|--------------------|---------------------|
| <b>a</b> Name:     | <b>b</b> EIN:       |
| <b>c</b> Position: |                     |
| <b>d</b> Address:  | <b>e</b> Telephone: |
|                    |                     |

Explanation:

|                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;"><b>SCHEDULE D</b><br/><b>(Form 5500)</b></p> <p style="text-align: center; font-size: small;">Department of the Treasury<br/>Internal Revenue Service</p> <hr/> <p style="text-align: center; font-size: small;">Department of Labor<br/>Employee Benefits Security Administration</p> | <p style="text-align: center;"><b>DFE/Participating Plan Information</b></p> <p style="text-align: center; font-size: small;">This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).</p> <p style="text-align: center;">▶ <b>File as an attachment to Form 5500.</b></p> | <p style="text-align: center; font-size: small;">OMB No. 1210-0110</p> <hr/> <p style="text-align: center; font-size: large;"><b>2023</b></p> <hr/> <p style="text-align: center; font-size: small;"><b>This Form is Open to Public Inspection.</b></p> |
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|                                                                                                                                                                |                                                                                               |                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|---------------------------------------|
| For calendar plan year 2023 or fiscal plan year beginning <span style="color: blue;">01/01/2023</span> and ending <span style="color: blue;">12/31/2023</span> |                                                                                               |                                       |
| <b>A</b> Name of plan<br><span style="color: blue;">WEBBER, LLC 401(K) SAVINGS PLAN</span>                                                                     | <b>B</b> Three-digit plan number (PN) ▶                                                       | <span style="color: blue;">001</span> |
|                                                                                                                                                                |                                                                                               |                                       |
| <b>C</b> Plan or DFE sponsor's name as shown on line 2a of Form 5500<br><span style="color: blue;">WEBBER, LLC.</span>                                         | <b>D</b> Employer Identification Number (EIN)<br><span style="color: blue;">74-2454910</span> |                                       |

|                                                                                                                    |                                                                                                                                                                                  |                                                                                                                                               |  |
|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Part I</b>                                                                                                      | <b>Information on interests in MTIAs, CCTs, PSAs, and 103-12 IEs (to be completed by plans and DFEs)</b><br>(Complete as many entries as needed to report all interests in DFEs) |                                                                                                                                               |  |
| <b>a</b> Name of MTIA, CCT, PSA, or 103-12 IE: <span style="color: blue;">MID CAP GROWTH R1</span>                 |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>b</b> Name of sponsor of entity listed in (a): <span style="color: blue;">GREAT GRAY TRUST COMPANY</span>       |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>c</b> EIN-PN <span style="color: blue;">38-4126247-549</span>                                                   | <b>d</b> Entity code <span style="color: blue;">C</span>                                                                                                                         | <b>e</b> Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) <span style="color: blue;">1287041</span> |  |
|                                                                                                                    |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>a</b> Name of MTIA, CCT, PSA, or 103-12 IE: <span style="color: blue;">GG EUROPAC GROWTH R1</span>              |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>b</b> Name of sponsor of entity listed in (a): <span style="color: blue;">GREAT GRAY TRUST COMPANY, LLC</span>  |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>c</b> EIN-PN <span style="color: blue;">38-7289844-001</span>                                                   | <b>d</b> Entity code <span style="color: blue;">C</span>                                                                                                                         | <b>e</b> Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) <span style="color: blue;">601627</span>  |  |
|                                                                                                                    |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>a</b> Name of MTIA, CCT, PSA, or 103-12 IE: <span style="color: blue;">STABLE VALUE FUND R1</span>              |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>b</b> Name of sponsor of entity listed in (a): <span style="color: blue;">GREAT GRAY TRUST COMPANY</span>       |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>c</b> EIN-PN <span style="color: blue;">85-4031707-653</span>                                                   | <b>d</b> Entity code <span style="color: blue;">C</span>                                                                                                                         | <b>e</b> Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) <span style="color: blue;">4694828</span> |  |
|                                                                                                                    |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>a</b> Name of MTIA, CCT, PSA, or 103-12 IE: <span style="color: blue;">PUTNAM STABLE VALUE</span>               |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>b</b> Name of sponsor of entity listed in (a): <span style="color: blue;">PUTNAM FIDUCIARY TRUST COMPANY</span> |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>c</b> EIN-PN <span style="color: blue;">04-3159710-202</span>                                                   | <b>d</b> Entity code <span style="color: blue;">C</span>                                                                                                                         | <b>e</b> Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) <span style="color: blue;">52</span>      |  |
|                                                                                                                    |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>a</b> Name of MTIA, CCT, PSA, or 103-12 IE: <span style="color: blue;">AC SMALL CAP VALUE</span>                |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>b</b> Name of sponsor of entity listed in (a): <span style="color: blue;">GREAT GRAY TRUST COMPANY</span>       |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>c</b> EIN-PN <span style="color: blue;">38-4097325-488</span>                                                   | <b>d</b> Entity code <span style="color: blue;">C</span>                                                                                                                         | <b>e</b> Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) <span style="color: blue;">384600</span>  |  |
|                                                                                                                    |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>a</b> Name of MTIA, CCT, PSA, or 103-12 IE:                                                                     |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>b</b> Name of sponsor of entity listed in (a):                                                                  |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>c</b> EIN-PN                                                                                                    | <b>d</b> Entity code                                                                                                                                                             | <b>e</b> Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)                                           |  |
|                                                                                                                    |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>a</b> Name of MTIA, CCT, PSA, or 103-12 IE:                                                                     |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>b</b> Name of sponsor of entity listed in (a):                                                                  |                                                                                                                                                                                  |                                                                                                                                               |  |
| <b>c</b> EIN-PN                                                                                                    | <b>d</b> Entity code                                                                                                                                                             | <b>e</b> 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  
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)

**Part II Information on Participating Plans (to be completed by DFEs, other than DCGs)**

(Complete as many entries as needed to report all participating plans. DCGs must report each participating plan using Schedule DCG.)

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

|                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                              |                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| <b>SCHEDULE H</b><br><b>(Form 5500)</b><br><br>Department of the Treasury<br>Internal Revenue Service<br><br>Department of Labor<br>Employee Benefits Security Administration<br><br>Pension Benefit Guaranty Corporation | <b>Financial Information</b><br><br>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).<br><br><b>► File as an attachment to Form 5500.</b> | OMB No. 1210-0110                             |
|                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                              | <b>2023</b>                                   |
|                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                              | <b>This Form is Open to Public Inspection</b> |

|                                                                                                          |                                                |                                                                    |
|----------------------------------------------------------------------------------------------------------|------------------------------------------------|--------------------------------------------------------------------|
| For calendar plan year 2023 or fiscal plan year beginning <b>01/01/2023</b> and ending <b>12/31/2023</b> |                                                |                                                                    |
| <b>A</b> Name of plan<br><b>WEBBER, LLC 401(K) SAVINGS PLAN</b>                                          | <b>B</b> Three-digit plan number (PN) <b>►</b> | <b>001</b>                                                         |
| <b>C</b> Plan sponsor's name as shown on line 2a of Form 5500<br><b>WEBBER, LLC.</b>                     |                                                |                                                                    |
|                                                                                                          |                                                | <b>D</b> Employer Identification Number (EIN)<br><b>74-2454910</b> |

|               |                                      |
|---------------|--------------------------------------|
| <b>Part I</b> | <b>Asset and Liability Statement</b> |
|---------------|--------------------------------------|

**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 |
|----------------------------------------------------------------------------------------------------|-----------------|-----------------------|-----------------|
| <b>a</b> Total noninterest-bearing cash .....                                                      | <b>1a</b>       | 0                     | 0               |
| <b>b</b> Receivables (less allowance for doubtful accounts):                                       |                 |                       |                 |
| <b>(1)</b> Employer contributions .....                                                            | <b>1b(1)</b>    | 0                     | 0               |
| <b>(2)</b> Participant contributions .....                                                         | <b>1b(2)</b>    | 0                     | 0               |
| <b>(3)</b> Other .....                                                                             | <b>1b(3)</b>    | 0                     | 0               |
| <b>c</b> General investments:                                                                      |                 |                       |                 |
| <b>(1)</b> Interest-bearing cash (include money market accounts & certificates of deposit) .....   | <b>1c(1)</b>    | 6684                  | 18359           |
| <b>(2)</b> U.S. Government securities .....                                                        | <b>1c(2)</b>    | 0                     | 0               |
| <b>(3)</b> Corporate debt instruments (other than employer securities):                            |                 |                       |                 |
| <b>(A)</b> Preferred .....                                                                         | <b>1c(3)(A)</b> | 0                     | 0               |
| <b>(B)</b> All other .....                                                                         | <b>1c(3)(B)</b> | 0                     | 0               |
| <b>(4)</b> Corporate stocks (other than employer securities):                                      |                 |                       |                 |
| <b>(A)</b> Preferred .....                                                                         | <b>1c(4)(A)</b> | 0                     | 0               |
| <b>(B)</b> Common .....                                                                            | <b>1c(4)(B)</b> | 0                     | 0               |
| <b>(5)</b> Partnership/joint venture interests .....                                               | <b>1c(5)</b>    | 0                     | 0               |
| <b>(6)</b> Real estate (other than employer real property) .....                                   | <b>1c(6)</b>    | 0                     | 0               |
| <b>(7)</b> Loans (other than to participants) .....                                                | <b>1c(7)</b>    | 0                     | 0               |
| <b>(8)</b> Participant loans .....                                                                 | <b>1c(8)</b>    | 3099495               | 3925802         |
| <b>(9)</b> Value of interest in common/collective trusts .....                                     | <b>1c(9)</b>    | 5579599               | 6968148         |
| <b>(10)</b> Value of interest in pooled separate accounts .....                                    | <b>1c(10)</b>   | 0                     | 0               |
| <b>(11)</b> Value of interest in master trust investment accounts .....                            | <b>1c(11)</b>   | 0                     | 0               |
| <b>(12)</b> Value of interest in 103-12 investment entities .....                                  | <b>1c(12)</b>   | 0                     | 0               |
| <b>(13)</b> Value of interest in registered investment companies (e.g., mutual funds) .....        | <b>1c(13)</b>   | 97437715              | 149557222       |
| <b>(14)</b> Value of funds held in insurance company general account (unallocated contracts) ..... | <b>1c(14)</b>   | 0                     | 0               |
| <b>(15)</b> Other .....                                                                            | <b>1c(15)</b>   | 0                     | 0               |

|                                                                           |              |                       |                 |
|---------------------------------------------------------------------------|--------------|-----------------------|-----------------|
| <b>1d</b> Employer-related investments:                                   |              | (a) Beginning of Year | (b) End of Year |
| (1) Employer securities .....                                             | <b>1d(1)</b> | 0                     | 0               |
| (2) Employer real property .....                                          | <b>1d(2)</b> | 0                     | 0               |
| <b>e</b> Buildings and other property used in plan operation .....        | <b>1e</b>    | 0                     | 0               |
| <b>f</b> Total assets (add all amounts in lines 1a through 1e) .....      | <b>1f</b>    | 106123493             | 160469531       |
| <b>Liabilities</b>                                                        |              |                       |                 |
| <b>g</b> Benefit claims payable .....                                     | <b>1g</b>    | 0                     | 0               |
| <b>h</b> Operating payables .....                                         | <b>1h</b>    | 0                     | 0               |
| <b>i</b> Acquisition indebtedness .....                                   | <b>1i</b>    | 0                     | 0               |
| <b>j</b> Other liabilities .....                                          | <b>1j</b>    | 0                     | 0               |
| <b>k</b> Total liabilities (add all amounts in lines 1g through 1j) ..... | <b>1k</b>    | 0                     | 0               |
| <b>Net Assets</b>                                                         |              |                       |                 |
| <b>l</b> Net assets (subtract line 1k from line 1f) .....                 | <b>1l</b>    | 106123493             | 160469531       |

