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ANNUAL AUDITED REPORT FORM X-17A-5 PART III

Washington, D.C. 20549

FACING PAGE

Information Required of Brokers and Dealers Pursuant to Section 17 of the Securities Exchange Act of 1934 and Rule 17a-5 Thereunder

REPORT FOR THE PERIOD BEGINNING	01/01/2009	AND ENDING	12/31/2009
	MM/DD/YY		ΜΜ/ÐÐ/ΥΥ
A. REGIS	TRANT IDENTIFI	CATION	
NAME OF BROKER-DEALER: Flextrade LLC			OFFICIAL USE ONLY
ADDRESS OF PRINCIPAL PLACE OF BUSINE	SS: (Do not use P.O. F	Box No.}	FIRM I.D. NO.
	111 Great Neck Road		
	(No. and Street)	*     \ ''''''''''''''''''''''''''''''''	1/10 - 11 14 14 14 14 14 14 14 14 14 14 14 14
Great Neck	NY	1	1021
(City)	(State)	(Z	in Code)
NAME AND TELEPHONE NUMBER OF PERSO	N TO CONTACT IN 1 Vijay Kedia	REGARD TO THIS REP	ORT 516-627-8993
		*****	Area Code Telephone Number)
B. ACCOUN	NTANT IDENTIFI	CATION	
NDEPENDENT PUBLIC ACCOUNTANT whose			
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Certified Public Accountant			
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Accountant not resident in United Sta	ites or any of its posses	sions.	001/11/16310
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laims for exemption from the requirement that the a st be supported by a statement of facts and circumst	nnual report be covered lances relied on as the b	by the opinion of an inde asis for the exemption. So	pendent pitet accountant re Section 240.17a- <u>S(ex138</u> TRATI
		,	BRANCH OF AND EXAMINATIONS
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## OATH OR AFFIRMATION

I, <u>`</u>	Vijay Kedia	, swear (or affirm) that, to the best of
my l	knowledge and belief the accompanying financial s Flextrade LLC	tatement and supporting schedules pertaining to the firm of
of	December 31,	, 2009 , are true and correct. I further swear (or affirm) that
		pal officer or director has any proprietary interest in any account
******	NONE	
	1/21/13	(i of Ch
. 4	HEIDI SCHAFFEN Notary Public, State of New York No. 02SC5079476 Qualified in Nassau County Formalission Explore: Sans-///23//3	PRESIDENT Title
kf ca	Noter Public	Z/23/13 HEIDISCHAFFER HeidiSchaf
	cport ** contains (check all applicable boxes): ) Facing Page.	Notary Public, State of New York No. 02SC5079476
8J (b	<ul> <li>Facing rage.</li> <li>Statement of Financial Condition.</li> <li>Statement of Income (Loss).</li> </ul>	Qualified in Nassau County Commission Expires June 10 2 3 1 3
🛛 (d)	) Statement of Changes in Financial Condition.	
∐ (e) ⊒ (f)	) Statement of Changes in Stockholders' Equity or Statement of Changes in Liabilities Subordinated	Partners' or Sole Proprietors' Capital.
	Computation of Net Capital.	to Clamis of Cleanors.
<u>」())</u>	Computation for Determination of Reserve Requi	irements Pursuant to Rule 15c3-3.
	Information Relating to the Possession or Contro A Reconciliation, including appropriate explanation	I Requirements Under Rule 15c3-3. on of the Computation of Net Capital Under Rule 15c3-1 and the
	Computation for Determination of the Reserve Re	equirements Under Exhibit A of Rule 15c3-3.
J (k)	A Reconciliation between the audited and unaudi consolidation.	ted Statements of Financial Condition with respect to methods of
(I) I	An Oath or Affirmation.	
] (m)	A copy of the SIPC Supplemental Report.	(
J (n)	A report describing any material inadequacies foun	d to exist or found to have existed since the date of the previous audit.
For c	onditions of confidential treatment of certain porti	ions of this filing, see section 240.17a-5(e)(3).

Anchin, Block & Anchin LLP Accountants & Advisors 1375 Broadway New York, NY 10018 212 840-3456 www.anchin.com

## **INDEPENDENT AUDITORS' REPORT**

#### **To Flextrade LLC:**

ANCHIN

We have audited the accompanying statement of financial condition of Flextrade LLC as of December 31, 2009 that you are filing pursuant to Rule 17a-5 under the Securities Exchange Act of 1934. This financial statement is the responsibility of the Company's management. Our responsibility is to express an opinion on this financial statement 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 of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the financial position of Flextrade LLC at December 31, 2009, in conformity with accounting principles generally accepted in the United States of America.

Anchin, Block & Anchin 42P Anchin, Block & Anchin up

New York, New York February 17, 2010

## STATEMENT OF FINANCIAL CONDITION

# **DECEMBER 31, 2009**

# ASSETS

Cash and cash equivalents	\$ 10,257,396
Accounts receivable, net of \$230,000 allowance for doubtful accounts	2,755,154
Other assets	8,224
Total Assets	\$ 13,020,774

# LIABILITIES AND MEMBER'S EQUITY

# Liabilities:

Sales tax payable and accrued expenses		,115			
Deferred revenue	4,450	,070			
Customer deposits	200	,500			
Due to Parent	2,416	<b>5,666</b>			
Total Liabilities	7,494	,351			
Commitments and Contingencies					
Member's Equity		,423			
Total Liabilities and Member's Equity	<u>\$ 13,020</u>	,774			

See the accompanying Notes to the Statement of Financial Condition.

