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

2009

For calendar year 2009, or tax year beginning , 2009, and ending , 20

G Check all that apply: ☐ Initial return ☐ Initial return of a former public charity ☐ Final return ☐ Amended return ☐ Address change ☐ Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.

Name of foundation: THE BEA & DAVID ZACK MEMORIAL FOUNDATION INC

Number and street (or P O box number if mail is not delivered to street address): 3 RUBY FIELD COURT | Room/suite

City or town, state, and ZIP code: BALTIMORE, MD 21209

A Employer identification number: 03-0575765

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

C If exemption application is pending, check here ▶ ☐

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)* ▶ $ 1,073,159.

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				
	4 Dividends and interest from securities	30,554.	30,554.		ATCH 1
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	-15,867.			
	b Gross sales price for all assets on line 6a 166,642.				
	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)	15,962.			ATCH 2
	12 **Total.** Add lines 1 through 11	30,649.	30,554.		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.			
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)				
	b Accounting fees (attach schedule) ATCH 3	3,894.	0.	0.	3,894.
	c Other professional fees (attach schedule)				
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions) **	16,072.	109.		
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule) ATCH 5	5,586.	5,586.		
	24 **Total operating and administrative expenses.** Add lines 13 through 23	25,552.	5,695.	0.	3,894.
	25 Contributions, gifts, grants paid	60,000.			60,000.
	26 **Total expenses and disbursements** Add lines 24 and 25	85,552.	5,695.	0.	63,894.
	27 Subtract line 26 from line 12				
	a **Excess of revenue over expenses and disbursements**	-54,903.			
	b **Net investment income** (if negative, enter -0-)		24,859.		
	c **Adjusted net income** (if negative, enter -0-)			-0-	

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11 G14

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	43,824.	63,833.	63,833.
	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 16 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) ATCH 6	1,101,043.	1,026,131.	1,009,326.
	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)	1,144,867.	1,089,964.	1,073,159.
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	1,144,867.	1,089,964.	
	30	**Total net assets or fund balances** (see page 17 of the instructions)	1,144,867.	1,089,964.	
	31	**Total liabilities and net assets/fund balances** (see page 17 of the instructions)	1,144,867.	1,089,964.	

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	1,144,867.
2	Enter amount from Part I, line 27a	2	-54,903.
3	Other increases not included in line 2 (itemize) ▶	3	
4	Add lines 1, 2, and 3	4	1,089,964.
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	1,089,964.

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	-15,867.
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))
2008	58,504.	1,201,304.	0.048700
2007	41,883.	1,402,032.	0.029873
2006	7,248.	1,240,127.	0.005845
2005	0.	488,138.	0.000000
2004			

2 **Total** of line 1, column (d)	2	0.084418
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	0.021105
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	969,929.
5 Multiply line 4 by line 3	5	20,470.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	249.
7 Add lines 5 and 6	7	20,719.
8 Enter qualifying distributions from Part XII, line 4	8	63,894.

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 or determination 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	249.
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	249.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	0.
5	**Tax based on investment income.** Subtract line 4 from line 3 If zero or less, enter -0-	5	249.
6	Credits/Payments		
a	2009 estimated tax payments and 2008 overpayment credited to 2009 — 6a: 15,962.		
b	Exempt foreign organizations-tax withheld at source — 6b: 0.		
c	Tax paid with application for extension of time to file (Form 8868) — 6c: 0.		
d	Backup withholding erroneously withheld — 6d:		
7	Total credits and payments Add lines 6a through 6d	7	15,962.
8	Enter any **penalty** for underpayment of estimated tax Check here [X] if Form 2220 is attached	8	
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	15,713.
11	Enter the amount of line 10 to be. **Credited to 2010 estimated tax** ▶ 15,713. **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 ▶ $ ________ **(2)** On foundation managers ▶ $ ________			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ ________			
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		X
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) ▶ MD,			
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 2009 or the taxable year beginning in 2009 (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)*

		Line	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 ▶ DONALD ZACK Telephone no ▶

Located at ▶ 3 RUBY FIELD COURT BALTIMORE, MD ZIP + 4 ▶ 21209

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

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.

		Line	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 2009?	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 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? ☐ 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		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 ▶			
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 2009 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 2009.)*	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 2009?	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 [X] 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 [X] No		
(3) Provide a grant to an individual for travel, study, or other similar purposes?	[ ] Yes [X] 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 [X] 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 [X] 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 [X] 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 [X] No		
b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		6b	X
If "Yes" to 6b, file Form 8870			
7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?	[ ] Yes [X] No		
b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?		7b	X

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
ATTACHMENT 7		0.	0.	0.

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 ▶

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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	907,804.
b	Average of monthly cash balances	1b	76,896.
c	Fair market value of all other assets (see page 24 of the instructions)	1c	0.
d	**Total** (add lines 1a, b, and c)	1d	984,700.
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	0.
3	Subtract line 2 from line 1d	3	984,700.
4	Cash deemed held for charitable activities Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions)	4	14,771.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3. Enter here and on Part V, line 4	5	969,929.
6	**Minimum investment return.** Enter 5% of line 5	6	48,496.

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	48,496.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	249.		
b	Income tax for 2009 (This does not include the tax from Part VI)	2b			
c	Add lines 2a and 2b			2c	249.
3	Distributable amount before adjustments Subtract line 2c from line 1			3	48,247.
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	48,247.
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	48,247.

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	63,894.
b	Program-related investments - total from Part IX-B	1b	0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc, purposes	2	0.
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	0.
b	Cash distribution test (attach the required schedule)	3b	0.
4	**Qualifying distributions.** Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	63,894.
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	249.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	63,645.