**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.

|                                                                                                            |                 |            |           |
|------------------------------------------------------------------------------------------------------------|-----------------|------------|-----------|
| <b>Income</b>                                                                                              |                 | (a) Amount | (b) Total |
| <b>a</b> Contributions:                                                                                    |                 |            |           |
| (1) Received or receivable in cash from: (A) Employers .....                                               | <b>2a(1)(A)</b> | 9047892    |           |
| (B) Participants .....                                                                                     | <b>2a(1)(B)</b> | 12385553   |           |
| (C) Others (including rollovers) .....                                                                     | <b>2a(1)(C)</b> | 1456539    |           |
| (2) Noncash contributions .....                                                                            | <b>2a(2)</b>    | 0          |           |
| (3) Total contributions. Add lines <b>2a(1)(A)</b> , <b>(B)</b> , <b>(C)</b> , and line <b>2a(2)</b> ..... | <b>2a(3)</b>    |            | 22889984  |
| <b>b</b> Earnings on investments:                                                                          |                 |            |           |
| (1) Interest:                                                                                              |                 |            |           |
| (A) Interest-bearing cash (including money market accounts and certificates of deposit) .....              | <b>2b(1)(A)</b> | 569        |           |
| (B) U.S. Government securities .....                                                                       | <b>2b(1)(B)</b> | 0          |           |
| (C) Corporate debt instruments .....                                                                       | <b>2b(1)(C)</b> | 0          |           |
| (D) Loans (other than to participants) .....                                                               | <b>2b(1)(D)</b> | 0          |           |
| (E) Participant loans .....                                                                                | <b>2b(1)(E)</b> | 216240     |           |
| (F) Other .....                                                                                            | <b>2b(1)(F)</b> | 0          |           |
| (G) Total interest. Add lines <b>2b(1)(A)</b> through <b>(F)</b> .....                                     | <b>2b(1)(G)</b> |            | 216809    |
| (2) Dividends: (A) Preferred stock .....                                                                   | <b>2b(2)(A)</b> | 0          |           |
| (B) Common stock .....                                                                                     | <b>2b(2)(B)</b> | 0          |           |
| (C) Registered investment company shares (e.g. mutual funds) .....                                         | <b>2b(2)(C)</b> | 4276751    |           |
| (D) Total dividends. Add lines <b>2b(2)(A)</b> , <b>(B)</b> , and <b>(C)</b> .....                         | <b>2b(2)(D)</b> |            | 4276751   |
| (3) Rents .....                                                                                            | <b>2b(3)</b>    |            | 0         |
| (4) Net gain (loss) on sale of assets: (A) Aggregate proceeds .....                                        | <b>2b(4)(A)</b> | 0          |           |
| (B) Aggregate carrying amount (see instructions) .....                                                     | <b>2b(4)(B)</b> | 0          |           |
| (C) Subtract line <b>2b(4)(B)</b> from line <b>2b(4)(A)</b> and enter result .....                         | <b>2b(4)(C)</b> |            |           |
| (5) Unrealized appreciation (depreciation) of assets: (A) Real estate .....                                | <b>2b(5)(A)</b> | 0          |           |
| (B) Other .....                                                                                            | <b>2b(5)(B)</b> | 0          |           |
| (C) Total unrealized appreciation of assets. Add lines <b>2b(5)(A)</b> and <b>(B)</b> .....                | <b>2b(5)(C)</b> |            |           |

|                                                                                                 |        | (a) Amount | (b) Total |
|-------------------------------------------------------------------------------------------------|--------|------------|-----------|
| (6) Net investment gain (loss) from common/collective trusts.....                               | 2b(6)  |            | 556089    |
| (7) Net investment gain (loss) from pooled separate accounts.....                               | 2b(7)  |            | 0         |
| (8) Net investment gain (loss) from master trust investment accounts.....                       | 2b(8)  |            | 0         |
| (9) Net investment gain (loss) from 103-12 investment entities.....                             | 2b(9)  |            | 0         |
| (10) Net investment gain (loss) from registered investment companies (e.g., mutual funds) ..... | 2b(10) |            | 17088702  |
| c Other income .....                                                                            | 2c     |            | 0         |
| d Total income. Add all <b>income</b> amounts in column (b) and enter total .....               | 2d     |            | 45028335  |

**Expenses**

|                                                                                      |        |          |          |
|--------------------------------------------------------------------------------------|--------|----------|----------|
| e Benefit payment and payments to provide benefits:                                  |        |          |          |
| (1) Directly to participants or beneficiaries, including direct rollovers .....      | 2e(1)  | 17310611 |          |
| (2) To insurance carriers for the provision of benefits.....                         | 2e(2)  | 0        |          |
| (3) Other .....                                                                      | 2e(3)  | 0        |          |
| (4) Total benefit payments. Add lines 2e(1) through (3) .....                        | 2e(4)  |          | 17310611 |
| f Corrective distributions (see instructions) .....                                  | 2f     |          | 799      |
| g Certain deemed distributions of participant loans (see instructions) .....         | 2g     |          | 19117    |
| h Interest expense .....                                                             | 2h     |          | 0        |
| i Administrative expenses:                                                           |        |          |          |
| (1) Salaries and allowances .....                                                    | 2i(1)  | 0        |          |
| (2) Contract administrator fees.....                                                 | 2i(2)  | 0        |          |
| (3) Recordkeeping fees.....                                                          | 2i(3)  | 263395   |          |
| (4) IQPA audit fees.....                                                             | 2i(4)  | 0        |          |
| (5) Investment advisory and investment management fees .....                         | 2i(5)  | 111836   |          |
| (6) Bank or trust company trustee/custodial fees .....                               | 2i(6)  | 0        |          |
| (7) Actuarial fees .....                                                             | 2i(7)  | 0        |          |
| (8) Legal fees .....                                                                 | 2i(8)  | 0        |          |
| (9) Valuation/appraisal fees .....                                                   | 2i(9)  | 0        |          |
| (10) Other trustee fees and expenses .....                                           | 2i(10) | 0        |          |
| (11) Other expenses .....                                                            | 2i(11) | 0        |          |
| (12) Total administrative expenses. Add lines 2i(1) through (11) .....               | 2i(12) |          | 375231   |
| j Total expenses. Add all <b>expense</b> amounts in column (b) and enter total ..... | 2j     |          | 17705758 |

**Net Income and Reconciliation**

|                                                          |       |  |          |
|----------------------------------------------------------|-------|--|----------|
| k Net income (loss). Subtract line 2j from line 2d ..... | 2k    |  | 27322577 |
| l Transfers of assets:                                   |       |  |          |
| (1) To this plan .....                                   | 2l(1) |  | 27023461 |
| (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: **HAM, LANGSTON & BREZINA, L.L.P.**

(2) EIN: **76-0448495**

**d** The opinion of an independent qualified public accountant is **not attached** as part of Schedule H because:

(1) ☐ This form is filed for a CCT, PSA, DCG 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. DCGs do not complete lines 4e, 4f, 4k, 4l, and 5, and DCGs generally complete the rest of Part IV collectively for all plans in the DCG, except as otherwise provided (see instructions).

During the plan year:

|                                                                                                                                                                                                                                                                                                                  | Yes                                 | No                                  | Amount        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|---------------|
| <b>a</b> 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.) .....                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <b>499704</b> |
| <b>b</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.) ..... | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>c</b> 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.) .....                                                                                                                             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>d</b> 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.) .....                                                                                                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>e</b> Was this plan covered by a fidelity bond? .....                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <b>500000</b> |
| <b>f</b> Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty? .....                                                                                                                                                                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>g</b> 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? .....                                                                                                                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>h</b> 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? .....                                                                                                                             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>i</b> Did the plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, and see instructions for format requirements.) .....                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |               |
| <b>j</b> 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.) .....                                                                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>k</b> Were all the plan assets either distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC? .....                                                                                                                                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>l</b> Has the plan failed to provide any benefit when due under the plan? .....                                                                                                                                                                                                                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |               |
| <b>m</b> If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.) .....                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |               |
| <b>n</b> 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. ....                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |               |

**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.)

| <b>5b(1)</b> Name of plan(s) | <b>5b(2)</b> EIN(s) | <b>5b(3)</b> 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 \_\_\_\_\_.

|                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                  |                                                                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <div>SCHEDULE R</div> <div>(Form 5500)</div> <div>Department of the Treasury</div> <div>Internal Revenue Service</div> <div>Department of Labor</div> <div>Employee Benefits Security Administration</div> <div>Pension Benefit Guaranty Corporation</div> | <div>Retirement Plan Information</div> <div>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).</div> <div>▶ File as an attachment to Form 5500.</div> | <div>OMB No. 1210-0110</div> <div>2023</div> <div>This Form is Open to Public Inspection.</div> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|

|                                                                                            |                                        |  |
|--------------------------------------------------------------------------------------------|----------------------------------------|--|
| For calendar plan year 2023 or fiscal plan year beginning 01/01/2023 and ending 12/31/2023 |                                        |  |
| A Name of plan                                                                             | B Three-digit plan number (PN)         |  |
| WEBBER, LLC 401(K) SAVINGS PLAN                                                            | 001                                    |  |
| C Plan sponsor's name as shown on line 2a of Form 5500                                     | D Employer Identification Number (EIN) |  |
| WEBBER, LLC.                                                                               | 74-2454910                             |  |

|                                                                                           |                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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.....                                                                                                                   |
| 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):<br>EIN(s): 04-6568107 |
| 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 .....                                                                                                                        |

|                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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)? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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).....                                                                                                                                                                                                                       |
| 6 b                                                                                                                     | Enter the amount contributed by the employer to the plan for this plan year.....                                                                                                                                                                                                                                                                         |
| 6 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) .....                                                                                                                                                                                                                  |
| 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? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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. .... <input type="checkbox"/> Increase <input type="checkbox"/> Decrease <input type="checkbox"/> Both <input type="checkbox"/> 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?..... <input type="checkbox"/> Yes <input type="checkbox"/> No                                                        |
| 11 a    | Does the ESOP hold any preferred stock? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                       |
| 11 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.) ..... <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 12      | Does the ESOP hold any stock that is not readily tradable on an established securities market? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                |

**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): \_\_\_\_\_

|                                                                                                                                                                                                                                                                                                                                  |            |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--|
| <b>14</b> 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:                                                                                                             |            |  |
| <b>a</b> The current plan year. Check the box to indicate the counting method used to determine the number of inactive participants: <input type="checkbox"/> last contributing employer <input type="checkbox"/> alternative <input type="checkbox"/> reasonable approximation (see instructions for required attachment) ..... | <b>14a</b> |  |
| <b>b</b> The plan year immediately preceding the current plan year. <input type="checkbox"/> Check the box if the number reported is a change from what was previously reported (see instructions for required attachment) .....                                                                                                 | <b>14b</b> |  |
| <b>c</b> The second preceding plan year. <input type="checkbox"/> Check the box if the number reported is a change from what was previously reported (see instructions for required attachment) .....                                                                                                                            | <b>14c</b> |  |

|                                                                                                                                                                                        |            |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--|
| <b>15</b> 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: |            |  |
| <b>a</b> The corresponding number for the plan year immediately preceding the current plan year .....                                                                                  | <b>15a</b> |  |
| <b>b</b> The corresponding number for the second preceding plan year .....                                                                                                             | <b>15b</b> |  |

|                                                                                                                                                                        |            |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--|
| <b>16</b> Information with respect to any employers who withdrew from the plan during the preceding plan year:                                                         |            |  |
| <b>a</b> Enter the number of employers who withdrew during the preceding plan year .....                                                                               | <b>16a</b> |  |
| <b>b</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 ..... | <b>16b</b> |  |

**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. ☐

|                |                                                                                                   |
|----------------|---------------------------------------------------------------------------------------------------|
| <b>Part VI</b> | <b>Additional Information for Single-Employer and Multiemployer Defined Benefit Pension Plans</b> |
|----------------|---------------------------------------------------------------------------------------------------|

**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) and (b):

**a** Enter the percentage of plan assets held as:

Public Equity: \_\_\_\_\_% Private Equity: \_\_\_\_\_% Investment-Grade Debt and Interest Rate Hedging Assets: \_\_\_\_\_%

High-Yield Debt: \_\_\_\_\_% Real Assets: \_\_\_\_\_% Cash or Cash Equivalents: \_\_\_\_\_% Other: \_\_\_\_\_%

**b** Provide the average duration of the Investment-Grade Debt and Interest Rate Hedging Assets:

☐ 0-5 years ☐ 5-10 years ☐ 10-15 years ☐ 15 years or more

**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. \_\_\_\_\_

|                 |                                 |
|-----------------|---------------------------------|
| <b>Part VII</b> | <b>IRS Compliance Questions</b> |
|-----------------|---------------------------------|

**21a** Does the plan satisfy the coverage and nondiscrimination tests of Code sections 410(b) and 401(a)(4) by combining this plan with any other plans under the permissive aggregation rules? ☐ Yes ☒ No

**21b** If this is a Code section 401(k) plan, check all boxes that apply to indicate how the plan is intended to satisfy the nondiscrimination requirements for employee deferrals and employer matching contributions (as applicable) under Code sections 401(k)(3) and 401(m)(2).

☒ Design-based safe harbor method

☐ "Prior year" ADP test

☒ "Current year" ADP test

☐ N/A

**22** If the plan sponsor is an adopter of a pre-approved plan that received a favorable IRS Opinion Letter, enter the date of the Opinion Letter 06 / 30 / 2020 (MM/DD/YYYY) and the Opinion Letter serial number Q702438A.

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**

**FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULES  
WITH INDEPENDENT AUDITOR'S REPORT**

**As of and for the Years Ended December 31, 2023 and 2022**

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
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\* Other schedules required by 29 CFR 2520.103-10 of the Department of Labor Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, as amended, have been omitted because they are not applicable.

## **INDEPENDENT AUDITOR'S REPORT**

To the Participants and Plan Administrator  
Webber, L.L.C. 401(k) Savings Plan:

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

We have performed audits of the financial statements of Webber, L.L.C. 401(k) Savings 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, 2023 and 2022, and the related Statements of Changes in Net Assets Available for Benefits for the years then ended, and the related notes to 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 ("DOL") 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 DOL's Rules and Regulations for Reporting and Disclosure under ERISA (qualified institution).

Management has obtained certifications from a qualified institution as of and for the years ended December 31, 2023 and 2022, stating that the certified investment information, as described in Note 4 to the financial statements, is complete and accurate.

### **Opinion**

In our opinion, based on our 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 ("U.S. GAAP").
- 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 meet 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 ("U.S. 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.

## **INDEPENDENT AUDITOR'S REPORT, continued**

### **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP, 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 within one year after the date that the financial statements are issued or 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 U.S. 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 U.S. 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 certifications, 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 U.S. GAAP.

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 U.S. GAAP.

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.

## INDEPENDENT AUDITOR'S REPORT, continued

### **Other Matters – Supplemental Schedules Required by ERISA**

The supplemental schedules of Schedule H, Line 4a - Schedule of Delinquent Participant Transactions for the year ended December 31, 2023 and Schedule H, Line 4i - Schedule of Assets (Held at End of Year) as of December 31, 2023, are presented for purposes of additional analysis and are not a required part of the financial statements but are supplementary information required by the DOL'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 schedules, other than that agreed to or derived from the certified investment information, has been subjected to auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with U.S. GAAS. For information included in the supplemental schedules 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 schedules, we evaluated whether the supplemental schedules, other than the information agreed to or derived from the certified investment information, including its form and content, are presented in conformity with the DOL's Rules and Regulations for Reporting and Disclosure under ERISA.