## NOTES TO THE STATEMENT OF FINANCIAL CONDITION

## **NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Flextrade LLC (the "Company") was organized in New York on December 18, 2000, as a limited liability company. The Company is wholly owned by Flextrade Systems, Inc. (the "Parent"). The operating agreement provides for the Company to continue until December 31, 2040 unless dissolved sooner.

#### **Principal Business Activity**

The Company licenses computer software primarily to security broker-dealers located throughout the United States. The software's function is to carry out and initiate orders to buy and sell securities. The software routes an investor's order to the broker-dealer for purposes of executing and settling transactions and all other elements of broker-dealer services. The Parent provides customer support services and performs other related administrative functions. The Company is registered with the Securities and Exchange Commission (SEC) and is a member of the Financial Industry Regulatory Authority (FINRA).

#### Cash and Cash Equivalents

Cash equivalents consist of a money market fund.

#### **Financial Statement Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles may require management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

#### **Revenue Recognition**

The Company's revenue from licensing agreements is based on the number of shares traded through the use of the licensed software and recognized when the trades occur. Upfront fees from customers are deferred and recognized over the life of the contract. Some agreements may provide for a maximum annual fee payable by a customer. In such cases, if the Company determines based on the proportionate number of shares traded as of the balance sheet date, that the volume of shares traded will result in the maximum being reached, the revenue is recognized on the straight line basis over the life of the contract.

#### NOTES TO THE STATEMENT OF FINANCIAL CONDITION

#### **NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

#### Accounts Receivable and Allowance for Doubtful Accounts

The Company's trade accounts receivable are recorded at amounts billed to customers and presented on the balance sheet net of the allowance for doubtful accounts, if required. The allowance is determined by a variety of factors, including the age of the receivables, current economic conditions, historical losses and other information management obtains regarding the financial condition of customers. The policy for determining past due status of receivables is based on how recently payments have been received. Receivables are charged off when they are deemed uncollectible, which may arise when customers file for bankruptcy or are otherwise deemed unable to repay the amounts owed to the Company.

#### **Income Taxes**

No provision is required for federal and state taxes on the income of the Company. Under the Internal Revenue Code and similar state regulations the Company is treated as a disregarded entity; accordingly, the income of the Company is taxed to the member.

#### NOTE 2 - CASH SEGREGATED UNDER FEDERAL AND OTHER REGULATIONS

The Company is not required to maintain a special reserve bank account for the benefit of customers under Rule 15c3-3 of the Securities and Exchange Commission under Section K(2)i of the Rule.

#### **NOTE 3 - NET CAPITAL REQUIREMENTS**

The Company is subject to the Securities and Exchange Commission Uniform Net Capital Rule (Rule 15c3-1), which requires the maintenance of minimum net capital and requires that the ratio of aggregate indebtedness to net capital, both as defined, shall not exceed 15 to 1.

#### NOTES TO THE STATEMENT OF FINANCIAL CONDITION

## **NOTE 3 - NET CAPITAL REQUIREMENTS (CONTINUED)**

At December 31, 2009, the Company had net capital of \$3,518,819 which was \$3,019,195 in excess of its required minimum net capital of \$499,624. The Company's ratio of aggregate indebtedness to net capital was 2.13 to 1.

## **NOTE 4 - RELATED PARTY TRANSACTIONS**

The Company has an agreement with its Parent, which provides that the Parent will provide and pay for specified administrative duties and other services for the Company and that the Company will reimburse the Parent for its share of the associated expenses. The Parent charges the Company monthly an amount for its share of the estimated annual expenses and adjusts such amounts as of December 31, 2009 based on actual expenses incurred. The difference between the amounts billed and the actual expenses for the year resulted in an amount due to Parent which was paid subsequent to December 31, 2009 in accordance with the agreement. The agreement provides that the Parent and the Company shall review the cost allocation between the parties no less than annually whereby such amounts may be adjusted. The agreement terminates upon the mutual consent of the parties or the termination of the existence of either party.

#### **NOTE 5 - CREDIT RISK CONCENTRATION**

The Company maintains accounts in a bank located in New York. The excess of deposit balances reported by the bank over amounts covered by federal insurance was approximately \$10,007,000 at December 31, 2009.

#### **NOTE 6 - MAJOR CUSTOMERS**

Certain larger customers of the broker-dealers which license the Company's products may influence the selection of the software to be used.

#### NOTES TO THE STATEMENT OF FINANCIAL CONDITION

#### **NOTE 7 - CONTINGENCIES**

#### **Sales Tax Examination**

The Company is involved in a sales tax examination with New York State (NYS) which covers the reporting periods from September 1, 2001 to August 31, 2008. NYS is questioning the Company's methodology of determining the taxable portion of its revenue billed to customers that are subject to NYS sales tax and has asserted that a greater portion of the invoice amount should be subject to such tax. The Company has provided \$329,882 for additional sales tax that may be payable, including interest, to cover the reporting periods from September 1, 2001 to December 31, 2009. It is reasonably possible that management's estimate may change in the near term and such amount could be material. However, management believes that the Company has adequate resources to meet any obligation that may arise as a result of this matter.

Management has engaged legal counsel to represent them in this matter. Counsel has advised management that since the sales tax examination is ongoing, they cannot quantify the resultant liability, if any.

#### **NOTE 8 - SUBSEQUENT EVENTS**

Subsequent events have been evaluated through February 17, 2010 which is the date the financial statements were available to be issued.

# STATEMENT OF FINANCIAL CONDITION

**DECEMBER 31, 2009** 

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Washington, DC 121

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