

BEARINGPOINT INC
Form 11-K
June 30, 2008

Table of Contents

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, DC 20549**

FORM 11-K

þ **ANNUAL REPORT PURSUANT TO SECTION 15(d) OF THE SECURITIES EXCHANGE
ACT OF 1934**

For the fiscal year ended December 31, 2007

OR

o **TRANSITION REPORT PURSUANT TO SECTION 15(d) OF THE SECURITIES EXCHANGE
ACT OF 1934**

Commission File Number 333-55380

A. Full title of the plan and address of the plan, if different from that of the issuer named below:

BEARINGPOINT, INC. 401(k) PLAN

B. Name of issuer of the securities held pursuant to the plan and the address of its principal executive office:

BearingPoint, Inc.

1676 International Drive

McLean, Virginia 22102

**BEARINGPOINT, INC. 401(k) PLAN
INDEX TO FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULE**

	Page Number
<u>REPORT OF ERNST & YOUNG LLP, INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM</u>	3
<u>REPORT OF PRICEWATERHOUSECOOPERS LLP, INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM</u>	4
FINANCIAL STATEMENTS	
<u>Statements of Net Assets Available for Benefits at December 31, 2007 and December 31, 2006</u>	5
<u>Statements of Changes in Net Assets Available for Benefits for the Year Ended December 31, 2007 and the Eight Months Ended December 31, 2006</u>	6
<u>Notes to Financial Statements</u>	7
SUPPLEMENTAL SCHEDULE	
<u>Schedule H, Line 4i-Schedule of Assets (Held at End of Year)-December 31, 2007</u>	14

Table of Contents

REPORT OF ERNST & YOUNG LLP,
INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

BearingPoint, Inc. 401(k) Plan Committee:

We have audited the accompanying statement of net assets available for benefits of the BearingPoint, Inc. 401(k) Plan as of December 31, 2007, and the related statement of changes in net assets available for benefits for the year then ended. These financial statements are the responsibility of the Plan's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with the standards of the Public Company Accounting Oversight Board (United States). Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. We were not engaged to perform an audit of the Plan's internal control over financial reporting. Our audit included consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Plan's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the net assets available for benefits of the Plan at December 31, 2007, and the changes in its net assets available for benefits for the year then ended, in conformity with U.S. generally accepted accounting principles.

Our audit was performed for the purpose of forming an opinion on the financial statements taken as a whole. The accompanying supplemental schedule of assets (held at end of year) as of December 31, 2007, is presented for purposes of additional analysis and is not a required part of the financial statements but are supplementary information required by the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974. This supplemental schedule is the responsibility of the Plan's management. The supplemental schedule has been subjected to the auditing procedures applied in our audit of the financial statements and, in our opinion, is fairly stated in all material respects in relation to the financial statements taken as a whole.

/s/ Ernst & Young, LLP
McLean, Virginia
June 23, 2008

Table of Contents

**REPORT OF PRICEWATERHOUSECOOPERS LLP,
INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM**

To the Participants and Administrator of the
BearingPoint, Inc. 401(k) Plan:

In our opinion, the accompanying statement of net assets available for benefits and the related statement of changes in net assets available for benefits present fairly, in all material respects, the net assets available for benefits of BearingPoint, Inc. 401(k) Plan (the Plan) at December 31, 2006, and the changes in net assets available for benefits for the eight months ended December 31, 2006 in conformity with accounting principles generally accepted in the United States of America. These financial statements are the responsibility of the Plan s management. Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit of these statements in accordance with the standards of the Public Company Accounting Oversight Board (United States). 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, assessing the accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