In our opinion:

- The form and content of the supplemental schedules, other than the information in the supplemental schedules that agreed to or is derived from the certified investment information, are presented, in all material respects, in conformity with the DOL's Rules and Regulations for Reporting and Disclosure under ERISA.
- The information in the supplemental schedules 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).

*Ham, Langston & Bregier, L.L.P.*

Houston, Texas  
October 9, 2024

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS**  
**DECEMBER 31, 2023 AND 2022**

|                                                | <u>2023</u>                  | <u>2022</u>                  |
|------------------------------------------------|------------------------------|------------------------------|
| <b>Assets:</b>                                 |                              |                              |
| Investments, at fair value (See Notes 2 and 3) | \$ 156,543,729               | \$ 103,023,998               |
| Notes receivable from participants             | <u>3,925,802</u>             | <u>3,099,495</u>             |
| Total assets                                   | <u>160,469,531</u>           | <u>106,123,493</u>           |
| Net assets available for benefits              | <u><u>\$ 160,469,531</u></u> | <u><u>\$ 106,123,493</u></u> |

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

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS**  
**FOR THE YEARS ENDED DECEMBER 31, 2023 AND 2022**

|                                                                                                             | <u>2023</u>                  | <u>2022</u>                  |
|-------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------|
| Additions to net assets attributed to:                                                                      |                              |                              |
| Investment income (loss):                                                                                   |                              |                              |
| Interest and dividends                                                                                      | \$ 4,277,320                 | \$ 4,944,071                 |
| Net appreciation (depreciation) in fair value of investments                                                | <u>17,644,791</u>            | <u>(24,279,997)</u>          |
| Total investment income (loss)                                                                              | <u>21,922,111</u>            | <u>(19,335,926)</u>          |
| Interest income on notes receivable from participants                                                       | <u>216,240</u>               | <u>133,855</u>               |
| Contributions:                                                                                              |                              |                              |
| Participant                                                                                                 | 12,385,553                   | 11,475,945                   |
| Employer                                                                                                    | 9,047,892                    | 8,170,866                    |
| Participant rollovers                                                                                       | <u>1,456,539</u>             | <u>436,832</u>               |
| Total contributions                                                                                         | <u>22,889,984</u>            | <u>20,083,643</u>            |
| Total additions                                                                                             | <u>45,028,335</u>            | <u>881,572</u>               |
| Deductions from net assets attributed to:                                                                   |                              |                              |
| Benefits to participants                                                                                    | 17,330,527                   | 13,094,644                   |
| Administrative expenses                                                                                     | <u>375,231</u>               | <u>413,382</u>               |
| Total deductions                                                                                            | <u>17,705,758</u>            | <u>13,508,026</u>            |
| Net increase (decrease) in net assets available for benefits before transfer of net assets from merged plan | 27,322,577                   | (12,626,454)                 |
| Transfer in from Ferrovial Services U.S., Inc. 401(k) Plan                                                  | <u>27,023,461</u>            | <u>-</u>                     |
| Net increase (decrease) in net assets available for benefits                                                | 54,346,038                   | (12,626,454)                 |
| Net assets available for benefits, beginning of year                                                        | <u>106,123,493</u>           | <u>118,749,947</u>           |
| Net assets available for benefits, end of year                                                              | <u><u>\$ 160,469,531</u></u> | <u><u>\$ 106,123,493</u></u> |

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

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 1. Plan Description

The following brief description of the Webber, L.L.C. (the "Company") 401(k) Savings Plan (the "Plan") is provided for general information purposes only. Participants should refer to the Plan document for a more complete description of the Plan's provisions.

#### General

The Plan was established, effective July 1, 1991 as a defined contribution plan covering substantially all eligible full-time employees of the Company except any employees covered by a collective bargaining agreement, non-resident aliens, and interns. The Plan covers the following participating employers:

|                                                   |                                                                            |
|---------------------------------------------------|----------------------------------------------------------------------------|
| Webber Management Group, L.L.C.                   | California Rail Builders, L.L.C. (a joint venture which includes Ferrovia) |
| Alamo NEX Construction, L.L.C.                    | North Perimeter Contractors, L.L.C. (a subsidiary of Ferrovia)             |
| Ferrovia Construction US Corporation ("Ferrovia") | Ferrovia Construction East, L.L.C.                                         |
| Bluebonnet Contractors, L.L.C.                    | Ferrovia Construction Texas, L.L.C.                                        |
| Trinity Infrastructure, L.L.C.                    | Ferrovia Construction JFK T1, L.L.C.                                       |
| Webber Barrier Services, L.L.C.                   | PLW Waterworks, L.L.C.                                                     |
| North Tarrant Infrastructure, L.L.C.              | Ferrovia Construction West, L.L.C.                                         |
| FAM Construction, L.L.C.                          | Ferrovia Services U.S., Inc.                                               |
| Webber Commercial Construction, L.L.C.            |                                                                            |
| Great Hall Builders, L.L.C.                       |                                                                            |
| Ferrovia Webber Energy, L.L.C.                    |                                                                            |

Effective January 1, 2023, the Plan was amended to allow assets attributable to a plan formerly sponsored by Ferrovia Services U.S., Inc. to be merged into the Plan from the Ferrovia Services U.S., Inc. 401(k) Plan. In addition, the participants of the Ferrovia Services U.S., Inc. 401(k) Plan became participants of the Plan. As a result of this merger, a total of \$27,023,461, which included \$545,311 of outstanding loans, was transferred to the Plan during February 2023.

The Plan is subject to the provisions of the Employee Retirement Income Security Act ("ERISA") of 1974, as amended.

#### Administration

The Company administers the Plan. The trustee for the Plan's assets is Fidelity Management Trust Company (the "Trustee"). The recordkeeper for the Plan is Fidelity Workplace Services, L.L.C. (the "Recordkeeper").

#### Eligibility

Employees of the Company and the other participating employers are eligible to participate in the Plan on the Plan entry date commencing on or immediately following completion of three months of service and attaining the age of twenty-one years, except (i) interns, (ii) employees covered by a collective bargaining agreement under which retirement benefits were the subject of good faith bargaining and (iii) non-resident aliens who do not receive earned income from the Company which constitutes income from sources within the United States of America. Expats who participate in a pension plan in their home country are excluded from participation in the Plan. The Plan entry date is defined in the Plan document as the first day of January, April, July and October.

#### Contributions

Participants may contribute up to 100% of their annual compensation as pre-tax deferral contributions, Roth contributions or a combination thereof, not to exceed the limitation (\$22,500 in 2023 and \$20,500 in 2022) set forth in Section 402(g) of the Internal Revenue Code ("IRC"). Participants may make catch-up contributions, pre-tax contributions that exceed the annual elective deferral limit, during any calendar year ending on or after the participant's 50th birthday. Participants' total catch-up contributions are limited to a maximum of \$7,500 in 2023 and \$6,500 in 2022. Participants may also rollover amounts from other qualified plans. Participants direct the investment of their contributions into various investment options offered by the Plan.

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 1. Description of the Plan, continued

#### Contributions, continued

The Company makes a safe harbor matching employer contribution to eligible participants, as defined in the Plan document. The Company matches 100% of the first 6% of the participant's eligible compensation. Additionally, the Company may make a discretionary non-elective employer/profit sharing contribution to eligible participants, which is determined by the Company. All Company discretionary non-elective employer/profit sharing contributions are allocated to participants in a ratio that each eligible participant's compensation bears to the total compensation paid to all eligible participants. Such contributions are allocated to participant accounts based on investment allocations selected by participants. During the years ended December 31, 2023 and 2022, the Company made no discretionary matching contributions.

#### Participant Accounts

Each participant's account is credited with the participant's contributions and an allocation of (a) the employers' contributions and (b) Plan earnings. Additionally, each participant's account is charged with an allocation of administrative expenses and Plan losses. Earnings or losses are allocated by fund based on the ratio of a participant's account balance invested in a particular fund to all participants' account balances in that fund. Upon the occurrence of a distribution event, the benefit to which a participant is entitled is the benefit that can be provided from the participant's vested interest in his or her account.

#### Vesting

Participants are immediately vested in their voluntary contributions and any safe harbor matching contributions plus actual earnings thereon. Participants vest in additional employer matching and discretionary contributions at the rate of 20% per year after two years of service and are 100% vested after six years of service. Participants become immediately 100% vested upon attaining the normal retirement age of 65, disability or death.

#### Participant Notes Receivable

Participants may borrow from their fund accounts any amount greater than \$1,000 up to a maximum equal to the lesser of (a) \$50,000 reduced by the participant's highest outstanding loan balance during the prior twelve months, or (b) 50% of the participant's vested account balance. Loans are collateralized by the vested balance in the participant's account and bear interest at a reasonable rate determined by the Plan administrator. Participant loans bore interest at rates ranging from 4.25% to 9.50% during the year ended December 31, 2023 and 4.25% to 8.00% for the year ended December 31, 2022.

#### Payment of Benefits

Upon termination of employment for any reason, a participant (or his or her designated beneficiary in the event of death) is entitled to receive a distribution of the total vested balance of his or her account in a single lump-sum payment or installment distributions over the participant's assumed life expectancy.

Participants over the age of 59 ½ may make an in-service withdrawal of the vested interest in their account balance. Hardship withdrawals from a participant's elective deferral account before age 59 ½ are also permitted under certain circumstances, subject to a \$500 minimum.

#### Forfeited Accounts

All employer contributions credited to a participant's account, but not vested, are forfeited by the participant upon distribution of the full vested value of his or her account. Forfeitures are used to fund employer contributions or to pay Plan expenses. As of December 31, 2023 and 2022, forfeited nonvested accounts totaled \$89,902 and \$93,891, respectively. Also, during the years ended December 31, 2023 and 2022, plan expenses were reduced by \$30,301 and \$7,522, respectively, from the forfeited nonvested accounts.

#### Administrative Expenses

Certain expenses of maintaining the Plan are paid by the Plan, unless otherwise paid by the Company. Expenses that are paid by the Company are excluded from these financial statements. Fees related to the administration of notes receivable from participants are charged directly to the participant's account and are included in administrative expenses. Investment related expenses are included in net appreciation (depreciation) in fair value of investments.

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 2. Summary of Significant Accounting Policies

#### Basis of Accounting

The accompanying financial statements of the Plan are prepared on an accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America ("U.S. GAAP").

#### Use of Estimates

The preparation of financial statements in conformity with U.S. GAAP requires the Plan administrator to make estimates and assumptions that affect the reported amounts of net assets available for benefits and changes therein. Actual results could differ from those estimates.

#### Risks and Uncertainties

The Plan provides for various investment securities. These investment securities are exposed to market risks that generally mean the risk of loss in the value of certain investment securities due to changes in interest rates, security and commodity prices and general market conditions. Due to the level of risk associated with certain investment securities and the level of uncertainty related to changes in the value of investment securities, it is at least reasonably possible that changes in the values of investment securities in the near term could materially affect participants' account balances and the amounts reported in the Statements of Net Assets Available for Benefits and the Statements of Changes in Net Assets Available for Benefits.

#### Investment Valuation and Income Recognition

The Plan's 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. Shares of registered investment companies are valued at quoted market prices in active markets which represent the net asset value of shares held by the Plan at year end. The Plan's interest in the common collective trust is valued based on the fair value of the underlying investments held by the fund less its liabilities at year end.

Net appreciation (depreciation) in fair value of investments includes realized gains and losses on investments sold during the year and net unrealized appreciation (depreciation) of investments held at the end of the year. 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.

#### Participant Notes Receivable

Participant notes receivable are measured at their unpaid principal balance plus any accrued but unpaid interest. Interest income is recorded on the accrual basis. Related fees are recorded as administrative expenses and are expensed when they are incurred. If a participant ceases to make loan repayments and the Plan administrator deems the participant loan to be in default, the participant loan balance is reduced, and a benefit payment is recorded.

#### Benefit Payments

Benefit payments are recorded when paid.

### 3. Fair Value Measurements

Accounting Standards Codification Topic 820 ("ASC 820") Fair Value Measurements, establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3). The three levels of the fair value hierarchy under ASC 820 are described below:

|                |                                                                                                                                                                 |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Level 1</b> | Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Plan has the ability to access. |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 3. Fair Value Measurements, continued

**Level 2** Inputs to the valuation methodology include:

- Quoted prices for similar assets or liabilities in active markets;
- Quoted prices for identical or similar assets or liabilities in inactive markets;
- Inputs other than quoted prices that are observable for the asset or liability;
- Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

**Level 3** Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's 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.

In determining fair value, the Plan generally uses the market approach. The market approach uses prices and other relevant data based on market transactions involving identical or comparable assets and liabilities.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at December 31, 2023 and 2022.

*Mutual Funds:* Valued at the daily closing price as reported by the fund. Mutual funds held by the Plan are open-end mutual funds that are registered with the Securities and Exchange Commission. These funds are required to publish their daily net asset value ("NAV") and to transact at that price. The mutual funds held by the Plan are deemed to be actively traded.

*Common Collective trust:* Valued at the NAV of units of a collective trust. The NAV, as provided by the Trustee, is used as a practical expedient to estimate fair value. The NAV is based on the fair value of the underlying investments held by the fund less its liabilities. This practical expedient is not used when it is determined to be probable that the fund will sell the investment for an amount different than the reported NAV.