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 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7					48,247.
2 Undistributed income, if any, as of the end of 2009					
a Enter amount for 2008 only				59,025.	
b Total for prior years 20 07 ,20 06 ,20 05					
3 Excess distributions carryover, if any, to 2009					
a From 2004					
b From 2005					
c From 2006					
d From 2007					
e From 2008	0.				
f **Total** of lines 3a through e		0.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 63,894.					
a Applied to 2008, but not more than line 2a				59,025.	
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 2009 distributable amount					4,869.
e Remaining amount distributed out of corpus		0.			
5 Excess distributions carryover applied to 2009 *(If an amount appears in column (d), the same amount must be shown in column (a).)*		0.			0.
6 Enter the net total of each column as indicated below:					
a Corpus Add lines 3f, 4c, and 4e Subtract line 5		0.			
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 2008 Subtract line 4a from line 2a Taxable amount - see page 27 of the instructions					
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010					43,378.
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 2004 not applied on line 5 or line 7 (see page 27 of the instructions)					
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a		0.			
10 Analysis of line 9.					
a Excess from 2005					
b Excess from 2006					
c Excess from 2007					
d Excess from 2008					
e Excess from 2009	0.				

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 2009, 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			
	(a) 2009	(b) 2008	(c) 2007	(d) 2006	(e) Total
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 28 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))

DONALD ZACK

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 ▶ [ ] 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

N/A

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

N/A

c Any submission deadlines

N/A

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

N/A

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*				
ATTACHMENT 8				
Total . . . . . . ▶ **3a**				60,000.
b *Approved for future payment*				
Total . . . . . . ▶ **3b**				

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income (a) Business code	Unrelated business income (b) Amount	Excluded by section 512, 513, or 514 (c) Exclusion code	Excluded by section 512, 513, or 514 (d) Amount	(e) Related or exempt function income (See page 28 of the instructions)
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					
4 Dividends and interest from securities			14	30,554.	
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	-15,867.	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue a					
b ATTACHMENT 9				15,962.	
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)				30,649.	

13 **Total.** Add line 12, columns (b), (d), and (e) . . . 13 30,649.

(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 29 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

Don Zack — 6/18/2010 — President

Signature of officer or trustee | Date | Title

Paid Preparer's Use Only

Preparer's signature	Joan Trubble	Date 5/27/10	Check if self-employed ☐	Preparer's identifying number (See Signature on page 30 of the instructions) P00956877
Firm's name (or yours if self-employed), address, and ZIP code	BERDON LLP 360 MADISON AVE NEW YORK, NY 10017		EIN 13-0485070 Phone no 212-832-0400

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)	
		TOTAL LONG-TERM CAPITAL GAIN DIVIDENDS					1,184.	
		SEE ATTACHED SCHEDULE #1					VAR	VAR
63,932.		63,167.					765.	
		SEE ATTACHED SCHEDULE #1					VAR	VAR
101,526.		119,342.					-17,816.	
TOTAL GAIN(LOSS)		....					-15,867.	

Acct #: 59302699 Phone #:

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Capital Gains

THE BEA & DAVID ZACK MEMORIAL FOUNDATION INC (BOLTON) #03-0575765
DONALD ZACK - PRES/TREASURER

Capital Gains Summary From 01/01/2009 To 12/31/2009

Description	Totals
Short Term Gain/Loss	764 59
Long Term Gain/Loss	-17,665.12

EQUITIES

Purchase Date	Close Date	No. of Shares	Orig Face	Symbol	Description	Unit Cost	Sale Price	Total Cost	Net Amount	Ind	ST Gain/Loss	LT Gain/Loss	Book Cost	Disc Inc	Curr Gain/Loss
04/11/2008	01/16/2009	350 00	0 00	WOOF	VCA ANTECH INC	27 924	19 133	9,773 54	6,696 34	ST	-3,077 20	0 00	9,773 54	0 00	0 00
08/14/2008	01/28/2009	25 00	0 00	PX	PRAXAIR INC	89 439	63 424	2,235 98	1,585 59	ST	-650 39	0 00	2,235 98	0 00	0 00
08/14/2008	02/09/2009	25 00	0 00	PX	PRAXAIR INC	89 439	69 994	2,235 97	1,749 85	ST	-486 12	0 00	2,235 97	0 00	0 00
10/14/2008	03/18/2009	150 00	0 00	WAT	WATERS CORP	48 252	32 572	7,237 77	4,885 78	ST	-2,351.99	0 00	7,237 77	0 00	0 00
09/25/2008	03/25/2009	200 00	0 00	COH	COACH INC	25 498	17 331	5,099 70	3,466 24	ST	-1,633 46	0 00	5,099 70	0 00	0 00
09/25/2008	03/26/2009	50 00	0 00	COH	COACH INC	25 498	17 490	1,274 93	874 50	ST	-400 43	0 00	1,274 93	0 00	0 00
09/19/2008	04/01/2009	50 00	0 00	ABB	***ABB LTD SPONSORED ADR	21 305	14 061	1,065 27	703 04	ST	-362 23	0 00	1,065 27	0 00	0 00
10/17/2008	05/11/2009	50 00	0 00	OXY	OCCIDENTAL PETE CORP	47 133	63 011	2,356 65	3,150 48	ST	793 83	0 00	2,356 65	0 00	0 00
04/06/2009	08/20/2009	50 00	0 00	RRC	RANGE RESOURCES CORP	43 369	49 696	2,168 47	2,484 71	ST	316 24	0 00	2,168 47	0 00	0 00

The Bea + David Zack Memorial Foundation (03-0575765)

