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 11/01, 2008, and ending 10/31, 2009

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: LANDRY'S HELPING HEART FOUNDATION

Number and street (or P O box number if mail is not delivered to street address): THE GOLDMAN SACHS TRUST COMPANY, NA, 601 DELAWARE AVENUE, 2ND FLOOR

Room/suite:

City or town, state, and ZIP code: WILMINGTON, DE 19801

A Employer identification number: 26-1631464

B Telephone number (see page 10 of the instructions): (770) 552-4633

C If exemption application is pending, check here ▶ [X]

D 1 Foreign organizations, check here ▶ [ ]

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 ▶ [ ]

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

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

I Fair market value of all assets at end of year *(from Part II, col (c), line 16)* ▶ $ 4,604,647.

J Accounting method: [X] Cash [ ] Accrual
[ ] Other (specify) ____________
(Part I, column (d) must be on cash basis)

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)				
	2 Check ▶ [ ] if the foundation is **not** required to attach Sch B				
	3 Interest on savings and temporary cash investments	50,236.	50,080.		
	4 Dividends and interest from securities	65,265.	65,265.		
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	-547,611.			
	b Gross sales price for all assets on line 6a 2,633,451.				
	7 Capital gain net income (from Part IV, line 2)				
	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)				
	12 **Total** Add lines 1 through 11	-432,110.	115,345.		
Operating and Administrative Expenses	13 Compensation of officers directors, trustees, etc	NONE			
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)				
	b Accounting fees (attach schedule) STMT 1	1,050.	NONE	NONE	1,050.
	c Other professional fees (attach schedule) STMT 2	9,961.	9,961.		
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions) **	4,378.			
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule)				
	24 **Total operating and administrative expenses.** Add lines 13 through 23	15,389.	9,961.	NONE	1,050.
	25 Contributions, gifts, grants paid	195,000.			195,000.
	26 Total expenses and disbursements Add lines 24 and 25	210,389.	9,961.	NONE	196,050.
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	-642,499.			
	b **Net investment income** (if negative, enter -0-)		105,384.		
	c **Adjusted net income** (if negative, enter -0-)			-0-	

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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	NONE	-62,259.	-62,259.
	2	Savings and temporary cash investments	1,829,403.	1,195,459.	1,195,459.
	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			
	10 a	Investments - U S and state government obligations (attach schedule)			
	b	Investments - corporate stock (attach schedule) STMT 4	3,197,205.	3,250,909.	3,471,447.
	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)	5,026,608.	4,384,109.	4,604,647.
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)			
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. ▶ X			
	27	Capital stock, trust principal, or current funds			
	28	Paid-in or capital surplus, or land, bldg , and equipment fund			
	29	Retained earnings, accumulated income, endowment, or other funds	5,026,608.	4,384,109.	
	30	**Total net assets or fund balances** (see page 17 of the instructions)	5,026,608.	4,384,109.	
	31	**Total liabilities and net assets/fund balances** (see page 17 of the instructions)	5,026,608.	4,384,109.	

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	5,026,608.
2	Enter amount from Part I, line 27a	2	-642,499.
3	Other increases not included in line 2 (itemize) ▶	3	
4	Add lines 1, 2, and 3	4	4,384,109.
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	4,384,109.

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 PART IV 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				
b				
c				
d				
e				

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

	(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	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
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	-547,611.
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	NONE	4,643,150.	NONE
2006			
2005			
2004			
2003			

2 Total of line 1, column (d)	2	NONE
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	NONE
4 Enter the net value of noncharitable-use assets for 2008 from Part X, line 5	4	4,164,755.
5 Multiply line 4 by line 3	5	NONE
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	1,054.
7 Add lines 5 and 6	7	1,054.
8 Enter qualifying distributions from Part XII, line 4	8	196,050.

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 ▶ [X] and enter 1% of Part I, line 27b	1	1,054.
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	
3	Add lines 1 and 2	3	1,054.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	NONE
5	**Tax based on investment income.** Subtract line 4 from line 3 If zero or less, enter -0-	5	1,054.
6	Credits/Payments		
a	2008 estimated tax payments and 2007 overpayment credited to 2008 — 6a: 2,189.		
b	Exempt foreign organizations-tax withheld at source — 6b: NONE		
c	Tax paid with application for extension of time to file (Form 8868) — 6c: NONE		
d	Backup withholding erroneously withheld — 6d:		
7	Total credits and payments Add lines 6a through 6d	7	2,189.
8	Enter any **penalty** for underpayment of estimated tax Check here [ ] if Form 2220 is attached	8	1.
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶	9	
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶	10	1,134.
11	Enter the amount of line 10 to be **Credited to 2009 estimated tax** ▶ 1,134. **Refunded** ▶	11	

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 ▶ $ NONE (2) On foundation managers ▶ $ NONE			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ NONE			
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?	4b	N/A	
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) ▶ GA,			
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*	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)(3)? 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 ▶ K KINNE GOLDMAN SACHS TRUST CO Telephone no ▶ 302-778-5412