The methods described above may produce fair value calculations that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while 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 tables set forth by level, within the fair value hierarchy, the Plan's assets measured at fair value on a recurring basis as of December 31, 2023 and 2022:

|                                                           | <b>Assets at Fair Value at December 31, 2023</b> |                |                |                      |
|-----------------------------------------------------------|--------------------------------------------------|----------------|----------------|----------------------|
|                                                           | <b>Level 1</b>                                   | <b>Level 2</b> | <b>Level 3</b> | <b>Total</b>         |
| Mutual Funds                                              | \$149,557,222                                    | \$ -           | \$ -           | \$149,557,222        |
| Money Market Funds                                        | 18,359                                           | -              | -              | 18,359               |
|                                                           | <u>\$ 149,575,581</u>                            | <u>\$ -</u>    | <u>\$ -</u>    | 149,575,581          |
| Investments measured<br>at net asset value <sup>(a)</sup> |                                                  |                |                | <u>6,968,148</u>     |
| Total investments at fair value                           |                                                  |                |                | <u>\$156,543,729</u> |

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**NOTES TO FINANCIAL STATEMENTS**

**3. Fair Value Measurements, continued**

|                                                           | <b>Assets at Fair Value at December 31, 2022</b> |                |                |                      |
|-----------------------------------------------------------|--------------------------------------------------|----------------|----------------|----------------------|
|                                                           | <b>Level 1</b>                                   | <b>Level 2</b> | <b>Level 3</b> | <b>Total</b>         |
| Mutual Funds                                              | \$ 97,437,715                                    | \$ -           | \$ -           | \$ 97,437,715        |
| Money Market Funds                                        | 6,684                                            | -              | -              | 6,684                |
|                                                           | <u>\$ 97,444,399</u>                             | <u>\$ -</u>    | <u>\$ -</u>    | <u>97,444,399</u>    |
| Investments measured<br>at net asset value <sup>(a)</sup> |                                                  |                |                | <u>5,579,599</u>     |
| Total investments at fair value                           |                                                  |                |                | <u>\$103,023,998</u> |

<sup>(a)</sup> In accordance with ASU No. 2015-07, certain investments that were measured at NAV per share (or its equivalent) have not been classified in the fair value hierarchy. The fair value amounts presented in this table are intended to permit reconciliation of the fair value hierarchy to the line items presented in the Statements of Net Assets Available for Benefits.

The following table summarizes Plan's investments measured at fair value based on the NAV per share as a practical expedient as of December 31, 2023 and 2022:

| <b>Investment</b>                                | <b>Fair Value<br/>December 31,<br/>2023      2022</b> |              | <b>Unfunded<br/>Commitment</b> | <b>Redemption<br/>Frequency<br/>(if currently<br/>eligible)</b> | <b>Redemption<br/>Notice<br/>Period</b> |
|--------------------------------------------------|-------------------------------------------------------|--------------|--------------------------------|-----------------------------------------------------------------|-----------------------------------------|
| Common Collective Trust –<br>Stable Value Fund   | \$ 4,694,828                                          | \$ 4,372,288 | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Mid Cap Growth Fund | \$ 1,287,041                                          | \$ 944,603   | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Europac Growth Fund | \$ 601,627                                            | \$ -         | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Small Cap Value     | \$ 384,600                                            | \$ 262,657   | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Stable Value Fund   | \$ 52                                                 | \$ 51        | N/A                            | Daily                                                           | None                                    |

**4. Information Certified by the Trustee (Unaudited)**

The Plan administrator has elected the method of annual reporting compliance permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, certain information related to investments and notes receivable from participants disclosed in the accompanying financial statements and supplemental schedules, including investments and notes receivable from participants held at December 31, 2023 and 2022, and net appreciation (depreciation) in fair value of investments, interest and dividends and interest income on notes receivable from participants for the years then ended, was obtained or derived from information supplied to the Plan administrator and certified as complete and accurate by the Trustee. The Plan's independent accountants did not perform auditing procedures with respect to this information, except for comparing such information to the related information included in the financial statements and supplemental schedules.

## **WEBBER, L.L.C. 401(K) SAVINGS PLAN**

### **NOTES TO FINANCIAL STATEMENTS**

#### **5. Federal Income Tax Status**

The Plan adopted by the Company is a volume submitter ("VS") plan that is designed to comply with provisions of the IRC's Economic Growth and Tax Reconciliation Act of 2001 ("EGTRRA"). Such VS plans are preapproved by the Internal Revenue Service ("IRS") by reference to the Cumulative List of Changes in Plan Qualification Requirements (the "Cumulative List") provided under EGTRRA. Because the Plan is a VS plan, the Company is not authorized to amend the Plan except to comply with changes in the Cumulative List. The VS Plan received a favorable opinion letter from the IRS dated March 31, 2014. Although the Plan has been amended since the date of this opinion letter, the Plan administrator and management of the Company believe that the Plan is designed and is currently being operated in compliance with the applicable requirements of the IRC.

U. S. GAAP requires Plan management to evaluate tax positions taken by the Plan and recognize a tax liability (or asset) if the Plan has taken an uncertain tax position that more likely than not would not be sustained upon examination. The Plan Administrator has analyzed the tax positions taken by the Plan, and has concluded that as of December 31, 2023 and 2022, there are no uncertain tax positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the financial statements. The Plan is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress.

#### **6. Plan Termination**

Although it has not expressed any intent 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, participants become 100% vested in their account balance.

#### **7. Party-In-Interest Transactions**

Certain Plan investments are in mutual funds managed by an affiliate of the Trustee. The Plan also includes participant notes receivable. These transactions qualify as party-in-interest transactions, as defined by ERISA. However, such transactions are permitted under the provisions of the Plan and are exempt from the prohibition of party-in-interest transactions under ERISA.

#### **8. Delinquent Participant Contribution Transactions**

During the years ended December 31, 2023 and 2022, the Company determined that certain employee deferrals aggregating \$38,606 and \$479,590, respectively, had not been remitted to the Plan in a timely manner, according to DOL regulations. Although these remittances were made, they fell outside the normal processing time the Company allows. An investigation was held to determine the root cause of the delinquent contributions, and corrective measures were taken. The lost earnings estimate of \$1,456 for 2023 contributions were processed and deposited in 2023 and 2024. The lost earnings estimate of \$465 for 2022 contributions were processed and deposited in 2022 and 2023.

#### **9. Subsequent Events**

Plan management has evaluated all subsequent events through October 9, 2024, which is the date the financial statements were available to be issued, and has concluded that there are no significant events to be reported.

## **SUPPLEMENTAL SCHEDULES**

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**SCHEDULE H, LINE 4a - SCHEDULE OF DELINQUENT PARTICIPANT TRANSACTIONS**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

EIN: 74-2454910  
PN: 001

|      | Participant Contributions Transferred Late to Plan           |  | Total that Constitute Nonexempt Prohibited Transactions |                                      |                                          | Total Fully Corrected Under Voluntary Fiduciary Correction Program ("VFCP") and PTE 2002-51 |
|------|--------------------------------------------------------------|--|---------------------------------------------------------|--------------------------------------|------------------------------------------|---------------------------------------------------------------------------------------------|
| Year | Check here if late Participant Loan Repayments are included: |  | Contributions Not Corrected                             | Contributions Corrected Outside VFCP | Contributions Pending Correction in VFCP |                                                                                             |
| 2022 | ✓                                                            |  | \$ -                                                    | \$ 461,098                           | \$ -                                     | \$ -                                                                                        |
| 2023 |                                                              |  | \$ 26,629                                               | \$ 11,977                            | \$ -                                     | \$ -                                                                                        |

See Independent Auditor's Report

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**SCHEDULE H, LINE 4i – SCHEDULE OF ASSETS (HELD AT END OF YEAR)**  
**AS OF DECEMBER 31, 2023**

EIN: 74-2454910  
PN: 001

| (a) | (b) Identity of Issuer,<br>Borrower, Lessor<br>or Similar Party | (c) Description of Investment, Including<br>Maturity Date, Rate of Interest<br>Collateral, Par or Current Maturity Value | (d) Cost | Current<br>Value     |
|-----|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|----------|----------------------|
|     | American Funds                                                  | Mutual Fund – Target Date 2045 R6 Fund                                                                                   | **       | \$ 19,575,705        |
|     | American Funds                                                  | Mutual Fund – Target Date 2040 R6 Fund                                                                                   | **       | 16,895,303           |
|     | American Funds                                                  | Mutual Fund – Target Date 2035 R6 Fund                                                                                   | **       | 16,730,929           |
|     | American Funds                                                  | Mutual Fund – Target Date 2025 R6 Fund                                                                                   | **       | 15,815,342           |
|     | American Funds                                                  | Mutual Fund – Target Date 2050 R6 Fund                                                                                   | **       | 12,967,272           |
|     | American Funds                                                  | Mutual Fund – Target Date 2030 R6 Fund                                                                                   | **       | 12,847,023           |
|     | American Funds                                                  | Mutual Fund – Target Date 2055 R6 Fund                                                                                   | **       | 11,425,641           |
| *   | Fidelity Investments                                            | Mutual Fund – 500 Index Adv Fund                                                                                         | **       | 10,235,724           |
|     | American Funds                                                  | Mutual Fund – Target Date 2060 R6 Fund                                                                                   | **       | 5,183,424            |
|     | Wilmington Trust                                                | Common Collective Trust – Stable Value Fund                                                                              | **       | 4,694,828            |
|     | MFS                                                             | Mutual Fund – Growth R6 Fund                                                                                             | **       | 4,603,330            |
|     | American Funds                                                  | Mutual Fund – Target Date 2020 R6 Fund                                                                                   | **       | 3,804,710            |
|     | John Hancock                                                    | Mutual Fund – DSCPL VAL Midcap R6 Fund                                                                                   | **       | 2,652,634            |
| *   | Fidelity Investments                                            | Mutual Fund – Mid Cap Index Fund                                                                                         | **       | 2,291,831            |
|     | Vanguard                                                        | Mutual Fund – Equity Income Adm Fund                                                                                     | **       | 2,179,161            |
|     | American Funds                                                  | Mutual Fund – Target Date 2010 R6 Fund                                                                                   | **       | 2,088,766            |
| *   | Fidelity Investments                                            | Mutual Fund – U.S. Bond Index Fund                                                                                       | **       | 1,896,742            |
|     | American Funds                                                  | Mutual Fund – Target Date 2015 R6 Fund                                                                                   | **       | 1,725,626            |
| *   | Fidelity Investments                                            | Mutual Fund – International Index Fund                                                                                   | **       | 1,616,761            |
|     | Wilmington Trust                                                | Common Collective Trust – Mid Cap Growth R1 Fund                                                                         | **       | 1,287,041            |
| *   | Fidelity Investments                                            | Mutual Fund – Small Cap Growth K6 Fund                                                                                   | **       | 1,251,715            |
| *   | Fidelity Investments                                            | Mutual Fund – Small Cap Index Fund                                                                                       | **       | 1,231,213            |
|     | American Funds                                                  | Mutual Fund – Target Date 2065 R6 Fund                                                                                   | **       | 954,653              |
| *   | Fidelity Investments                                            | Mutual Fund – Total Market Index Fund                                                                                    | **       | 727,820              |
|     | Great Gray                                                      | Common Collective Trust – Europac Growth R1 Fund                                                                         | **       | 601,627              |
|     | American Funds                                                  | Mutual Fund – The Bond of America R6 Fund                                                                                | **       | 441,099              |
|     | PIMCO                                                           | Mutual Fund – International Bond Fund                                                                                    | **       | 414,798              |
|     | Wilmington Trust                                                | Common Collective Trust – Small Cap Value                                                                                | **       | 384,600              |
| *   | Fidelity Investments                                            | Money Market Fund – Government Market Fund                                                                               | **       | 18,359               |
|     | Putnam                                                          | Common Collective Trust – Stable Value Fund                                                                              | **       | <u>52</u>            |
|     |                                                                 | Total investments                                                                                                        |          | 156,543,729          |
| *   | Participant loans                                               | Notes receivable from participants bearing interest<br>at 4.25% to 9.50%                                                 |          | <u>3,925,802</u>     |
|     |                                                                 |                                                                                                                          |          | <u>\$160,469,531</u> |

\* Represents party-in-interest.

\*\* Cost information is not presented because all investments are participant directed.

See Independent Auditor's Report

# **WEBBER, L.L.C. 401(K) SAVINGS PLAN**

## **FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULES WITH INDEPENDENT AUDITOR'S REPORT**

**As of and for the Years Ended December 31, 2023 and 2022**

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
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\* Other schedules required by 29 CFR 2520.103-10 of the Department of Labor Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, as amended, have been omitted because they are not applicable.

## **INDEPENDENT AUDITOR'S REPORT**

To the Participants and Plan Administrator  
Webber, L.L.C. 401(k) Savings Plan:

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

We have performed audits of the financial statements of Webber, L.L.C. 401(k) Savings 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, 2023 and 2022, and the related Statements of Changes in Net Assets Available for Benefits for the years then ended, and the related notes to 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 ("DOL") 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 DOL's Rules and Regulations for Reporting and Disclosure under ERISA (qualified institution).

Management has obtained certifications from a qualified institution as of and for the years ended December 31, 2023 and 2022, stating that the certified investment information, as described in Note 4 to the financial statements, is complete and accurate.

### **Opinion**

In our opinion, based on our 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 ("U.S. GAAP").
- 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 meet 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 ("U.S. 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.

## **INDEPENDENT AUDITOR'S REPORT, continued**

### **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP, 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 within one year after the date that the financial statements are issued or 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 U.S. 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 U.S. 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 certifications, 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 U.S. GAAP.

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 U.S. GAAP.

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.