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10/23/2008	08/21/2009	50 00	0 00	ITT	ITT INDUSTRIES INC	40 532	50 675	2,026 60	2,533 68	ST	507 08	0 00	2,026 60	0 00	0 00
05/07/2009	09/22/2009	25 00	0 00	NSC	NORFOLK SOUTHERN CORP	37 151	46 616	928 76	1,165 36	ST	236 60	0 00	928 76	0 00	0 00
07/24/2009	10/12/2009	100 00	0 00	BID	SOTHEBYS HOLDINGS INC-CL A LTD VTG	13 574	19 123	1,357 41	1,912 25	ST	554 84	0 00	1,357 41	0 00	0 00
11/25/2008	10/22/2009	25 00	0 00	NSRGY	***NESTLE SA-SPONSORED ADR REPSTG REGD ORD (SF 10 PAR)	35 391	46 470	884 76	1,161 71	ST	276 95	0 00	884 76	0 00	0 00
09/24/2009	10/29/2009	25 00	0 00	MON	MONSANTO CO	76 511	70 258	1,912 77	1,756 41	ST	-156 36	0 00	1,912 77	0 00	0 00
09/11/2009	10/29/2009	75 00	0 00	MON	MONSANTO CO	77 979	70 258	5,848 45	5,269 24	ST	-579 21	0 00	5,848 45	0 00	0 00
05/07/2009	11/03/2009	50 00	0 00	NSC	NORFOLK SOUTHERN CORP	37 151	49 083	1,857 53	2,454 10	ST	596 57	0.00	1,857 53	0 00	0 00
05/07/2009	11/09/2009	100 00	0 00	NSC	NORFOLK SOUTHERN CORP	37 151	52 042	3,715 05	5,204 01	ST	1,488 96	0 00	3,715 05	0 00	0 00
04/23/2009	11/19/2009	25.00	0 00	BID	SOTHEBYS HOLDINGS INC-CL A LTD VTG	9 900	19 739	247 50	493 45	ST	245 95	0 00	247 50	0 00	0 00
07/24/2009	11/19/2009	75 00	0 00	BID	SOTHEBYS HOLDINGS INC-CL A LTD VTG	13 574	19 739	1,018 06	1,480 35	ST	462 29	0 00	1,018 06	0.00	0 00
04/23/2009	11/20/2009	50 00	0 00	BID	SOTHEBYS HOLDINGS INC-CL A LTD VTG	9 900	19 525	495 01	976 21	ST	481 20	0 00	495 01	0 00	0 00
08/14/2009	12/21/2009	150 00	0 00	CHTT	CHATTEM INC	62 847	92 860	9,427 11	13,928 58	ST	4,501 47	0 00	9,427 11	0 00	0 00
ST - TERM TOTAL		1,700 00						63,167 29	63,931 88	ST	764 59	0 00	63,167.29	0 00	0 00
02/03/1988	01/07/2009	50 00	0 00	PEP	PEPSICO INC	5 239	54.327	261 93	2,716 32	LT	0 00	2,454 39	261 93	0 00	0 00
02/07/2006	01/13/2009	100 00	0 00	TIF	TIFFANY & CO NEW	36 246	22 467	3,624 55	2,246 66	LT	0 00	-1,377 89	3,624 55	0 00	0 00
11/29/2007	01/28/2009	200 00	0 00	C011788	COOPER INDUSTRIES LTD CL A	48 756	28 189	9901.22	5,637 76	LT	0 00	-4263.46	9,901.22	0 00	0 00
07/26/2007	01/29/2009	50 00	0 00	ZMH	ZIMMER HOLDINGS INC	81 101	37 204	4,055 05	1,860 21	LT	0 00	-2,194 84	4,055 05	0 00	0 00
06/22/2007	01/29/2009	100 00	0 00	ZMH	ZIMMER HOLDINGS INC	85 477	37 204	8,547 73	3,720 41	LT	0 00	-4,827 32	8,547 73	0 00	0 00

The Ben + David Zack Memorial Foundation (03-0575765)

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01/28/2008	02/05/2009	100 00	0 00	EFX	EQUIFAX INC	34 996	25 401	3,499 64	2,540 08	LT	0 00	-959 56	3,499 64	0 00	0 00
12/18/2006	03/13/2009	250 00	0 00	LUX	***LUXOTTICA GROUP SPA SPONSORED ADR	30 861	13 149	7,715 33	3,287 26	LT	0 00	-4,428 07	7,715 33	0 00	0.00
02/27/2007	04/01/2009	100 00	0 00	ABB	***ABB LTD SPONSORED ADR	16 530	14 061	1,653 01	1,406 07	LT	0.00	-246 94	1,653 01	0 00	0 00
02/13/2008	04/01/2009	100 00	0 00	ABB	***ABB LTD SPONSORED ADR	22 965	14 061	2,296 50	1,406 08	LT	0.00	-890 42	2,296 50	0 00	0 00
10/31/2007	04/21/2009	125 00	0 00	CVS	CVS CORP	41 265	30 057	5,158 07	3,757 06	LT	0 00	-1,401 01	5,158 07	0 00	0.00
10/31/2007	05/20/2009	75 00	0 00	CVS	CVS CORP	41 265	30 477	3,094 85	2,285 71	LT	0 00	-809 14	3,094 85	0 00	0 00
09/22/1987	05/22/2009	25 00	0 00	PG	PROCTER & GAMBLE CO	5 668	53 389	141 69	1,334 69	LT	0 00	1,193 00	141 69	0 00	0 00
02/14/2008	05/28/2009	150 00	0 00	XTO	XTO ENERGY INC	55 168	42 353	8,275 25	6,352 78	LT	0 00	-1,922 47	8,275 25	0 00	0 00
10/31/2007	06/01/2009	50 00	0 00	CVS	CVS CORP	41 265	30 489	2,063 23	1,524 42	LT	0 00	-538 81	2,063 23	0 00	0 00
11/29/2007	06/01/2009	25 00	0 00	CVS	CVS CORP	40 073	30 489	1,001 84	762 21	LT	0 00	-239 63	1,001 84	0 00	0 00
02/07/2006	06/08/2009	100 00	0 00	MSFT	MICROSOFT CORP	26 928	22 176	2,692 80	2,217 54	LT	0 00	-475 26	2,692 80	0 00	0 00
04/08/2008	06/24/2009	75 00	0.00	ORCL	ORACLE CORP	20 028	21 302	1,502 11	1,597.61	LT	0 00	95 50	1,502 11	0 00	0 00
04/08/2008	06/25/2009	75 00	0 00	ORCL	ORACLE CORP	20 028	21 394	1,502 11	1,604 49	LT	0 00	102 38	1,502 11	0 00	0 00
09/22/1987	07/22/2009	25 00	0 00	PG	PROCTER & GAMBLE CO	5 668	55 184	141 69	1,379 56	LT	0 00	1,237 87	141 69	0 00	0 00
02/07/2006	07/29/2009	150 00	0 00	MSFT	MICROSOFT CORP	26 928	23 528	4,039 20	3,529 08	LT	0 00	-510 12	4,039 20	0 00	0 00
01/09/2007	07/30/2009	100 00	0 00	ITT	ITT INDUSTRIES INC	58 290	48.728	5,829 01	4,872 62	LT	0 00	-956 39	5,829 01	0 00	0 00
02/07/2006	07/30/2009	150 00	0 00	MSFT	MICROSOFT CORP	26 928	23 910	4,039 20	3,586 37	LT	0 00	-452 83	4,039 20	0 00	0 00
11/09/2007	08/06/2009	100 00	0 00	CSCO	CISCO SYSTEMS INC	28 793	22 084	2,879 26	2,208 30	LT	0 00	-670 96	2,879 26	0 00	0 00
11/29/2007	08/06/2009	50 00	0 00	CVS	CVS CORP	40 073	34 134	2,003 67	1,706 67	LT	0 00	-297 00	2,003 67	0 00	0 00
02/07/2006	08/06/2009	75 00	0 00	JNJ	JOHNSON & JOHNSON	56 880	60 060	4,266 00	4,504 40	LT	0 00	238 40	4,266 00	0 00	0 00
01/09/2007	08/21/2009	50 00	0 00	ITT	ITT INDUSTRIES INC	58 290	50 675	2,914 51	2,533 69	LT	0 00	-380 82	2,914 51	0 00	0 00
02/27/2007	08/24/2009	150 00	0 00	ABB	***ABB LTD SPONSORED ADR	16 530	19 372	2,479 52	2,905 74	LT	0 00	426 22	2,479 52	0 00	0 00
09/22/1987	08/24/2009	125 00	0 00	PG	PROCTER & GAMBLE CO	5 668	53 678	708 46	6,709 54	LT	0 00	6,001 08	708 46	0 00	0 00
02/27/2007	09/09/2009	75 00	0 00	ABB	***ABB LTD SPONSORED ADR	16 530	20 138	1,239 76	1,510 32	LT	0 00	270 56	1,239 76	0 00	0 00