Located at ▶ 601 DELAWARE AVENUE, 2ND FL WILMINGTON, DE ZIP + 4 ▶ 19801

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

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	N/A	
	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 ▶				
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	N/A	
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ▶				
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)*		3b	N/A	
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** N/A

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? N/A ☐ 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** No: 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 22 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 STATEMENT 5		NONE	NONE	NONE

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 ▶ NONE

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 ▶ NONE

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 NONE	
2	
All other program-related investments See page 24 of the instructions	
3 NONE	
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	2,528,287.
b	Average of monthly cash balances	1b	1,699,891.
c	Fair market value of all other assets (see page 24 of the instructions)	1c	NONE
d	**Total** (add lines 1a, b, and c)	1d	4,228,178.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation) 1e		
2	Acquisition indebtedness applicable to line 1 assets	2	NONE
3	Subtract line 2 from line 1d	3	4,228,178.
4	Cash deemed held for charitable activities Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions)	4	63,423.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4	5	4,164,755.
6	**Minimum investment return.** Enter 5% of line 5	6	208,238.

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	208,238.
2a	Tax on investment income for 2008 from Part VI, line 5	2a	1,054.		
b	Income tax for 2008 (This does not include the tax from Part VI)	2b			
c	Add lines 2a and 2b			2c	1,054.
3	Distributable amount before adjustments Subtract line 2c from line 1			3	207,184.
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	207,184.
6	Deduction from distributable amount (see page 25 of the instructions)			6	
7	**Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1			7	207,184.

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	196,050.
b	Program-related investments - total from Part IX-B	1b	NONE
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes	2	NONE
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	NONE
b	Cash distribution test (attach the required schedule)	3b	NONE
4	**Qualifying distributions.** Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	196,050.
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	1,054.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	194,996.

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				207,184.
2	Undistributed income, if any, as of the end of 2007				
a	Enter amount for 2007 only			194,987.	
b	Total for prior years 20___,20___,20___				
3	Excess distributions carryover, if any, to 2008				
a	From 2003				
b	From 2004				
c	From 2005				
d	From 2006				
e	From 2007				
f	Total of lines 3a through e				
4	Qualifying distributions for 2008 from Part XII, line 4 ▶ $ 196,050.				
a	Applied to 2007, but not more than line 2a			194,987.	
b	Applied to undistributed income of prior years (Election required - see page 26 of the instructions)				
c	Treated as distributions out of corpus (Election required - see page 26 of the instructions)				
d	Applied to 2008 distributable amount				1,063.
e	Remaining amount distributed out of corpus	NONE			
5	Excess distributions carryover applied to 2008 (*If an amount appears in column (d), the same amount must be shown in column (a)*)				
6	**Enter the net total of each column as indicated below:**				
a	Corpus Add lines 3f, 4c, and 4e Subtract line 5	NONE			
b	Prior years' undistributed income Subtract line 4b from line 2b				
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				
d	Subtract line 6c from line 6b Taxable amount - see page 27 of the instructions				
e	Undistributed income for 2007 Subtract line 4a from line 2a Taxable amount - see page 27 of the instructions				
f	Undistributed income for 2008 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2009				206,121.
7	Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)				
8	Excess distributions carryover from 2003 not applied on line 5 or line 7 (see page 27 of the instructions)				
9	**Excess distributions carryover to 2009.** Subtract lines 7 and 8 from line 6a	NONE			
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 NONE				

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9) NOT APPLICABLE

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 . . . . ▶

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 2/3 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))

SEE STATEMENT 6

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

N/A

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

Check here ▶ [X] 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

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

c Any submission deadlines

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

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 STATEMENT 7				
Total . . . . . . ▶ 3a				195,000.
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	50,236.	
4 Dividends and interest from securities			14	65,265.	
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					
8 Gain or (loss) from sales of assets other than inventory			18	-547,611.	
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)				-432,110.	

13 Total. Add line 12, columns (b), (d), and (e) . . . . . 13 -432,110.

(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)
	NOT APPLICABLE

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		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

[signature] 4-15-2010 TRUSTEE

Signature of officer or trustee | Date | Title

Paid Preparer's Use Only

Preparer's signature	[signature]	Date 3-30-10	Check if self-employed ☐	Preparer's identifying number (See Signature on page 30 of the instructions)
Firm's name (or yours if self-employed), address, and ZIP code	ERNST & YOUNG U.S. LLP 5 TIMES SQUARE NEW YORK, NY 10036		EIN ▶ 34-6565596 Phone no 212-773-3000	

FORM 990-PF - PART IV
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

Kind of Property		Description				P or D	Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/ allowable	Cost or other basis	FMV as of 12/31/69	Adj basis as of 12/31/69	Excess of FMV over adj basis		Gain or (loss)	
		PUBLICLY TRADED SECURITIES				P	VAR	VAR
		PROPERTY TYPE: SECURITIES						
2,629,218.		3,181,062.					-551,844.	
		CAPITAL GAIN DISTRIBUTIONS				P	VAR	VAR
		PROPERTY TYPE: SECURITIES						
4,233.							4,233.	
TOTAL GAIN(LOSS)							-547,611.	

