Form **990-PF**

Department of the Treasury
Internal Revenue Service

Return of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust Treated as a Private Foundation

Note: *The foundation may be able to use a copy of this return to satisfy state reporting requirements*

OMB No 1545-0052

2008

For calendar year 2008, or tax year beginning JULY 1 **, 2008, and ending** JUNE 30 **, 20**09

G Check all that apply. ☐ Initial return ☐ Final return ☐ Amended return ☐ Address change ☐ Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.	Name of foundation NIMICK FORBESWAY FOUNDATION	A Employer identification number 25-1597437
	Number and street (or P O box number if mail is not delivered to street address) Room/suite C/O J.J. KESSLER, ONE OXFORD CENTRE, 20TH FL.	B Telephone number (see page 10 of the instructions) (412) 562-8879
	City or town, state, and ZIP code PITTSBURGH, PA 15219	C If exemption application is pending, check here ▶ ☐ D 1. Foreign organizations, check here ▶ ☐

H Check type of organization: ☒ Section 501(c)(3) exempt private foundation
☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

2. Foreign organizations meeting the 85% test, check here and attach computation ▶ ☐

E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ ☐

I Fair market value of all assets at end of year *(from Part II, col (c), line 16)* ▶ $ 11,897,162.45

J Accounting method ☒ Cash ☐ Accrual
☐ Other (specify) ____
(Part I, column (d) must be on cash basis)

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ▶ ☐

		Part I **Analysis of Revenue and Expenses** *(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))*	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1	Contributions, gifts, grants, etc , received (attach schedule)	207,697.23			
	2	Check ▶ ☐ if the foundation is not required to attach Sch B				
	3	Interest on savings and temporary cash investments	29,779.81	29,779.81		
	4	Dividends and interest from securities	244,914.98	244,914.98		
	5a	Gross rents				
	b	Net rental income or (loss) ____				
	6a	Net gain or (loss) from sale of assets not on line 10	(1,304,799.75)			
	b	Gross sales price for all assets on line 6a 2,576,797.05				
	7	Capital gain net income (from Part IV, line 2)		0.00		
	8	Net short-term capital gain				
	9	Income modifications				
	10a	Gross sales less returns and allowances				
	b	Less. Cost of goods sold				
	c	Gross profit or (loss) (attach schedule)				
	11	Other income (attach schedule)	1,138.40	1,138.40		
	12	**Total.** Add lines 1 through 11	(821,269.33)	275,833.19	N/A	
Operating and Administrative Expenses	13	Compensation of officers, directors, trustees, etc				
	14	Other employee salaries and wages	9,060.77	8,154.69		906.08
	15	Pension plans, employee benefits				
	16a	Legal fees (attach schedule)	82,967.70	74,670.93		8,296.77
	b	Accounting fees (attach schedule)				
	c	Other professional fees (attach schedule)	55,995.06	50,395.55		5,599.51
	17	Interest				
	18	Taxes (attach schedule) (see page 14 of the instructions)	2,601.42	738.92		0.00
	19	Depreciation (attach schedule) and depletion				
	20	Occupancy				
	21	Travel, conferences, and meetings				
	22	Printing and publications				
	23	Other expenses (attach schedule)	15 00	15.00		0.00
	24	**Total operating and administrative expenses.** Add lines 13 through 23	150,639.95	133,975.09		14,802.36
	25	Contributions, gifts, grants paid	85,000 00			85,000.00
	26	**Total expenses and disbursements.** Add lines 24 and 25	235,639 95	133,975.09		99,802.36
	27	Subtract line 26 from line 12				
	a	**Excess of revenue over expenses and disbursements**	(1,056,909.28)			
	b	**Net investment income** (if negative, enter -0-)		141,858.10		
	c	**Adjusted net income** (if negative, enter -0-)			N/A	

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For Privacy Act and Paperwork Reduction Act Notice, see page 30 of the instructions.

Form **990-PF** (2008)

ISA

Part II Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)

			Beginning of year	End of year	
			(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1	Cash—non-interest-bearing			
	2	Savings and temporary cash investments	3,802,922.10	1,005,066.19	1,005,066.19
	3	Accounts receivable ▶			
		Less· allowance for doubtful accounts ▶			
	4	Pledges receivable ▶			
		Less allowance for doubtful accounts ▶			
	5	Grants receivable			
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)			
	7	Other notes and loans receivable (attach schedule) ▶			
		Less allowance for doubtful accounts ▶			
	8	Inventories for sale or use			
	9	Prepaid expenses and deferred charges		4,000.00	4,000.00
	10a	Investments—U S and state government obligations (attach schedule)		517,646.86	518,227.40
	b	Investments—corporate stock (attach schedule)	10,675,749.87	11,895,049.64	10,369,868.86
	c	Investments—corporate bonds (attach schedule)			
	11	Investments—land, buildings, and equipment basis ▶			
		Less accumulated depreciation (attach schedule) ▶			
	12	Investments—mortgage loans			
	13	Investments—other (attach schedule)			
	14	Land, buildings, and equipment: basis ▶			
		Less accumulated depreciation (attach schedule) ▶			
	15	Other assets (describe ▶)			
	16	**Total assets** (to be completed by all filers—see the instructions Also, see page 1, item I)	14,478,671 97	13,421,762.69	11,897,162 45
Liabilities	17	Accounts payable and accrued expenses			
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
	22	Other liabilities (describe ▶)			
	23	**Total liabilities** (add lines 17 through 22)	0 00	0.00	
Net Assets or Fund Balances		**Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.**			
	24	Unrestricted			
	25	Temporarily restricted			
	26	Permanently restricted			
		Foundations that do not follow SFAS 117, check here ▶ ☒ and complete lines 27 through 31.			
	27	Capital stock, trust principal, or current funds	14,346,575.73	14,554,272.96	
	28	Paid-in or capital surplus, or land, bldg , and equipment fund			
	29	Retained earnings, accumulated income, endowment, or other funds	132,096.24	(1,132,510.27)	
	30	**Total net assets or fund balances** (see page 17 of the instructions)	14,478,671.97	13,421,762.69	
	31	**Total liabilities and net assets/fund balances** (see page 17 of the instructions)	14,478,671.97	13,421,762.69	

Part III Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year—Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	14,478,671.97
2	Enter amount from Part I, line 27a	2	(1,056,909 28)
3	Other increases not included in line 2 (itemize) ▶	3	
4	Add lines 1, 2, and 3	4	13,421,762.69
5	Decreases not included in line 2 (itemize) ▶	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	13,421,762.69

Part IV Capital Gains and Losses for Tax on Investment Income

	(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)	(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
1a	SEE ATTACHED SCHEDULE			
b				
c				
d				
e				

	(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a				(195,583.94)
b				
c				
d				
e				

	Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) **or** Losses (from col (h))
	(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a				
b				
c				
d				
e				

2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2	(195,583.94)
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions). If (loss), enter -0- in Part I, line 8 . . . . }	3	

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income)

If section 4940(d)(2) applies, leave this part blank

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year, see page 18 of the instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2007	84,682.75	2,870,347.94	0.029503
2006	81,440.00	1,801,876 00	0.045197
2005	86,431.00	1,730,351.00	0.049950
2004	71,351.00	1,632,336.00	0.043711
2003	65,000.00	1,524,712.00	0.042631

2 Total of line 1, column (d)	2	0.210992
3 Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0.042198
4 Enter the net value of noncharitable-use assets for 2008 from Part X, line 5	4	11,956,220.77
5 Multiply line 4 by line 3	5	504,528.60
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	1,418.58
7 Add lines 5 and 6	7	505,947.18
8 Enter qualifying distributions from Part XII, line 4	8	99,802.36

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions on page 18

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1 Date of ruling letter. ____________ **(attach copy of ruling letter if necessary—see instructions)**		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ ☐ and enter 1% of Part I, line 27b	1	2,837.16
c	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	2	0.00
3	Add lines 1 and 2	3	2,837.16
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	4	0.00
5	**Tax based on investment income.** Subtract line 4 from line 3. If zero or less, enter -0-	5	2,837.16
6	Credits/Payments.		
a	2008 estimated tax payments and 2007 overpayment credited to 2008 — 6a: 4,000.00		
b	Exempt foreign organizations—tax withheld at source — 6b:		
c	Tax paid with application for extension of time to file (Form 8868) — 6c: 4,000.00		
d	Backup withholding erroneously withheld — 6d:		
7	Total credits and payments Add lines 6a through 6d	7	8,000.00
8	Enter any **penalty** for underpayment of estimated tax. Check here ☐ if Form 2220 is attached	8	0.00
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶	9	0.00
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶	10	5,162.84
11	Enter the amount of line 10 to be **Credited to 2009 estimated tax** ▶ 5,162.84 **Refunded** ▶	11	0.00

