

**Form 5500-SF**

Department of the Treasury  
Internal Revenue Service

Department of Labor  
Employee Benefits Security Administration  
Pension Benefit Guaranty Corporation

**Short Form Annual Return/Report of Small Employee Benefit Plan**

This form is required to be filed under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA), and sections 6057(b) and 6058(a) of the Internal Revenue Code (the Code).

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

OMB Nos. 1210-0110  
1210-0089

**2023**

**This Form is Open to Public Inspection**

**Part I Annual Report Identification Information**

For calendar plan year 2023 or fiscal plan year beginning 01/01/2023 and ending 05/22/2023

- A** This return/report is for:  a single-employer plan  a multiple-employer plan (not multiemployer) (Pension Plan filers checking this box must attach Schedule MEP. Other plans must attach a list of participating employer information in accordance with the form instructions.)
- B** This return/report is  the first return/report  the final return/report  
 an amended return/report  a short plan year return/report (less than 12 months)
- C** Check box if filing under:  Form 5558  automatic extension  DFVC program  
 special extension (enter description)
- D** If the plan is a collectively-bargained plan, check here ..... ▶
- E** If this is a retroactively adopted plan permitted by SECURE Act section 201, check here ..... ▶

**Part II Basic Plan Information**—enter all requested information

<b>1a</b> Name of plan SOUTHERN MICROWAVE INC 401(K) PROFIT SHARING PLAN & TRUST		<b>1b</b> Three-digit plan number (PN) ▶	001
		<b>1c</b> Effective date of plan	01/01/2009
<b>2a</b> Plan sponsor's name (employer, if for a single-employer plan) Mailing address (include room, apt., suite no. and street, or P.O. Box) City or town, state or province, country, and ZIP or foreign postal code (if foreign, see instructions) SOUTHERN MICROWAVE INC  2000 AVENUE P STE 14 RIVIERA BEACH, FL 33404-5342		<b>2b</b> Employer Identification Number (EIN)	65-0335295
		<b>2c</b> Sponsor's telephone number	561-687-3909
		<b>2d</b> Business code (see instructions)	333900
<b>3a</b> Plan administrator's name and address <input type="checkbox"/> Same as Plan Sponsor. SOUTHERN MICROWAVE INC 2000 AVENUE P STE 14 RIVIERA BEACH, FL 33404-5342		<b>3b</b> Administrator's EIN	65-0335295
		<b>3c</b> Administrator's telephone number	561-387-3909
<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. <b>a</b> Sponsor's name <b>c</b> Plan Name		<b>4b</b> EIN	
		<b>4d</b> PN	
<b>5a</b> Total number of participants at the beginning of the plan year .....		<b>5a</b>	11
<b>b</b> Total number of participants at the end of the plan year.....		<b>5b</b>	0
<b>c(1)</b> Number of participants with account balances as of the beginning of the plan year (only defined contribution plans complete this item) .....		<b>5c(1)</b>	
<b>c(2)</b> Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item) .....		<b>5c(2)</b>	0
<b>d(1)</b> Total number of active participants at the beginning of the plan year.....		<b>5d(1)</b>	9
<b>d(2)</b> Total number of active participants at the end of the plan year.....		<b>5d(2)</b>	0
<b>e</b> Number of participants who terminated employment during the plan year with accrued benefits that were less than 100% vested.....		<b>5e</b>	0

**Caution: A penalty for the late or incomplete filing of this return/report will be assessed unless reasonable cause is established.**  
Under penalties of perjury and other penalties set forth in the instructions, I declare that I have examined this return/report, including, if applicable, a Schedule SB or Schedule MB completed and signed by an enrolled actuary, as well as the electronic version of this return/report, and to the best of my knowledge and belief, it is true, correct, and complete.

<b>SIGN HERE</b>	Filed with authorized/valid electronic signature.	09/22/2025	GRISSELL OLMEDA
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
<b>SIGN HERE</b>	Filed with authorized/valid electronic signature.	09/22/2025	GRISSELL OLMEDA
	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor

- 6a** Were all of the plan's assets during the plan year invested in eligible assets? (See instructions.).....  Yes  No
- b** Are you claiming a waiver of the annual examination and report of an independent qualified public accountant (IQPA) under 29 CFR 2520.104-46? (See instructions on waiver eligibility and conditions.).....  Yes  No
- If you answered "No" to either line 6a or line 6b, the plan cannot use Form 5500-SF and must instead use Form 5500.**
- c** If the plan is a defined benefit plan, is it covered under the PBGC insurance program (see ERISA section 4021)? .....  Yes  No  Not determined
- If "Yes" is checked, enter the My PAA confirmation number from the PBGC premium filing for this plan year \_\_\_\_\_ (See instructions.)