PricewaterhouseCoopers LLP
Boston, Massachusetts
August 2, 2007

Table of Contents

**BEARINGPOINT, INC. 401(k) PLAN
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS**

	December 31, 2007	December 31, 2006
ASSETS		
Investments, at fair value (Note C)	\$ 573,367,022	\$ 531,334,170
Receivables:		
Company contributions, net of forfeitures (Note A-2)	7,724,715	4,638,969
Employee contributions	1,684,235	1,793,470
Other	43,390	21,382
Total assets	582,819,362	537,787,991
LIABILITIES		
Accrued administrative expenses	98,000	117,046
Net assets available for benefits, at fair value	582,721,362	537,670,945
Adjustment from fair value to contract value for interest in collective trust relating to fully benefit-responsive investment contracts (Note B-2)	476,733	934,811
Net assets available for benefits	\$ 583,198,095	\$ 538,605,756

The accompanying notes are an integral part of these financial statements.

Table of Contents

BEARINGPOINT, INC. 401(k) PLAN
STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

	Year Ended December 31, 2007	Eight Months Ended December 31, 2006
Additions to assets attributed to:		
Investment income		
Net appreciation in fair value of investments (Note C)	\$ 2,251,741	\$ 9,825,553
Interest and dividends	27,761,782	18,356,894
Total investment income	30,013,523	28,182,447
Contributions		
Participant contributions and rollovers	80,239,466	46,537,914
Company contributions, net of forfeitures (Note A-2)	7,384,957	4,199,450
Total contributions	87,624,423	50,737,364
Total additions	117,637,946	78,919,811
Deductions from assets attributed to:		
Benefit payments to participants	72,759,986	41,639,648
Administrative expenses (Note A-9)	285,621	196,603
Total deductions	73,045,607	41,836,251
Net increase	44,592,339	37,083,560
Net assets available for benefits		
Beginning of year	538,605,756	501,522,196
End of year	\$ 583,198,095	\$ 538,605,756

The accompanying notes are an integral part of these financial statements.

Table of Contents

**BEARINGPOINT, INC. 401(k) PLAN
NOTES TO FINANCIAL STATEMENTS**

NOTE A Description of the Plan

1. General

The following brief description of the BearingPoint, Inc. 401(k) Plan (the Plan) is provided for general information purposes only. Participants in the Plan should refer to the Plan document for a complete description of the provisions of the Plan.

The Plan is a defined contribution plan. All full-time and part-time employees of BearingPoint, Inc. (the Company) who are regularly scheduled to work a minimum of 1,000 hours in a year, or have completed one year of service, are eligible to participate. The Plan has two features: the 401(k) portion, which allows participants to make pre-tax contributions, and the after-tax portion, which allows participants to make after-tax contributions. The Plan qualifies under Section 401(a) of the Internal Revenue Code of 1986, as amended (the Code), and is subject to the provisions of the Employee Retirement Income Security Act of 1974, as amended (ERISA).

Effective as of May 1, 2006, the Plan was amended to change the Plan year-end to December 31. As a requirement of this change, the results for the eight-month period from May 1, 2006 to December 31, 2006 are reported as a separate transition period. Prior to this amendment, the Plan year-end was April 30.

2. Contributions

Eligible employees may elect to contribute on a pre-tax basis between 1% to 50% of their annual eligible compensation. Contributions to the Plan are subject to the limit imposed by the Code and by the Plan. The maximum contributions permitted by the Code were \$15,500 and \$15,000 for calendar years 2007 and 2006, respectively. Those who were age 50 or older at any time in calendar years 2007 and 2006 could take advantage of a higher pre-tax contribution limit of \$20,500 and \$20,000, respectively. Participants may elect to make after-tax contributions up to a maximum of 50% of their eligible compensation on a combined pre-tax and after-tax basis. Participants may also roll over amounts representing distributions from other qualified retirement plans. Participants may choose to have their contributions invested entirely in one, or in any combination of investment options, in whole percentage increments.

The Plan offers participants a variety of investment options, including investments in collective trusts and mutual funds. In addition, employees have the option to make contributions to a self-directed brokerage account, which permits the participants to choose from a wide array of investments including publicly traded stocks, fixed-income instruments and mutual funds. Participants may change their deferral percentage and investment selection for future contributions at any time. The changes will take effect for the next eligible pay cycle so long as the request is completed before the respective cutoff dates. Participants may transfer part or all of existing account balances among funds in the Plan at any time.