FORM 990PF, PART I - ACCOUNTING FEES

DESCRIPTION		REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	ADJUSTED NET INCOME	CHARITABLE PURPOSES
TAX PREPARATION		1,050.			1,050.
	TOTALS	1,050.	NONE	NONE	1,050.

FORM 990PF, PART I - OTHER PROFESSIONAL FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
INVESTMENT MANAGEMENT	9,961.	9,961.
TOTALS	9,961.	9,961.

FORM 990PF, PART I - TAXES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS
FEDERAL EXCISE TAX DUE FYE 10-31-08	2,189.
FEDERAL EXCISE TAX ESTIMATE FYE 10-31-09	2,189.
TOTALS	4,378.

STATEMENT 3

Landry's Helping Heart Foundation
EIN 26-1631464

Qty	Description	Original Cost	Market Value
1,057	POWERSHARES DB COMMODITY INDEX TRACKING FUND ETF	25,009	24,929
51,626 44	GOLDMAN SACHS INVESTMENT GRADE CREDIT FUND - INST	451,045	466,187
8,357 49	GOLDMAN SACHS INTL REAL ESTATE SECS FUND - INSTL CL	50,000	54,574
5,511 45	GOLDMAN SACHS EMERGING MARKETS EQUITY INSTITUTIONAL CLASS I	75,000	78,373
4,180 28	(GS) GOLDMAN SACHS BRIC FUND MUTUAL FUND - INSTL CL	50,000	55,556
916	ISHARES TR-ISHARES MSCI EAFE INDEX FUND ETF	50,260	48,823
814	NATIONAL BANK OF GREECE - ADR SPONSORED ADR CMN	4,840	5,918
733	MITSUBISHI UFJ FINL GROUP, INC SPONSORED ADR CMN	4,558	3,892
719	SPDR DJ WILSHIRE INTERNATIONAL REAL ESTATE ETF	25,021	24,798
711	KINGFISHER PLC SPONSORED ADR CMN	4,375	5,241
602	ARM HOLDINGS PLC SPON ADR SPONSORED ADR CMN	3,921	4,377
593	DEUTSCHE BOERSE AG UNPOSNORED ADR CMN	4,543	4,833
582	FLSMIDTH & CO A/S SPONSORED ADR CMN	3,132	3,110
536	RECKITT BENCKISER GROUP PLC SLOUGH UNSPONSORED ADR (UK)	4,860	5,363
489	HENNES & MAURITZ AB ADR CMN	5,302	5,658
482	GAM HOLDING LTD UNSPONSORED ADR CMN	3,762	4,772
427	SUMITOMO MITSUI FINL GROUP INC ADR	1,769	1,491
349	LOGITECH INTERNATIONAL SA ORD CMN	7,592	5,933
316	LVMH MOET HENNESSY LOUIS VUITTON S A ADR CMN	4,505	6,588
307	TURKCELL ILETISIM HIZMETLERI SPONSORED ADR CMN	5,075	5,044
300	NOKIA CORP SPON ADR SPONSORED ADR CMN	5,696	3,783
298	MITSUBISHI UFJ FINL GROUP, INC SPONSORED ADR CMN	1,838	1,582
260	OSTERREICHISCHE ELEKTRIZITATS SPONSORED ADR CMN	3,104	2,347
255	TESCO PLC (SPONSORED) ADR SPONSORED ADR CMN	5,010	5,137
233	HANG LUNG PPTYS LTD SPONSORED ADR CMN	4,020	4,495
224	HONG KONG EXCHANGES & CLEARING UNSPONSORED ADR CMN	2,434	4,041
217	ALCATEL-LUCENT SPONSORED ADR CMN	816	801
209	VESTAS WIND SYSTEMS A/S ADR CMN	5,808	4,946
202	BANK OF EAST ASIA, LIMITED (TH SPONSORED ADR CMN	685	725
202	ENEL SOCIETA PER AZIONI ADR CMN	1,226	1,209
195	KONINKLIJKE KPN N V SPONSORED ADR CMN	3,038	3,553
192	INTESA SANPAOLO SPONSORED ADR CMN	4,784	4,887
181	KINGFISHER PLC SPONSORED ADR CMN	1,241	1,334
178	NOMURA HOLDINGS, INC SPONSORED ADR CMN	1,482	1,250
176	EAST JAPAN RAILWAY COMPANY UNSPONSORED ADR (JAPAN)	1,865	1,887
174	ERICSSON (LM) TEL CO ADR CMN CLASS B	1,715	1,810
173	ALLIANZ SE ADR CMN	2,004	1,964
172	CARNIVAL CORPORATION CMN	5,813	5,009
172	TEVA PHARMACEUTICAL IND LTD ADS	8,353	8,683
171	CSL LIMITED UNSPONSORED ADR CMN	1,999	2,434
170	EMBRAER-BRAZILIAN AVIATION ADR PFD ONE ADR = 4 COMMON SHARES	4,441	3,443
166	GAZPROM ADR SPONSORED ADR CMN	7,388	4,009
161	HELLENIC TELECOM ORG S A ADS EACH REP 1/2 OF 1 SHS GRD750	1,262	1,365
153	CARREFOUR S A UNSPONSORED ADR CMN	1,396	1,321
152	SABMILLER PLC SPONSORED ADR	3,612	4,016
150	COCA-COLA HELLENIC BOTTLING CO SPONSORED ADR CMN	5,356	3,938
150	GOLDMAN SACHS GROUP, INC LINKED TO MSCI EAFE 0% CPN DUE 10/1/2010	150,000	146,114
145	REPSOL YPF SA - ADR SPONSORED ADR CMN	3,726	3,857
141	SAP AG (SPON ADR)	6,473	6,383
137	BNP PARIBAS SPONSORED ADR CMN	5,099	5,200
134	ITAU UNIBANCO BANCO HLDNG S A SPONSORED ADR PFD USD0 0694	2,140	2,565
134	NESTLE SA SPONSORED ADR (REP 1/20 CHF 10 REGD SHS)	6,102	6,256
134	WAL-MART DE MEXICO SAB DE CV SPONSORED ADR REPSTG SER V SHS	3,943	4,692
131	NOKIA CORP SPON ADR SPONSORED ADR CMN	1,785	1,652
130	BRITISH SKY BROADCASTING GROUP PLC AMERICAN DEPOSITARY SHS	4,085	4,511
122	CHINA MERCHANTS HOLDINGS (INTE UNSPONOSRED ADR CMN	4,103	3 991

