## FINANCIAL STATEMENTS

## **ENVIRONMENTAL INTEGRITY PROJECT**

FOR THE YEAR ENDED DECEMBER 31, 2014
WITH SUMMARIZED FINANCIAL
INFORMATION FOR 2013

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#### INDEPENDENT AUDITOR'S REPORT

To the Board of Directors Environmental Integrity Project Washington, D.C.

We have audited the accompanying financial statements of the Environmental Integrity Project (EIP), which comprise the statement of financial position as of December 31, 2014, and the related statements of activities and change in net assets, functional expenses and cash flows for the year then ended, and the related notes to the financial statements.

## Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes 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.

### **Auditor's Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements 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 entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## **Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of EIP as of December 31, 2014, and the change in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

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## **Report on Summarized Comparative Information**

The prior year summarized comparative information has been derived from EIP's 2013 financial statements, which were audited by other auditors and, in their report dated August 22, 2014, they expressed an unmodified opinion on those statements.

April 21, 2015

Gelman Rosenberg & Freedman

# STATEMENT OF FINANCIAL POSITION AS OF DECEMBER 31, 2014 WITH SUMMARIZED FINANCIAL INFORMATION FOR 2013

### **ASSETS**

	2014	2013
CURRENT ASSETS  Cash and cash equivalents Grants and contributions receivable (Note 2) Other receivables Prepaid expenses	\$ 418,734 754,916 3,089 65,789	\$ 697,809 928,396 4,087 38,623
Total current assets	1,242,528	<u>1,668,915</u>
FIXED ASSETS  Machinery and equipment Furniture and fixtures Computer equipment Leasehold improvements	39,797 63,802 59,064 424,060	35,139 63,802 55,814 <u>373,531</u>
Less: Accumulated depreciation and amortization	586,723 <u>(145,268</u> )	528,286 (87,908)
Net fixed assets	441,455	440,378
OTHER ASSETS  Deposits  Grants receivable, net of current portion (Note 2)	67,906 83,000	76,306 
Total other assets	150,906	76,306
TOTAL ASSETS	\$ <u>1,834,889</u>	\$ <u>2,185,599</u>
LIABILITIES AND NET ASSETS		
CURRENT LIABILITIES		
Accounts payable and accrued expenses Accrued salaries and related benefits Current portion of deferred leasehold incentive obligation (Note 4)	\$ 72,737 104,890 40,184	\$ 42,440 91,847 35,294
Total current liabilities	217,811	169,581
LONG-TERM LIABILITIES  Deferred leasehold incentive obligation Deferred rent abatement (Note 4)	338,217 199,706	332,354 46,139
Total long-term liabilities	537,923	378,493
Total liabilities	755,734	548,074
NET ASSETS Unrestricted Temporarily restricted (Note 3)	14,789 	247,753 1,389,772
Total net assets	1,079,155	1,637,525
TOTAL LIABILITIES AND NET ASSETS	\$ <u>1,834,889</u>	\$ <u>2,185,599</u>

## STATEMENT OF ACTIVITIES AND CHANGE IN NET ASSETS FOR THE YEAR ENDED DECEMBER 31, 2014 WITH SUMMARIZED FINANCIAL INFORMATION FOR 2013

			2013				
	Unrestr	icted	Temporaril Restricted		Total		Total
REVENUE							
Contributions Foundation grants Interest and dividend income Rental income (Note 4) Other revenue Recoverable expenses income Net assets released from donor	26	1,526 5,000 264 5,334 - 3,500	\$ 29,45 2,375,50 - - - - -		83,982 2,380,500 264 26,334 - 63,500	\$	240,422 2,482,494 349 8,828 536 196,428
restrictions (Note 3)	2,730	),362	(2,730,36	<u>2</u> ) .		_	
Total revenue	2,879	9 <u>,986</u>	(325,40	<u>6</u> ) _	2,554,580	_	2,929,057
EXPENSES							
Program Services: Concentrated Animal Feeding Operations		3,934	-		223,934		169,309
Chesapeake Bay Initiative Coal	248 1,351	3,341 1,042	-		248,341 1,351,042		178,234 1,460,647
Maryland Healthy Communities Initiative Oil and Gas		3,302 5,954			313,302 706,954	_	359,651 579,303
Total program services	2,843	3 <u>,573</u>			2,843,573	_	2,747,144
Supporting Services:  Management and General  Fundraising		I,888 I <u>,489</u>	-		164,888 104,489	_	86,902 71,667
Total supporting services	269	) <u>,377</u>			269,377	_	<u> 158,569</u>
Total expenses	3,112	2 <u>,950</u>			3,112,950	_	2,905,713
Change in net assets	(232	2,964)	(325,40	6)	(558,370)		23,344
Net assets at beginning of year	247	<u>7,753</u>	1,389,77	<u> 2</u> .	1,637,525	_	1,614,181
NET ASSETS AT END OF YEAR	\$ <u>1</u> 4	<u>,789</u>	\$ <u>1,064,36</u>	<u>6</u> \$	1,079,155	\$_	1,637,525