Part VII-A Statements Regarding Activities

			Yes	No
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		X
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?	1b		X
	*If the answer is "Yes" to **1a** or **1b**, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities*			
c	Did the foundation file **Form 1120-POL** for this year?	1c		X
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: **(1)** On the foundation. ▶ $ 0 **(2)** On foundation managers. ▶ $ 0			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ▶ $ 0			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? *If "Yes," attach a detailed description of the activities*	2		X
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes*	3		X
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b	If "Yes," has it filed a tax return on **Form 990-T** for this year? N/A	4b		
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T*	5		X
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7	Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col (c), and Part XV*	7	X	
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ▶ PENNSYLVANIA			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation*	8b	X	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2008 or the taxable year beginning in 2008 (see instructions for Part XIV on page 27)? *If "Yes," complete Part XIV*	9		X
10	Did any persons become substantial contributors during the tax year? *If "Yes," attach a schedule listing their names and addresses* SEE SCHEDULE B	10	X	

Part VII-A Statements Regarding Activities *(continued)*

			Yes	No
11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions) . . .	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	X	

Website address ▶ N/A

14 The books are in care of ▶ JACK J. KESSLER, ESQ. Telephone no. ▶ (412) 562-8879

Located at ▶ 301 GRANT STREET, 20TH FLOOR, PITTSBURGH, PA ZIP+4 ▶ 15219-1408

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of **Form 1041**—Check here . . . . . ▶ ☐
and enter the amount of tax-exempt interest received or accrued during the year . . . . ▶ | 15 | N/A

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

			Yes	No
1a	During the year did the foundation (either directly or indirectly)			
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? . . . . ☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☐ Yes ☒ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? . . . ☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.) . . . . ☐ Yes ☒ No			
b	If any answer is "Yes" to 1a(1)–(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53 4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? . .	1b		
	Organizations relying on a current notice regarding disaster assistance check here . . . . ▶ ☐			
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2008?	1c		X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)).			
a	At the end of tax year 2008, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2008? . . . . . ☒ Yes ☐ No If "Yes," list the years ▶ 20 07 , 20 ___ , 20 ___ , 20 ___			
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement—see page 20 of the instructions.)	2b	X	
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here. ▶ 20 ___ , 20 ___ , 20 ___ , 20 ___			
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? . . . . ☐ Yes ☒ No			
b	If "Yes," did it have excess business holdings in 2008 as a result of **(1)** any purchase by the foundation or disqualified persons after May 26, 1969; **(2)** the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or **(3)** the lapse of the 10-, 15-, or 20-year first phase holding period? *(Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2008.)* . . . N/A	3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2008?	4b		X

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required *(continued)*

5a During the year did the foundation pay or incur any amount to:

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions) ☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)–(5), did **any** of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? **5b**

Organizations relying on a current notice regarding disaster assistance check here ▶ ☐

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? ☐ Yes ☐ No

If "Yes," attach the statement required by Regulations section 53 4945–5(d).

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? ☐ Yes ☒ No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? **6b** | | X

If you answered "Yes" to 6b, also file Form 8870

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? ☐ Yes ☒ No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? **7b**

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation (see page 23 of the instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
SEE ATTACHED STATEMENT				

2 Compensation of five highest-paid employees (other than those included on line 1—see page 23 of the instructions). If none, enter "NONE."

(a) Name and address of each employee paid more than $50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over $50,000 ▶

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors *(continued)*

3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE."

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
NONE		

Total number of others receiving over $50,000 for professional services . . . . ▶

Part IX-A Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc	Expenses
1 N/A	
2	
3	
4	

Part IX-B Summary of Program-Related Investments (see page 23 of the instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1 N/A	
2	
All other program-related investments See page 24 of the instructions 3	
Total. Add lines 1 through 3 . . . . ▶	

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see page 24 of the instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes·				
a	Average monthly fair market value of securities			1a	8,718,199.97
b	Average of monthly cash balances			1b	3,420,095.23
c	Fair market value of all other assets (see page 25 of the instructions)			1c	0.00
d	**Total** (add lines 1a, b, and c)			1d	12,138,295.20
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	0.00		
2	Acquisition indebtedness applicable to line 1 assets			2	0.00
3	Subtract line 2 from line 1d			3	12,138,295.20
4	Cash deemed held for charitable activities Enter 1½ % of line 3 (for greater amount, see page 25 of the instructions)			4	182,074.43
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4			5	11,956,220.77
6	**Minimum investment return.** Enter 5% of line 5			6	597,811.04

Part XI Distributable Amount (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ▶ ☐ and do not complete this part)

1	Minimum investment return from Part X, line 6			1	597,811.04
2a	Tax on investment income for 2008 from Part VI, line 5	2a	2,837.16		
b	Income tax for 2008. (This does not include the tax from Part VI)	2b	0.00		
c	Add lines 2a and 2b			2c	2,837.16
3	Distributable amount before adjustments Subtract line 2c from line 1			3	594,973.88
4	Recoveries of amounts treated as qualifying distributions			4	0.00
5	Add lines 3 and 4			5	594,973.88
6	Deduction from distributable amount (see page 25 of the instructions)			6	0.00
7	**Distributable amount** as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1			7	594,973.88

Part XII Qualifying Distributions (see page 25 of the instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes·		
a	Expenses, contributions, gifts, etc —total from Part I, column (d), line 26	1a	99,802.36
b	Program-related investments—total from Part IX-B	1b	0.00
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes	2	0.00
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	0.00
b	Cash distribution test (attach the required schedule)	3b	0.00
4	**Qualifying distributions.** Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	99,802.36
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see page 26 of the instructions)	5	0.00
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	99,802.36

Note: The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years

Part XIII Undistributed Income (see page 26 of the instructions)

			(a) Corpus	(b) Years prior to 2007	(c) 2007	(d) 2008
1	Distributable amount for 2008 from Part XI, line 7					594,973 88
2	Undistributed income, if any, as of the end of 2008					
a	Enter amount for 2007 only				136,557.07	
b	Total for prior years 20____,20____,20____			0.00		
3	Excess distributions carryover, if any, to 2007:					
a	From 2003					
b	From 2004					
c	From 2005					
d	From 2006					
e	From 2007					
f	**Total** of lines 3a through e		0.00			
4	Qualifying distributions for 2008 from Part XII, line 4: ▶ $ 99,802.36					
a	Applied to 2007, but not more than line 2a				99,802.36	
b	Applied to undistributed income of prior years (Election required—see page 26 of the instructions)			0.00		
c	Treated as distributions out of corpus (Election required—see page 26 of the instructions)		0.00			
d	Applied to 2008 distributable amount					0.00
e	Remaining amount distributed out of corpus		0.00			
5	Excess distributions carryover applied to 2008 *(If an amount appears in column (d), the same amount must be shown in column (a))*		0.00			0.00
6	**Enter the net total of each column as indicated below:**					
a	Corpus Add lines 3f, 4c, and 4e Subtract line 5		0.00			
b	Prior years' undistributed income. Subtract line 4b from line 2b			0.00		
c	Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed			0.00		
d	Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions			0.00		
e	Undistributed income for 2007 Subtract line 4a from line 2a. Taxable amount—see page 27 of the instructions				36,754.71	
f	Undistributed income for 2008. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2009					594,973 88
7	Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(E) or 4942(g)(3) (see page 27 of the instructions)		0.00			
8	Excess distributions carryover from 2003 not applied on line 5 or line 7 (see page 27 of the instructions)		0.00			
9	**Excess distributions carryover to 2009.** Subtract lines 7 and 8 from line 6a		0.00			
10	Analysis of line 9					
a	Excess from 2004					
b	Excess from 2005					
c	Excess from 2006					
d	Excess from 2007					
e	Excess from 2008					

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9)

1a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2008, enter the date of the ruling . . . . ▶ N/A

b Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

	Tax year	Prior 3 years			(e) Total
	(a) 2008	(b) 2007	(c) 2006	(d) 2005	
2a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed . . .					
d Amounts included in line 2c not used directly for active conduct of exempt activities . .					
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c . .					
3 Complete 3a, b, or c for the alternative test relied upon **a** "Assets" alternative test—enter: **(1)** Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test—enter ⅔ of minimum investment return shown in Part X, line 6 for each year listed . . .					
c "Support" alternative test—enter: **(1)** Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties) . . .					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii) . . .					
(3) Largest amount of support from an exempt organization . . .					
(4) Gross investment income . .					

Part XV Supplementary Information (Complete this part only if the foundation had $5,000 or more in assets at any time during the year—see page 27 of the instructions.)

1 Information Regarding Foundation Managers:

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than $5,000) (See section 507(d)(2).)

THOMAS H NIMICK, JR. (DECEASED)

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest

NONE

2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:

Check here ▶ ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc (see page 28 of the instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d.

a The name, address, and telephone number of the person to whom applications should be addressed

JACK J. KESSLER, 301 GRANT STREET, 20TH FL , PITTSBURGH, PA 15219 (412) 562-8879

b The form in which applications should be submitted and information and materials they should include.