121 SHARP CORP (ADR) ADR CMN	1,390	1,325
120 SCHNEIDER ELECTRIC SA UNSPONSORED ADR (FRANCE)	1,194	1,257
119 FRESENIUS MEDICAL CARE AG & CO KGAA SPONSORED ADR CMN	5,023	5,755
116 LLOYDS BANKING GROUP PLC SPONSORED ADR CMN	819	646
114 ROCHE HOLDING AG ADR B SHS(NOM CHF 100) VAL 224 184	4,677	4,583
109 NOVARTIS AG-ADR SPONSORED ADR CMN	5,162	5,663
106 SCHLUMBERGER LTD CMN	6,627	6,593
105 INDUSTRIAL & COMMERCIAL BANK O ADR CMN	3,568	4,177
104 CANADIAN NATIONAL RAILWAY CO CMN	5,491	5,017
101 SAP AG (SPON ADR)	4,885	4,572
100 KONINKLIJKE PHILIPS ELECTRS NV ADR CMN	2,399	2,509
99 MUENCHENER RUECKVERSICHERUNGS- UNSPONSORED ADR CMN	1,483	1,578
99 PANASONIC CORPORATION ADR CMN	1,539	1,413
96 NOVO-NORDISK A/S ADR ADR CMN	6,097	5,966
93 NTT DOCOMO, INC SPONSORED ADR CMN	1,429	1,340
92 AMERICA MOVIL SAB DE CV SPONSORED ADR CMN SERIES L	4,764	4,060
92 TESCO PLC (SPONSORED) ADR SPONSORED ADR CMN	1,707	1,853
91 FANUC LTD JAPAN UNSPONSORED ADR CMN	3,489	3,875
88 J SAINSBURY PLC SPONSORED ADR CMN	1,894	1,914
88 NISSAN MOTOR CO LTD SPONSORED ADR	1,263	1,307
87 SHISEIDO CO , LTD SPONSORED ADR CMN	1,515	1,606
85 DANONE SPONSORED ADR CMN	941	1,027
84 PRUDENTIAL CORP (ADR) ADR CMN	1,503	1,520
83 CHINA LIFE INSUR CO LTD (CHINA SPONSORED ADR CMN	4,847	5,695
83 TELEFONICA S A ADR SPONSORED ADR CMN	6,404	6,966
82 SMITH & NEPHEW PLC ADR CMN	3,695	3,627
81 GLAXOSMITHKLINE PLC SPONSORED ADR CMN	3,196	3,334
79 AEGON N V AMER REG ADR CMN	620	557
79 SOUTHERN COPPER CORPORATION CMN	1,894	2,489
78 NESTLE SA SPONSORED ADR (REP 1/20 CHF 10 REGD SHS)	3,238	3,642
77 STATOILHYDRO ASA SPONSORED ADR CMN	1,749	1,822
76 GDF SUEZ SPONSORED ADR CMN	3,303	3,196
76 ROCHE HOLDING AG ADR B SHS(NOM CHF 100) VAL 224 184	3,023	3,055
75 SONY CORPORATION ADR CMN	2,027	2,204
72 HANNOVER RUCKVESICHERUNGS CORP SPONSORED ADR CMN	1,632	1,637
72 TOKIO MARINE HOLDINGS, INC ADR CMN	2,083	1,897
70 KOMATSU LTD ADR (NEW) SPONSORED GDS CMN	5,175	5,624
69 UNILEVER N V NY SHS (NEW) ADR CMN	1,945	2,131
65 NINTENDO CO LTD (NEW) ADR ADR CMN	3,686	2,081
65 NOVARTIS AG-ADR SPONSORED ADR CMN	2,999	3,377
65 ZURICH FINANCIAL SERVICES SPONSORED ADR CMN	1,454	1,497
64 WAL-MART DE MEXICO SAB DE CV SPONSORED ADR REPSTG SER V SHS	2,320	2,241
62 ROLLS-ROYCE GROUP PLC SPONSORED ADR CMN	2,373	2,309
59 ENI S P A SPON ADR SPONSORED ADR CMN	2,836	2,925
59 FANUC LTD JAPAN UNSPONSORED ADR CMN	2,441	2,513
57 INFOSYS TECHNOLOGIES SPON ADR SPONSORED ADR CMN -	2,369	2,622
57 TOYOTA MOTOR CORPORATION SPON ADR	5,393	4,497
52 AIR LIQUIDE ADR ADR CMN	1,146	1,126
52 DASSAULT SYSTEMES SA SPONSORED ADR CMN	2,815	3,016
52 ROYAL DUTCH SHELL PLC SPONSORED ADR CMN SERIES A	2,925	3,089
51 BG GROUP PLC SPON ADR ADR CMN	4,379	4,434
51 CAP GEMINI SA ADR CMN	1,267	1,189
49 ANGLO AMERICAN PLC ADR CMN	818	895
49 MARUI LTD (ADR NEW) ADR CMN	689	575
49 WM MORRISON SUPERMARKETS PLC UNSPONSORED ADR CMN	1,115	1,134
48 CANADIAN NATURAL RESOURCES CMN	2,769	3,104
48 SANOFI-AVENTIS SPONSORED ADR CMN	1,676	1,772
46 CARNIVAL PLC ADR CMN	1,483	1,425
45 SIEMENS AKTIENGESELLSCHAFT SPONSORED ADR CMN	3,990	4,051
44 BAE SYSTEMS PLC SPONSORED ADR CMN	969	912
44 ORIX CORPORATION SPONS ADR SPONSORED ADR CMN	1,475	1,421
44 POTASH CORP OF SASKATCHEWAN CMN	5,301	4,082
43 CREDIT SUISSE GROUP SPON ADR SPONSORED ADR CMN	2,267	2,292
42 VIVENDI SPONSORED ADR CMN	1,180	1,172