## STATEMENT OF FUNCTIONAL EXPENSES FOR THE YEAR ENDED DECEMBER 31, 2014

	Program Services										Sup																	
	Con	centrated					N	/laryland																				
	1	Animal	Ch	esapeake			ı	Healthy		Total					Total													
	F	Feeding		Feeding		Feeding		Feeding		Feeding		Feeding		Feeding		Bay			Cor	nmunities	Oil and	Program	Ма	nagement			Supporting	
	Op	erations	<u>l</u> ı	nitiative		Coal	<u>lı</u>	nitiative	Gas	Services	an	d General	Fui	ndraising	Services	Total												
Payroll (Note 5)	\$	139,337	\$	165,753	\$	906,875	\$	197,606	\$446,436	\$ 1,856,007	\$	347,074	\$	91,973	\$ 439,047	\$ 2,295,054												
Professional and legal fees		13,894		12,902		34,920		2,852	41,277	105,845		21,842		-	21,842	127,687												
Public relations		11,025		11,994		28,172		6,241	27,458	84,890		-		-	-	84,890												
Subgrant		-		-		-		21,000	15,000	36,000		-		-	-	36,000												
Meeting and transportation		3,110		1,319		42,536		6,168	3,784	56,917		11,537		3,214	14,751	71,668												
Printing, postage and delivery		939		1,295		23,654		1,476	6,131	33,495		5,404		621	6,025	39,520												
Reference material		7,149		1,457		16,743		2,737	19,938	48,024		53		-	53	48,077												
Court filing fees		100		490		2,968		-	865	4,423		-		-	-	4,423												
Testing and project supplies		106		208		3,865		9,259	3,522	16,960		208		-	208	17,168												
Dues and subscriptions		1,546		958		4,182		1,709	1,448	9,843		6,361		10	6,371	16,214												
Rent expense (Note 4)		14,907		16,816		95,807		19,717	43,313	190,560		58,103		8,516	66,619	257,179												
Information technology		-		-		185		-	90	275		26,406		-	26,406	26,681												
Business insurance		-		-		-		-	-	-		11,016		-	11,016	11,016												
Other administrative costs		30		-		372		-	234	636		19,222		155	19,377	20,013												
Depreciation expense		-		-		-		-	-	-		17,583		-	17,583	17,583												
Amortization expense			_	-		-	_	-			_	39,777	_	-	39,777	39,777												
Subtotal		192,143		213,192	1	1,160,279		268,765	609,496	2,443,875		564,586		104,489	669,075	3,112,950												
Overhead allocation		31,791	_	35,149	_	190,763		44,537	97,458	399,698		(399,698)			(399,698)													
TOTAL	\$	223,934	\$	248,341	<b>\$</b> 1	1,351,042	\$	313,302	\$706,954	\$ 2,843,573	\$	164,888	\$	104,489	\$ 269,377	\$ 3,112,950												