LETTER OF APPLICATION

c Any submission deadlines:

NONE

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors:

NONE

Part XV Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
SEE ATTACHED STATEMENT				
Total . . . . ▶ 3a				85,000 00
b *Approved for future payment*				
Total . . . . ▶ 3b				

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions)
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1 Program service revenue:					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments			14	29,779.81	
4 Dividends and interest from securities			14	244,914.98	
5 Net rental income or (loss) from real estate					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income			18	1,138.40	
8 Gain or (loss) from sales of assets other than inventory					
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue: a					
b					
c					
d					
e					
12 Subtotal. Add columns (b), (d), and (e)				275,833.19	

13 **Total.** Add line 12, columns (b), (d), and (e) 13 275,833.19

(See worksheet in line 13 instructions on page 28 to verify calculations.)

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes) (See page 28 of the instructions)
	N/A

Part XVII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

			Yes	No
1	Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?			
a	Transfers from the reporting foundation to a noncharitable exempt organization of:			
	(1) Cash	1a(1)		X
	(2) Other assets	1a(2)		X
b	Other transactions:			
	(1) Sales of assets to a noncharitable exempt organization	1b(1)		X
	(2) Purchases of assets from a noncharitable exempt organization	1b(2)		X
	(3) Rental of facilities, equipment, or other assets	1b(3)		X
	(4) Reimbursement arrangements	1b(4)		X
	(5) Loans or loan guarantees	1b(5)		X
	(6) Performance of services or membership or fundraising solicitations	1b(6)		X
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		X

d If the answer to any of the above is "Yes," complete the following schedule Column **(b)** should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column **(d)** the value of the goods, other assets, or services received

(a) Line no	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements
		N/A	

2a Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No

b If "Yes," complete the following schedule.

(a) Name of organization	(b) Type of organization	(c) Description of relationship

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge

Trustee February 16 2010 SECRETARY/TREASURER

Signature of officer or trustee Date Title

Paid Preparer's Use Only

Preparer's signature

Date 2/15/10

Check if self-employed ▶ ☐

Preparer's identifying number (see **Signature** on page 30 of the instructions) P00734474

Firm's name (or yours if self-employed), address, and ZIP code BUCHANAN INGERSOLL & ROONEY, PC

301 GRANT STREET, PITTSBURGH, PA 15219

EIN ▶ 25-1381032

Phone no (412) 562-5997

Schedule B
(Form 990, 990-EZ, or 990-PF)
Department of the Treasury
Internal Revenue Service

Schedule of Contributors

▶ **Attach to Form 990, 990-EZ, and 990-PF.**

OMB No 1545-0047

2008

Name of the organization	**Employer identification number**
NIMICK FORBESWAY FOUNDATION	25-1597437

Organization type (check one)

Filers of:	**Section:**
Form 990 or 990-EZ	☐ 501(c)( ) (enter number) organization
	☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
	☐ 527 political organization
Form 990-PF	☒ 501(c)(3) exempt private foundation
	☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation
	☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule.** (**Note.** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule See instructions)

General Rule

☒ For organizations filing Form 990, 990-EZ, or 990-PF that received, during the year, $5,000 or more (in money or property) from any one contributor Complete Parts I and II

Special Rules

☐ For a section 501(c)(3) organization filing Form 990, or Form 990-EZ, that met the 33⅓% support test of the regulations under sections 509(a)(1)/170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of **(1)** $5,000 or **(2)** 2% of the amount on Form 990, Part VIII, line 1h or 2% of the amount on Form 990-EZ, line 1 Complete Parts I and II

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990, or Form 990-EZ, that received from any one contributor, during the year, aggregate contributions or bequests of more than $1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals Complete Parts I, II, and III

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990, or Form 990-EZ, that received from any one contributor, during the year, some contributions for use *exclusively* for religious, charitable, etc , purposes, but these contributions did not aggregate to more than $1,000. (If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc , purpose Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc , contributions of $5,000 or more during the year) . . . . ▶ $ ....

Caution. Organizations that are not covered by the General Rule and/or the Special Rules do not file Schedule B (Form 990, 990-EZ, or 990-PF), but they **must** answer "No" on Part IV, line 2 of their Form 990, or check the box in the heading of their Form 990-EZ, or on line 2 of their Form 990-PF, to certify that they do not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF)

For Privacy Act and Paperwork Reduction Act Notice, see the Instructions for Form 990 These instructions will be issued separately.

Name of organization	Employer identification number
NIMICK FORBESWAY FOUNDATION	25-1597437

Part I **Contributors** (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	THERESA L. NIMICK CRUT 1996 #1 C/O J.J. KESSLER, 301 GRANT STREET PITTSBURGH, PA 15219	$ 82,708.52	Person ☒ Payroll ☐ Noncash ☒ (Complete Part II if there is a noncash contribution.)
2	THERESA L. NIMICK CRUT 1996 #2 C/O J.J. KESSLER, 301 GRANT STREET PITTSBURGH, PA 15219	$ 173,077.29	Person ☒ Payroll ☐ Noncash ☒ (Complete Part II if there is a noncash contribution.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)

Name of organization	Employer identification number
NIMICK FORBESWAY FOUNDATION	25-1597437

Part II Noncash Property (see instructions)

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
1	SEE ATTACHED SCHEDULE	$ 77,037.11	11/21/08
2	SEE ATTACHED SCHEDULE	$ 154,653.98	11/21/08
		$	
		$	
		$	
		$	

NIMICK FORBESWAY FOUNDATION
EIN 25-1597437
FORM. SCHEDULE B (FORM 990-PF)
TAX YEAR ENDED: JUNE 30, 2009

CONTRIBUTOR NUMBER 1:
THERESA L NIMICK CHARITABLE REMAINDER UNITRUST 1996 #1

PART II - NONCASH PROPERTY

Discription on noncash property	FMV	Date Received	Tax Basis
168 SHS BOSTON PROPERTIES INC	7,333.20	11/21/2008	7,475 60
400 SHS. BRISTOL MYERS SQUIBB CO.	7,644.00	11/21/2008	8,371 35
400 SHS EXXON MOBIL CORPORATION	30,324.00	11/21/2008	8,108 00
3 SHS FAIRPOINT COMMUNICATIONS INC.	5.61	11/21/2008	28.84
550 SHS. GENERAL ELECTRIC COMPANY	7,716 50	11/21/2008	7,638.58
10 SHS IDEARC INC	0 80	11/21/2008	237 11
200 SHS MERCK & COMPANY INC.	4,880 00	11/21/2008	6,210 48
200 SHS. PNC FINANCIAL SERVICES GROUP INC	8,738 00	11/21/2008	6,341 00
300 SHS PFIZER INC	4,701.00	11/21/2008	9,087 50
200 SHS. VERIZON COMMUNICATIONS INC	5,694.00	11/21/2008	6,202 08
	77,037.11		59,700 54

NIMICK FORBESWAY FOUNDATION
EIN. 25-1597437
FORM. SCHEDULE B (FORM 990-PF)
TAX YEAR ENDED JUNE 30, 2009

CONTRIBUTOR NUMBER 2
THERESA L NIMICK CHARITABLE REMAINDER UNITRUST 1996 #2

PART II - NONCASH PROPERTY

Discription on noncash property	FMV	Date Received	Tax Basis
656 SHS BP PLC SPONSORED ADR	28,431 04	11/21/2008	27,510.00
656 SHS BP PLC SPONSORED ADR	28,431 04	11/21/2008	26,325 00
400 SHS. BT GROUP PLC SPONSORED ADR	7,488 00	11/21/2008	29,520 00
1,200 SHS BANK OF AMERICA CORPORATION	13,764 00	11/21/2008	56,712 00
460 SHS. DUPONT E I DE NEMOURS & CO	10,593 80	11/21/2008	1,028 10
360 SHS EXXON MOBIL CORPORATION	27,291 60	11/21/2008	14,618 75
250 SHS FORTUNE BRANDS INC.	8,207 50	11/21/2008	14,400.00
1,500 SHS GENERAL ELECTRIC COMPANY	21,045 00	11/21/2008	25,856 25
200 SHS PFIZER INC	3,134 00	11/21/2008	6,062 50
400 SHS PFIZER INC	6,268.00	11/21/2008	10,940.00
	154,653 98		212,972 60

NIMICK FORBESWAY FOUNDATION
EIN. 25-1597437
FORM 990-PF
TAX YEAR ENDED JUNE 30, 2009

	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes
PART I, LINE 11 - OTHER INCOME				
TYCO INTERNATIONAL LTD CLASS ACTION SETTLEMENT	1,138 40	1,138 40	N/A	-
PART I, LINE 16a - LEGAL FEES				
BUCHANAN INGERSOLL & ROONEY	41,293 95	37,164 56		4,129 40
COHEN & GRISBY	16,360 00	14,724 00		1,636 00
JONES DAY	25,313.75	22,782 38		2,531 38
	82,967 70	74,670 93	N/A	8,296 77
PART I, LINE 16c - OTHER PROFESSIONAL FEES				
BNY MELLON MANAGEMENT FEES	28,933 23	26,039 91		2,893 32
PNC BANK MANAGEMENT FEES	27,061 83	24,355 65		2,706 18
	55,995 06	50,395 55	N/A	5,599 51
PART I, LINE 18 - TAXES				
SECTION 4940 TAX (FYE 6/30/08)	1,862 50	-		-
FOREIGN INCOME TAX WITHHELD	738.92	738 92		-
	2,601 42	738 92	N/A	-
PART I, LINE 23 - OTHER EXPENSES				
PENNSYLVANIA FILING FEES	15 00	15 00	N/A	-