## INDEPENDENT AUDITOR'S REPORT, continued

### **Other Matters – Supplemental Schedules Required by ERISA**

The supplemental schedules of Schedule H, Line 4a - Schedule of Delinquent Participant Transactions for the year ended December 31, 2023 and Schedule H, Line 4i - Schedule of Assets (Held at End of Year) as of December 31, 2023, are presented for purposes of additional analysis and are not a required part of the financial statements but are supplementary information required by the DOL'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 schedules, other than that agreed to or derived from the certified investment information, has been subjected to auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with U.S. GAAS. For information included in the supplemental schedules 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 schedules, we evaluated whether the supplemental schedules, other than the information agreed to or derived from the certified investment information, including its form and content, are presented in conformity with the DOL's Rules and Regulations for Reporting and Disclosure under ERISA.

In our opinion:

- The form and content of the supplemental schedules, other than the information in the supplemental schedules that agreed to or is derived from the certified investment information, are presented, in all material respects, in conformity with the DOL's Rules and Regulations for Reporting and Disclosure under ERISA.
- The information in the supplemental schedules 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).

*Ham, Langston & Bregman, L.L.P.*

Houston, Texas  
October 9, 2024

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS**  
**DECEMBER 31, 2023 AND 2022**

|                                                | <u>2023</u>                  | <u>2022</u>                  |
|------------------------------------------------|------------------------------|------------------------------|
| <b>Assets:</b>                                 |                              |                              |
| Investments, at fair value (See Notes 2 and 3) | \$ 156,543,729               | \$ 103,023,998               |
| Notes receivable from participants             | <u>3,925,802</u>             | <u>3,099,495</u>             |
| Total assets                                   | <u>160,469,531</u>           | <u>106,123,493</u>           |
| Net assets available for benefits              | <u><u>\$ 160,469,531</u></u> | <u><u>\$ 106,123,493</u></u> |

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

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS**  
**FOR THE YEARS ENDED DECEMBER 31, 2023 AND 2022**

|                                                                                                             | <u>2023</u>           | <u>2022</u>           |
|-------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------|
| Additions to net assets attributed to:                                                                      |                       |                       |
| Investment income (loss):                                                                                   |                       |                       |
| Interest and dividends                                                                                      | \$ 4,277,320          | \$ 4,944,071          |
| Net appreciation (depreciation) in fair value of investments                                                | <u>17,644,791</u>     | <u>(24,279,997)</u>   |
| Total investment income (loss)                                                                              | <u>21,922,111</u>     | <u>(19,335,926)</u>   |
| Interest income on notes receivable from participants                                                       | <u>216,240</u>        | <u>133,855</u>        |
| Contributions:                                                                                              |                       |                       |
| Participant                                                                                                 | 12,385,553            | 11,475,945            |
| Employer                                                                                                    | 9,047,892             | 8,170,866             |
| Participant rollovers                                                                                       | <u>1,456,539</u>      | <u>436,832</u>        |
| Total contributions                                                                                         | <u>22,889,984</u>     | <u>20,083,643</u>     |
| Total additions                                                                                             | <u>45,028,335</u>     | <u>881,572</u>        |
| Deductions from net assets attributed to:                                                                   |                       |                       |
| Benefits to participants                                                                                    | 17,330,527            | 13,094,644            |
| Administrative expenses                                                                                     | <u>375,231</u>        | <u>413,382</u>        |
| Total deductions                                                                                            | <u>17,705,758</u>     | <u>13,508,026</u>     |
| Net increase (decrease) in net assets available for benefits before transfer of net assets from merged plan | 27,322,577            | (12,626,454)          |
| Transfer in from Ferrovial Services U.S., Inc. 401(k) Plan                                                  | <u>27,023,461</u>     | <u>-</u>              |
| Net increase (decrease) in net assets available for benefits                                                | 54,346,038            | (12,626,454)          |
| Net assets available for benefits, beginning of year                                                        | <u>106,123,493</u>    | <u>118,749,947</u>    |
| Net assets available for benefits, end of year                                                              | <u>\$ 160,469,531</u> | <u>\$ 106,123,493</u> |

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

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 1. Plan Description

The following brief description of the Webber, L.L.C. (the "Company") 401(k) Savings Plan (the "Plan") is provided for general information purposes only. Participants should refer to the Plan document for a more complete description of the Plan's provisions.

#### General

The Plan was established, effective July 1, 1991 as a defined contribution plan covering substantially all eligible full-time employees of the Company except any employees covered by a collective bargaining agreement, non-resident aliens, and interns. The Plan covers the following participating employers:

|                                                   |                                                                            |
|---------------------------------------------------|----------------------------------------------------------------------------|
| Webber Management Group, L.L.C.                   | California Rail Builders, L.L.C. (a joint venture which includes Ferrovia) |
| Alamo NEX Construction, L.L.C.                    | North Perimeter Contractors, L.L.C. (a subsidiary of Ferrovia)             |
| Ferrovia Construction US Corporation ("Ferrovia") | Ferrovia Construction East, L.L.C.                                         |
| Bluebonnet Contractors, L.L.C.                    | Ferrovia Construction Texas, L.L.C.                                        |
| Trinity Infrastructure, L.L.C.                    | Ferrovia Construction JFK T1, L.L.C.                                       |
| Webber Barrier Services, L.L.C.                   | PLW Waterworks, L.L.C.                                                     |
| North Tarrant Infrastructure, L.L.C.              | Ferrovia Construction West, L.L.C.                                         |
| FAM Construction, L.L.C.                          | Ferrovia Services U.S., Inc.                                               |
| Webber Commercial Construction, L.L.C.            |                                                                            |
| Great Hall Builders, L.L.C.                       |                                                                            |
| Ferrovia Webber Energy, L.L.C.                    |                                                                            |

Effective January 1, 2023, the Plan was amended to allow assets attributable to a plan formerly sponsored by Ferrovia Services U.S., Inc. to be merged into the Plan from the Ferrovia Services U.S., Inc. 401(k) Plan. In addition, the participants of the Ferrovia Services U.S., Inc. 401(k) Plan became participants of the Plan. As a result of this merger, a total of \$27,023,461, which included \$545,311 of outstanding loans, was transferred to the Plan during February 2023.

The Plan is subject to the provisions of the Employee Retirement Income Security Act ("ERISA") of 1974, as amended.

#### Administration

The Company administers the Plan. The trustee for the Plan's assets is Fidelity Management Trust Company (the "Trustee"). The recordkeeper for the Plan is Fidelity Workplace Services, L.L.C. (the "Recordkeeper").

#### Eligibility

Employees of the Company and the other participating employers are eligible to participate in the Plan on the Plan entry date commencing on or immediately following completion of three months of service and attaining the age of twenty-one years, except (i) interns, (ii) employees covered by a collective bargaining agreement under which retirement benefits were the subject of good faith bargaining and (iii) non-resident aliens who do not receive earned income from the Company which constitutes income from sources within the United States of America. Expats who participate in a pension plan in their home country are excluded from participation in the Plan. The Plan entry date is defined in the Plan document as the first day of January, April, July and October.

#### Contributions

Participants may contribute up to 100% of their annual compensation as pre-tax deferral contributions, Roth contributions or a combination thereof, not to exceed the limitation (\$22,500 in 2023 and \$20,500 in 2022) set forth in Section 402(g) of the Internal Revenue Code ("IRC"). Participants may make catch-up contributions, pre-tax contributions that exceed the annual elective deferral limit, during any calendar year ending on or after the participant's 50th birthday. Participants' total catch-up contributions are limited to a maximum of \$7,500 in 2023 and \$6,500 in 2022. Participants may also rollover amounts from other qualified plans. Participants direct the investment of their contributions into various investment options offered by the Plan.

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 1. Description of the Plan, continued

#### Contributions, continued

The Company makes a safe harbor matching employer contribution to eligible participants, as defined in the Plan document. The Company matches 100% of the first 6% of the participant's eligible compensation. Additionally, the Company may make a discretionary non-elective employer/profit sharing contribution to eligible participants, which is determined by the Company. All Company discretionary non-elective employer/profit sharing contributions are allocated to participants in a ratio that each eligible participant's compensation bears to the total compensation paid to all eligible participants. Such contributions are allocated to participant accounts based on investment allocations selected by participants. During the years ended December 31, 2023 and 2022, the Company made no discretionary matching contributions.

#### Participant Accounts

Each participant's account is credited with the participant's contributions and an allocation of (a) the employers' contributions and (b) Plan earnings. Additionally, each participant's account is charged with an allocation of administrative expenses and Plan losses. Earnings or losses are allocated by fund based on the ratio of a participant's account balance invested in a particular fund to all participants' account balances in that fund. Upon the occurrence of a distribution event, the benefit to which a participant is entitled is the benefit that can be provided from the participant's vested interest in his or her account.

#### Vesting

Participants are immediately vested in their voluntary contributions and any safe harbor matching contributions plus actual earnings thereon. Participants vest in additional employer matching and discretionary contributions at the rate of 20% per year after two years of service and are 100% vested after six years of service. Participants become immediately 100% vested upon attaining the normal retirement age of 65, disability or death.

#### Participant Notes Receivable

Participants may borrow from their fund accounts any amount greater than \$1,000 up to a maximum equal to the lesser of (a) \$50,000 reduced by the participant's highest outstanding loan balance during the prior twelve months, or (b) 50% of the participant's vested account balance. Loans are collateralized by the vested balance in the participant's account and bear interest at a reasonable rate determined by the Plan administrator. Participant loans bore interest at rates ranging from 4.25% to 9.50% during the year ended December 31, 2023 and 4.25% to 8.00% for the year ended December 31, 2022.

#### Payment of Benefits

Upon termination of employment for any reason, a participant (or his or her designated beneficiary in the event of death) is entitled to receive a distribution of the total vested balance of his or her account in a single lump-sum payment or installment distributions over the participant's assumed life expectancy.

Participants over the age of 59 ½ may make an in-service withdrawal of the vested interest in their account balance. Hardship withdrawals from a participant's elective deferral account before age 59 ½ are also permitted under certain circumstances, subject to a \$500 minimum.

#### Forfeited Accounts

All employer contributions credited to a participant's account, but not vested, are forfeited by the participant upon distribution of the full vested value of his or her account. Forfeitures are used to fund employer contributions or to pay Plan expenses. As of December 31, 2023 and 2022, forfeited nonvested accounts totaled \$89,902 and \$93,891, respectively. Also, during the years ended December 31, 2023 and 2022, plan expenses were reduced by \$30,301 and \$7,522, respectively, from the forfeited nonvested accounts.

#### Administrative Expenses

Certain expenses of maintaining the Plan are paid by the Plan, unless otherwise paid by the Company. Expenses that are paid by the Company are excluded from these financial statements. Fees related to the administration of notes receivable from participants are charged directly to the participant's account and are included in administrative expenses. Investment related expenses are included in net appreciation (depreciation) in fair value of investments.

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 2. Summary of Significant Accounting Policies

#### Basis of Accounting

The accompanying financial statements of the Plan are prepared on an accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America ("U.S. GAAP").

#### Use of Estimates

The preparation of financial statements in conformity with U.S. GAAP requires the Plan administrator to make estimates and assumptions that affect the reported amounts of net assets available for benefits and changes therein. Actual results could differ from those estimates.

#### Risks and Uncertainties

The Plan provides for various investment securities. These investment securities are exposed to market risks that generally mean the risk of loss in the value of certain investment securities due to changes in interest rates, security and commodity prices and general market conditions. Due to the level of risk associated with certain investment securities and the level of uncertainty related to changes in the value of investment securities, it is at least reasonably possible that changes in the values of investment securities in the near term could materially affect participants' account balances and the amounts reported in the Statements of Net Assets Available for Benefits and the Statements of Changes in Net Assets Available for Benefits.

#### Investment Valuation and Income Recognition

The Plan's 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. Shares of registered investment companies are valued at quoted market prices in active markets which represent the net asset value of shares held by the Plan at year end. The Plan's interest in the common collective trust is valued based on the fair value of the underlying investments held by the fund less its liabilities at year end.

Net appreciation (depreciation) in fair value of investments includes realized gains and losses on investments sold during the year and net unrealized appreciation (depreciation) of investments held at the end of the year. 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.

#### Participant Notes Receivable

Participant notes receivable are measured at their unpaid principal balance plus any accrued but unpaid interest. Interest income is recorded on the accrual basis. Related fees are recorded as administrative expenses and are expensed when they are incurred. If a participant ceases to make loan repayments and the Plan administrator deems the participant loan to be in default, the participant loan balance is reduced, and a benefit payment is recorded.

#### Benefit Payments

Benefit payments are recorded when paid.

### 3. Fair Value Measurements

Accounting Standards Codification Topic 820 ("ASC 820") Fair Value Measurements, establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3). The three levels of the fair value hierarchy under ASC 820 are described below:

|                |                                                                                                                                                                 |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Level 1</b> | Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Plan has the ability to access. |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 3. Fair Value Measurements, continued

**Level 2** Inputs to the valuation methodology include:

- Quoted prices for similar assets or liabilities in active markets;
- Quoted prices for identical or similar assets or liabilities in inactive markets;
- Inputs other than quoted prices that are observable for the asset or liability;
- Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

**Level 3** Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's 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.

In determining fair value, the Plan generally uses the market approach. The market approach uses prices and other relevant data based on market transactions involving identical or comparable assets and liabilities.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at December 31, 2023 and 2022.

*Mutual Funds:* Valued at the daily closing price as reported by the fund. Mutual funds held by the Plan are open-end mutual funds that are registered with the Securities and Exchange Commission. These funds are required to publish their daily net asset value ("NAV") and to transact at that price. The mutual funds held by the Plan are deemed to be actively traded.