<b>Part III Financial Information</b>			
<b>7</b>		<b>(a) Beginning of Year</b>	<b>(b) End of Year</b>
<b>7</b>	Plan Assets and Liabilities		
<b>a</b>	Total plan assets.....	<b>7a</b> 146736	0
<b>b</b>	Total plan liabilities.....	<b>7b</b> 0	0
<b>c</b>	Net plan assets (subtract line 7b from line 7a).....	<b>7c</b> 146736	0
<b>8</b>		<b>(a) Amount</b>	<b>(b) Total</b>
<b>8</b>	Income, Expenses, and Transfers for this Plan Year		
<b>a</b>	Contributions received or receivable from:		
	(1) Employers.....	<b>8a(1)</b> 152	
	(2) Participants.....	<b>8a(2)</b> 170	
	(3) Others (including rollovers).....	<b>8a(3)</b> 0	
<b>b</b>	Other income (loss).....	<b>8b</b> 7264	
<b>c</b>	Total income (add lines 8a(1), 8a(2), 8a(3), and 8b).....	<b>8c</b>	7586
<b>d</b>	Benefits paid (including direct rollovers and insurance premiums to provide benefits).....	<b>8d</b> 154097	
<b>e</b>	Certain deemed and/or corrective distributions (see instructions).....	<b>8e</b> 0	
<b>f</b>	Administrative service providers (salaries, fees, commissions).....	<b>8f</b> 225	
<b>g</b>	Other expenses.....	<b>8g</b> 0	
<b>h</b>	Total expenses (add lines 8d, 8e, 8f, and 8g).....	<b>8h</b>	154322
<b>i</b>	Net income (loss) (subtract line 8h from line 8c).....	<b>8i</b>	-146736
<b>j</b>	Transfers to (from) the plan (see instructions).....	<b>8j</b> 0	

<b>Part IV Plan Characteristics</b>	
<b>9a</b>	If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions: 2E 2F 2G 3D 2J 2T 2K
<b>b</b>	If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristic Codes in the instructions:

<b>Part V Compliance Questions</b>				
<b>10</b>		<b>Yes</b>	<b>No</b>	<b>Amount</b>
<b>10</b>	During the plan year:			
<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).....	<b>10a</b>	X	
<b>b</b>	Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 10a.).....	<b>10b</b>	X	
<b>c</b>	Was the plan covered by a fidelity bond?.....	<b>10c</b>	X	
<b>d</b>	Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?.....	<b>10d</b>	X	
<b>e</b>	Were any fees or commissions paid to any brokers, agents, or other persons by an insurance carrier, insurance service, or other organization that provides some or all of the benefits under the plan? (See instructions.).....	<b>10e</b>	X	172
<b>f</b>	Has the plan failed to provide any benefit when due under the plan?.....	<b>10f</b>	X	
<b>g</b>	Did the plan have any participant loans? (If "Yes," enter amount as of year-end.).....	<b>10g</b>	X	
<b>h</b>	If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.).....	<b>10h</b>	X	
<b>i</b>	If 10h was answered "Yes," check the box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3.....	<b>10i</b>		

**Part VI Pension Funding Compliance**

**11** Is this a defined benefit plan subject to minimum funding requirements? (If "Yes," see instructions and complete Schedule SB (Form 5500) and lines 11a and b below.) If this is a defined contribution pension plan, leave line 11 blank and complete line 12 below.  Yes  No

**a** Enter the unpaid minimum required contributions for all years from Schedule SB (Form 5500) line 40 ..... **11a**

**b PBGC missed contribution reporting requirements.** If the plan is covered by PBGC and the amount reported on line 11a is greater than \$0, 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 \_\_\_\_\_

**12** Is this a defined contribution plan subject to the minimum funding requirements of section 412 of the Code or section 302 of ERISA? .....  Yes  No  
 (If "Yes," complete line 12a or lines 12b, 12c, 12d, and 12e below, as applicable.) If this is a defined benefit pension plan, leave line 12 blank and complete line 11 above.