NIMICK FORBESWAY FOUNDATION
EIN 25-1597437
FORM 990-PF
TAX YEAR ENDED JUNE 30, 2009

PART IV - CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

(a) DISCRIPTION	(b) HOW ACQUIRED	(c) DATE ACQUIRED	(d) DATE SOLD	(e) GROSS SALES PRICE	(g) COST OR OTHER BASIS	(h) GAIN OR (LOSS)
32,634 561 SHS. DREYFUS S&P 500	D	6/11/2008	12/3/2008	576,000.00	922,252 69	(346,252.69)
1,900 SHS TJX COMPANIES INC	D	2/13/1995	4/14/2009	50,291 70	2,975 88	47,315.82
700 SHS EXXON MOBIL CORPORATION	D	10/7/2003	4/14/2009	48,109 76	26,702 52	21,407 24
1,800 SHS JOHNSON & JOHNSON	D	2/28/1996	4/14/2009	92,340 32	51,714 00	40,626.32
11,053.795 SHS DREYFUS SMALL CAP	D	6/11/2008	5/5/2009	150,000.00	231,134 85	(81,134 85)
1,800 SHS TJX COMPANIES INC	D	2/13/1995	5/7/2009	52,162 65	2,819.25	49,343 40
1,600 SHS NVIDIA CORPORATION	P	VAR	7/3/2008	20,695 88	50,776.00	(30,080 12)
470 SHS NORTHERN TRUST CORP	P	12/24/2007	10/7/2008	26,397.40	36,694 87	(10,297 47)
600 SHS ANHEUSER-BUSCH COS INC	P	VAR	11/18/2008	42,000 00	23,961 75	18,038.25
1,200 SHS ABB LTD SPONSORED ADR	P	12/24/2007	4/7/2009	17,027 56	34,091 04	(17,063.48)
6,666 SHS ALCOA INC	D	6/12/1998	4/7/2009	51,998 78	107,546.33	(55,547.55)
1,600 SHS. ALTRIA GROUP INC	D	9/21/1999	4/7/2009	26,207 32	10,632 58	15,574.74
656 SHS BP PLC SPONSORED ADR	D	1/16/1997	4/7/2009	26,101 57	27,510 00	(1,408 43)
656 SHS. BP PLC SPONSORED ADR	D	8/21/1998	4/7/2009	26,101.56	26,325.00	(223 44)
1,333 SHS. BT GROUP PLC SPON ADR	D	6/11/2008	4/7/2009	15,595.69	55,786 05	(40,190 36)
400 SHS BT GROUP PLC SPON ADR	D	6/11/2008	4/7/2009	4,679.88	7,488 00	(2,808 12)
700 SHS BANK OF NY MELLON CORP	P	12/24/2007	4/7/2009	19,468 11	34,979 49	(15,511 38)
3,333 SHS BANK OF NY MELLON CORP.	D	6/8/1998	4/7/2009	92,696 01	105,256 14	(12,560.13)
600 SHS. BAXTER INTERNATIONAL INC	P	6/30/2007	4/7/2009	29,171 24	29,682.00	(510 76)
1,666 SHS BEMIS COMPANY	D	8/21/1998	4/7/2009	35,125 37	31,992 20	3,133 17
2 SHS BERKSHIRE HATHAWAY CL A	D	1/14/1999	4/7/2009	176,810 00	130,020 00	46,790.00
20 SHS BERKSHIRE HATHAWAY CL B	P	6/30/2007	4/7/2009	58,072 52	35,200 00	22,872 52
137 SHS. BERKSHIRE HATHAWAY CL B	D	5/8/1996	4/7/2009	426,833 01	214,995 52	211,837 49
168 SHS. BOSTON PROPERTIES INC	D	11/21/2008	4/7/2009	6,214 16	7,333 20	(1,119 04)

(a) DISCRIPTION	(b) HOW ACQUIRED	(c) DATE ACQUIRED	(d) DATE SOLD	(e) GROSS SALES PRICE	(g) COST OR OTHER BASIS	(h) GAIN OR (LOSS)
900 SHS. CHEMED CORPORATION	D	9/21/1999	4/7/2009	36,191 03	18,254.59	17,936 44
1,000 SHS. CORNING INC	P	6/18/2008	4/7/2009	14,529 62	26,055.00	(11,525 38)
3 SHS. FAIRPOINT COMMUNICATIONS INC.	D	11/21/2008	4/7/2009	1 97	5.61	(3 64)
250 SHS. FORTUNE BRANDS INC.	D	11/21/2008	4/7/2009	8,064 79	8,207 50	(142 71)
325 SHS GENERAL DYNAMICS CORP	P	6/30/2007	4/7/2009	14,192.38	24,696.75	(10,504 37)
900 SHS. HEWLETT-PACKARD CO	P	6/30/2007	4/7/2009	30,113 22	24,741 00	5,372 22
10 SHS. IDEARC INC	D	11/21/2008	4/7/2009	0 33	0.80	(0 47)
1,200 SHS. KIMBERLY CLARK CORP.	D	10/7/2003	4/7/2009	57,742.51	61,321.41	(3,578.90)
2,400 SHS. MASCO CORPORATION	D	6/11/2008	4/7/2009	17,567 54	41,304.00	(23,736 46)
2,000 MCGRAW HILL COMPANIES INC	D	10/7/2003	4/7/2009	46,178 81	63,110.00	(16,931 19)
2,666 SHS MERCK & COMPANY INC	D	6/11/2008	4/7/2009	70,380 59	96,055.98	(25,675.39)
200 SHS. MERCK & COMPANY INC.	D	11/21/2008	4/7/2009	5,279 86	4,880.00	399 86
320 SHS MIDCAP SPDR TR SER 1	P	6/18/2008	4/7/2009	29,378 44	50,259.81	(20,881.37)
5,150 SHS. MOTOROLA INC	D	6/11/2008	4/7/2009	23,431 89	46,272.75	(22,840 86)
666 SHS NEW YORK TIMES CO. CL A	D	6/11/2008	4/7/2009	3,243 33	11,058.93	(7,815 60)
666 SHS. PPG INDUSTRIES INC	D	1/14/1999	4/7/2009	28,630.60	38,536.09	(9,905 49)
4,000 SHS. SPRINT NEXTEL CORP	D	6/11/2008	4/7/2009	17,479 54	34,320 00	(16,840 46)
4,000 SHS. UGI HOLDING CORP NEW	D	4/26/1999	4/7/2009	91,256 45	23,747.22	67,509.23
350 SHS. ZIMMER HOLDINGS INC	P	6/30/2007	4/7/2009	13,033 66	29,529.50	(16,495 84)
CAPITAL GAIN DIVIDENDS				-	-	37,845 31
TOTALS				2,576,797 05	2,810,226 30	(195,583.94)

NIMICK FORBESWAY FOUNDATION
EIN 25-1597437
FORM 990-PF
TAX YEAR ENDED JUNE 30, 2009

PART VIII - LIST OF OFFICERS, DIRECTORS, TRUSTEES AND FOUNDATION MANAGERS

(a) NAME AND ADDRESS	(b) TITLE, AVERAGE HOURS PER WEEK	(c) COMPEN- SATION	(d) EMPLOYEE BEN PLAN	(e) EXPENSE ACCOUNT
CHARLES L H NIMICK 11200 RAEHN COURT GREAT FALLS, VA 22066	DIRECTOR/CHAIRMAN 1 0 HRS./WK	0	0	0
VICTORIA NIMICK ENRIGHT 605 SOUTH SHORE DRIVE MADISON, WI 53715	DIRECTOR/VICE-CHAIRMAN 0 5 HRS /WK.	0	0	0
CATHLEEN NIMICK CARRASCO 311 EASTERN AVENUE PITTSBURGH, PA 15215	DIRECTOR 0 5 HRS /WK.	0	0	0
JACK J KESSLER 301 GRANT STREET, 20TH FLOOR PITTSBURGH, PA 15219	DIRECTOR/SECY/TREAS 1 0 HRS /WK	0	0	0