*Common Collective trust:* Valued at the NAV of units of a collective trust. The NAV, as provided by the Trustee, is used as a practical expedient to estimate fair value. The NAV is based on the fair value of the underlying investments held by the fund less its liabilities. This practical expedient is not used when it is determined to be probable that the fund will sell the investment for an amount different than the reported NAV.

The methods described above may produce fair value calculations that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while 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 tables set forth by level, within the fair value hierarchy, the Plan's assets measured at fair value on a recurring basis as of December 31, 2023 and 2022:

| <b>Assets at Fair Value at December 31, 2023</b>       |                       |                |                |                      |
|--------------------------------------------------------|-----------------------|----------------|----------------|----------------------|
|                                                        | <b>Level 1</b>        | <b>Level 2</b> | <b>Level 3</b> | <b>Total</b>         |
| Mutual Funds                                           | \$149,557,222         | \$ -           | \$ -           | \$149,557,222        |
| Money Market Funds                                     | 18,359                | -              | -              | 18,359               |
|                                                        | <u>\$ 149,575,581</u> | <u>\$ -</u>    | <u>\$ -</u>    | 149,575,581          |
| Investments measured at net asset value <sup>(a)</sup> |                       |                |                | <u>6,968,148</u>     |
| Total investments at fair value                        |                       |                |                | <u>\$156,543,729</u> |

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**NOTES TO FINANCIAL STATEMENTS**

**3. Fair Value Measurements, continued**

|                                                           | <b>Assets at Fair Value at December 31, 2022</b> |                |                |                      |
|-----------------------------------------------------------|--------------------------------------------------|----------------|----------------|----------------------|
|                                                           | <b>Level 1</b>                                   | <b>Level 2</b> | <b>Level 3</b> | <b>Total</b>         |
| Mutual Funds                                              | \$ 97,437,715                                    | \$ -           | \$ -           | \$ 97,437,715        |
| Money Market Funds                                        | 6,684                                            | -              | -              | 6,684                |
|                                                           | <u>\$ 97,444,399</u>                             | <u>\$ -</u>    | <u>\$ -</u>    | <u>97,444,399</u>    |
| Investments measured<br>at net asset value <sup>(a)</sup> |                                                  |                |                | <u>5,579,599</u>     |
| Total investments at fair value                           |                                                  |                |                | <u>\$103,023,998</u> |

<sup>(a)</sup> In accordance with ASU No. 2015-07, certain investments that were measured at NAV per share (or its equivalent) have not been classified in the fair value hierarchy. The fair value amounts presented in this table are intended to permit reconciliation of the fair value hierarchy to the line items presented in the Statements of Net Assets Available for Benefits.

The following table summarizes Plan's investments measured at fair value based on the NAV per share as a practical expedient as of December 31, 2023 and 2022:

| <b>Investment</b>                                | <b>Fair Value<br/>December 31,<br/>2023      2022</b> |              | <b>Unfunded<br/>Commitment</b> | <b>Redemption<br/>Frequency<br/>(if currently<br/>eligible)</b> | <b>Redemption<br/>Notice<br/>Period</b> |
|--------------------------------------------------|-------------------------------------------------------|--------------|--------------------------------|-----------------------------------------------------------------|-----------------------------------------|
| Common Collective Trust –<br>Stable Value Fund   | \$ 4,694,828                                          | \$ 4,372,288 | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Mid Cap Growth Fund | \$ 1,287,041                                          | \$ 944,603   | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Europac Growth Fund | \$ 601,627                                            | \$ -         | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Small Cap Value     | \$ 384,600                                            | \$ 262,657   | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Stable Value Fund   | \$ 52                                                 | \$ 51        | N/A                            | Daily                                                           | None                                    |

**4. Information Certified by the Trustee (Unaudited)**

The Plan administrator has elected the method of annual reporting compliance permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, certain information related to investments and notes receivable from participants disclosed in the accompanying financial statements and supplemental schedules, including investments and notes receivable from participants held at December 31, 2023 and 2022, and net appreciation (depreciation) in fair value of investments, interest and dividends and interest income on notes receivable from participants for the years then ended, was obtained or derived from information supplied to the Plan administrator and certified as complete and accurate by the Trustee. The Plan's independent accountants did not perform auditing procedures with respect to this information, except for comparing such information to the related information included in the financial statements and supplemental schedules.

## **WEBBER, L.L.C. 401(K) SAVINGS PLAN**

### **NOTES TO FINANCIAL STATEMENTS**

#### **5. Federal Income Tax Status**

The Plan adopted by the Company is a volume submitter ("VS") plan that is designed to comply with provisions of the IRC's Economic Growth and Tax Reconciliation Act of 2001 ("EGTRRA"). Such VS plans are preapproved by the Internal Revenue Service ("IRS") by reference to the Cumulative List of Changes in Plan Qualification Requirements (the "Cumulative List") provided under EGTRRA. Because the Plan is a VS plan, the Company is not authorized to amend the Plan except to comply with changes in the Cumulative List. The VS Plan received a favorable opinion letter from the IRS dated March 31, 2014. Although the Plan has been amended since the date of this opinion letter, the Plan administrator and management of the Company believe that the Plan is designed and is currently being operated in compliance with the applicable requirements of the IRC.

U. S. GAAP requires Plan management to evaluate tax positions taken by the Plan and recognize a tax liability (or asset) if the Plan has taken an uncertain tax position that more likely than not would not be sustained upon examination. The Plan Administrator has analyzed the tax positions taken by the Plan, and has concluded that as of December 31, 2023 and 2022, there are no uncertain tax positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the financial statements. The Plan is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress.

#### **6. Plan Termination**

Although it has not expressed any intent 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, participants become 100% vested in their account balance.

#### **7. Party-In-Interest Transactions**

Certain Plan investments are in mutual funds managed by an affiliate of the Trustee. The Plan also includes participant notes receivable. These transactions qualify as party-in-interest transactions, as defined by ERISA. However, such transactions are permitted under the provisions of the Plan and are exempt from the prohibition of party-in-interest transactions under ERISA.

#### **8. Delinquent Participant Contribution Transactions**

During the years ended December 31, 2023 and 2022, the Company determined that certain employee deferrals aggregating \$38,606 and \$479,590, respectively, had not been remitted to the Plan in a timely manner, according to DOL regulations. Although these remittances were made, they fell outside the normal processing time the Company allows. An investigation was held to determine the root cause of the delinquent contributions, and corrective measures were taken. The lost earnings estimate of \$1,456 for 2023 contributions were processed and deposited in 2023 and 2024. The lost earnings estimate of \$465 for 2022 contributions were processed and deposited in 2022 and 2023.

#### **9. Subsequent Events**

Plan management has evaluated all subsequent events through October 9, 2024, which is the date the financial statements were available to be issued, and has concluded that there are no significant events to be reported.

## **SUPPLEMENTAL SCHEDULES**

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**SCHEDULE H, LINE 4a - SCHEDULE OF DELINQUENT PARTICIPANT TRANSACTIONS**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

EIN: 74-2454910  
PN: 001

|      | Participant Contributions Transferred Late to Plan           |  | Total that Constitute Nonexempt Prohibited Transactions |                                      |                                          | Total Fully Corrected Under Voluntary Fiduciary Correction Program ("VFCP") and PTE 2002-51 |
|------|--------------------------------------------------------------|--|---------------------------------------------------------|--------------------------------------|------------------------------------------|---------------------------------------------------------------------------------------------|
| Year | Check here if late Participant Loan Repayments are included: |  | Contributions Not Corrected                             | Contributions Corrected Outside VFCP | Contributions Pending Correction in VFCP |                                                                                             |
| 2022 | ✓                                                            |  | \$ -                                                    | \$ 461,098                           | \$ -                                     | \$ -                                                                                        |
| 2023 |                                                              |  | \$ 26,629                                               | \$ 11,977                            | \$ -                                     | \$ -                                                                                        |

See Independent Auditor's Report

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**SCHEDULE H, LINE 4i – SCHEDULE OF ASSETS (HELD AT END OF YEAR)**  
**AS OF DECEMBER 31, 2023**

EIN: 74-2454910  
PN: 001

| (a) | (b) Identity of Issuer,<br>Borrower, Lessor<br>or Similar Party | (c) Description of Investment, Including<br>Maturity Date, Rate of Interest<br>Collateral, Par or Current Maturity Value | (d) Cost | Current<br>Value     |
|-----|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|----------|----------------------|
|     | American Funds                                                  | Mutual Fund – Target Date 2045 R6 Fund                                                                                   | **       | \$ 19,575,705        |
|     | American Funds                                                  | Mutual Fund – Target Date 2040 R6 Fund                                                                                   | **       | 16,895,303           |
|     | American Funds                                                  | Mutual Fund – Target Date 2035 R6 Fund                                                                                   | **       | 16,730,929           |
|     | American Funds                                                  | Mutual Fund – Target Date 2025 R6 Fund                                                                                   | **       | 15,815,342           |
|     | American Funds                                                  | Mutual Fund – Target Date 2050 R6 Fund                                                                                   | **       | 12,967,272           |
|     | American Funds                                                  | Mutual Fund – Target Date 2030 R6 Fund                                                                                   | **       | 12,847,023           |
|     | American Funds                                                  | Mutual Fund – Target Date 2055 R6 Fund                                                                                   | **       | 11,425,641           |
| *   | Fidelity Investments                                            | Mutual Fund – 500 Index Adv Fund                                                                                         | **       | 10,235,724           |
|     | American Funds                                                  | Mutual Fund – Target Date 2060 R6 Fund                                                                                   | **       | 5,183,424            |
|     | Wilmington Trust                                                | Common Collective Trust – Stable Value Fund                                                                              | **       | 4,694,828            |
|     | MFS                                                             | Mutual Fund – Growth R6 Fund                                                                                             | **       | 4,603,330            |
|     | American Funds                                                  | Mutual Fund – Target Date 2020 R6 Fund                                                                                   | **       | 3,804,710            |
|     | John Hancock                                                    | Mutual Fund – DSCPL VAL Midcap R6 Fund                                                                                   | **       | 2,652,634            |
| *   | Fidelity Investments                                            | Mutual Fund – Mid Cap Index Fund                                                                                         | **       | 2,291,831            |
|     | Vanguard                                                        | Mutual Fund – Equity Income Adm Fund                                                                                     | **       | 2,179,161            |
|     | American Funds                                                  | Mutual Fund – Target Date 2010 R6 Fund                                                                                   | **       | 2,088,766            |
| *   | Fidelity Investments                                            | Mutual Fund – U.S. Bond Index Fund                                                                                       | **       | 1,896,742            |
|     | American Funds                                                  | Mutual Fund – Target Date 2015 R6 Fund                                                                                   | **       | 1,725,626            |
| *   | Fidelity Investments                                            | Mutual Fund – International Index Fund                                                                                   | **       | 1,616,761            |
|     | Wilmington Trust                                                | Common Collective Trust – Mid Cap Growth R1 Fund                                                                         | **       | 1,287,041            |
| *   | Fidelity Investments                                            | Mutual Fund – Small Cap Growth K6 Fund                                                                                   | **       | 1,251,715            |
| *   | Fidelity Investments                                            | Mutual Fund – Small Cap Index Fund                                                                                       | **       | 1,231,213            |
|     | American Funds                                                  | Mutual Fund – Target Date 2065 R6 Fund                                                                                   | **       | 954,653              |
| *   | Fidelity Investments                                            | Mutual Fund – Total Market Index Fund                                                                                    | **       | 727,820              |
|     | Great Gray                                                      | Common Collective Trust – Europac Growth R1 Fund                                                                         | **       | 601,627              |
|     | American Funds                                                  | Mutual Fund – The Bond of America R6 Fund                                                                                | **       | 441,099              |
|     | PIMCO                                                           | Mutual Fund – International Bond Fund                                                                                    | **       | 414,798              |
|     | Wilmington Trust                                                | Common Collective Trust – Small Cap Value                                                                                | **       | 384,600              |
| *   | Fidelity Investments                                            | Money Market Fund – Government Market Fund                                                                               | **       | 18,359               |
|     | Putnam                                                          | Common Collective Trust – Stable Value Fund                                                                              | **       | <u>52</u>            |
|     |                                                                 | Total investments                                                                                                        |          | 156,543,729          |
| *   | Participant loans                                               | Notes receivable from participants bearing interest<br>at 4.25% to 9.50%                                                 |          | <u>3,925,802</u>     |
|     |                                                                 |                                                                                                                          |          | <u>\$160,469,531</u> |

\* Represents party-in-interest.

\*\* Cost information is not presented because all investments are participant directed.

See Independent Auditor's Report

# **WEBBER, L.L.C. 401(K) SAVINGS PLAN**

## **FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULES WITH INDEPENDENT AUDITOR'S REPORT**

**As of and for the Years Ended December 31, 2023 and 2022**

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
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\* Other schedules required by 29 CFR 2520.103-10 of the Department of Labor Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, as amended, have been omitted because they are not applicable.

## **INDEPENDENT AUDITOR'S REPORT**

To the Participants and Plan Administrator  
Webber, L.L.C. 401(k) Savings Plan:

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

We have performed audits of the financial statements of Webber, L.L.C. 401(k) Savings 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, 2023 and 2022, and the related Statements of Changes in Net Assets Available for Benefits for the years then ended, and the related notes to 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 ("DOL") 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 DOL's Rules and Regulations for Reporting and Disclosure under ERISA (qualified institution).

Management has obtained certifications from a qualified institution as of and for the years ended December 31, 2023 and 2022, stating that the certified investment information, as described in Note 4 to the financial statements, is complete and accurate.

