



FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2022



Independent Auditors' Report

Board of Directors
LGS Foundation, Inc.
San Diego, CA

Opinion

We have audited the accompanying financial statements of LGS Foundation, Inc. (the Foundation), which comprise the statement of financial position as of December 31, 2022, and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Foundation as of December 31, 2022, and the changes 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.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. 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 Foundation and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

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 Foundation's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

Auditor's Responsibilities for the Audit of the Financial Statements

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 generally accepted auditing standards 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, including omissions, 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 generally accepted auditing standards, 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 Foundation'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 Foundation's ability to continue as a going concern for a reasonable period of time.

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.



Bethesda, Maryland
June 8, 2023

Certified Public Accountants

LGS Foundation, Inc.
Statement of Financial Position
December 31, 2022

Assets

Cash	\$ 1,250,455
Investments	5,712
Pledge Receivables	261,565
Prepaid Expenses	58,206
Property and Equipment - Net	<u>22,259</u>

Total Assets **\$ 1,598,197**

Liabilities and Net Assets

Current Liabilities

Accounts Payable and Accrued Expenses	\$ 25,691
Grans Payable	22,500
Deferred Revenue	<u>334,000</u>

Total Current Liabilities 382,191

Net Assets

Without Donor Restrictions	913,375
With Donor Restrictions	<u>302,631</u>

Total Net Assets 1,216,006

Total Liabilities and Net Assets **\$ 1,598,197**

See accompanying Notes to Financial Statements.

LGS Foundation, Inc.
Statement of Activities
For the Year Ended December 31, 2022

	Without Donor Restrictions	With Donor Restrictions	Total
Revenue			
Contributions	\$ 829,056	\$ 302,631	\$ 1,131,687
Contributions - In-Kind	23,363	-	23,363
Special Events	26,092	-	26,092
Contracts	23,734	-	23,734
Registration	159,161	-	159,161
Other Income (Loss)	(832)	-	(832)
Net Assets Released from Restrictions	177,000	(177,000)	-
	<u>1,237,574</u>	<u>125,631</u>	<u>1,363,205</u>
Total Revenue			
Expenses			
Program Services	1,191,833	-	1,191,833
General and Administration	112,931	-	112,931
Fundraising	74,463	-	74,463
	<u>1,379,227</u>	<u>-</u>	<u>1,379,227</u>
Total Expense			
Change in Net Assets	<u>(141,653)</u>	<u>125,631</u>	<u>(16,022)</u>
Net Assets, Beginning of Year	<u>1,055,028</u>	<u>177,000</u>	<u>1,232,028</u>
Net Assets, End of Year	<u>\$ 913,375</u>	<u>\$ 302,631</u>	<u>\$ 1,216,006</u>

See accompanying Notes to Financial Statements.

LGS Foundation, Inc.

**Statement of Functional Expense
For the Year Ended December 31, 2022**

	<u>Program</u>	<u>General & Administrative</u>	<u>Fundraising</u>	<u>Total</u>
Personnel	\$ 481,303	\$ 57,139	\$ 28,311	\$ 566,753
Consulting and Professional Fees	37,164	36,540	2,480	76,184
Grants and Scholarships	161,594	-	-	161,594
Meetings and Events	348,193	858	36,690	385,741
Office Expense	3,355	9,187	1,273	13,815
Marketing and Communications	51,080	1,031	1,449	53,560
Occupancy	-	2,389	-	2,389
Travel	33,868	268	806	34,942
Depreciation and Amortization	9,540	3,180	-	12,720
Information Technology	65,736	2,339	3,454	71,529
Total	<u>\$ 1,191,833</u>	<u>\$ 112,931</u>	<u>\$ 74,463</u>	<u>\$ 1,379,227</u>

See accompanying Notes to Financial Statements.