## STATEMENT OF FUNCTIONAL EXPENSES FOR THE YEAR ENDED DECEMBER 31, 2013

	Program Services										<u>-</u>						
		ncentrated Animal		esapeake			Maryland Healthy		Total					Total			
		Feeding				Bay			mmunities	Oil and	Program	Ma	anagement			Supporting	
		perations	ı	nitiative	Coal		nitiative	Gas	Services		d General	Fur	ndraising	Services	Total		
						,,,											
Payroll (Note 5)	\$	101,894	\$	138,934	\$1,021,174	\$	204,356	\$ 393,963	\$ 1,860,321	\$	202,214	\$	53,227	\$ 255,441	\$ 2,115,762		
Professional and legal fees		17,154		1,624	106,613		19,934	36,000	181,325		27,059		-	27,059	208,384		
Public relations		13,079		5,646	35,568		17,438	10,662	82,393		68		-	68	82,461		
Subgrant		-		-	-		21,000	15,000	36,000		10,000		-	10,000	46,000		
Meeting and transportation		7,047		658	30,255		8,553	15,861	62,374		9,736		4,495	14,231	76,605		
Printing, postage and delivery		852		2,110	9,077		2,292	2,912	17,243		7,495		73	7,568	24,811		
Reference material		1,372		961	16,906		3,786	5,082	28,107		414		278	692	28,799		
Court filing fees		-		-	494		525	1,215	2,234		-		-	-	2,234		
Testing and project supplies		-		17	3		22,587	5,404	28,011		45		-	45	28,056		
Dues and subscriptions		871		-	6,854		1,617	866	10,208		7,436		1,832	9,268	19,476		
Rent expense (Note 4)		-		-	-		-	-	-		184,875		-	184,875	184,875		
Information technology		-		-	748		32	-	780		29,126		40	29,166	29,946		
Business insurance		-		-	-		-	-	-		11,737		-	11,737	11,737		
Other administrative costs		-		114	392		115	230	851		33,822		279	34,101	34,952		
Depreciation expense		-		-	-		-	-	-		5,733		-	5,733	5,733		
Amortization expense			_	-			-			_	5,882			5,882	5,882		
Subtotal		142,269		150,064	1,228,084		302,235	487,195	2,309,847		535,642		60,224	595,866	2,905,713		
Overhead allocation	_	27,040		28,170	232,563		57,416	92,108	437,297		(448,740)		11,443	(437,297	<u> </u>		
TOTAL	\$	169,309	\$	178,234	\$1,460,647	\$	359,651	\$ 579,303	\$ 2,747,144	\$	86,902	\$	71,667	\$ 158,569	\$ 2,905,713		

## STATEMENT OF CASH FLOWS FOR THE YEAR ENDED DECEMBER 31, 2014 WITH SUMMARIZED FINANCIAL INFORMATION FOR 2013

		2014		2013
CASH FLOWS FROM OPERATING ACTIVITIES				
Change in net assets	\$	(558,370)	\$	23,344
Adjustments to reconcile change in net assets to net cash used by operating activities:				
Depreciation and amortization		57,360		11,615
(Increase) decrease in: Grants and contributions receivable Other receivables Prepaid expenses Deposits		90,480 998 (27,166) 8,400		(389,168) (234) 5,916 (66,056)
Increase (decrease) in: Accounts payable and accrued expenses Accrued salaries and related benefits Deferred leasehold incentive obligation Deferred rent liability	_	30,297 13,043 (39,307) 153,567	_	(19,632) 23,158 - 46,139
Net cash used by operating activities	_	(270,698)	_	(364,918)
CASH FLOWS FROM INVESTING ACTIVITIES				
Purchase of fixed assets	_	(8,377)		(75,839)
Net cash used by investing activities	_	(8,377)	_	(75,839)
Net decrease in cash and cash equivalents		(279,075)		(440,757)
Cash and cash equivalents at beginning of year	_	697,809		1,138,566
CASH AND CASH EQUIVALENTS AT END OF YEAR	<b>\$_</b>	418,734	<b>\$_</b>	697,809
SCHEDULE OF NONCASH INVESTING AND FINANCING TRANSACTIONS				
Addition to Leasehold Improvements Acquired from Leasehold Incentive	<b>\$_</b>	50,060	<b>\$_</b>	

## NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2014

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND GENERAL INFORMATION

## Organization -

The Environmental Integrity Project (EIP) is a nonpartisan, non-profit organization, incorporated in November 2003 in Washington D.C. EIP was founded by Eric Schaeffer, with support from the Rockefeller Family Fund and other Foundations. EIP has the following three objectives:

- To provide an objective analysis of how the failure to enforce or implement environmental laws increase pollution and affects the public's health;
- To hold federal and state agencies, as well as individual corporations, accountable for failing to enforce or comply with environmental law; and
- To help local communities in key states obtain the protection of environmental laws.

EIP's work, which is frequently based on an extensive review of government records, has been cited in Congressional hearings and debates, in reports by the U.S. Government Accountability Office, and in frequent news articles. EIP periodically evaluates the effectiveness of federal and state environmental programs, offering recommendations for improvement while recognizing outstanding performance.

EIP also works closely with grassroots organizations in Iowa, Pennsylvania, Texas and other states to assist communities that are trying to get neighboring polluters to reduce their emissions and comply with environmental laws.