The Bea + David Zack Memorial Foundation (03-0575765)

12/07/2006	09/14/2009	25 00	0 00	ROP	ROPER INDUSTRIES INC NEW	50 947	50 784	1,273 67	1,269 56	LT	0 00	-4 11	1,273 67	0 00	0 00
08/26/2008	09/15/2009	25 00	0 00	FTI	FMC TECHNOLOGIE S INC	52 750	53 274	1,318 74	1,331 81	LT	0 00	13 07	1,318 74	0 00	0 00
08/14/2008	09/17/2009	175 00	0 00	GE	GENERAL ELECTRIC CO	29 563	17 220	5,173 58	3,013 45	LT	0 00	-2,160 13	5,173 58	0 00	0 00
08/25/2006	09/21/2009	75 00	0 00	SLB	***SCHLUMBE RGER LTD	64 779	60 379	4,858 42	4,528 28	LT	0 00	-330 14	4,858 42	0 00	0 00
02/27/2007	10/12/2009	50 00	0 00	ABB	***ABB LTD SPONSORED ADR	16 530	21 151	826 50	1,057 52	LT	0 00	231 02	826 50	0 00	0 00
08/26/2008	10/29/2009	50 00	0 00	FTI	FMC TECHNOLOGIE S INC	52.750	55 476	2,637 49	2,773 71	LT	0 00	136 22	2,637 49	0 00	0 00
05/25/2007	12/07/2009	50 00	0 00	BDX	BECTON DICKINSON & CO	77 122	77 981	3,856 11	3,898 95	LT	0 00	42 84	3,856 11	0 00	0 00
06/07/2007	12/07/2009	25 00	0 00	BDX	BECTON DICKINSON & CO	74 793	77 981	1,869 82	1,949 47	LT	0 00	79 65	1,869 82	0 00	0 00
LT - TERM TOTAL		3,275 00						119341.52	101,526.40	LT	0 00	-17815.12			0 00

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The Ben + David Zack Memorial Foundation (03-0575765)

FORM 990PF, PART I - DIVIDENDS AND INTEREST FROM SECURITIES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
NEUBERGER BERMAN 02697	25,976.	25,976.
NEUBERGER BERMAN 02699	4,578.	4,578.
TOTAL	30,554.	30,554.

FORM 990PF, PART I - OTHER INCOME

DESCRIPTION		REVENUE AND EXPENSES PER BOOKS
FEDERAL TAX REFUND		15,962.
	TOTALS	15,962.

ATTACHMENT 3

FORM 990PF, PART I - ACCOUNTING FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	ADJUSTED NET INCOME	CHARITABLE PURPOSES
ACCOUNTING FEE	3,894.			3,894.
TOTALS	3,894.	0.	0.	3,894.

FORM 990PF, PART I - TAXES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
FEDERAL TAXES	15,963.	
FOREIGN TAXES	109.	109.
TOTALS	16,072.	109.

FORM 990PF, PART I - OTHER EXPENSES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
INVESTMENT FEES	5,579.	5,579.
ADR FEES	7.	7.
TOTALS	5,586.	5,586.

FORM 990PF, PART II - CORPORATE STOCK

ATTACHMENT 6

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
SEE STATEMENT #2	1,026,131.	1,009,326.
TOTALS	1,026,131.	1,009,326.