From Plan inception through September 14, 2006, employees were able to elect to invest in the Company s common stock fund. Effective September 14, 2006, the Plan was amended to permanently prohibit additional participant purchases of, and Company contributions to, Company common stock under the Plan. In addition, participants may no longer transfer any existing account balance to the Company s common stock fund. Employees may continue to dispose of any of the Company s common stock currently held in their retirement funds, subject to the Company s insider trading policy. U.S. Trust serves as independent fiduciary of the Company s common stock fund. On July 1, 2007, U.S. Trust merged with Bank of America and now operates as U.S. Trust, Bank of America Private Wealth Management.

For the Plan year ended December 31, 2007 and December 31, 2006, employees who made pre-tax salary reduction contributions during the Plan year and who were employed on the last day of the Plan year received a Company matching contribution of 25% of the first 6% of eligible compensation contributed to the Plan. The Company may also make additional discretionary contributions to the Plan. No discretionary contributions were made for the Plan year ended December 31, 2007 or December 31, 2006. Catch-up and after-tax contributions are not eligible for the Company matching contribution. The matching contribution is calculated once a year based on contributions to the Plan as of the last day of the Plan year. Matching contributions are made in cash. The Company match is allocated based on participant investment elections on file at the time the matching contribution is made. Matching contributions for the year ended December 31, 2007 and the eight months ended December 31, 2006 were

\$9,657,023 and \$5,986,440, respectively. Company matching contributions receivable at

7

Table of Contents

BEARINGPOINT, INC. 401(k) PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

December 31, 2007 were reduced by available forfeitures at December 31, 2007 of \$2,227,289. Company matching contributions receivable at December 31, 2006 were reduced by available forfeitures at December 31, 2006 of \$1,687,230. Forfeitures represent Plan year-end non-vested Company matching contributions for participants who have terminated their employment with the Company and have either had a distribution processed from the Plan or have had funds remaining in the Plan for more than five consecutive years from their termination date. Company matching contributions, net of forfeitures, are classified in the Statements of Net Assets Available for Benefits as receivables, as Company matching contributions are paid subsequent to the Plan year-end.

The Company may, at its discretion, make profit-sharing contributions to the Plan to eligible employees employed on the last day of the Plan year, allocated according to their relative amount of compensation. Investment allocations of profit-sharing contributions are participant-directed. No profit-sharing contributions were made for the year ended December 31, 2007 or for the eight months ended December 31, 2006.

Included in employer contributions receivable as of December 31, 2007 and December 31, 2006 were \$294,981 and \$339,759, respectively, representing amounts estimated to be due from the Company for various operational error corrections between 2000 and 2007 related to certain eligible earnings plus interest. After a final determination of the amount has been made, it will be paid by the Company. Management has identified and proposed a method of correction for these operational errors.

3. Participant Accounts

The Plan recordkeeper, Merrill Lynch & Co., maintains an account in the name of each participant constituting the sum of the participant's pre-tax contributions, after-tax contributions, matching contributions, profit-sharing contributions, rollover contributions and share of the net earnings, losses and expenses, if any, of the various investment funds; less any loans and withdrawals. Allocations are based on compensation or account balances, as defined. The interest of each participant in each of the funds is represented by units/shares credited to the participant's account. Each participant is entitled to the vested benefit of such participant's account.

4. Vesting

Participants are immediately vested in their contributions plus actual earnings thereon. Vesting in the Company's matching and profit-sharing contributions, plus actual earnings thereon, is based on years of service. Matching and profit-sharing contributions will vest in equal 25% increments at each anniversary date of a participant's years of service, commencing with such participant's second anniversary date; therefore, 100% of matching and profit-sharing contributions will be vested after five years of service. Forfeitures are used to reduce future Company matching contributions.