NIMICK FORBESWAY FOUNDATION
EIN '25-1597437
FORM 990-PF
TAX YEAR ENDED JUNE 30, 2009

PART XV, LINE 3a, GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR

RECIPIENT'S NAME AND ADDRESS	RELATION-SHIP	FOUNDATION STATUS	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
SHADYSIDE HOSPITAL FOUNDATION 532 SOUTH AIKEN AVENUE, SUITE 302 PITTSBURGH, PA 15232	N/A	PUBLIC	UNRESTRICTED FUND	$ 22,000 00
SHADYSIDE HOSPITAL FOUNDATION 532 SOUTH AIKEN AVENUE, SUITE 302 PITTSBURGH, PA 15232	N/A	PUBLIC	FLORENCE LOCKHART NIMICK ONCOLOGY LECTURE FUND	3,000 00
FRANKLIN & MARSHALL COLLEGE P O BOX 3003 LANCASTER, PA 17604	N/A	PUBLIC	ANNUAL FUND	10,000 00
PRINCETON UNIVERSITY P O BOX 5357 PRINCETON, NJ 08543	N/A	PUBLIC	ANNUAL FUND	10,000 00
THE NEIGHBORHOOD ACADEMY 5231 PENN AVENUE, SUITE 200 PITTSBURGH, PA 15224	N/A	PUBLIC	ANNUAL FUND	20,000 00
CONGRESSIONAL SCHOOLS OF VA 3229 SLEEPY HOLLOW ROAD FALLS CHURCH, VA 22042	N/A	PUBLIC	ANNUAL FUND	10,000 00
ST MICHAEL'S OF THE VALLEY EPISCOPAL CHURCH P O BOX 336 LIGONIER, PA 15658	N/A	PUBLIC	ANNUAL STEWARDSHIP CAMPAIGN	5,000 00
LOYALHANNA WATERSHED ASSOCIATION 110 ANDI LANE LIGONIER, PA 15658	N/A	PUBLIC	FRIEDLINE MINE PROJECT	2,000 00
CAMP SHALOM MADISON JEWISH COMMUNITY CENTER 6434 ENTERPRISE LANE MADISON, WI 53719	N/A	PUBLIC	MJCC TZEDAKAH CAMPAIGN	1,000 00
THE SOCIETY FOR THE PRESERVATION OF THE DUQUESNE HEIGHTS INCLINE 1220 GRANDVIEW AVENUE PITTSBURGH, PA 15211	N/A	PUBLIC	RESERVE FUND	1,000 00
TULANE UNIVERSITY P O BOX 61075 NEW ORLEANS, LA 70161	N/A	PUBLIC	ANNUAL FUND	1,000 00
TOTAL				$ 85,000 00

Detail

Portfolio - income

Cash equivalents

Description	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
BLACKROCK LIQUIDITY FUNDS	$41,127 53	$48,746 45	0 77 %	$48,746 45		0 36 %	$170 63
TEMPFUND	48,746 450	$1 0000		$1 00			
ADMINISTRATION SHARES #H1							

Portfolio - principal

Cash equivalents

Description	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
BLACKROCK LIQUIDITY FUNDS	$316,389 23	$256,389 23	4 01 %	$256,389 23		0 36 %	$897 45
TEMPFUND	256,389 230	$1 0000		$1 00			
ADMINISTRATION SHARES #H1							

Fixed income

US government

Description (Cusip)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
USA TREASURY NOTES	$256,747 50	$262,556 10	4 10 %	$258,347 49	$4,208 61	2 39 %	$6,250 00
TREASURY INFLATION PROTECTN SECS	250,000	$105 0224		$103 34			
02 500% DUE 01/15/2029							
RATING AAA							
(912810PZ5)							

Detail

Fixed income

US government

Description (Cusip)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
USA TREASURY NOTES TREASURY INFLATION PROTECTN SECS 02 125% DUE 01/15/2019 RATING AAA (912828JX9)	258,332 30 250,000	255,671 30 102 2685	4 00 %	259,299 37 103 72	- 3,628 07	2 08 %	5,312 50
Total US government		**$518,227.40**	**8.09 %**	**$517,646.86**	**$580.54**	**2.23 %**	**$11,562.50**
Total fixed income		**$518,227.40**	**8.09 %**	**$517,646.86**	**$580.54**	**2.23 %**	**$11,562.50**

Equities

Industrials

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
CHEMED CORP (CHE)	$32,606 04 852	$33,636 96 $39 4800	0 53 %	$0 49 *	$33,636 47	0 61 %	$204 48
GENERAL ELECTRIC CO (GE)	27,634 00 2,050	24,026 00 11 7200	0 38 %	2 00	24,024 00	3 42 %	820 00
JACOBS ENGINEERING GROUP INC (JEC)	17,160 00 400	16,836 00 42 0900	0 27 %	15,952 66 39 88	883 34		
ROCKWELL COLLINS INC (COL)	19,513 20 460	19,195 80 41 7300	0 30 %	33,895 10 73 69	- 14,699 30	2 31 %	441 60
UNITED TECHNOLOGIES CORP (UTX)	63,132 00 1,200	62,352 00 51 9600	0 98 %	39,112 00 32 59	23,240 00	2 97 %	1,848 00
Total industrials		**$156,046.76**	**2.44 %**	**$88,962.25**	**$67,084.51**	**2.12 %**	**$3,314.08**

Detail

Consumer discretionary

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
APOLLO GROUP INC (APOL) CL A	$35,460 00 600	$42,672 00 $71 1200	0 67 %	$38,419 02 $64 03	$4,252 98		
DOLLAR TREE INC (DLTR)	49,247 00 1,100	46,310 00 42 1000	0 73 %	48,738 03 44 31	- 2,428 03		
MATTHEWS INTL CORP (MATW) CL A	34,260 00 1,200	37,344 00 31 1200	0 59 %	8,860 50 7 38	28,483 50	0 84 %	312 00
MC DONALDS CORP (MCD)	44,242 50 750	43,117 50 57 4900	0 68 %	44,102 50 58 80	- 985 00	3 48 %	1,500 00
NIKE INC (NKE) CLASS B	55,909 00 980	50,744 40 51 7800	0 80 %	55,453 07 56 59	- 4,708 67	1 94 %	980 00
YUM! BRANDS INC (YUM)	55,408 00 1,600	53,344 00 33 3400	0 84 %	46,416 00 29 01	6,928 00	2 28 %	1,216 00
Total consumer discretionary		**$273,531.90**	**4.27 %**	**$241,989.12**	**$31,542.78**	**1.47 %**	**$4,008.00**

Consumer staples

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
CVS CAREMARK CORPORATION (CVS)	$78,850 80 2,646	$84,328 02 $31 8700	1 32 %	$50,484 88 $19 08	$33,843 14	0 96 %	$807 03
COCA COLA CO (KO)	54,076 00 1,100	52,789 00 47 9900	0 83 %	49,533 00 45 03	3,256 00	3 42 %	1,804 00
KRAFT FOODS INC - A (KFT)	28,877 66 1,106	28,026 04 25 3400	0 44 %	1 00 *	28,025 04	4 58 %	1,282 96
PEPSICO INC (PEP)	78,075 00 1,500	82,440 00 54 9600	1 29 %	82,518 00 55 01	- 78 00	3 28 %	2,700 00
PROCTER & GAMBLE CO (PG)	62,328 00 1,200	61,320 00 51 1000	0 96 %	45,902 25 38 25	15,417 75	3 45 %	2,112 00
WAL-MART STORES INC (WMT)	44,766 00 900	43,596 00 48 4400	0 69 %	47,346 03 52 61	- 3,750 03	2 26 %	981 00
Total consumer staples		**$352,499.06**	**5.50 %**	**$275,785.16**	**$76,713.90**	**2.75 %**	**$9,686.99**

Detail

Energy

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
CHEVRON CORPORATION (CVX)	$51,335 90 770	$51,012 50 $66 2500	0 80 %	$36,255 00 $47 08	$14,757 50	3 93 %	$2,002 00
CONOCOPHILLIPS (COP)	52,716 00 1,150	48,369 00 42 0600	0 76 %	64,781 50 56 33	- 16,412 50	4 47 %	2,162 00
EXXON MOBIL CORP (XOM)	52,706 00 760	53,131 60 69 9100	0 83 %	2 00	53,129 60	2 41 %	1,276 80
OCCIDENTAL PETROLEUM CORP (OXY)	60,399 00 900	59,229 00 65 8100	0 93 %	50,608 71 56 23	8,620 29	2 01 %	1,188 00
SCHLUMBERGER LTD (SLB)	68,676 00 1,200	64,932 00 54 1100	1 02 %	72,990 00 60 83	- 8,058 00	1 56 %	1,008 00
XTO ENERGY INC (XTO)	68,432 00 1,600	61,024 00 38 1400	0 96 %	57,925 44 36 20	3,098 56	1 32 %	800 00
Total energy		**$337,698.10**	**5.27 %**	**$282,562.65**	**$55,135.45**	**2.50 %**	**$8,436.80**