#### Basis of presentation -

The accompanying financial statements are presented on the accrual basis of accounting, and in accordance with FASB ASC 958, *Not-for-Profit Entities*.

The financial statements include certain prior year summarized comparative information in total but not by net asset class. Such information does not include sufficient detail to constitute a presentation in conformity with generally accepted accounting principles. Accordingly, such information should be read in conjunction with EIP's financial statements for the year ended December 31, 2013, from which the summarized information was derived.

#### Cash and cash equivalents -

EIP considers all cash and other highly liquid investments with initial maturities of three months or less to be cash equivalents.

Bank deposit accounts are insured by the Federal Deposit Insurance Corporation (FDIC) up to a limit of \$250,000. At times during the year, EIP maintains cash balances in excess of the FDIC insurance limits. Management believes the risk in these situations to be minimal.

### Grants and contributions receivable -

Grants and contributions receivable that are expected to be collected in future years are recorded at fair value, measured as the present value of their future cash flows. The discounts on these amounts are computed using risk-adjusted interest rates applicable to the years in which the promises are received. Amortization of the discounts is included in grants and contribution revenue. Conditional promises to give are not included as support until the conditions are substantially met.

## NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2014

## 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND GENERAL INFORMATION (Continued)

Grants and contributions receivable (continued) -

Other accounts receivable are recorded at their net realizable value, which approximates fair value. All grants, contributions and accounts receivable are considered by management to be fully collectible. Accordingly, an allowance for doubtful accounts has not been established.

#### Fixed assets -

Fixed assets in excess of \$500 are capitalized and stated at cost. Fixed assets are depreciated on a straight-line basis over the estimated useful lives of the related assets, generally three to five years. Leasehold improvements are amortized over the remaining life of the lease. The cost of maintenance and repairs is recorded as expenses are incurred. Depreciation and amortization expense for the year ended December 31, 2014 totaled \$57,360.

#### Income taxes -

EIP is exempt from Federal income taxes under Section 501(c)(3) of the Internal Revenue Code. Accordingly, no provision for income taxes has been made in the accompanying financial statements. EIP is not a private foundation.

#### Uncertain tax positions -

For the year ended December 31, 2014, EIP has documented its consideration of FASB ASC 740-10, *Income Taxes*, that provides guidance for reporting uncertainty in income taxes and has determined that no material uncertain tax positions qualify for either recognition or disclosure in the financial statements.

The Federal Form 990, Return of Organization Exempt from Income Tax, is subject to examination by the Internal Revenue Service, generally for three years after it is filed.

#### Net asset classification -

The net assets are reported in two self-balancing groups as follows:

- Unrestricted net assets include unrestricted revenue and contributions received without donor-imposed restrictions. These net assets are available for the operation of EIP and include both internally designated and undesignated resources.
- Temporarily restricted net assets include revenue and contributions subject to donorimposed stipulations that will be met by the actions of EIP and/or the passage of time. When a restriction expires, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the Statement of Activities and Change in Net Assets as net assets released from restrictions.

### Contributions and grants -

Unrestricted and temporarily restricted contributions and grants are recorded as revenue in the year notification is received from the donor. Temporarily restricted contributions and grants are recognized as unrestricted support only to the extent of actual expenses incurred in compliance with the donor-imposed restrictions and satisfaction of time restrictions. Such funds in excess of expenses incurred are shown as temporarily restricted net assets in the accompanying financial statements.

## NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2014

## 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND GENERAL INFORMATION (Continued)

Contributions and grants (continued) -

Recoverable revenue pertains to certain allowable legal fees that EIP has incurred in the course of representing a case which may be recovered in a court settlement. These fees may include staff attorney fees, expert costs, and other costs allowed by the court. Recoverable revenue is recognized in the year when the final outcome of legal claims or reimbursements is certain and realized. This occurs after the consent decree has been entered with the relevant jurisdictional court and after all payment conditions identified in the consent decree have been met.

#### Use of estimates -

The preparation of the financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Accordingly, actual results could differ from those estimates.

### Functional allocation of expenses -

The costs of providing the various programs and other activities have been summarized on a functional basis in the Statement of Activities and Change in Net Assets. Accordingly, certain costs have been allocated among the programs and supporting services benefited.

## Reclassification -

Certain amounts in the prior year's summarized financial information have been reclassified to conform to the current year's presentation. These reclassifications had no effect on the previously reported changes in net assets.

#### 2. GRANTS RECEIVABLE

As of December 31, 2014, contributors to EIP have made written promises to give totaling \$837.916.