5. Participant Loans

Active participants may borrow a minimum of \$500 and up to a maximum equal to the lesser of \$50,000 or 50% of their aggregate vested account balances from their vested matching contributions account, pre-tax contributions account and rollover account (in such order), excluding the after-tax account. Loan terms range from one to five years or, in the case of loans for the purchase of a primary residence, up to twenty years. A participant may have up to two loans outstanding at any time. The loans are secured by the account balance under the Plan and bear interest at 1% plus the ending prime interest rate of the month preceding the date of the loan. Loans issued after January 30, 2007 bear interest at 1% plus the ending interest rate of the calendar quarter preceding the date of the loan. As of December 31, 2007 and December 31, 2006, interest rates on outstanding loans ranged from 4.00% to 10.00%. Principal and interest are generally repaid through regular semi-monthly after-tax payroll deductions; however, participants may elect to repay the entire outstanding loan balance at any time without penalty.

Upon a participant's termination of employment, any loan that is outstanding becomes immediately payable in full. Participant loans considered in default based on the terms of the Plan document are deemed cancelled and are included as distributions in the Statements of Changes in Net Assets Available for Benefits. During the year ended December 31, 2007 and the eight months ended December 31, 2006, \$879,471 and \$711,076, respectively, in defaulted participant loans were treated as deemed distributions.

Table of Contents

**BEARINGPOINT, INC. 401(k) PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)**

6. Withdrawals

Participants employed with the Company who are at least 59 1/2 years old may request the Company's 401(k) Plan Committee (or its designee) to distribute all or any portion of such account balance to the extent it is vested.

Withdrawals for financial hardship are permitted provided they are for a severe and immediate financial need and the distribution is necessary to satisfy that need. Participants are required to fully use the Plan loan program, described in Note A-5, Participant Loans, before requesting a hardship withdrawal. Participants must submit evidence of hardship to the Company's 401(k) Plan Committee (or its designee), which will determine whether the situation qualifies for a hardship withdrawal.

7. Distributions

Upon termination of employment, a participant who has vested benefits below \$5,000 (excluding any rollover amounts) receives a lump-sum distribution. A participant whose vested benefits equal or exceed \$5,000 (excluding any rollover amounts) may elect to receive a distribution of his/her account balance or leave the vested balance in the Plan until a date not to exceed April 1 of the year following the year in which the participant attains age 70 1/2. A participant may elect to receive the distribution as a lump-sum distribution, or in monthly installments over a period not to exceed such participant's life expectancy, or the joint and last survivor life expectancy of such participant or such participant's beneficiary. If a lump sum distribution is elected, any portion invested in the Company common stock fund may be distributed in cash or in shares of Company common stock. Fractional shares are paid in cash. There are minimum distribution requirements for each calendar year, up to and including the year of the participant's date of death. Additional minimum distribution requirements are established for the designated beneficiary upon the participant's death. The minimum distribution requirements are calculated based on a number of factors, including the participant's account balance, the participant's age and life expectancy, and if the participant's sole designated beneficiary is the participant's spouse, the spouse's age and life expectancy.

Effective for mandatory distributions made under the Plan on or after March 28, 2005, in the event of a mandatory distribution that is greater than \$1,000 and is an eligible rollover distribution subject to the direct rollover requirements of Section 401(a)(31) of the Code, if the participant does not elect to have such distribution paid directly to an eligible retirement plan specified by the participant in a direct rollover or to receive the distribution directly, then the 401(k) Plan Committee (or its designee) will pay the distribution in a direct rollover to an individual retirement plan (i.e., individual retirement account or an individual retirement annuity) designated by the 401(k) Plan Committee (or its designee).