LGS Foundation, Inc.
Statement of Cash Flows
For the Year Ending December 31, 2022

Cash Flows from Operating Activities

Increase (Decrease) in Net Assets	\$ (16,022)
Adjustments to Reconcile Increase (Decrease) in Net Assets to Net Cash Provided by (Used in) Operating Activities	
Loss on Disposal of Property	25,000
Depreciation and Amortization	12,720
<u>(Increase) Decrease in Assets</u>	
Pledge Receivables	(119,565)
Prepaid Expenses	(43,189)
<u>Increase (Decrease) in Liabilities</u>	
Accounts Payable	(31,709)
Deferred Revenue	134,000
Net Cash Provided by (Used in) Operating Activities	<u>(16,265)</u>

Cash Flows from Investing Activities

Purchases of Investments	<u>(5,712)</u>
Net Cash Provided by (Used in) Investing Activities	<u>(5,712)</u>
Increase (Decrease) in Cash	(21,977)
Cash, Beginning of Year	<u>1,272,432</u>
Cash, End of Year	<u>\$ 1,250,455</u>

See accompanying Notes to Financial Statements.

LGS Foundation, Inc.

Notes to Financial Statements December 31, 2022

1. ORGANIZATION

The LGS Foundation, Inc. (the Foundation) was founded in 2008 to end the suffering and devastation caused by Lennox-Gastaut Syndrome (LGS). The Foundation:

- Mobilizes resources to drive scientific breakthroughs for stabilizing treatments for LGS, and one day, develop preventive and reversative therapies for this devastating early-life epilepsy syndrome.
- Fights for a world where the best medical care is not based on luck and where navigating and quarterbacking the healthcare system does not fall heavily on the shoulders of overburdened caregivers and patient families.
- Builds a strong, supportive, educated community.
- Offers timely, impactful support programs for patient families navigating the LGS journey.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Presentation

The accompanying financial statements are presented in accordance with the accrual basis of accounting, whereby revenue is recognized when earned and expenses are recognized when incurred.

The financial statements of the Foundation have been prepared in accordance with U.S. generally accepted accounting principles (US GAAP), which requires the Foundation to report information regarding its financial position and activities according to the following net asset classifications:

Net Assets Without Donor Restrictions: Net assets that are not subject to donor-imposed restrictions and may be expended for any purpose in performing the primary objectives of the Foundation. These net assets may be used at the discretion of management and the Board of Directors.

Net Assets With Donor Restrictions: Net assets subject to stipulations imposed by donors, and grantors. Some donor restrictions are temporary in nature; those restrictions will be met by actions of the Foundation or by the passage of time. Other donor restrictions are perpetual in nature, whereby the donor has stipulated the funds be maintained in perpetuity.

Donor restricted contributions are reported as increases in net assets with donor restrictions. When a restriction expires, net assets are reclassified from net assets with donor restrictions to net assets without donor restrictions in the statement of activities.

Use of Estimates

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

LGS Foundation, Inc.

**Notes to Financial Statements
December 31, 2022**

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Pledges Receivable

Unconditional pledges receivable are recorded as receivables and revenue when received. The Foundation distinguishes between contributions received for each net asset category in accordance with donor-imposed restrictions. Pledges receivable are expected to be collected within one year.

Conditional promises to give are recognized when the conditions are met.

Management determines the allowance for doubtful promises to give by using the historical experience and the aging of the promise to give population. Pledges are written off when deemed uncollectable. Based on management's evaluation, there is no allowance for doubtful promises to give as of December 31, 2022.

Pledges receivable are expected to be collected within one year.

Investments

Investments are carried in the aggregate at fair value. All unrealized and realized gains and losses, interest, and dividends, including amounts earned on permanently restricted net assets, are recorded as unrestricted or temporarily restricted revenues.

Investments are reported under ASC 320 Investments - Debt & Equity Securities. Under ASC 320, investments in marketable securities with readily determinable fair values and all investments in debt securities are reported at their fair values in the consolidated statement of financial position. Unrealized gains and losses are included in the change in net assets. Investment income and gains restricted by a donor are reported as increases in unrestricted net assets if the restrictions are met (either by passage of time or by use) in the reporting period in which the income and gains are recognized.