Financial

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
BANK OF AMERICA CORP (BAC)	$28,175 00 2,500	$33,000 00 $13 2000	0 52 %	$9,829 00 $3 93	$23,171 00	0 31 %	$100 00
BERKSHIRE HATHAWAY INC DEL (BRKA) CL A	91,600 00 1	90,000 00 90,000 0000	1 41 %	0 33 * 0 33	89,999 67		
PNC FINANCIAL SERVICES GROUP INC (PNC)	9,110 00 200	7,762 00 38 8100	0 13 %	1 00 * 0 01	7,761 00	1 04 %	80 00
SCHWAB CHARLES CORP NEW (SCHW)	26,400 00 1,500	26,310 00 17 5400	0 42 %	23,520 00 15 68	2,790 00	1 37 %	360 00
THE TRAVELERS COS INC (TRV)	26,429 00 650	26,676 00 41 0400	0 42 %	27,384 50 42 13	- 708 50	2 93 %	780 00
VISA INC (V) CLASS A SHARES	33,855 00 500	31,130 00 62 2600	0 49 %	28,809 00 57 62	2,321 00	0 68 %	210 00

Detail

Financial

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
WESTERN UNION CO - W/I (WU)	25,845 58 1,466	24,042 40 16 4000	0 38 %	1 00 *	24,041 40	0 25 %	58 64
Total financial		**$238,920.40**	**3.73 %**	**$89,544.83**	**$149,375.57**	**0.67 %**	**$1,588.64**

Materials

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
ALCOA INC (AA)	$36,880 00 4,000	$41,320 00 $10 3300	0 65 %	$0 37 *	$41,319 63	6 59 %	$2,720 00
BEMIS COMPANY (BMS)	25,090 00 1,000	25,200 00 25 2000	0 40 %	0 38 *	25,199 62	3 58 %	900 00
DUPONT E I DE NEMOURS & CO (DD)	13,096 20 460	11,785 20 25 6200	0 19 %	1 00 *	11,784 20	6 41 %	754 40
PRAXAIR INC (PX)	29,280 00 400	28,428 00 71 0700	0 45 %	22,212 00 55 53	6,216 00	2 26 %	640 00
Total materials		**$106,733.20**	**1.67 %**	**$22,213.75**	**$84,519.45**	**4.70 %**	**$5,014.40**

Information technology

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
AMPHENOL CORP NEW (APH) CL A	$46,746 00 1,400	$44,296 00 $31 6400	0 70 %	$40,859 98 $29 19	$3,436 02	0 19 %	$84 00
APPLE INC (AAPL)	67,905 00 500	71,215 00 142 4300	1 12 %	57,865 00 115 73	13,350 00		
EMC CORP (EMC)	70,500 00 6,000	78,600 00 13 1000	1 23 %	85,921 00 14 32	- 7,321 00		
FACTSET RESH SYS INC (FDS)	88,343 00 1,670	83,282 90 49 8700	1 31 %	85,399 52 51 14	- 2,116 62	1 61 %	1,336 00

Detail

Information technology

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
INTEL CORP (INTC)	73,255 20 4,660	77,123 00 16 5500	1 21 %	134,528 40 28 87	- 57,405 40	3 39 %	2,609 60
INTERNATIONAL BUSINESS MACHS (IBM) CORP	63,768 00 600	62,652 00 104 4200	0 98 %	59,563 02 99 27	3,088 98	2 11 %	1,320 00
ORACLE CORP (ORCL)	82,278 00 4,200	89,964 00 21 4200	1 41 %	85,851 00 20 44	4,113 00	0 94 %	840 00
QUALCOMM INC (QCOM)	43,590 00 1,000	45,200 00 45 2000	0 71 %	39,629 00 39 63	5,571 00	1 51 %	680 00
Total information technology		**$552,332.90**	**8.62 %**	**$589,616.92**	**- $37,284.02**	**1.24 %**	**$6,869.60**

Utilities

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
DOMINION RESOURCES INC VA (D)	$28,611 00 900	$30,078 00 $33 4200	0 47 %	$27,648 00 $30 72	$2,430 00	5 24 %	$1,575 00
HAWAIIAN ELECTRIC INDUSTRIES INC (HE)	22,994 25 1,333	25,406 98 19 0600	0 40 %	1 00 *	25,405 98	6 51 %	1,652 92
SOUTHERN CO (SO)	22,728 00 800	24,928 00 31 1600	0 39 %	24,960 00 31 20	- 32 00	5 62 %	1,400 00
UGI HOLDING CORP NEW (UGI)	48,220 00 2,000	50,980 00 25 4900	0 80 %	0 33 *	50,979 67	3 14 %	1,600 00
Total utilities		**$131,392.98**	**2.05 %**	**$52,609.33**	**$78,783.65**	**4.74 %**	**$6,227.92**

Detail

Health care

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
ALCON INC (ACL) SEDOL 2852395 ISIN CH0013826497	$32,550 00 300	$34,836 00 $116 1200	0 55 %	$32,688 00 $108 96	$2,148 00	3 14 %	$1,093 20
AMGEN INC (AMGN)	64,922 00 1,300	68,822 00 52 9400	1 08 %	62,075 00 47 75	6,747 00		
BARD C R INC (BCR)	64,341 00 900	67,005 00 74 4500	1 05 %	70,254 00 78 06	- 3,249 00	0 92 %	612 00
BRISTOL MYERS SQUIBB CO (BMY)	45,816 00 2,300	46,713 00 20 3100	0 73 %	38,951 00 16 94	7,762 00	6 11 %	2,852 00
DENTSPLY INTERNATIONAL INC (XRAY)	55,594 00 1,900	58,083 00 30 5700	0 91 %	65,190 00 34 31	- 7,107 00	0 66 %	380 00
GILEAD SCIENCES INC (GILD)	73,270 00 1,700	79,628 00 46 8400	1 25 %	81,360 81 47 86	- 1,732 81		
JOHNSON & JOHNSON (JNJ)	51,850 40 940	53,392 00 56 8000	0 84 %	31,504 25 33 52	21,887 75	3 46 %	1,842 40
PFIZER INC (PFE)	51,129 54 3,366	50,490 00 15 0000	0 79 %	8,175 00 2 43	42,315 00	4 27 %	2,154 24
Total health care		**$458,969.00**	**7.17 %**	**$390,198.06**	**$68,770.94**	**1.95 %**	**$8,933.84**

Telecommunication services

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
AT&T INC (T)	$37,185 00 1,500	$37,260 00 $24 8400	0 59 %	$47,571 00 $31 71	- $10,311 00	6 61 %	$2,460 00
VERIZON COMMUNICATIONS INC (VZ)	40,964 00 1,400	43,022 00 30 7300	0 68 %	38,293 00 27 35	4,729 00	5 99 %	2,576 00
Total telecommunication services		**$80,282.00**	**1.25 %**	**$85,864.00**	**- $5,582.00**	**6.27 %**	**$5,036.00**
Total equities		**$2,688,406.30**	**41.98 %**	**$2,119,346.07**	**$569,060.23**	**2.20 %**	**$59,116.27**

Detail

Mutual funds

Fixed funds

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Avg Total tax cost tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
PIMCO FDS (PTTRX) TOTAL RETURN BD FUND INSTL CLASS, FD #35	$695,676 88 66,699 605	$697,010 87 $10 4500	10 89 %	$675,000 00 $10 12	$22,010 87	6 02 %	$41,899 62

Equity funds

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Avg Total tax cost tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
ISHARES TR DJ SELECT DIV INDEX (DVY) ETF	$520,140 25 14,525	$513,604 00 $35 3600	8 02 %	$1 00 *	$513,603 00	4 49 %	$23,051 18
ISHARES TR MSCI EMERGING MKTS (EEM) INDEX FD ETF	242,652 00 7,300	235,279 00 32 2300	3 68 %	193,469 00 26 50	41,810 00	1 54 %	3,606 20
ISHARES MSCI EAFE INDEX FUND (EFA) ETF	823,257 50 17,350	794,803 50 45 8100	12 42 %	725,679 58 41 83	69,123 92	4 13 %	32,791 50
ISHARES TR RUSSELL MIDCAP (IWS) VALUE INDEX FD ETF	144,550 00 5,000	144,900 00 28 9800	2 27 %	125,150 00 25 03	19,750 00	2 87 %	4,155 00
ISHARES RUSSELL MIDCAP GROWTH (IWP) INDEX FUND ETF	170,422 00 4,700	171,315 00 36 4500	2 68 %	147,021 17 31 28	24,293 83	1 01 %	1,720 20
ISHARES TR S&P SMALL CAP (IJS) 600 VALUE INDEX FD ETF	156,009 50 3,350	157,718 00 47 0800	2 47 %	148,107 00 44.21	9,611 00	1 62 %	2,552 70
ISHARES TR & S&P SMALL CAP (IJT) 600 GROWTH INDEX FD ETF	174,374 40 3,840	178,022 40 46 3600	2 78 %	165,182 10 43 02	12,840 30	0 59 %	1,048 32
Total equity funds		$2,195,641.90	34.28 %	$1,504,609.85	$691,032.05	3.14 %	$68,925.10

Detail

Equity funds

Description (Symbol)	Market value last period Quantity	Current market value Current price per unit	% of total portfolio	Total tax cost Avg tax cost per unit	Unrealized gain/loss	Current yield	Estimated annual income
Total mutual funds		**$2,892,652.77**	**45.17 %**	**$2,179,609.85**	**$713,042.92**	**3.83 %**	**$110,824.72**
Total portfolio		**$6,404,422.15**	**100.00 %**	**$5,121,738.46**	**$1,282,683.69**	**2.85 %**	**$182,571.57**