Upon the death of a participant, the value of the participant's account will be distributed to the participant's beneficiary. If the participant is married, the beneficiary must be the participant's spouse, unless the participant's spouse has previously given written, notarized consent to designate another person as beneficiary. If the participant marries or remarries, any prior beneficiary designation is cancelled and the current spouse automatically becomes the beneficiary. If the participant is single, the beneficiary may be anyone previously designated by the participant under the Plan. In the absence of an effective designation under the Plan at the time of death, the proceeds will be paid to the participant's surviving spouse, or, if no surviving spouse exists, to the participant's estate.

8. Plan Termination

Although it has not expressed any intent to do so, the Company has the right to discontinue its contributions and terminate the Plan, subject to the provisions of ERISA. In the event of Plan termination, participants will become 100% vested in their accounts.

9. Administration

The assets of the Plan are held by Merrill Lynch & Co., as trustee of the BearingPoint, Inc. 401(k) Plan Trust (the Trust). The assets in the Trust are invested in various mutual funds, collective trusts, money market funds and common stock. As of December 31, 2007, the assets of the Plan were invested with the following investment managers: BlackRock Investment Management, LLC; Goldman Sachs; Hotchkis and Wiley Funds; American Funds; T. Rowe Price; Munder; Managers Investment Group; Dodge and Cox; Victory Capital Management Inc.; Pacific Investment Management Company, LLC (PIMCO); and Northern Trust Global Investments (NTGI).

The administrative functions of the Plan are primarily performed by the Company's Benefits group. The Company does not receive compensation from the Plan for services provided. Administrative costs of the Plan that

9

Table of Contents

BEARINGPOINT, INC. 401(k) PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

are deducted from participants' accounts include (a) brokerage fees and commissions, which are included in the cost of investments and in determining net proceeds on sales of investments, and (b) investment management fees, which are paid from the assets of the respective funds; those fees comprise fixed annual charges and charges based on a percentage of net asset value. Administrative expenses paid for by the Plan primarily relate to the audit of the financial statements and to US Trust for its fees related to its service as independent fiduciary of the Company's common stock fund. Operational expenses, including certain legal fees and expenses related to the use of premises, facilities and equipment, for the year ended December 31, 2007 and the eight months ended December 31, 2006 were paid by the Company.

10. Risks and Uncertainties

The Plan provides for various investment options in mutual funds, bank collective trusts and common stock. Investment securities are subject to various risks, such as interest rates, credit and overall market volatility. Due to the risks associated with investment securities, it is possible that the value of investment securities will change, including a decrease in value, and that such changes could materially affect participants' account balances and the amounts reported in the Statements of Net Assets Available for Benefits.

NOTE B Summary of Significant Accounting Policies**1. Basis of Accounting**

The financial statements of the Plan are prepared using the accrual method of accounting.

2. Investment Valuation and Income Recognition

The Plan's investments, including self-directed brokerage investments, are stated at fair value. Cash and cash equivalents are reported at cost, which approximates fair value. Shares of mutual funds are valued based on quoted market prices which represent the net asset value of shares held by the Plan at year end. Shares of common stock are valued at quoted market prices on the last business day of the Plan year. The fair value of the participation units in common collective trusts (other than the Merrill Lynch Retirement Preservation Trust) is based on quoted redemption values on the last business day of the Plan's year-end. Participant loans are valued at their outstanding balances, which approximates fair value.

Purchases and sales of securities are recorded on a trade-date basis, and gain or loss on disposition is based on average cost. Unsettled security transactions at year end are reflected in the financial statements as a payable or receivable. Dividend income is recorded as of the ex-dividend date, and interest income is recorded on an accrual basis.