40 TOTAL SA SPONSORED ADR CMN	2,335	2,403
39 DEUTSCHE BANK AKTIENGESELLSCHA CMN	2,817	2,794
39 ING GROEP N V SPONS ADR SPONSORED ADR CMN	587	503
39 KUBOTA CORP ADR ADR CMN	1,609	1,498
38 FRANCE TELECOM SA SPONSORED ADR CMN	996	958
33 DEUTSCHE POSTBANK AG CMN	1,119	1,046
33 SEVEN & I HOLDINGS CO , LTD UNSPONSORED ADR CMN	1,583	1,462
32 ASTRAZENECA PLC SPONS ADR SPONSORED ADR CMN	1,473	1,437
31 CADBURY PLC SPONSORED ADR CMN	1,331	1,570
31 DBS GROUP HOLDINGS SPONSORED ADR CMN	1,128	1,158
31 ENERGIAS DE PORTUGAL SA SPONSORED ADR CMN	1,343	1,375
30 CANON INC ADR ADR CMN	1,181	1,130
30 NOVO-NORDISK A/S ADR ADR CMN	1,873	1,865
30 ROYAL DUTCH SHELL PLC SPONSORED ADR CMN SERIES B	1,653	1,745
30 TAISEI CORP (ADR) ADR CMN	650	597
29 TELEFONICA S A ADR SPONSORED ADR CMN	2,249	2,434
27 TAKEDA PHARMACEUTICAL CO LTD ADR CMN	552	544
26 NEW ORIENTAL ED & TECH GRP SPONSORED ADR CMN	1,972	1,816
25 BANK OF YOKOHAMA LTD JAPAN(ADR ADR CMN	1,316	1,251
25 BAYER AG-SPONSORED ADR SPONSORED ADR CMN	1,636	1,736
23 MERCK KGAA ADR CMN	720	723
21 TDK CORPORATION (ADR) ADR	1,247	1,239
20 CNOOC LTD SPONSORED ADR CMN	2,694	2,979
20 MITSUBISHI ESTATE LTD ADR ADR CMN	3,258	3,102
18 SWISS REINSURANCE SPONSORED ADR CMN	802	738
16 VEOLIA ENVIRONNEMENT SPONSORED ADR CMN	574	522
15 BG GROUP PLC SPON ADR ADR CMN	1,342	1,304
15 DAIWA SECURITIES GROUP INC ADR CMN	879	814
10 POTASH CORP OF SASKATCHEWAN CMN	960	928
18,819 97 GOLDMAN SACHS HIGH YIELD INSTL MUTUAL FUND CLASS I	102,751	128,352
-40 CALL/SPY(FYSLQ) @ 95 EXP12/19/2009	(10,600)	(40,500)
4,000 SPDR S&P 500 ETF TRUST SPDR	326,285	414,240
12,019 90 GOLDMAN SACHS REAL ESTATE CLASS I	50,000	107,338
9,268 37 GOLDMAN SACHS SMALL/MID CAP GROWTH FUND - INSTL SHARES	100,000	103,991
3,351 96 GOLDMAN SACHS SMALL CAP VALUE CLASS I	100,000	99,721
1,715 DELTA PETROLEUM CORP CMN	7,679	2,230
1,425 FLEXTRONICS INTERNATIONAL LTD CMN	8,909	9,234
1,325 OILSANDS QUEST INC CMN	2,738	1,590
1,291 BOSTON SCIENTIFIC CORP COMMON STOCK	12,888	10,483
1,123 EL PASO CORP CMN	10,836	11,017
984 PFIZER INC CMN	16,134	16,758
878 COMCAST CORPORATION CMN CLASS A VOTING	13,985	12,731
836 SOUTHWEST AIRLINES CO CMN	6,178	7,022
792 AES CORP CMN	8,090	10,351
775 MGM MIRAGE CMN	8,361	7,184
735 SYMANTEC CORP CMN	11,601	12,921
725 TECHNOLOGY SELECT INDEX 'SPDR'	24,520	14,942
703 TEXAS INSTRUMENTS INC. CMN	16,379	16,485
650 GREAT A&P TEA CO INC CMN	6,474	6,442
640 CHARLES SCHWAB CORPORATION CMN	10,705	11,098
615 NOVAGOLD RESOURCES INC CMN	2,058	2,645
543 VALERO ENERGY CORPORATION CMN	10,632	9,828
531 INVESCO LTD CMN	9,277	11,231
500 SPDR S&P 500 ETF TRUST SPDR	39,915	51,780
490 MICROSOFT CORPORATION CMN	11,774	13,588
485 BANK OF AMERICA CORP CMN	5,698	7,071
470 ISHARES SILVER TRUST ETF	6,478	7,553
460 INTUIT INC CMN	12,345	13,372
450 ENERGYSOLUTIONS, INC CMN	4,098	3,753
447 UNITEDHEALTH GROUP INCORPORATE CMN	11,447	11,600
430 MARSH & MCLENNAN CO INC CMN	8,823	10,088
392 TIME WARNER INC. CMN	10,454	11,807
390 SUNCOR ENERGY INC CMN	14,605	12,878
375 MORGAN STANLEY CMN	10,493	12,045