Property and Equipment

Property and equipment acquisitions with a cost greater than \$1,000 and a projected useful life exceeding one year are capitalized and recorded at cost or fair value on the date of donation. Depreciation is computed using the straight-line method over the estimated useful lives of the assets, which range from three to seven years. Expenditures for repairs and maintenance are expensed as incurred.

Revenue Recognition

Contributions and grants, including unconditional promises to give, are recognized as revenues in the period received or pledged. Conditional promises to give are not recognized until the conditions on which they depend are substantially met. Contributions of assets, other than cash, are recorded at their estimated fair value at the date of gift. Contributed services and materials are recorded at their estimated fair value if they would otherwise be purchased if not provided by donation and provided by professionals in their field.

There were no unrecognized conditional contributions as of December 31, 2022.

LGS Foundation, Inc.

**Notes to Financial Statements
December 31, 2022**

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Revenue Recognition (Continued)

Special event revenue includes amounts paid by or on behalf of participants. Fees are based on published fixed rates and collected either at the time of registration, in advance resulting in a deferred revenue balance, or at the time that the event takes place and immediately recognized as revenue.

Registrations include amounts paid by or on behalf of participants. Fees are based on published fixed rates and collected either at the time of registration, in advance resulting in a deferred revenue balance, or at the time that the event takes place and immediately recognized as revenue. As of December 31, 2022, there was \$334,000 of deferred revenues related to the conference.

Functional Expenses

The costs of program and supporting services activities have been summarized on a functional basis in the statement of activities. The statement of functional expenses presents the natural classification detail of expenses by function. Accordingly, occupancy and office expenses, depreciation, information technology costs, and insurance have been allocated among the programs and supporting services benefits allocated on the basis of employee time and effort.

Income Taxes

The Foundation is exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code.

The accounting standard on accounting for uncertainty in income taxes addresses the determination of whether tax benefits claimed or expected to be claimed on a tax return should be recorded in the financial statements. Under that guidance, the Foundation may recognize the tax benefit from an uncertain tax position only if it is more likely than not that the tax position will be sustained on examination by taxing authorities based on the technical merits of the position. Examples of tax positions include the tax-exempt status of the Foundation and various positions related to the potential sources of unrelated business taxable income (UBIT). The tax benefits recognized in the financial statements from such a position are measured based on the largest benefit that has a greater than 50% likelihood of being realized upon ultimate settlement. There were no unrecognized tax benefits identified or recorded as liabilities for at December 31, 2022.

The Foundation's policy would be to recognize interest and penalties, if any, on tax positions related to its unrecognized tax benefits in income tax expense in the financial statements. No interest and penalties were assessed or recorded during 2022.

Generally, the Foundation is no longer subject to U.S. federal or state examinations for returns filed before 2019.

LGS Foundation, Inc.

**Notes to Financial Statements
December 31, 2022**

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

New Accounting Pronouncements

In 2016, FASB issued ASU 2016-02, Leases (Topic 842). Under the new guidance, lessees are required to recognize lease assets and lease liabilities on the statement of financial position for all leases with terms longer than twelve months. The new standard applies to finance and operating leases entered into after the standard was issued. The Foundation does not have any leases requiring recognition on the statement of financial position.

In September 2020, the FASB issued ASU 2020-07, Presentation and Disclosures by Not-for-Profit Entities for Contributed Nonfinancial Assets. The standard requires nonprofit entities to present contributed nonfinancial assets as a separate line item in the statement of activities, apart from contributions of cash or other financial assets. The standard also increases the disclosure requirements around contributed nonfinancial assets, including disaggregating by category the types of contributed nonfinancial assets a nonprofit entity has received. This standard was adopted in the current fiscal year and did not have a significant impact on the financial statements, with the exception of increased disclosure.