As described in Financial Accounting Standards Board Staff Position (FSP) AAG INV-1 and SOP 94-4-1, *Reporting of Fully Benefit-Responsive Investment Contracts Held by Certain Investment Companies Subject to the AICPA Investment Company Guide and Defined-Contribution Health and Welfare and Pension Plans* (the "FSP"), investment contracts held by a defined contribution plan are required to be reported at fair value. However, contract value is the relevant measurement attribute for that portion of the net assets available for benefits of a defined contribution plan attributable to fully benefit-responsive investment contracts because contract value is the amount participants would receive if they were to initiate permitted transactions under the terms of the Plan. The Plan invests in investment contracts through a common collective trust (the Merrill Lynch Retirement Preservation Trust). As required by the FSP, the Statements of Net Assets Available for Benefits present the fair value of the Merrill Lynch Retirement Preservation Trust and the adjustment from fair value to contract value. The fair value of the Plan's interest in the Merrill Lynch Retirement Preservation Trust is based on information reported by the issuer of the common collective trust at year-end. The contract value of the Merrill Lynch Retirement Preservation Trust represents contributions plus earnings, less participant withdrawals and administrative expenses.

3. Contributions

Contributions made by participants are recorded in the period in which the amounts have been withheld from compensation.

Table of Contents

BEARINGPOINT, INC. 401(k) PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

4. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires the Plan administrator to make estimates and assumptions that affect the reported amounts of assets, liabilities and changes therein, and disclosures of contingent assets and liabilities at the date of the financial statements. Accordingly, actual results may differ significantly from those estimates.

5. Payment of Benefits

Benefits payments to participants are recorded upon distribution.

6. New Accounting Pronouncements

In September 2006, the FASB issued Statement on Financial Accounting Standards No. 157, *Fair Value Measurements* (SFAS 157). SFAS 157 establishes a single authoritative definition of fair value, sets out a framework for measuring fair value and requires additional disclosures about fair value measurement. SFAS 157 is effective for financial statements issued for fiscal years beginning after November 15, 2007. The Company does not believe the adoption of SFAS 157 will have a material impact on the financial statements.

NOTE C Investments

The following investments represent 5% or more of the Plan's assets at:

	December 31, 2007	December 31, 2006
Merrill Lynch Equity Index Trust Tier XIII	\$61,438,832	\$58,448,209
Merrill Lynch Large Cap Value Trust Tier 1	54,511,278	54,127,522
Merrill Lynch Retirement Preservation Trust	51,927,023	50,153,463
Dodge & Cox International Stock Fund	54,900,195	46,236,515
American Growth Fund of America R4	52,405,743	49,995,644
Victory Institutional Diversified Stock Fund	54,506,339	52,665,393
Hotchkis & Wiley Small Cap Value Fund I	30,731,480	46,110,737

The Plan's investments (including gains and losses on investments bought and sold, as well as held, during the respective periods) appreciated (depreciated) in value as follows:

	Year Ended December 31, 2007	Eight Months Ended December 31, 2006
Mutual Funds	\$ (5,523,074)	\$ (1,560,427)
Collective Trusts	8,395,769	11,676,625
Common Stock	(620,954)	(290,645)
Net appreciation in fair value of investments	\$ 2,251,741	\$ 9,825,553

For additional information about the investments held by the Plan as of December 31, 2007, see Schedule H, Line 4i-Schedule of Assets (Held at End of Year)-December 31, 2007.

Table of Contents

BEARINGPOINT, INC. 401(k) PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)

NOTE D Related Party Transactions

Certain Plan investments are shares of mutual funds and collective trusts managed by BlackRock Investment Management, LLC., an affiliate of the trustee of the Plan. These transactions are considered party-in-interest transactions. In addition, Merrill Lynch & Co. acts as the recordkeeper for the Plan. During the year ended December 31, 2007 and the eight months ended December 31, 2006, the Plan incurred costs of \$13,929 and \$13,374, respectively, to Merrill Lynch & Co. Also, as of August 2005, U.S. Trust was appointed as independent fiduciary of the Plan as it relates to the Company's common stock fund, and the Plan incurred costs of \$50,000 and \$62,500 during the year ended December 31, 2007 and the eight months ended December 31, 2006, respectively. On July 1, 2007, U.S. Trust merged with Bank of America and now operates as U.S. Trust, Bank of America Private Wealth Management.