### **Opinion**

In our opinion, based on our 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 ("U.S. GAAP").
- 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 meet 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 ("U.S. 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.

## **INDEPENDENT AUDITOR'S REPORT, continued**

### **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP, 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 within one year after the date that the financial statements are issued or 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 U.S. 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 U.S. 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 certifications, 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 U.S. GAAP.

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 U.S. GAAP.

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.

## INDEPENDENT AUDITOR'S REPORT, continued

### **Other Matters – Supplemental Schedules Required by ERISA**

The supplemental schedules of Schedule H, Line 4a - Schedule of Delinquent Participant Transactions for the year ended December 31, 2023 and Schedule H, Line 4i - Schedule of Assets (Held at End of Year) as of December 31, 2023, are presented for purposes of additional analysis and are not a required part of the financial statements but are supplementary information required by the DOL'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 schedules, other than that agreed to or derived from the certified investment information, has been subjected to auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with U.S. GAAS. For information included in the supplemental schedules 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 schedules, we evaluated whether the supplemental schedules, other than the information agreed to or derived from the certified investment information, including its form and content, are presented in conformity with the DOL's Rules and Regulations for Reporting and Disclosure under ERISA.

In our opinion:

- The form and content of the supplemental schedules, other than the information in the supplemental schedules that agreed to or is derived from the certified investment information, are presented, in all material respects, in conformity with the DOL's Rules and Regulations for Reporting and Disclosure under ERISA.
- The information in the supplemental schedules 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).

*Ham, Langston & Bregier, L.L.P.*

Houston, Texas  
October 9, 2024

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS**  
**DECEMBER 31, 2023 AND 2022**

|                                                | <u>2023</u>                  | <u>2022</u>                  |
|------------------------------------------------|------------------------------|------------------------------|
| <b>Assets:</b>                                 |                              |                              |
| Investments, at fair value (See Notes 2 and 3) | \$ 156,543,729               | \$ 103,023,998               |
| Notes receivable from participants             | <u>3,925,802</u>             | <u>3,099,495</u>             |
| Total assets                                   | <u>160,469,531</u>           | <u>106,123,493</u>           |
| Net assets available for benefits              | <u><u>\$ 160,469,531</u></u> | <u><u>\$ 106,123,493</u></u> |

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

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS**  
**FOR THE YEARS ENDED DECEMBER 31, 2023 AND 2022**

|                                                                                                             | <u>2023</u>                  | <u>2022</u>                  |
|-------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------|
| Additions to net assets attributed to:                                                                      |                              |                              |
| Investment income (loss):                                                                                   |                              |                              |
| Interest and dividends                                                                                      | \$ 4,277,320                 | \$ 4,944,071                 |
| Net appreciation (depreciation) in fair value of investments                                                | <u>17,644,791</u>            | <u>(24,279,997)</u>          |
| Total investment income (loss)                                                                              | <u>21,922,111</u>            | <u>(19,335,926)</u>          |
| Interest income on notes receivable from participants                                                       | <u>216,240</u>               | <u>133,855</u>               |
| Contributions:                                                                                              |                              |                              |
| Participant                                                                                                 | 12,385,553                   | 11,475,945                   |
| Employer                                                                                                    | 9,047,892                    | 8,170,866                    |
| Participant rollovers                                                                                       | <u>1,456,539</u>             | <u>436,832</u>               |
| Total contributions                                                                                         | <u>22,889,984</u>            | <u>20,083,643</u>            |
| Total additions                                                                                             | <u>45,028,335</u>            | <u>881,572</u>               |
| Deductions from net assets attributed to:                                                                   |                              |                              |
| Benefits to participants                                                                                    | 17,330,527                   | 13,094,644                   |
| Administrative expenses                                                                                     | <u>375,231</u>               | <u>413,382</u>               |
| Total deductions                                                                                            | <u>17,705,758</u>            | <u>13,508,026</u>            |
| Net increase (decrease) in net assets available for benefits before transfer of net assets from merged plan | 27,322,577                   | (12,626,454)                 |
| Transfer in from Ferrovial Services U.S., Inc. 401(k) Plan                                                  | <u>27,023,461</u>            | <u>-</u>                     |
| Net increase (decrease) in net assets available for benefits                                                | 54,346,038                   | (12,626,454)                 |
| Net assets available for benefits, beginning of year                                                        | <u>106,123,493</u>           | <u>118,749,947</u>           |
| Net assets available for benefits, end of year                                                              | <u><u>\$ 160,469,531</u></u> | <u><u>\$ 106,123,493</u></u> |

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

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 1. Plan Description

The following brief description of the Webber, L.L.C. (the "Company") 401(k) Savings Plan (the "Plan") is provided for general information purposes only. Participants should refer to the Plan document for a more complete description of the Plan's provisions.

#### General

The Plan was established, effective July 1, 1991 as a defined contribution plan covering substantially all eligible full-time employees of the Company except any employees covered by a collective bargaining agreement, non-resident aliens, and interns. The Plan covers the following participating employers:

|                                                   |                                                                            |
|---------------------------------------------------|----------------------------------------------------------------------------|
| Webber Management Group, L.L.C.                   | California Rail Builders, L.L.C. (a joint venture which includes Ferrovia) |
| Alamo NEX Construction, L.L.C.                    | North Perimeter Contractors, L.L.C. (a subsidiary of Ferrovia)             |
| Ferrovia Construction US Corporation ("Ferrovia") | Ferrovia Construction East, L.L.C.                                         |
| Bluebonnet Contractors, L.L.C.                    | Ferrovia Construction Texas, L.L.C.                                        |
| Trinity Infrastructure, L.L.C.                    | Ferrovia Construction JFK T1, L.L.C.                                       |
| Webber Barrier Services, L.L.C.                   | PLW Waterworks, L.L.C.                                                     |
| North Tarrant Infrastructure, L.L.C.              | Ferrovia Construction West, L.L.C.                                         |
| FAM Construction, L.L.C.                          | Ferrovia Services U.S., Inc.                                               |
| Webber Commercial Construction, L.L.C.            |                                                                            |
| Great Hall Builders, L.L.C.                       |                                                                            |
| Ferrovia Webber Energy, L.L.C.                    |                                                                            |

Effective January 1, 2023, the Plan was amended to allow assets attributable to a plan formerly sponsored by Ferrovia Services U.S., Inc. to be merged into the Plan from the Ferrovia Services U.S., Inc. 401(k) Plan. In addition, the participants of the Ferrovia Services U.S., Inc. 401(k) Plan became participants of the Plan. As a result of this merger, a total of \$27,023,461, which included \$545,311 of outstanding loans, was transferred to the Plan during February 2023.

The Plan is subject to the provisions of the Employee Retirement Income Security Act ("ERISA") of 1974, as amended.

#### Administration

The Company administers the Plan. The trustee for the Plan's assets is Fidelity Management Trust Company (the "Trustee"). The recordkeeper for the Plan is Fidelity Workplace Services, L.L.C. (the "Recordkeeper").

#### Eligibility

Employees of the Company and the other participating employers are eligible to participate in the Plan on the Plan entry date commencing on or immediately following completion of three months of service and attaining the age of twenty-one years, except (i) interns, (ii) employees covered by a collective bargaining agreement under which retirement benefits were the subject of good faith bargaining and (iii) non-resident aliens who do not receive earned income from the Company which constitutes income from sources within the United States of America. Expats who participate in a pension plan in their home country are excluded from participation in the Plan. The Plan entry date is defined in the Plan document as the first day of January, April, July and October.

#### Contributions

Participants may contribute up to 100% of their annual compensation as pre-tax deferral contributions, Roth contributions or a combination thereof, not to exceed the limitation (\$22,500 in 2023 and \$20,500 in 2022) set forth in Section 402(g) of the Internal Revenue Code ("IRC"). Participants may make catch-up contributions, pre-tax contributions that exceed the annual elective deferral limit, during any calendar year ending on or after the participant's 50th birthday. Participants' total catch-up contributions are limited to a maximum of \$7,500 in 2023 and \$6,500 in 2022. Participants may also rollover amounts from other qualified plans. Participants direct the investment of their contributions into various investment options offered by the Plan.

# **WEBBER, L.L.C. 401(K) SAVINGS PLAN**

## **NOTES TO FINANCIAL STATEMENTS**

### **1. Description of the Plan, continued**

#### **Contributions, continued**

The Company makes a safe harbor matching employer contribution to eligible participants, as defined in the Plan document. The Company matches 100% of the first 6% of the participant's eligible compensation. Additionally, the Company may make a discretionary non-elective employer/profit sharing contribution to eligible participants, which is determined by the Company. All Company discretionary non-elective employer/profit sharing contributions are allocated to participants in a ratio that each eligible participant's compensation bears to the total compensation paid to all eligible participants. Such contributions are allocated to participant accounts based on investment allocations selected by participants. During the years ended December 31, 2023 and 2022, the Company made no discretionary matching contributions.

#### **Participant Accounts**

Each participant's account is credited with the participant's contributions and an allocation of (a) the employers' contributions and (b) Plan earnings. Additionally, each participant's account is charged with an allocation of administrative expenses and Plan losses. Earnings or losses are allocated by fund based on the ratio of a participant's account balance invested in a particular fund to all participants' account balances in that fund. Upon the occurrence of a distribution event, the benefit to which a participant is entitled is the benefit that can be provided from the participant's vested interest in his or her account.

#### **Vesting**

Participants are immediately vested in their voluntary contributions and any safe harbor matching contributions plus actual earnings thereon. Participants vest in additional employer matching and discretionary contributions at the rate of 20% per year after two years of service and are 100% vested after six years of service. Participants become immediately 100% vested upon attaining the normal retirement age of 65, disability or death.

#### **Participant Notes Receivable**

Participants may borrow from their fund accounts any amount greater than \$1,000 up to a maximum equal to the lesser of (a) \$50,000 reduced by the participant's highest outstanding loan balance during the prior twelve months, or (b) 50% of the participant's vested account balance. Loans are collateralized by the vested balance in the participant's account and bear interest at a reasonable rate determined by the Plan administrator. Participant loans bore interest at rates ranging from 4.25% to 9.50% during the year ended December 31, 2023 and 4.25% to 8.00% for the year ended December 31, 2022.

#### **Payment of Benefits**

Upon termination of employment for any reason, a participant (or his or her designated beneficiary in the event of death) is entitled to receive a distribution of the total vested balance of his or her account in a single lump-sum payment or installment distributions over the participant's assumed life expectancy.

Participants over the age of 59 ½ may make an in-service withdrawal of the vested interest in their account balance. Hardship withdrawals from a participant's elective deferral account before age 59 ½ are also permitted under certain circumstances, subject to a \$500 minimum.

#### **Forfeited Accounts**

All employer contributions credited to a participant's account, but not vested, are forfeited by the participant upon distribution of the full vested value of his or her account. Forfeitures are used to fund employer contributions or to pay Plan expenses. As of December 31, 2023 and 2022, forfeited nonvested accounts totaled \$89,902 and \$93,891, respectively. Also, during the years ended December 31, 2023 and 2022, plan expenses were reduced by \$30,301 and \$7,522, respectively, from the forfeited nonvested accounts.

#### **Administrative Expenses**

Certain expenses of maintaining the Plan are paid by the Plan, unless otherwise paid by the Company. Expenses that are paid by the Company are excluded from these financial statements. Fees related to the administration of notes receivable from participants are charged directly to the participant's account and are included in administrative expenses. Investment related expenses are included in net appreciation (depreciation) in fair value of investments.

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 2. Summary of Significant Accounting Policies

#### Basis of Accounting

The accompanying financial statements of the Plan are prepared on an accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America ("U.S. GAAP").

#### Use of Estimates

The preparation of financial statements in conformity with U.S. GAAP requires the Plan administrator to make estimates and assumptions that affect the reported amounts of net assets available for benefits and changes therein. Actual results could differ from those estimates.

#### Risks and Uncertainties

The Plan provides for various investment securities. These investment securities are exposed to market risks that generally mean the risk of loss in the value of certain investment securities due to changes in interest rates, security and commodity prices and general market conditions. Due to the level of risk associated with certain investment securities and the level of uncertainty related to changes in the value of investment securities, it is at least reasonably possible that changes in the values of investment securities in the near term could materially affect participants' account balances and the amounts reported in the Statements of Net Assets Available for Benefits and the Statements of Changes in Net Assets Available for Benefits.

#### Investment Valuation and Income Recognition

The Plan's 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. Shares of registered investment companies are valued at quoted market prices in active markets which represent the net asset value of shares held by the Plan at year end. The Plan's interest in the common collective trust is valued based on the fair value of the underlying investments held by the fund less its liabilities at year end.

Net appreciation (depreciation) in fair value of investments includes realized gains and losses on investments sold during the year and net unrealized appreciation (depreciation) of investments held at the end of the year. 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.

#### Participant Notes Receivable

Participant notes receivable are measured at their unpaid principal balance plus any accrued but unpaid interest. Interest income is recorded on the accrual basis. Related fees are recorded as administrative expenses and are expensed when they are incurred. If a participant ceases to make loan repayments and the Plan administrator deems the participant loan to be in default, the participant loan balance is reduced, and a benefit payment is recorded.

#### Benefit Payments

Benefit payments are recorded when paid.

### 3. Fair Value Measurements

Accounting Standards Codification Topic 820 ("ASC 820") Fair Value Measurements, establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3). The three levels of the fair value hierarchy under ASC 820 are described below:

|                |                                                                                                                                                                 |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Level 1</b> | Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Plan has the ability to access. |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|

# WEBBER, L.L.C. 401(K) SAVINGS PLAN

## NOTES TO FINANCIAL STATEMENTS

### 3. Fair Value Measurements, continued

**Level 2** Inputs to the valuation methodology include:

- Quoted prices for similar assets or liabilities in active markets;
- Quoted prices for identical or similar assets or liabilities in inactive markets;
- Inputs other than quoted prices that are observable for the asset or liability;
- Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

**Level 3** Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's 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.