364 UNILEVER N V NY SHS (NEW) ADR CMN	9,129	11,244
362 CISCO SYSTEMS, INC CMN	8,151	8,257
361 ORACLE CORPORATION CMN	7,864	7,617
334 CARDINAL HEALTH INC CMN	8,441	9,466
310 ABBOTT LABORATORIES CMN	14,081	15,677
308 CONOCOPHILLIPS CMN	13,632	15,455
301 CB RICHARD ELLIS GROUP, INC CMN CLASS A	3,662	3,115
300 AES CORP CMN	3,731	3,921
295 MICROSOFT CORPORATION CMN	7,360	8,180
294 WAL MART STORES INC CMN	14,450	14,606
293 HESS CORPORATION CMN	16,015	16,039
290 LOWES COMPANIES INC CMN	6,126	5,675
276 WESTERN UNION COMPANY (THE) CMN	5,239	5,015
270 EXELON CORPORATION CMN	13,382	12,679
265 SUNPOWER CORPORATION CMN CLASS A	7,499	6,575
264 BAKER HUGHES INC CMN	11,399	11,106
264 CHARLES SCHWAB CORPORATION CMN	4,734	4,578
260 MCDERMOTT INTL CMN	5,178	5,780
258 NEWMONT MINING CORPORATION CMN	11,426	11,213
255 NEWMONT MINING CORPORATION CMN	9,758	11,082
254 NOVARTIS AG-ADR SPONSORED ADR CMN	10,856	13,195
251 EQT CORPORATION CMN	9,736	10,507
249 QUALCOMM INC CMN	10,418	10,291
245 AMERICAN TOWER CORPORATION CMN CLASS A	8,278	9,021
235 COCA-COLA COMPANY (THE) CMN	12,067	12,528
223 CREDIT SUISSE GROUP SPON ADR SPONSORED ADR CMN	9,607	11,886
222 BROADCOM CORP CL-A CMN CLASS A	6,357	5,907
220 AKAMAI TECHNOLOGIES INC CMN	4,081	4,840
220 VALEANT PHARMACEUTICALS INTL CMN	5,085	6,468
218 QUALCOMM INC CMN	10,029	9,010
211 CHUBB CORP CMN	8,962	10,238
210 WAL MART STORES INC CMN	10,926	10,433
207 GENZYME CORP CMN	11,600	10,474
205 GOLDCORP INC CMN	7,884	7,538
205 NASDAQ OMX GROUP, INC CMN	4,834	3,702
200 COEUR D'ALENE MINES CORP CMN	2,613	4,016
199 COCA-COLA COMPANY (THE) CMN	9,393	10,609
195 DELL INC CMN	4,411	2,818
195 WESTERN UNION COMPANY (THE) CMN	3,257	3,543
190 DEVON ENERGY CORPORATION (NEW) CMN	10,360	12,295
190 SILVER WHEATON CORP CMN	2,197	2,371
180 MURPHY OIL CORPORATION CMN	12,560	11,005
176 PEOPLES UNITED FINANCIAL INC CMN	2,873	2,821
170 BARNES & NOBLE, INC CMN	3,145	2,824
168 ST JUDE MEDICAL INC CMN	6,274	5,725
165 VALERO ENERGY CORPORATION CMN	2,683	2,987
160 ATP OIL & GAS CORP CMN	3,172	2,770
158 AON CORPORATION CMN	6,028	6,085
158 SCHLUMBERGER LTD CMN	8,414	9,828
152 BAXTER INTERNATIONAL INC CMN	8,447	8,217
150 HESS CORPORATION CMN	8,398	8,211
150 PETROLEO BRASILEIRO S A - PET SPONSORED ADR CMN	8,275	6,933
146 VISA INC CMN CLASS A	9,069	11,061
144 MORGAN STANLEY CMN	4,373	4,625
140 PROCTER & GAMBLE COMPANY (THE) CMN	7,620	8,120
139 CROWN CASTLE INTL CORP COMMON STOCK	4,038	4,201
138 SUNCOR ENERGY INC CMN	4,622	4,557
135 PEPSICO INC CMN	7,958	8,174
132 MARRIOTT INTERNATIONAL INC CL-A (NEW) CLASS A	3,374	3,308
130 BRISTOL-MYERS SQUIBB COMPANY CMN	2,717	2,834
130 JOHNSON & JOHNSON CMN	7,902	7,677
129 APOLLO GROUP CLASS A COMMON STOCK	7,757	7,366
127 TARGET CORPORATION CMN	5,923	6,151
125 ALNYLAM PHARMACEUTICALS, INC. CMN	3,116	2 130