* We have been unable to obtain tax cost information for these assets When this information is not available for all assets, your portfolio's tax cost may be understated If you have any information regarding tax cost call W Brewster Cockrell your Account Advisor

Asset detail June 30, 2009

Equities

U.S. common stocks

Energy

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct. of holdings
566	Bp PLC Spons ADR (BP)	$ 47.6800	$ 26,986.88	$ 21,766.03	$ 5,220.85	$ 1,901.76	7.1%	0.5%
1,733	Chevron Corporation (CVX)	66.2500	114,811.25	63,824.39	50,986.86	4,505.80	3.9	2.1
2,133	Conocophillips (COP)	42.0600	89,713.98	60,193.26	29,520.72	4,010.04	4.5	1.6
1,567	Exxon Mobil Corp (XOM)	69.9100	109,548.97	57,503.39	52,045.58	2,632.56	2.4	2.0
2,400	Halliburton Co (HAL)	20.7000	49,680.00	52,774.55	-3,094.55	864.00	1.7	0.9
733	Royal Dutch Shell PLC (RDS.A) ADR	50.1900	36,789.27	31,922.15	4,867.12	2,093 45	5.7	0.7
Total energy			$ 427,530.35	$ 287,983.77	$ 139,546.58	$ 16,007.61		7.8%

Materials

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct. of holdings
1,800	DU Pont (E I) De Nemours And (DD) Company	$ 25.6200	$ 46,116.00	$ 52,106.45	$ -5,990.45	$ 2,952.00	6.4%	0.8%
484	Monsanto Co New (MON)	74.3400	35,980.56	3,763.10	32,217.46	513.04	1.4	0.7
36	Neenah Paper Inc (NP)	8.8100	317.16	1,055.92	-738.76	14.40	4.5	0.0
Total materials			$ 82,413.72	$ 56,925.47	$ 25,488.25	$ 3,479.44		1.5%

Industrials

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct. of holdings
4,000	General Electric Company (GE)	$ 11.7200	$ 46,880.00	$ 123,900.00	$ -77,020.00	$ 1,600.00	3.4%	0.9%
1,600	Honeywell Intl Inc (HON)	31.4000	50,240.00	50,428.00	-188.00	1,936.00	3.9	0.9
1,333	Raytheon Co (RTN)	44.4300	59,225.19	31,808.71	27,416.48	1,652.92	2.8	1.1
2,000	Union Pac Corp (UNP)	52.0600	104,120.00	58,618.67	45,501.33	2,160.00	2.1	1.9

Industrials
continued

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
1,466	United Technologies Corp (UTX)	51.9600	76,173.36	59,878.77	16,294.59	2,257.64	3.0	1.4
Total industrials			$ 336,638.55	$ 324,634.15	$ 12,004.40	$ 9,606.56		6.1%

Consumer discretionary

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
322	Comcast Corp CL A (CMCSA)	$ 14.4600	$ 4,656.12	$ 13,561.92	$ -8,905.80	$ 86.94	1.9%	0.1%
140	Idearc Inc (IDARQ)	0.0371	5.19	4,554.51	-4,549.32	0.00	0.0	0.0
666	Mc Donald's Corporation (MCD)	57.4900	38,288.34	29,087.55	9,200.79	1,332.00	3.5	0.7
4,300	T J X Companies Inc (TJX)	31.4600	135,278.00	6,734.87	128,543.13	2,064.00	1.5	2.5
Total consumer discretionary			$ 178,227.65	$ 53,938.85	$ 124,288.80	$ 3,482.94		3.2%

Consumer staples

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
1,750	Cvs Caremark Corporation (CVS)	$ 31.8700	$ 55,772.50	$ 52,394.98	$ 3,377.52	$ 533.75	1.0%	1.0%
666	Coca - Cola Co (KO)	47.9900	31,961.34	44,363.59	-12,402.25	1,092.24	3.4	0.6
1,333	Heinz H J Co (HNZ)	35.7000	47,588.10	51,698.17	-4,110.07	2,239.44	4.7	0.9
900	Pepsico Inc (PEP)	54.9600	49,464.00	46,537.20	2,926.80	1,620.00	3.3	0.9
1,600	Philip Morris International Inc (PM)	43.6200	69,792.00	24,426.97	45,365.03	3,456.00	5.0	1.3
1,000	The Procter & Gamble Company (PG)	51.1000	51,100.00	48,200.00	2,900.00	1,760.00	3.4	0.9
1,000	Wal Mart Stores Inc (WMT)	48.4400	48,440.00	51,078.38	-2,638.38	1,090.00	2.3	0.9
Total consumer staples			$ 354,117.94	$ 318,699.29	$ 35,418.65	$ 11,791.43		6.5%

Healthcare

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
666	Abbott Laboratories (ABT)	$ 47.0400	$ 31,328.64	$ 29,580.80	$ 1,747.84	$ 1,065.60	3.4%	0.6%
1,766	Hospira Inc (HSP)	38.5200	68,026.32	57,118.62	10,907.70	0.00	0.0	1.2
2,200	Johnson & Johnson (JNJ)	56.8000	124,960.00	63,206.00	61,754.00	4,312.00	3.5	2.3
642	Medco Health Solutions Inc (MHS)	45.6100	29,281.62	7,558.40	21,723.22	0.00	0.0	0.5
1,266	Medtronic Inc (MDT)	34.8900	44,170.74	57,324.48	-13,153.74	1,038.12	2.4	0.8
1,333	Schering Plough Corp (SGP)	25.1200	33,484.96	63,558.77	-30,073.81	346.58	1.0	0.6
Total healthcare			$ 331,252.28	$ 278,347.07	$ 52,905.21	$ 6,762.30		6.0%

Financials

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
733	X L Capital LTD Class A (XL)	$ 11.4600	$ 8,400.18	$ 58,112.24	$ -49,712.06	$ 425.14	5.1%	0.2%
1,266	Plum Creek Timber Co Inc (PCL)	29.7800	37,701.48	35,352.72	2,348.76	2,126.88	5.6	0.7
Total financials			$ 46,101.66	$ 93,464.96	$ -47,363.30	$ 2,552.02		0.8%

Information technology

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
2,666	Hewlett Packard Co (HPQ)	$ 38.6500	$ 103,040.90	$ 58,530.03	$ 44,510.87	$ 853.12	0.8%	1.9%
666	International Business Machines (IBM) Corporation	104.4200	69,543.72	60,816.79	8,726.93	1,465.20	2.1	1.3
Total information technology			$ 172,584.62	$ 119,346.82	$ 53,237.80	$ 2,318.32		3.2%

Telcommunications services

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
2,003	At & T Inc (T)	$ 24.8400	$ 49,754.52	$ 57,845.36	$ -8,090.84	$ 3,284.92	6.6%	0.9%
200	Embarq Corporation (EQ)	42.0600	8,412.00	6,710.88	1,701.12	550.00	6.5	0.2
52	Fairpoint Communications Inc (FRP)	0.6000	31.20	514.85	-483.65	0.00	0.0	0.0
2,813	Verizon Communicationsinc (VZ)	30.7300	86,443.49	119,711.21	-33,267.72	5,175.92	6.0	1.6

Telcommunications services
continued

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
688	Windstream Corp (WIN)	8.3600	5,751.68	6,174.58	-422.90	688.00	12.0	0.1
Total telcommunications services			$ 150,392.89	$ 190,956.88	$ -40,563.99	$ 9,698.84		2.7%

Utilities

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
1,100	Exelon Corp (EXC)	$ 51.2100	$ 56,331.00	$ 52,072.35	$ 4,258.65	$ 2,310.00	4.1%	1.0%
1,333	F P L Group Inc (FPL)	56.8600	75,794.38	37,607.26	38,187.12	2,519.37	3.3	1.4
2,000	Sempra Energy (SRE)	49.6300	99,260.00	41,974.67	57,285.33	3,120.00	3.1	1.8
Total utilities			$ 231,385.38	$ 131,654.28	$ 99,731.10	$ 7,949.37		4.2%
Total U.S. common stocks			**$ 2,310,645.04**	**$ 1,855,951.54**	**$ 454,693.50**	**$ 73,648.83**		**42.1%**

Mid cap

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
46,675.866	BNY Mellon Mid Cap Stock Fund (MPMCX) Class M Shares	$ 7.7700	$ 362,671.48	$ 489,786.94	$ -127,115.46	$ 2,707.20	0.8%	6.6%
Total mid cap			**$ 362,671.48**	**$ 489,786.94**	**$ -127,115.46**	**$ 2,707.20**		**6.6%**

Small cap

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
17,203.503	Dreyfus Small Cap Stk Index FD (DISSX)	$ 13.4600	$ 231,559.15	$ 377,100.76	$ -145,541.61	$ 3,974.01	1.7%	4.2%
Total small cap			**$ 231,559.15**	**$ 377,100.76**	**$ -145,541.61**	**$ 3,974.01**		**4.2%**