Client Statement

For the period 12/01/2009 to 12/31/2009 # 03-0575765

NEUBERGER | BERMAN

THE BEA & DAVID ZACK MEMORIAL
FOUNDATION INC CUSTODY
MUTUAL FUNDS DONALD ZACK PRES

Ridge Account : 541-13940 M4X
Base Currency : USD
NB Account Number : 593-02697

Positions In Your Account

Quantity	Description	Ticker/Cusip	Average Unit Cost (1)(4)(9)	Total Cost (1)(4)(9)	Price	Mkt. Value	Unrealized P/L (2)	Annual Income (6)	Yield (10)
EQUITY MUTUAL FUNDS									
5,106.025	**ARTIO GLOBAL INVT FDS INTL EQUITY FD II CL I	JETIX	9.7924	50,000.00	11.7800	60,148.97	10,148.97	2,856.39	4.92
8,940.945	**ARTISAN INTERNATIONAL VALUE FUND INV SHS	ARTKX	24.0780	215,279.82	23.1000	206,535.83	(8,743.99)	3,799.90	1.84
2,751.235	**BRIDGEWAY FD INC ULTRA SMALL COMPANY MARKET FD	BRSIX	18.6290	51,252.67	11.9500	32,877.26	(18,375.41)	475.96	1.45
4.808	**KEELEY SMALL CAP VALUE FD CL A	KSCVX	20.1500	96.89	19.8200	95.29	(1.60)	0.00	0.00
6,182.228	**NEUBERGER BERMAN EQUITY FDS REAL ESTATE FD TR CL	NBREX	13.2227	82584.73	8.8200	54,527.25	(27,218.45)	3,256.80	5.97
TOTAL EQUITY MUTUAL FUNDS				399214.11		354,184.60	(44,190.48)	10,489.05	2.96

FIXED INCOME TAXABLE FUNDS

statement #2 page 1/6

Client Statement

For the period 12/01/2009 to 12/31/2009 #03-0575765

NEUBERGER | BERMAN

THE BEA & DAVID ZACK MEMORIAL
FOUNDATION INC CUSTODY
MUTUAL FUNDS DONALD ZACK PRES

Ridge Account : 541-13940 M4X
Base Currency : USD
NB Account Number : 593-02697

Positions In Your Account

Quantity	Description	Ticker/Cusip	Average Unit Cost (1)(4)(9)	Total Cost (1)(4)(9)	Price	Mkt Value	Unrealized R/L (2)	Annual Income (8)	Yield (10)
	FIXED INCOME TAXABLE FUNDS (Continued)								
26,724,445	HARBOR BOND FUND	HABDX	11.6599	311,603 57	12.1400	324,434.76	12,831.19	0.00	0.00
	TOTAL FIXED INCOME TAXABLE FUNDS			311,603.57		324,434.76	12,831.19	0.00	0.00
	NON-DISCRETIONARY								
2,619,981	KEELEY SMALL CAP VALUE FD CL A	KSCVX	23 9420	62,727.50	19.8200	51,928.02	(10,799 48)	0 00	0 00
	TOTAL NON-DISCRETIONARY			62,727.50		51,928.02	(10,799.48)	0.00	0.00
	GRAND TOTAL (5)			773 545.18		730,547.39			

statement #2 page 2/6

014561 NBTNT 000000 001358

NBS01R1(2W) (05-09)

Client Statement

For the period 12/01/2009 to 12/31/2009 #03-0575765

NEUBERGER | BERMAN

THE BEA & DAVID ZACK MEMORIAL
FOUNDATION INC (BOLTON)
DONALD ZACK - PRES/TREASURER

Ridge Account : 541-13942 M37
Base Currency : USD
NB Account Number : 593-02699

Statement #2 page 3/6

Positions in Your Account

Quantity	Description	Ticker/Cusip	Average Unit Cost (1)(4)(9)	Total Cost (1)(4)(9)	Price	Mkt Value	Unrealized P/L (2)	Annual Income (9)	Yield (10)
	EQUITIES								
	BASIC MATERIALS								
100	PRAXAIR INC	PX	86.4748	8,647.48	80.3100	8,031.00	(616.48)	160.00	1.99
	TOTAL BASIC MATERIALS			**8,647.48**		**8,031.00**	**(616.48)**	**160.00**	**1.99**
	CONSUMER NON-CYCLICAL								
175	NESTLE SA SPONSORED ADR REPSTG REGD ORD (SF 10 PAR)	NSRGY	35.3905	6,193.34	48.5625	8,498.44	2,305.10	218.75	2.57
100	PEPSICO INC	PEP	5.2385	523.85	60.8000	6,080.00	5,556.15	180.00	2.96
	TOTAL CONSUMER NON-CYCLICAL			**6,717.19**		**14,578.44**	**7,861.25**	**398.75**	**2.74**
	CONSUMER CYCLICALS								

014579 NBTNT 000000 001360

NBS01R1(2W) (05-09)