**a** If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions, and enter the date of the letter ruling granting the waiver. .... Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

**If you completed line 12a, complete lines 3, 9, and 10 of Schedule MB (Form 5500), and skip to line 13.**

**b** Enter the minimum required contribution for this plan year ..... **12b**

**c** Enter the amount contributed by the employer to the plan for this plan year ..... **12c**

**d** Subtract the amount in line 12c from the amount in line 12b. Enter the result (enter a minus sign to the left of a negative amount) ..... **12d**

**e** Will the minimum funding amount reported on line 12d be met by the funding deadline? .....  Yes  No  N/A

**Part VII Plan Terminations and Transfers of Assets**

**13a** Has a resolution to terminate the plan been adopted in any plan year? .....  Yes  No

**a** If "Yes," enter the amount of any plan assets that reverted to the employer this year..... **13a** 0

**b** Were all the plan assets distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC? .....  Yes  No

**c** 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>13c(1)</b> Name of plan(s):	<b>13c(2)</b> EIN(s)	<b>13c(3)</b> PN(s)

**Part VIII IRS Compliance Questions**

**14a** 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

**14b** 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

**15** 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 \_\_\_/\_\_\_/\_\_\_ (MM/DD/YYYY) and the Opinion Letter serial number \_\_\_\_\_.

September 19, 2025

US Department of Labor  
Employee Benefits Security Administration  
Office of Enforcement  
200 Constitution Avenue, NW  
Washington, DC 20210

RE: Reasonable Cause Statement for Late Filing of Form 5500-SF  
Southern Microwave 401(K) Profit Sharing Plan & Trust  
EIN 65-0335295  
Plan #001  
Plan Year: 2023 Final Return

Dear Sir or Madam,

We are submitting this statement to explain the late filing of Form 5500-SF for the Southern Microwave 401(K) Profit Sharing Plan & Trust for the plan year ending 12/31/2023, following the plan's termination and full distribution of assets in 2023. We respectfully request a waiver of any associated penalties under the reasonable cause provisions of the Internal Revenue Code Section 6652 and ERISA Section 502(c)(2), in response to the IRS Notice CP-403 dated September 8, 2025.

The late filing resulted from a good faith misunderstanding following the sale of our company, Southern Microwave, Inc in 2022. As part of the sale, the Southern Microwave 401(K) Profit Sharing Plan & Trust was terminated, and all plan assets were fully distributed to participants by May 22, 2023. We reasonably believed our payroll company, Paychex, which had historically assisted with plan administration, was responsible for filing the final Form 5500-SF for the 2023 plan year. Unfortunately, due to administrative oversight during the transition following the company sale, we did not verify that the filing was completed, and the payroll company failed to file the Form 5500-SF by the deadline of July 31, 2024.

We were unaware of the missed filing until receiving the IRS notice dated September 8, 2025. Upon discovering the oversight, we immediately took steps to comply, including contacting Paychex to obtain final 2023 financial data and reaching out to our accountant to assist us with filing the final Form 5500-SF through the DOL's EFAST2 system, marking it as the final report and confirming zero assets and participants as of December 31, 2023. (expected filing date is no later than September 30, 2025)

The delay was due to circumstances beyond our control, namely the administrative confusion following the 2022 company sale and our reasonable reliance on the payroll company to handle the filing.

Given the unique circumstances of the company sale, our reasonable reliance on the payroll company, and our prompt action upon receiving the IRS notice, we respectfully request that the IRS and DOL waive any penalties associated with the late filing of the final Form 5500-SF for the 2023 plan year.

If you should need additional information or if you have questions, please do not hesitate to contact me.  
I can be reached at (561) 687-3909.

Sincerely,

A handwritten signature in black ink, appearing to be 'Joe Olmeda', with a long horizontal flourish extending to the right.

---

Joe Olmeda (Sep 19, 2025 16:25:51 EDT)

Joe Olmeda – President  
Southern Microwave Inc  
2000 Avenue P Ste 14  
Riviera Beach, FL 33404





# Reasonable Cause Statement for Late Final Form 5500-SF

Final Audit Report

2025-09-19

Created:	2025-09-19
By:	Janet Angeletti (janetangeletti@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJLIZpc-EeU-IKc9kjPrEdZKuN-wlovQM

## "Reasonable Cause Statement for Late Final Form 5500-SF" History

-  Document created by Janet Angeletti (janetangeletti@gmail.com)  
2025-09-19 - 8:14:15 PM GMT - IP address: 76.110.210.79
-  Document emailed to joe@rfmachinetech.com for signature  
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-  Signer joe@rfmachinetech.com entered name at signing as Joe Olmeda  
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-  Document e-signed by Joe Olmeda (joe@rfmachinetech.com)  
Signature Date: 2025-09-19 - 8:25:51 PM GMT - Time Source: server- IP address: 73.139.32.196
-  Agreement completed.  
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