International-developed

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
30	Nortel Networks Corporation (NRTLQ)	$ 0.0436	$ 1.31		$ 1.31	$ 0.00	0.0%	0.0%
5,698	Vanguard Europe Pacific Etf (VEA)	28.5600	162,734.88	283,919.75	-121,184.87	5,316.23	3.3	3.0
Total international-developed			**$ 162,736.19**	**$ 283,919.75**	**$ -121,183.56**	**$ 5,316.23**		**3.0%**

Other equity

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
24,802.418	Dreyfus / Laurel Fds Inc S&P 500 (DSPIX) Stk Index FD TR SHS	$ 18.8400	$ 467,277.56	$ 730,135.40	$ -262,857.84	$ 12,872.45	2.8%	8.5%
5,100	Vanguard Emerging Markets Vipers (VWO)	31.8200	162,282.00	273,340.97	-111,058.97	6,007 80	3.7	3.0
Total other equity			**$ 629,559.56**	**$ 1,003,476.37**	**$ -373,916.81**	**$ 18,880.25**		**11.5%**
Total equities			**$ 3,697,171.42**	**$ 4,010,235.36**	**$ -313,063.94**	**$ 104,526.52**		**67.4%**

Fixed income

Taxable

Taxable funds

Shares/par value	Description	Market price	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
61,209.967	BNY Mellon Intermediate Bond Fund Class M Shares	$ 12.6000	$ 771,245.58	$ 760,000.00	$ 11,245.58	$ 33,420.64	4.3%	14.1%
11,127.596	Loomis Sayles Global Bond Fund	14.6900	163,464.39	150,000.00	13,464.39	10,471.07	6.4	3.0
17,321.016	Vanguard Intermediate-Term Investment Grade Fund	9.0600	156,928.40	150,000.00	6,928.40	8,712.47	5.6	2.9
Total taxable taxable funds			$ 1,091,638.37	$ 1,060,000.00	$ 31,638.37	$ 52,604.18		19.9%
Total taxable fixed income			**$ 1,091,638.37**	**$ 1,060,000.00**	**$ 31,638.37**	**$ 52,604.18**		**19.9%**
Total fixed income			**$ 1,091,638.37**	**$ 1,060,000.00**	**$ 31,638.37**	**$ 52,604.18**		**19.9%**

Cash and cash equivalents

	Description	Market value	Tax cost	Unrealized gain (or loss)	Estimated annual income	Yield	Pct of holdings
699,375.31	Cra 12 (BNY Mellon, Na, Member FDIC) (Principal Holding)	$ 699,375.31	$ 699,375.31		$ 755.33	0.1%	12.7%
	Principal Cash	-73.30					
	Income Cash	73.30					
Total cash and cash equivalents		**$ 699,375.31**	**$ 699,375.31**	**$ 0.00**	**$ 755.33**		**12.7%**
Total assets		**$ 5,488,185.10**	**$ 5,769,610.67**	**$ -281,425.57**	**$ 157,886.03**		**100.0%**

Account summary

July 1, 2008 - July 31, 2008

Investment Manager For The Nimick
Forbesway Foundation Under Agreement
Dated June 12, 2008
Account number 10260343020

Account activity

Market value

Market value as of July 1, 2008:	$ 0.00
Income	18,475.73
Additions	0.00
Withdrawals	-4,210.48
Change in investment value	12,548,784.31
Market value as of July 31, 2008:	**$ 12,563,049.56**
Accrued income as of July 31, 2008:	**9,353.15**
Total market value plus accrued income	**$ 12,572,402.71**

Cash and money market activity

Cash/money market balance as of July 1, 2008:			$ 3,789,321.21
Income	18,475.73		
Receipts	0.00	Disbursements	-4,210.48
Sales/Maturities	0.00	Purchases	0.00
Cash/money market balance as of July 31, 2008:			**$ 3,803,586.46**

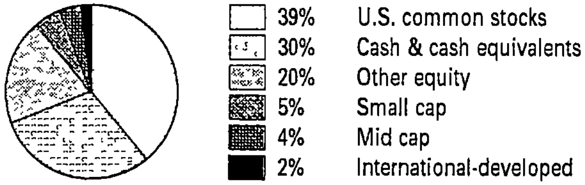
Income summary	This period	Year to date
Interest tax exempt	$ 0.00	$ 0.00
Interest taxable	3,813.12	3,813.12
Dividends	14,662.61	14,662.61
Other asset income	0.00	0.00
Total income	**$ 18,475.73**	**$ 18,475.73**

	Short term	Long term
Year to date realized net gain/loss	$0.00	$0.00

(For annual tax preparation please refer to your annual tax letter)

Account profile

Asset allocation



Asset summary

		Market value
Equities	U.S. common stocks	$ 4,952,301.60
	Mid cap	521,369.42
	Small cap	570,514.85
	International-developed	236,125.12
	Other equity	2,479,152.11
Cash & cash equivalents (Includes income cash of $ 0.00)		3,803,586.46
Total assets		**$ 12,563,049.56**

Portfolio manager John W Lantz
412 234 4250

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Jack J. Kessler
412 562 8879
jack.kessler@bipc.com

January 27, 2010

VIA FIRST CLASS AND E-MAIL

Mary Sexton
Director of Major Gifts
Doctors Without Borders/ Medecins Sans Frontieres
333 Seventh Avenue, 2nd Floor
New York, NY 10001-5004
USA

Dear Mary:

Thank you for your time on the telephone yesterday. On behalf of the Trustees of the Nimick Forbesway Foundation, I am pleased to confirm the Foundation's grant of One Hundred Thousand Dollars ($100,000) to Doctors Without Border's Haiti Relief Fund. The funds will be transferred to your organization by wire transfer from PNC Bank in Pittsburgh within the next few days. Also attached is a standard letter the Foundation issues to all of its grant recipients.

On behalf of all of the Foundation Trustees, we thank Doctors Without Borders for their critical efforts in Haiti and wish you continued success in this very important mission.

Kindly acknowledge by reply e-mail your receipt of this letter and confirmation that your organization will earmark this gift specifically for the Haiti relief effort.

Sincerely,

Jack J Kessler

Jack J. Kessler

Enclosure

cc:
Charles L. Nimick (via e-mail)
Victoria Nimick Enright (via e-mail)
Kathleen Nimick Carrasco (via e-mail)
Veronica Higgs (via e-mail)

California : Delaware : Florida New Jersey : New York : Pennsylvania : Virginia : Washington, DC

(412) 562-0333 (phone) (412) 562-0381 (fax)

NIMICK FORBESWAY FOUNDATION
535 Smithfield Street
Suite 1117
Pittsburgh, PA 15222

January 27, 2010

Mrs Mary Sexton
Director of Major Gifts
Doctors Without Borders/ Medecins Sans Frontieres
333 Seventh Avenue, 2nd Floor
New York, NY 10001-5004

Dear Mary

CONGRATULATIONS! The Nimick Forbesway Foundation (NFF) Trustees are pleased to award a $100,000 GRANT to

Doctors Without Borders/ Medecins Sans Frontieres
Haiti Relief Effort

GRANT DESCRIPTION $100,000

TIME-LIMIT Immediate Funding

GRANT IMPLEMENTATION REPORTS You are requested to submit the following reports

1) SEMI-ANNUAL (06/30/10) - Report due 07/31/2010
   a) Initial 01/2010 NFF GRANT ____________
   b) Amount spent as of 06/30/2010 ____________
   c) Balance remaining to spend ____________
   d) % of NFF GRANT work successfully completed ____________

2) FINAL (12/31/2010) - Report due 01/31/2011
   a) Initial 01/2010 NFF GRANT ____________
   b) Amount spent as of 12/31/2010 ____________
   c) Balance remaining to spend ____________
   d) % of NFF GRANT work successfully completed ____________

We wish your 501(c)(3) institution and personnel the best of body, mind and spirit in your NFF GRANT implementation Please keep in touch with us regarding any questions you might have

Sincerely,

Jack J Kessler

Jack J Kessler, Esq
Secretary-Treasurer

JJK/hc

Please sign and return, in the enclosed envelope, the duplicate of this letter if accepting this NFF GRANT and agreeing to the reports as outlined above

______________________________ Signature

______________________________ Date

Election Statement under Regs. § 53.4942(a)-3(d)(2)

Taxpayer, The Nimick Forbesway Foundation, Employer Identification No. 25-1597437, hereby elects under Regs. § 53.4942(a)-3(d)(2) to designate the qualifying distribution of $100,000.00 it made on January 27, 2010. The taxpayer elects that the distribution be allocated in the following manner: (1) $36,754.71 to the taxable year ending June 30, 2008 and (2) $63,245.29 to the taxable year ending June 30, 2009.

Date: February 8, 2010

Jack J. Kessler

Jack J. Kessler, Secretary/Treasurer