BALLANTYNE OF OMAHA INC Form 10-Q November 13, 2007

# UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, DC 20549

# **FORM 10-Q**

		_	
(M	lark	( )n	e)

X QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the quarterly period ended September 30, 2007

OR

o  $\,$  TRANSITION REPORT PURSUANT TO SECTION 13 OR 15 (d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from

to

Commission File Number: 1-13906

# BALLANTYNE OF OMAHA, INC.

(Exact Name of Registrant as Specified in Its Charter)

#### Delaware

(State or Other Jurisdiction of Incorporation or Organization)

47-0587703 (IRS Employer Identification Number)

4350 McKinley Street, Omaha, Nebraska

(Address of Principal Executive Offices)

68112 Zip Code

(402) 453-4444

Registrant s telephone number, including area code:

Indicate by check mark whether the registrant: (1) has filed all reports required to be filed by Section 13 or 15 (d) of the Securities Exchange Act of 1934 during the preceding twelve months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes x No o

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, or a non-accelerated filer. See definition of accelerated filer and large accelerated filer in Rule 12b-2 of the Exchange Act (check one):

Large accelerated filer Accelerated filer Non-accelerated filer X

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes o No x

Indicate the number of shares outstanding of each of the issuer s classes of common stock as of the latest practicable date:

Class Common Stock, \$.01, par value Outstanding as of November 12, 2007 13,858,438 shares

#### TABLE OF CONTENTS

#### **PART I. Financial Information**

		Page No.
Item 1.	Financial Statements	1
<u>Item 2.</u>	Management s Discussion and Analysis of Financial Condition And Results of Operations	<u>21</u>
Item 3.	Ouantitative and Qualitative Disclosures About Market Risk	<u>33</u>
Item 4.	Controls and Procedures	<u>33</u>
	PART II. Other Information	
Item 1.	Legal Proceedings	<u>34</u>
Item 1A.	Risk Factors	<u>34</u>
<u>Item 6.</u>	<u>Exhibits</u>	<u>34</u>
	<u>Signatures</u>	<u>35</u>

#### **Part I. Financial Information**

#### **Item 1. Financial Statements**

#### Ballantyne of Omaha, Inc. and Subsidiaries

#### **Consolidated Balance Sheets**

#### **September 30, 2007 and December 31, 2006**

Avento		September 30, 2007 (Unaudited)		December 31, 2006		
Assets						
Current assets: Cash and cash equivalents	\$	18,654,909	\$	22,622,654		
Restricted cash	Ф	250,733	Ф	611,391		
Accounts receivable (less allowance for doubtful accounts of \$508,946 in		250,755		011,391		
2007 and \$498,783 in 2006)		7,134,516		7,468,533		
Inventories, net		11,883,332		8,848,396		
Deferred income taxes		1,985,673		1,491,458		
Other current assets		2,251,092		1,019,007		
Total current assets		42,160,255		42,061,439		
Investment in joint venture		2,667,392				
Property, plant and equipment, net		4,527,843		4,854,508		
Goodwill, net		1,169,960		1,794,426		
Intangible assets, net		580,169		486,003		
Other assets		19,757		27,057		
Deferred income taxes		1,023,301		684,067		
Total assets	\$	52,148,677	\$	49,907,500		
Liabilities and Stockholders Equity						
Current liabilities:						
Current portion of long-term debt		\$	\$	14,608		
Accounts payable		4,249,918		3,257,948		
Warranty reserves		480,137		617,052		
Accrued group health insurance claims		228,306		276,405		
Accrued bonuses		146,184				
Other accrued expenses		2,293,622		2,310,339		
Customer deposits		821,387		344,599		
Income tax payable		78,777		266,395		
Total current liabilities		8,298,331		7,087,346		
Other accrued expenses, net of current portion Total liabilities		662,396 8,960,727		431,207 7,518,553		
Commitments and contingencies						
Stockholders equity:						
Preferred stock, par value \$.01 per share;						
Authorized 1,000,000 shares, none outstanding						
Common stock, par value \$.01 per share;						
		159,456		158,243		

Authorized 25,000,000 shares; issued 15,945,639 shares in 2007 15,824,389 shares in 2006	and and		
Additional paid-in capital		34,509,806	34,216,227
Accumulated other comprehensive income		14,746	14,746
Retained earnings		23,819,396	23,315,185
		58,503,404	57,704,401
Less 2,097,805 common shares in treasury, at cost		(15,315,454)	(15,315,454)
Total stockholders equity		43,187,950	42,388,947
Total liabilities and stockholders equity	\$	52,148,677 \$	49,907,500

See accompanying notes to consolidated financial statements.

#### Ballantyne of Omaha, Inc. and Subsidiaries

#### **Consolidated Statements of Operations**

#### Three and Nine Months Ended September 30, 2007 and 2006

#### (Unaudited)

		Three Months Ended September 30,					Nine Months Ended September 30,				
		2007		2007 2006		2007			2006		
Net revenues	9	\$	12,615,705		\$	13,069,673	\$	38,206,449		\$	37,357,779
Cost of revenues			10,526,839			10,875,149		30,913,586			29,100,160
Gross profit			2,088,866			2,194,524		7,292,863			8,257,619
				·				•			