At December 31, 2007 and December 31, 2006, the Plan had outstanding loans to participants of \$6,888,466 and \$6,977,527, respectively. These transactions are considered party-in-interest transactions.

At December 31, 2007, the Plan held 115,332 shares of the Company's common stock valued at \$326,390, based on a per share price of \$2.83. At December 31, 2006, the Plan held 166,218 shares of the Company's common stock valued at \$1,308,143, based on a per share price of \$7.87. During the year ended December 31, 2007, there were no purchases of the Company's common stock and the Plan sold 49,826 shares of the Company's common stock with a market value of \$354,861. During the eight months ended December 31, 2006, there were no purchases of the Company's common stock, and the Plan sold 46,092 shares of the Company's common stock with a market value of \$371,463. The remaining share activity for the year ended December 31, 2007 and the eight months ended December 31, 2006 of 1,061 and 31 shares, respectively, of the Company's common stock were due to non-cash in-kind distributions to participants and other forfeitures.

NOTE E Income Tax Status

The Plan received a favorable determination letter from the Internal Revenue Service dated July 18, 2003. The Plan has been amended a number of times since the date of the determination letter. The Plan administrator believes the Plan is designed in compliance with the applicable requirements of the Internal Revenue Code and applicable Internal Revenue Service guidance. The Trust established under the Plan is qualified under Section 401(a) of the Internal Revenue Code. The Plan administrator does not anticipate any changes in the Plan's qualified tax status. Accordingly, a provision for federal income taxes has not been made.

NOTE F Reconciliation of Financial Statements to Form 5500

The following is a reconciliation of net assets available for benefits per the financial statements, to the Form 5500:

	December 31, 2007	December 31, 2006
Net assets available for benefits per the financial statements	\$ 583,198,095	\$ 538,605,756
Less: adjustment from fair value to contract value for fully benefit-responsive investment contracts	(476,733)	(934,811)
Less: amounts due to withdrawing participants	(1,361,472)	(335,131)
Net assets available for benefits per the Form 5500	\$ 581,359,890	\$ 537,335,814

The following is a reconciliation of benefits to participants according to the financial statements for the year ended December 31, 2007, to the Form 5500:

Benefits paid per the financial statements	\$ 72,759,986
Add: amounts allocated to withdrawing participants at December 31, 2007	1,361,472
Less: amounts allocated to withdrawing participants at December 31, 2006	(335,131)

Benefits paid per the Form 5500

\$ 73,786,327

Table of Contents

**BEARINGPOINT, INC. 401(k) PLAN
NOTES TO FINANCIAL STATEMENTS (Continued)**

Amounts allocated to withdrawing participants are recorded on the Form 5500 for benefit claims that have been processed and approved for payment prior to December 31, but not yet paid as of that date.

The following is a reconciliation of total additions according to the financial statements for the year ended December 31, 2007, to the Form 5500:

Total additions per the financial statements	\$ 117,637,946
Less: adjustment from fair value to contract value for fully benefit-responsive investment contracts	(476,733)
Total additions per the Form 5500	\$ 117,161,213