Grants are due as follows at December 31, 2014:

Less than one year	\$ 754,916
One to five years	<u>83,000</u>

#### TOTAL GRANTS RECEIVABLE \$\frac{837,916}{}

## 3. TEMPORARILY RESTRICTED NET ASSETS

Temporarily restricted net assets consisted of the following at December 31, 2014:

Concentrated Animal Feeding Operations	\$	26,746
Chesapeake Bay Initiative		96,408
Coal		311,514
Maryland Healthy Communities Initiative		200,922
Oil and Gas	_	428,776

TOTAL TEMPORARILY RESTRICTED NET ASSETS \$1,064,366

## NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2014

#### 3. TEMPORARILY RESTRICTED NET ASSETS

The following temporarily restricted net assets were released from donor restrictions by incurring expenses (or through the passage of time) which satisfied the restricted purposes specified by the donors:

Concentrated Animal Feeding Operations	\$ 223,934
Chesapeake Bay Initiative	248,341
Coal	1,237,897
Maryland Healthy Communities Initiative	313,302
Oil and Gas	556,888
Time Restricted	<u> 150,000</u>

## TOTAL NET ASSETS RELEASED FROM DONOR RESTRICTIONS

\$2,730,362

#### 4. LEASE COMMITMENTS

On March 14, 2013, EIP entered into a 10-year lease with Vermont Avenue SPE LLC, in Washington, D.C., which began on November 1, 2013. The lease provides for six months of free rent, followed by six months of reduced rent payments, and contains a fixed escalation clause for increases in the annual minimum rent at the rate of 2.25%. Under the terms of the lease, EIP received a leasehold improvement allowance of \$424,060. In 2013, \$374,000 of the allowance was used, and the remaining \$50,060 was used during 2014.

Accounting principles generally accepted in the United States of America require that the total rent commitment should be recognized on a straight-line basis over the term of the lease. Accordingly, the difference between the actual monthly payments and the rent expense being recognized for financial statement purposes is recorded as a deferred rent liability on the Statement of Financial Position.

EIP also had a one-year lease agreement for office space in San Antonio, Texas, which was initially scheduled to expire on August 31, 2014, but was terminated early on April 30, 2014. A new lease in Texas was effective May 1, 2014, and is scheduled to expire on April 30, 2015. A portion of the old space was subleased to an unrelated third party, which was initially scheduled to expire on August 31, 2014, but was terminated early at the same time the original lease was terminated.

The following is a schedule of the future minimum lease payments:

## Year Ending December 31,

_	
\$	275,090
	273,713
	279,871
	286,169
	296,428
<u>1</u>	,402,701

\$2,813,972

Rent expense for the year ended December 31, 2014 was \$257,179, which is included under rent expense in the accompanying Statement of Functional Expenses. As of December 31, 2014, the deferred rent liability was \$199,706 and the deferred leasehold incentive obligation was \$378,401.

## NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2014

#### 4. LEASE COMMITMENTS (Continued)

EIP subleases a portion of its office space in Washington, D.C. to an unrelated third party. This sublease, scheduled to expire on December 14, 2014, was extended through January 14, 2016. Subsequent to year-end, an additional sublease was signed, effective March 2015 through March 2016.

The following is a schedule of the future minimum rental income:

#### Year Ending December 31,

2016	 \$ 2,060 36,680
2015	\$ 34,620

Rental income for the year ended December 31, 2014 was \$26,334.

#### 5. RETIREMENT PLAN

EIP provides retirement benefits to its employees through a 401(k) plan, whereby employees may make contributions on a pre-tax and post-tax basis, subject to IRS limitations. Full-time employees are eligible to participate after one year of employment. Employer contributions are discretionary and participants are fully vested in employer contributions after two years of service.

EIP contributes 3% of an eligible participant's salary regardless of the individual's participation in the plan and also provides a match of up to 3% of each eligible participant's contribution to the plan. Contributions to the plan during the year ended December 31, 2014 totaled \$85,710.

### 6. SUBSEQUENT EVENTS

In preparing these financial statements, EIP has evaluated events and transactions for potential recognition or disclosure through April 21, 2015, the date the financial statements were issued.

On March 15, 2015, EIP entered into a sublease agreement with an unrelated third party to sublease a portion of the office space located in Washington, D.C. This sublease is scheduled to expire on March 14, 2016. Other than the new sublease, there were no subsequent events identified that required recognition of, or disclosure in, these financial statements.