Client Statement

For the period 12/01/2009 to 12/31/2009 #03-0575765

NEUBERGER | BERMAN

THE BEA & DAVID ZACK MEMORIAL
FOUNDATION INC (BOLTON)
DONALD ZACK - PRES/TREASURER

Ridge Account : 541-13942 M37
Base Currency : USD
NB Account Number : 593-02699

statement #2 page 4/6

Positions in Your Account

Quantity	Description	Ticker/Cusip	Average Unit Cost (1)(4)(6)	Total Cost (1)(4)(6)	Price	Mkt Value	Unrealized (2) P/L	Annual Income (6)	Yield (10)
EQUITIES (Continued)									
575	ICONIX BRAND GROUP INC	ICON	15.0255	8,639.66	12.6700	7,285.25	(1,354.41)	0.00	0.00
200	MCDONALDS CORP	MCD	52.1432	10,428.64	62.4400	12,488.00	2,059.36	440.00	3.52
200	OMNICOM GROUP INC	OMC	45.6061	9,121.22	39.1500	7,830.00	(1,291.22)	120.00	1.53
225	SOTHEBYS HOLDINGS INC CL A LTD VTG	BID	9.9001	2,227.52	22.4800	5,058.00	2,830.48	45.00	0.89
TOTAL CONSUMER CYCLICALS				**30,417.04**		**32,661.25**	**2,244.21**	**605.00**	**1.85**
ENERGY									
100	EOG RES INC	EOG	66.9819	6,698.19	97.3000	9,730.00	3,031.81	58.00	0.60
100	EXXON MOBIL CORP	XOM	74.9309	7,493.09	68.1900	6,819.00	(674.09)	168.00	2.46
125	FMC TECHNOLOGIES INC	FTI	52.3732	6,546.65	57.8400	7,230.00	683.35	0.00	0.00
150	OCCIDENTAL PETE CORP	OXY	43.7978	6,569.67	81.3500	12,202.50	5,632.83	198.00	1.62
175	RANGE RESOURCES CORP	RRC	42.3650	7,413.88	49.8500	8,723.75	1,309.87	28.00	0.32
175	***SCHLUMBERGER LTD	SLB	53.8316	9,420.54	65.0900	11,390.75	1,970.21	147.00	1.29
TOTAL ENERGY				**44,142.02**		**56,096.00**	**11,953.98**	**599.00**	**1.07**
FINANCIAL									
3	BERKSHIRE HATHAWAY INC CL B	BRKB	4,031.1919	12,093.57	3,286.0000	9,858.00	(2,235.57)	0.00	0.00
275	EQUIFAX INC	EFX	32.2152	8,859.19	30.8900	8,494.75	(364.44)	44.00	0.52
175	J P MORGAN CHASE & CO	JPM	37.7203	6,601.05	41.6700	7,292.25	691.20	35.00	0.48
250	METLIFE INC	MET	56.2075	14,051.88	35.3500	8,837.50	(5,214.38)	50.00	0.57
TOTAL FINANCIAL				**41,605.69**		**34,482.50**	**(7,123.19)**	**129.00**	**0.37**
HEALTHCARE									

Client Statement

For the period 12/01/2009 to 12/31/2009 #03-0575765

NEUBERGER | BERMAN

THE BEA & DAVID ZACK MEMORIAL
FOUNDATION INC (BOLTON)
DONALD ZACK - PRES/TREASURER

Ridge Account : 541-13942 M37
Base Currency : USD
NB Account Number : 593-02699

Statement #2 page 5/6

Positions in Your Account

Quantity	Description	Ticker/Cusip	Average Unit Cost (1)(4)(9)	Total Cost (1)(4)(9)	Price	Mkt Value	Unrealized P/L (2)	Annual Income (8)	Yield (10)
EQUITIES (Continued)									
100	BECTON DICKINSON & CO	BDX	63.2100	6,321.00	78.8600	7,886.00	1,565.00	148.00	1.88
300	HOLOGIC INC	HOLX	28.9292	8,678.76	14.5000	4,350.00	(4,328.76)	0.00	0.00
125	JOHNSON & JOHNSON	JNJ	56.8800	7,110.00	64.4100	8,051.25	941.25	245.00	3.04
TOTAL HEALTHCARE				**22,109.76**		**20,287.25**	**(1,822.51)**	**393.00**	**1.94**
INDUSTRIALS									
475	***ABB LTD SPONSORED ADR	ABB	12.1771	5,784.14	19.1000	9,072.50	3,288.36	219.70	2.42
150	DANAHER CORP	DHR	72.5913	10,888.70	75.2000	11,280.00	391.30	24.00	0.21
175	DRESSER RAND GROUP INC	DRC	27.8280	4,869.90	31.6100	5,531.75	661.85	0.00	0.00
625	GENERAL ELECTRIC CO	GE	18.3036	11,439.77	15.1300	9,456.25	(1,983.52)	250.00	2.64
500	LENNAR CORP CL A	LEN	14.7972	7,398.60	12.7700	6,385.00	(1,013.60)	80.00	1.25
200	ROPER INDUSTRIES INC NEW	ROP	47.2652	9,453.05	52.3700	10,474.00	1,020.95	76.00	0.73
TOTAL INDUSTRIALS				**49,834.16**		**52,199.50**	**2,365.34**	**649.70**	**1.24**
TECHNOLOGY									
400	CISCO SYSTEMS INC	CSCO	18.1019	7,240.76	23.9400	9,576.00	2,335.24	0.00	0.00
200	FISERV INC	FISV	47.7105	9,542.10	48.4800	9,696.00	153.90	0.00	0.00
175	HEWLETT PACKARD CO	HPQ	40.3582	7,062.69	51.5100	9,014.25	1,951.56	56.00	0.62
100	INTERNATIONAL BUSINESS MACHINES CORP	IBM	104.0510	10,405.10	130.9000	13,090.00	2,684.90	220.00	1.68
450	ORACLE CORP	ORCL	17.1516	7,718.22	24.5300	11,038.50	3,320.28	90.00	0.82
225	***TYCO INTERNATIONAL LTD	TYC	31.7513	7,144.04	35.6800	8,028.00	883.96	180.00	2.24

NEUBERGER BERMAN

Client Statement

For the period 12/01/2009 to 12/31/2009 #03-0575 765

THE BEA & DAVID ZACK MEMORIAL
FOUNDATION INC (BOLTON)
DONALD ZACK - PRES/TREASURER

Ridge Account : 541-13942 M37
Base Currency : USD
NB Account Number : 593-02699

Positions In Your Account

Quantity Description	Ticker/Cusip	Average[1][4][9] Unit Cost	Total[1][4][9] Cost	Price	Mkt. Value	Unrealized[2] P/L	Annual[8] Income	[10] Yield
EQUITIES (Continued)								
TOTAL TECHNOLOGY			49,112.91		60,442.75	11,329.84	546.00	0.90
TOTAL EQUITIES			252,586.25		278,778.69	26,192.44	3,480.45	1.25

COST FMV

total Equities 1026,131.43 1,004,326.07

Statement #2 page 6/6

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

ATTACHMENT 7

NAME AND ADDRESS	TITLE AND AVERAGE HOURS PER WEEK DEVOTED TO POSITION	COMPENSATION	CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS	EXPENSE ACCT AND OTHER ALLOWANCES
DONALD J. ZACK 3 RUBY FIELD COURT BALTIMORE, MD 21209	PRESIDENT/TREASURER	0.	0.	0.
ELLEN M. OKUN 3 RUBY FIELD COURT BALTIMORE, MD 21209	VICE PRESIDENT/SCTRY	0.	0.	0.
	GRAND TOTALS	0.	0.	0.