Recent Accounting Pronouncements

In June 2016, the FASB issued ASU 2016-13, Financial Instruments – Credit Losses (Topic 326). This guidance requires Organizations to measure all expected credit losses for financial instruments held at the reporting date based on historical experience, current conditions, and reasonable and supportable forecasts. The guidance is effective beginning in 2023.

Subsequent Events

Management has evaluated subsequent events through June 8, 2023 the date which the financial statements were available to be issued. The accompanying financial statements recognize the effects of subsequent events that provided evidence about conditions that existed at the statement of financial position date, including the estimates inherent in the process of preparing financial statements. The accompanying financial statements do not recognize the effect of subsequent events with conditions that did not exist at the statement of financial position date, but disclosures of such events, if any, are included in the accompanying notes.

3. CONCENTRATION OF CREDIT RISK

The Foundation maintains its cash balances in banks insured by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000 per bank. As of December 31, 2022, the Foundation's balances exceeded the FDIC insured limit by approximately \$888,000.

4. INVESTMENTS

Financial assets measured using Level 1 inputs are based on unadjusted quoted market prices in active markets for identical assets. Financial assets measured using Level 2 inputs are based primarily on quoted prices for similar assets in active or inactive assets. Financial assets valued using Level 3 inputs are valued using unobservable inputs to measure fair value to the extent that observable inputs are not available, thereby allowing for situations in which there is little, if any, market activity for the asset or liability at the measurement date. Unobservable inputs are developed based on the best information available in the circumstances, which might include Foundation's own data and assumptions.

LGS Foundation, Inc.

**Notes to Financial Statements
December 31, 2022**

4. INVESTMENTS (CONTINUED)

Fair values of assets measured on a recurring basis at December 31, 2022, are as follows:

	<u>Fair Value</u>	<u>Level 1 Inputs</u>
Mutual Funds - Equity	\$ 5,712	\$ 5,712
	<u>\$ 5,712</u>	<u>\$ 5,712</u>

5. PROPERTY AND EQUIPMENT

Property and equipment as of December 31, 2022 consisted of the following:

Website	\$ 38,159
Accumulated Depreciation and Amortization	<u>(15,900)</u>
	<u>\$ 22,259</u>

Depreciation and amortization expense for the year ended December 31, 2022 was \$12,720.

6. NET ASSETS

Net assets with donor restrictions as of and for the year ended December 31, 2022 were as follows:

	<u>Beginning of Year</u>	<u>Contributions</u>	<u>Net Assets Released</u>	<u>End of Year</u>
Time Restricted	<u>\$ 177,000</u>	<u>\$ 302,631</u>	<u>\$ (177,000)</u>	<u>\$ 302,631</u>

Net assets without donor restrictions were un-designated.

7. CONTRIBUTIONS – IN-KIND

During 2022, the Foundation received \$23,363 of donated investments and items that were auctioned at a fundraising event. The contributions – in-kind were recorded at fair value when donated.

LGS Foundation, Inc.

**Notes to Financial Statements
December 31, 2022**

8. LIQUIDITY AND AVAILABILITY

The following represents the Foundation's financial assets at December 31, 2022:

Financial Assets at Year End:

Cash	\$ 1,250,455
Investments	5,712
Pledge Receivables	<u>261,565</u>
Total Financial Assets	1,517,732

Less Amounts Not Available To Be Used Within One Year:

Net Assets With Donor Restrictions	302,631
Less: Net Assets With Purpose Restrictions To Be Met in Less Than a Year	(302,631)
Quasi Endowment Established by the Board	<u>-</u>

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Financial Assets Available to Meet General Expenditures

Over the Next Twelve Months	<u>\$ 1,517,732</u>
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As part of the Foundation's liquidity management plan, cash in excess of daily requirements is assessed to determine if amounts can be transferred to income generating accounts.