122 SCHLUMBERGER LTD CMN	7,123	7,588
120 BARRICK GOLD CORPORATION CMN	3,929	4,312
120 BAXTER INTERNATIONAL INC CMN	6,852	6,487
115 CANADIAN NATURAL RESOURCES CMN	7,477	7,437
115 CATERPILLAR INC (DELAWARE) CMN	6,928	6,332
115 CONTINENTAL RESOURCES, INC CMN	3,609	4,279
115 EMERSON ELECTRIC CO CMN	5,202	4,341
115 GENERAL CABLE CORP CMN	5,469	3,581
110 AMERICAN EXPRESS CO CMN	2,080	3,832
108 KIMBERLY CLARK CORP CMN	6,032	6,605
100 DEERE & COMPANY CMN	5,852	4,555
100 MC DONALDS CORP CMN	5,907	5,861
100 GOLDMAN SACHS GROUP, INC LINKED TO S&P 500 0% CPN DUE 1/4/2010	98,370	84,048
100 GOLDMAN SACHS GROUP, INC LINKED TO S&P 500 0% CPN DUE 11/5/2010	98,250	129,203
100 WHOLE FOODS MARKET INC CMN	1,482	3,206
97 EXPRESS SCRIPTS COMMON CMN	7,131	7,752
95 DEVON ENERGY CORPORATION (NEW) CMN	7,289	6,147
95 JOHNSON & JOHNSON CMN	5,401	5,610
95 THERMO FISHER SCIENTIFIC INC CMN	4,291	4,275
90 INTL BUSINESS MACHINES CORP CMN	10,803	10,855
90 SPDR GOLD TRUST ETF	8,201	9,228
89 COSTCO WHOLESALE CORPORATION CMN	4,577	5,060
85 MARKET VECTORS ETF TRUST GOLD MINERS INDEX FD ETF FUND	2,951	3,601
82 EQUINIX INC CMN	7,229	6,996
81 GILEAD SCIENCES CMN	3,694	3,447
70 FLUOR CORPORATION CMN	3,033	3,109
69 TEVA PHARMACEUTICAL IND LTD ADS	3,580	3,483
66 VISA INC CMN CLASS A	4,622	5,000
65 WYNN RESORTS, LIMITED CMN	2,613	3,524
60 PROCTER & GAMBLE COMPANY (THE) CMN	3,529	3,480
50 GOLDMAN SACHS GROUP, INC LINKED TO S&P 500 0% CPN DUE 8/6/2010	50,000	63,088
50 GOLDMAN SACHS GROUP, INC LNKD TO THE S&P 500 0% CPN DUE 9/13/2011	50,000	49,609
49 NIKE CLASS-B CMN CLASS B	3,214	3,047
47 APPLE, INC CMN	8,146	8,860
45 AGNICO EAGLE MINES LTD CMN	2,056	2,409
35 FREEPORT-MCMORAN COPPER & GOLD CMN	2,793	2,568
30 MONSANTO COMPANY CMN	2,345	2,015
28 WASHINGTON POST CO CL B CMN CLASS B	12,990	12,096
27 OCCIDENTAL PETROLEUM CORP CMN	2,039	2,049
24 CME GROUP INC CMN CLASS A	6,913	7,263
23 EOG RESOURCES INC CMN	2,053	1,878
15 CME GROUP INC CMN CLASS A	4,541	4,539
3 BERKSHIRE HATHAWAY INC CLASS B	9,243	9,849
	3,250,909	3,471,447