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

ATTACHMENT 8

RECIPIENT NAME AND ADDRESS	RELATIONSHIP TO SUBSTANTIAL CONTRIBUTOR AND FOUNDATION STATUS OF RECIPIENT	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
FCNY - LSF 121 AVENUE OF THE AMERICAS 6TH FLOOR NEW YORK, NY 10013	N/A	GENERAL	3,000.
DIRECT RELIEF INTERNATIONAL 27 SOUTH LA PATERA LANE SANTA BARBARA, CA 93117	N/A	GENERAL	3,000
OXFAM AMERICA 226 CAUSEWAY STREET BOSTON, MA 2114	N/A	GENERAL	3,000
UNICEF 125 MAIDEN LANE NEW YORK, NY 10038	N/A	GENERAL	3,000
PUBLIC JUSTICE CENTER 1 NORTH CHARLES STREET BALTIMORE, MD 21201	N/A	GENERAL	1,000
DOCTORS WITHOUT BORDERS 333 7TH AVENUE SUITE 200 NEW YORK, NY 10001	N/A	GENERAL	15,000.

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

ATTACHMENT 8 (CONT'D)

RECIPIENT NAME AND ADDRESS	RELATIONSHIP TO SUBSTANTIAL CONTRIBUTOR AND FOUNDATION STATUS OF RECIPIENT	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
FINCA INTERNATIONAL 1101 FOURTEENTH STREET WASHINGTON, DC 20005	N/A	GENERAL	3,000
PARTNERS IN HEALTH 641 HUNTINGTON AVENUE NW, 11TH FLOOR BOSTON, MA 2115	N/A	GENERAL	3,000
MARYLAND FOOD BANK 2200 HALETHROPE FARMS ROAD BALTIMORE, MD 21227	N/A	GENERAL	15,000.
AMNESTY INTERNATIONAL FIVE PENN PLAZA NEW YORK, NY 10001	N/A	GENERAL	3,000
ACLU 125 BROAD STREET NEW YORK, NY 10004	N/A	GENERAL	5,000
EDUCATE 4492 BURR PLACE BOULDER, CO 80303	N/A	GENERAL	3,000.
		TOTAL CONTRIBUTIONS PAID	60,000

THE BEA & DAVID ZACK MEMORIAL FOUNDATION INC 03-0575765

FORM 990-PF, PART XVI-A - ANALYSIS OF OTHER REVENUE

ATTACHMENT 9

DESCRIPTION	BUSINESS CODE	AMOUNT	EXCLUSION CODE	AMOUNT	RELATED OR EXEMPT FUNCTION INCOME
FEDERAL INCOME TAX REFUND				15,962.	
TOTALS				15,962.	

SCHEDULE D (Form 1041)

Department of the Treasury Internal Revenue Service

Capital Gains and Losses

▶ Attach to Form 1041, Form 5227, or Form 990-T. See the instructions for Schedule D (Form 1041) (also for Form 5227 or Form 990-T, if applicable).

OMB No 1545-0092

2009

Name of estate or trust	Employer identification number
THE BEA & DAVID ZACK MEMORIAL FOUNDATION INC	03-0575765

Note: *Form 5227 filers need to complete **only** Parts I and II*

Part I Short-Term Capital Gains and Losses - Assets Held One Year or Less

(a) Description of property (Example 100 shares 7% preferred of "Z" Co)	(b) Date acquired (mo , day, yr)	(c) Date sold (mo , day, yr)	(d) Sales price	(e) Cost or other basis (see page 4 of the instructions)	(f) Gain or (loss) for the entire year Subtract (e) from (d)
1a					

b	Enter the short-term gain or (loss), if any, from Schedule D-1, line 1b	1b	765.
2	Short-term capital gain or (loss) from Forms 4684, 6252, 6781, and 8824	2	
3	Net short-term gain or (loss) from partnerships, S corporations, and other estates or trusts	3	
4	Short-term capital loss carryover Enter the amount, if any, from line 9 of the 2008 Capital Loss Carryover Worksheet	4	( )
5	**Net short-term gain or (loss).** Combine lines 1a through 4 in column (f) Enter here and on line 13, column (3) on the back ▶	5	765.

Part II Long-Term Capital Gains and Losses - Assets Held More Than One Year

(a) Description of property (Example 100 shares 7% preferred of "Z" Co)	(b) Date acquired (mo , day, yr)	(c) Date sold (mo , day, yr)	(d) Sales price	(e) Cost or other basis (see page 4 of the instructions)	(f) Gain or (loss) for the entire year Subtract (e) from (d)
6a LONG-TERM CAPITAL GAIN DIVIDENDS			ATCH 10		1,184.

b	Enter the long-term gain or (loss), if any, from Schedule D-1, line 6b	6b	-17,816.
7	Long-term capital gain or (loss) from Forms 2439, 4684, 6252, 6781, and 8824	7	
8	Net long-term gain or (loss) from partnerships, S corporations, and other estates or trusts	8	
9	Capital gain distributions	9	
10	Gain from Form 4797, Part I	10	
11	Long-term capital loss carryover Enter the amount, if any, from line 14 of the 2008 Capital Loss Carryover Worksheet	11	( )
12	**Net long-term gain or (loss).** Combine lines 6a through 11 in column (f) Enter here and on line 14a, column (3) on the back ▶	12	-16,632.

For Paperwork Reduction Act Notice, see the Instructions for Form 1041.