In determining fair value, the Plan generally uses the market approach. The market approach uses prices and other relevant data based on market transactions involving identical or comparable assets and liabilities.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at December 31, 2023 and 2022.

*Mutual Funds:* Valued at the daily closing price as reported by the fund. Mutual funds held by the Plan are open-end mutual funds that are registered with the Securities and Exchange Commission. These funds are required to publish their daily net asset value ("NAV") and to transact at that price. The mutual funds held by the Plan are deemed to be actively traded.

*Common Collective trust:* Valued at the NAV of units of a collective trust. The NAV, as provided by the Trustee, is used as a practical expedient to estimate fair value. The NAV is based on the fair value of the underlying investments held by the fund less its liabilities. This practical expedient is not used when it is determined to be probable that the fund will sell the investment for an amount different than the reported NAV.

The methods described above may produce fair value calculations that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while 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 tables set forth by level, within the fair value hierarchy, the Plan's assets measured at fair value on a recurring basis as of December 31, 2023 and 2022:

|                                                           | <b>Assets at Fair Value at December 31, 2023</b> |                |                |                      |
|-----------------------------------------------------------|--------------------------------------------------|----------------|----------------|----------------------|
|                                                           | <b>Level 1</b>                                   | <b>Level 2</b> | <b>Level 3</b> | <b>Total</b>         |
| Mutual Funds                                              | \$149,557,222                                    | \$ -           | \$ -           | \$149,557,222        |
| Money Market Funds                                        | 18,359                                           | -              | -              | 18,359               |
|                                                           | <u>\$ 149,575,581</u>                            | <u>\$ -</u>    | <u>\$ -</u>    | 149,575,581          |
| Investments measured<br>at net asset value <sup>(a)</sup> |                                                  |                |                | <u>6,968,148</u>     |
| Total investments at fair value                           |                                                  |                |                | <u>\$156,543,729</u> |

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**NOTES TO FINANCIAL STATEMENTS**

**3. Fair Value Measurements, continued**

|                                                           | <b>Assets at Fair Value at December 31, 2022</b> |                |                |                      |
|-----------------------------------------------------------|--------------------------------------------------|----------------|----------------|----------------------|
|                                                           | <b>Level 1</b>                                   | <b>Level 2</b> | <b>Level 3</b> | <b>Total</b>         |
| Mutual Funds                                              | \$ 97,437,715                                    | \$ -           | \$ -           | \$ 97,437,715        |
| Money Market Funds                                        | 6,684                                            | -              | -              | 6,684                |
|                                                           | <u>\$ 97,444,399</u>                             | <u>\$ -</u>    | <u>\$ -</u>    | <u>97,444,399</u>    |
| Investments measured<br>at net asset value <sup>(a)</sup> |                                                  |                |                | <u>5,579,599</u>     |
| Total investments at fair value                           |                                                  |                |                | <u>\$103,023,998</u> |

<sup>(a)</sup> In accordance with ASU No. 2015-07, certain investments that were measured at NAV per share (or its equivalent) have not been classified in the fair value hierarchy. The fair value amounts presented in this table are intended to permit reconciliation of the fair value hierarchy to the line items presented in the Statements of Net Assets Available for Benefits.

The following table summarizes Plan's investments measured at fair value based on the NAV per share as a practical expedient as of December 31, 2023 and 2022:

| <b>Investment</b>                                | <b>Fair Value<br/>December 31,<br/>2023      2022</b> |              | <b>Unfunded<br/>Commitment</b> | <b>Redemption<br/>Frequency<br/>(if currently<br/>eligible)</b> | <b>Redemption<br/>Notice<br/>Period</b> |
|--------------------------------------------------|-------------------------------------------------------|--------------|--------------------------------|-----------------------------------------------------------------|-----------------------------------------|
| Common Collective Trust –<br>Stable Value Fund   | \$ 4,694,828                                          | \$ 4,372,288 | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Mid Cap Growth Fund | \$ 1,287,041                                          | \$ 944,603   | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Europac Growth Fund | \$ 601,627                                            | \$ -         | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Small Cap Value     | \$ 384,600                                            | \$ 262,657   | N/A                            | Daily                                                           | None                                    |
| Common Collective Trust –<br>Stable Value Fund   | \$ 52                                                 | \$ 51        | N/A                            | Daily                                                           | None                                    |

**4. Information Certified by the Trustee (Unaudited)**

The Plan administrator has elected the method of annual reporting compliance permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, certain information related to investments and notes receivable from participants disclosed in the accompanying financial statements and supplemental schedules, including investments and notes receivable from participants held at December 31, 2023 and 2022, and net appreciation (depreciation) in fair value of investments, interest and dividends and interest income on notes receivable from participants for the years then ended, was obtained or derived from information supplied to the Plan administrator and certified as complete and accurate by the Trustee. The Plan's independent accountants did not perform auditing procedures with respect to this information, except for comparing such information to the related information included in the financial statements and supplemental schedules.

## **WEBBER, L.L.C. 401(K) SAVINGS PLAN**

### **NOTES TO FINANCIAL STATEMENTS**

#### **5. Federal Income Tax Status**

The Plan adopted by the Company is a volume submitter ("VS") plan that is designed to comply with provisions of the IRC's Economic Growth and Tax Reconciliation Act of 2001 ("EGTRRA"). Such VS plans are preapproved by the Internal Revenue Service ("IRS") by reference to the Cumulative List of Changes in Plan Qualification Requirements (the "Cumulative List") provided under EGTRRA. Because the Plan is a VS plan, the Company is not authorized to amend the Plan except to comply with changes in the Cumulative List. The VS Plan received a favorable opinion letter from the IRS dated March 31, 2014. Although the Plan has been amended since the date of this opinion letter, the Plan administrator and management of the Company believe that the Plan is designed and is currently being operated in compliance with the applicable requirements of the IRC.

U. S. GAAP requires Plan management to evaluate tax positions taken by the Plan and recognize a tax liability (or asset) if the Plan has taken an uncertain tax position that more likely than not would not be sustained upon examination. The Plan Administrator has analyzed the tax positions taken by the Plan, and has concluded that as of December 31, 2023 and 2022, there are no uncertain tax positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the financial statements. The Plan is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress.

#### **6. Plan Termination**

Although it has not expressed any intent 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, participants become 100% vested in their account balance.

#### **7. Party-In-Interest Transactions**

Certain Plan investments are in mutual funds managed by an affiliate of the Trustee. The Plan also includes participant notes receivable. These transactions qualify as party-in-interest transactions, as defined by ERISA. However, such transactions are permitted under the provisions of the Plan and are exempt from the prohibition of party-in-interest transactions under ERISA.

#### **8. Delinquent Participant Contribution Transactions**

During the years ended December 31, 2023 and 2022, the Company determined that certain employee deferrals aggregating \$38,606 and \$479,590, respectively, had not been remitted to the Plan in a timely manner, according to DOL regulations. Although these remittances were made, they fell outside the normal processing time the Company allows. An investigation was held to determine the root cause of the delinquent contributions, and corrective measures were taken. The lost earnings estimate of \$1,456 for 2023 contributions were processed and deposited in 2023 and 2024. The lost earnings estimate of \$465 for 2022 contributions were processed and deposited in 2022 and 2023.

#### **9. Subsequent Events**

Plan management has evaluated all subsequent events through October 9, 2024, which is the date the financial statements were available to be issued, and has concluded that there are no significant events to be reported.

## **SUPPLEMENTAL SCHEDULES**

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**SCHEDULE H, LINE 4a - SCHEDULE OF DELINQUENT PARTICIPANT TRANSACTIONS**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

EIN: 74-2454910  
PN: 001

|      | Participant Contributions Transferred Late to Plan           |  | Total that Constitute Nonexempt Prohibited Transactions |                                      |                                          | Total Fully Corrected Under Voluntary Fiduciary Correction Program ("VFCP") and PTE 2002-51 |
|------|--------------------------------------------------------------|--|---------------------------------------------------------|--------------------------------------|------------------------------------------|---------------------------------------------------------------------------------------------|
| Year | Check here if late Participant Loan Repayments are included: |  | Contributions Not Corrected                             | Contributions Corrected Outside VFCP | Contributions Pending Correction in VFCP |                                                                                             |
| 2022 | ✓                                                            |  | \$ -                                                    | \$ 461,098                           | \$ -                                     | \$ -                                                                                        |
| 2023 |                                                              |  | \$ 26,629                                               | \$ 11,977                            | \$ -                                     | \$ -                                                                                        |

See Independent Auditor's Report

**WEBBER, L.L.C. 401(K) SAVINGS PLAN**  
**SCHEDULE H, LINE 4i – SCHEDULE OF ASSETS (HELD AT END OF YEAR)**  
**AS OF DECEMBER 31, 2023**

EIN: 74-2454910  
PN: 001

| (a) | (b) Identity of Issuer,<br>Borrower, Lessor<br>or Similar Party | (c) Description of Investment, Including<br>Maturity Date, Rate of Interest<br>Collateral, Par or Current Maturity Value | (d) Cost | Current<br>Value     |
|-----|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|----------|----------------------|
|     | American Funds                                                  | Mutual Fund – Target Date 2045 R6 Fund                                                                                   | **       | \$ 19,575,705        |
|     | American Funds                                                  | Mutual Fund – Target Date 2040 R6 Fund                                                                                   | **       | 16,895,303           |
|     | American Funds                                                  | Mutual Fund – Target Date 2035 R6 Fund                                                                                   | **       | 16,730,929           |
|     | American Funds                                                  | Mutual Fund – Target Date 2025 R6 Fund                                                                                   | **       | 15,815,342           |
|     | American Funds                                                  | Mutual Fund – Target Date 2050 R6 Fund                                                                                   | **       | 12,967,272           |
|     | American Funds                                                  | Mutual Fund – Target Date 2030 R6 Fund                                                                                   | **       | 12,847,023           |
|     | American Funds                                                  | Mutual Fund – Target Date 2055 R6 Fund                                                                                   | **       | 11,425,641           |
| *   | Fidelity Investments                                            | Mutual Fund – 500 Index Adv Fund                                                                                         | **       | 10,235,724           |
|     | American Funds                                                  | Mutual Fund – Target Date 2060 R6 Fund                                                                                   | **       | 5,183,424            |
|     | Wilmington Trust                                                | Common Collective Trust – Stable Value Fund                                                                              | **       | 4,694,828            |
|     | MFS                                                             | Mutual Fund – Growth R6 Fund                                                                                             | **       | 4,603,330            |
|     | American Funds                                                  | Mutual Fund – Target Date 2020 R6 Fund                                                                                   | **       | 3,804,710            |
|     | John Hancock                                                    | Mutual Fund – DSCPL VAL Midcap R6 Fund                                                                                   | **       | 2,652,634            |
| *   | Fidelity Investments                                            | Mutual Fund – Mid Cap Index Fund                                                                                         | **       | 2,291,831            |
|     | Vanguard                                                        | Mutual Fund – Equity Income Adm Fund                                                                                     | **       | 2,179,161            |
|     | American Funds                                                  | Mutual Fund – Target Date 2010 R6 Fund                                                                                   | **       | 2,088,766            |
| *   | Fidelity Investments                                            | Mutual Fund – U.S. Bond Index Fund                                                                                       | **       | 1,896,742            |
|     | American Funds                                                  | Mutual Fund – Target Date 2015 R6 Fund                                                                                   | **       | 1,725,626            |
| *   | Fidelity Investments                                            | Mutual Fund – International Index Fund                                                                                   | **       | 1,616,761            |
|     | Wilmington Trust                                                | Common Collective Trust – Mid Cap Growth R1 Fund                                                                         | **       | 1,287,041            |
| *   | Fidelity Investments                                            | Mutual Fund – Small Cap Growth K6 Fund                                                                                   | **       | 1,251,715            |
| *   | Fidelity Investments                                            | Mutual Fund – Small Cap Index Fund                                                                                       | **       | 1,231,213            |
|     | American Funds                                                  | Mutual Fund – Target Date 2065 R6 Fund                                                                                   | **       | 954,653              |
| *   | Fidelity Investments                                            | Mutual Fund – Total Market Index Fund                                                                                    | **       | 727,820              |
|     | Great Gray                                                      | Common Collective Trust – Europac Growth R1 Fund                                                                         | **       | 601,627              |
|     | American Funds                                                  | Mutual Fund – The Bond of America R6 Fund                                                                                | **       | 441,099              |
|     | PIMCO                                                           | Mutual Fund – International Bond Fund                                                                                    | **       | 414,798              |
|     | Wilmington Trust                                                | Common Collective Trust – Small Cap Value                                                                                | **       | 384,600              |
| *   | Fidelity Investments                                            | Money Market Fund – Government Market Fund                                                                               | **       | 18,359               |
|     | Putnam                                                          | Common Collective Trust – Stable Value Fund                                                                              | **       | <u>52</u>            |
|     |                                                                 | Total investments                                                                                                        |          | 156,543,729          |
| *   | Participant loans                                               | Notes receivable from participants bearing interest<br>at 4.25% to 9.50%                                                 |          | <u>3,925,802</u>     |
|     |                                                                 |                                                                                                                          |          | <u>\$160,469,531</u> |

\* Represents party-in-interest.

\*\* Cost information is not presented because all investments are participant directed.

See Independent Auditor's Report