FORM 990PF, PART VIII - LIST OF OFFICERS, DIRECTORS, AND TRUSTEES

NAME AND ADDRESS	TITLE AND AVERAGE HOURS PER WEEK DEVOTED TO POSITION	COMPENSATION	CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS	EXPENSE ACCT AND OTHER ALLOWANCES
WILLIAM J ALBERTSON THE GOLDMAN SACHS TRUST COMPANY, NA 601 DELAWARE AVENUE, 2ND FLOOR WILMINGTON, DE 19801	TRUSTEE 1.	NONE	NONE	NONE
CRISTA ALBERTSON THE GOLDMAN SACHS TRUST COMPANY, NA 601 DELAWARE AVENUE, 2ND FLOOR WILMINGTON, DE 19801	TRUSTEE 1.	NONE	NONE	NONE
	GRAND TOTALS	NONE	NONE	NONE

FORM 990PF, PART XV - INFORMATION REGARDING FOUNDATION MANAGERS

WILLIAM J ALBERTSON
CRISTA ALBERTSON

STATEMENT 6

FORM 990PF, PART XV - GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR

RECIPIENT NAME AND ADDRESS	RELATIONSHIP TO SUBSTANTIAL CONTRIBUTOR AND FOUNDATION STATUS OF RECIPIENT	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
FIDELITY CHARITABLE GIFT FUND PO BOX 770001 CINCINNATI, OH 45277-0053	170(B)(1)(A)(VI)	LANDRY LEWIS ALBERTSON MEMORIAL FUND	195,000.
		TOTAL CONTRIBUTIONS PAID	195,000.

Certified 7008 0150 0003 6516 1311

Form **8868** (Rev April 2009)

Department of the Treasury Internal Revenue Service

Application for Extension of Time To File an Exempt Organization Return

▶ File a separate application for each return

OMB No 1545-1709

- If you are filing for an **Automatic 3-Month Extension, complete only Part I** and check this box . . . . ▶ [X]
- If you are filing for an **Additional (Not Automatic) 3-Month Extension, complete only Part II** (on page 2 of this form)

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868

Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed)

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete Part I only . . . . ▶ [ ]

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns

Electronic Filing *(e-file)*. Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T) However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 6069, or 8870, group returns, or a composite or consolidated From 990-T Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868 For more details on the electronic filing of this form, visit *www irs gov/efile* and click on *e-file for Charities & Nonprofits*

Type or print	Name of Exempt Organization	Employer identification number
	LANDRY'S HELPING HEART FOUNDATION	26-1631464
File by the due date for filing your return See instructions	Number, street, and room or suite no If a P O box, see instructions	
	2650 HOLCOMB BRIDGE ROAD, #110	
	City, town or post office, state, and ZIP code For a foreign address, see instructions	
	ALPHARETTA, GA 30022	

Check type of return to be filed (file a separate application for each return)

[ ] Form 990	[ ] Form 990-T (corporation)	[ ] Form 4720
[ ] Form 990-BL	[ ] Form 990-T (sec 401(a) or 408(a) trust)	[ ] Form 5227
[ ] Form 990-EZ	[ ] Form 990-T (trust other than above)	[ ] Form 6069
[X] Form 990-PF	[ ] Form 1041-A	[ ] Form 8870

- The books are in the care of ▶ K KINNE GOLDMAN SACHS TRUST CO

Telephone No ▶ 302 778-5412 FAX No ▶

- If the organization does not have an office or place of business in the United States, check this box . . . . ▶ [ ]
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ______ If this is for the whole group, check this box . ▶ [ ] If it is for part of the group, check this box . . ▶ [ ] and attach a list with the names and EINs of all members the extension will cover.

1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until 06/15 ,2010 , to file the exempt organization return for the organization named above The extension is for the organization's return for

▶ [ ] calendar year ______ or

▶ [X] tax year beginning 11/01 , 2008 , and ending 10/31 , 2009

2 If this tax year is for less than 12 months, check reason [ ] Initial return [ ] Final return [ ] Change in accounting period

3a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits See instructions	3a	$ 2,189.
b	If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made Include any prior year overpayment allowed as a credit	3b	$ 2,189.
c	**Balance Due.** Subtract line 3b from line 3a Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System) See instructions	3c	$ NONE

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions

For Privacy Act and Paperwork Reduction Act Notice, see Instructions. Form **8868** (Rev 4-2009)