Table of Contents

BEARINGPOINT, INC. 401(k) PLAN
SCHEDULE H, LINE 4i SCHEDULE OF ASSETS (HELD AT END OF YEAR)
DECEMBER 31, 2007

(a) Identity of issue, borrower, lessor or similar party	(c) Description of investment, including maturity date, rate of interest, collateral, par or maturity value	(d)	(e) Current Value
* Merrill Lynch Mid Cap S&P 400 Index Trust Tier 2	Collective Trust, 315,378.4933 units	**	7,405,087
* Merrill Lynch Equity Index Trust Tier XIII	Collective Trust, 4,974,804.2352 units	**	61,438,832
* Merrill Lynch Small Cap Index Collective Trust Tier VII	Collective Trust, 904,125.7162 units	**	9,628,939
* Merrill Lynch International Index Collective Trust Tier 5	Collective Trust, 1,373,812.1375 units	**	18,175,535
* Merrill Lynch Large Cap Value Trust Tier 1	Collective Trust, 4,561,613.2070 units	**	54,511,278
NTGI QM Collective Aggregate Bond Index Tier M	Collective Trust, 21,156.8549 units	**	7,692,717
* Merrill Lynch Retirement Preservation Trust	Collective Trust, 51,927,023.4812 units	**	51,450,290
Subtotal Common/Collective Trusts			210,302,678
Dodge & Cox International Stock Fund	Mutual Fund, 1,192,963.8266 units	**	54,900,195
Managers AMG Essex Small/Micro Cap Growth Fund	Mutual Fund, 312,807.8661 units	**	6,916,182
Pimco High Yield Fund ADMN CL	Mutual Fund, 937,315.6297 units	**	8,941,991
American Capital World Growth & Income Fund R4	Mutual Fund, 574,643.1623 units	**	25,594,607
American Europacific Growth Fund R4	Mutual Fund, 404,678.5672 units	**	20,298,677
American Growth Fund of America R4	Mutual Fund, 1,552,302.8107 units	**	52,405,743
T Rowe Price Retirement 2040	Mutual Fund, 87,045.7621 units	**	1,671,279
Goldman Sachs Government Income Fund INST	Mutual Fund, 868,952.7818 units	**	13,025,602
T Rowe Price Retirement 2010	Mutual Fund, 92,667.7196 units	**	1,502,144
T Rowe Price Retirement 2020	Mutual Fund, 138,384.6846 units	**	2,454,944
T Rowe Price Retirement 2030	Mutual Fund, 141,362.3775 units	**	2,692,953
T Rowe Price Retirement 2015	Mutual Fund, 60,055.8298 units	**	759,706
T Rowe Price Retirement 2025	Mutual Fund, 144,544.0570 units	**	1,905,091
T Rowe Price Retirement 2035	Mutual Fund, 116,178.3869 units	**	1,569,570
T Rowe Price Retirement 2045	Mutual Fund, 111,148.6591 units	**	1,414,922
Victory Institutional Diversified Stock Fund	Mutual Fund, 4,353,541.4215 units	**	54,506,339
T Rowe Price Retirement 2055	Mutual Fund, 39,815.7584 units	**	417,269

Edgar Filing: BEARINGPOINT INC - Form 11-K

T Rowe Price Retirement 2050	Mutual Fund, 1,503.7337 units	**	15,759
Pimco Total Return Fund ADMN CL	Mutual Fund, 2,064,440.5108 units	**	22,068,869
Hotchkis & Wiley Small Cap Value Fund I	Mutual Fund, 925,089.6895 units	**	30,731,480
Hotchkis & Wiley Mid Cap Value Fund I	Mutual Fund, 884,583.0003 units	**	18,125,106
Munder MID Cap Core Growth Fund Y	Mutual Fund, 515,340.0003 units		15,645,722
Subtotal Mutual Funds			337,564,150
Employee Self Direct Option Assets	Self-directed	**	16,931,864
* BearingPoint, Inc. Common Stock	Employer Common Stock, 115,332.3186 shares	**	326,390
* Loans to Participants	Interest rate range, 4.0% to 10.0%, maturity dates range from 1/2008-11/2027	**	6,888,466
* Merrill Lynch CMA Money Fund		**	1,353,474
			\$ 573,367,022

* Party-in-interest

** Cost information omitted for fully-participant directed investments

Table of Contents

Signature

Pursuant to the requirements of the Securities Exchange Act of 1934, the trustees (or other persons who administer the Plan) have duly caused this annual report to be signed on its behalf by the undersigned hereunto duly authorized.

BEARINGPOINT, INC. 401(k) PLAN

Date: June 30, 2008

By: /s/ Sean Hurman
Sean Hurman
401(k) Plan Committee Chair