Part III Summary of Parts I and II **Caution:** *Read the instructions* ***before*** *completing this part.*		(1) Beneficiaries' (see page 5)	(2) Estate's or trust's	(3) Total
13 **Net short-term gain or (loss)**	13			765.
14 **Net long-term gain or (loss):**				
a Total for year	14a			-16,632.
b Unrecaptured section 1250 gain (see line 18 of the wrksht)	14b			
c 28% rate gain	14c			
15 **Total net gain or (loss).** Combine lines 13 and 14a ▶	15			-15,867.

Note: *If line 15, column (3), is a net gain, enter the gain on Form 1041, line 4 (or Form 990-T, Part I, line 4a) If lines 14a and 15, column (2), are net gains, go to Part V, and* ***do not*** *complete Part IV If line 15, column (3), is a net loss, complete Part IV and the* ***Capital Loss Carryover Worksheet,*** *as necessary*

Part IV **Capital Loss Limitation**

16 Enter here and enter as a (loss) on Form 1041, line 4 (or Form 990-T, Part I, line 4c, if a trust), the **smaller** of: a The loss on line 15, column (3) **or** b $3,000	16	(3,000)

Note: *If the loss on line 15, column (3), is more than $3,000,* ***or*** *if Form 1041, page 1, line 22 (or Form 990-T, line 34), is a loss, complete the* ***Capital Loss Carryover Worksheet*** *on page 7 of the instructions to figure your capital loss carryover*

Part V **Tax Computation Using Maximum Capital Gains Rates**

Form 1041 filers. Complete this part **only** if both lines 14a and 15 in column (2) are gains, or an amount is entered in Part I or Part II and there is an entry on Form 1041, line 2b(2), **and** Form 1041, line 22, is more than zero

Caution: *Skip this part and complete the worksheet on page 8 of the instructions if*

- *Either line 14b, col (2) or line 14c, col (2) is more than zero, or*
- *Both Form 1041, line 2b(1), and Form 4952, line 4g are more than zero*

Form 990-T trusts. Complete this part **only** if both lines 14a and 15 are gains, or qualified dividends are included in income in Part I of Form 990-T, **and** Form 990-T, line 34, is more than zero Skip this part and complete the worksheet on page 8 of the instructions if either line 14b, col. (2) or line 14c, col (2) is more than zero

17 Enter taxable income from Form 1041, line 22 (or Form 990-T, line 34)			17			
18 Enter the **smaller** of line 14a or 15 in column (2) but not less than zero	18					
19 Enter the estate's or trust's qualified dividends from Form 1041, line 2b(2) (or enter the qualified dividends included in income in Part I of Form 990-T)	19					
20 Add lines 18 and 19	20					
21 If the estate or trust is filing Form 4952, enter the amount from line 4g, otherwise, enter -0- ▶	21					
22 Subtract line 21 from line 20 If zero or less, enter -0-			22			
23 Subtract line 22 from line 17 If zero or less, enter -0-			23			
24 Enter the **smaller** of the amount on line 17 or $2,300			24			
25 Is the amount on line 23 equal to or more than the amount on line 24? ☐ **Yes.** Skip lines 25 and 26, go to line 27 and check the "No" box. ☐ **No.** Enter the amount from line 23			25			
26 Subtract line 25 from line 24			26			
27 Are the amounts on lines 22 and 26 the same? ☐ **Yes.** Skip lines 27 thru 30, go to line 31 ☐ **No.** Enter the **smaller** of line 17 or line 22			27			
28 Enter the amount from line 26 (If line 26 is blank, enter -0-)			28			
29 Subtract line 28 from line 27			29			
30 Multiply line 29 by 15% (.15)					30	
31 Figure the tax on the amount on line 23 Use the 2009 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041)					31	
32 Add lines 30 and 31					32	
33 Figure the tax on the amount on line 17 Use the 2009 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041)					33	
34 **Tax on all taxable income.** Enter the **smaller** of line 32 or line 33 here and on Form 1041, Schedule G, line 1a (or Form 990-T, line 36)					34	

SCHEDULE D-1 (Form 1041)

Department of the Treasury Internal Revenue Service

Continuation Sheet for Schedule D (Form 1041)

▶ See instructions for Schedule D (Form 1041).

▶ Attach to Schedule D to list additional transactions for lines 1a and 6a.

OMB No 1545-0092

2009

Name of estate or trust: THE BEA & DAVID ZACK MEMORIAL FOUNDATION INC

Employer identification number: 03-0575765

Part I Short-Term Capital Gains and Losses - Assets Held One Year or Less

(a) Description of property (Example 100 sh 7% preferred of "Z" Co)	(b) Date acquired (mo , day, yr)	(c) Date sold (mo , day, yr)	(d) Sales price (see page 4 of the instructions)	(e) Cost or other basis (see page 4 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
1a SEE ATTACHED SCHEDULE #1	VAR	VAR	63,932.	63,167.	765.

1b Total. Combine the amounts in column (f). Enter here and on Schedule D, line 1b . . . . 765.

For Paperwork Reduction Act Notice, see the Instructions for Form 1041.

Schedule D-1 (Form 1041) 2009

JSA
9F1221 3 000

Name of estate or trust as shown on Form 1041 Do not enter name and employer identification number if shown on the other side	Employer identification number

Part II Long-Term Capital Gains and Losses - Assets Held More Than One Year

(a) Description of property (Example 100 sh 7% preferred of "Z" Co)	(b) Date acquired (mo , day, yr)	(c) Date sold (mo , day, yr)	(d) Sales price (see page 4 of the instructions)	(e) Cost or other basis (see page 4 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
6a SEE ATTACHED SCHEDULE #1	VAR	VAR	101,526.	119,342.	-17,816.

6b Total. Combine the amounts in column (f) Enter here and on Schedule D, line 6b	-17,816.

FEDERAL CAPITAL GAIN DIVIDENDS

ATTACHMENT 10

LONG-TERM CAPITAL GAIN DIVIDENDS

15% RATE CAPITAL GAIN DIVIDENDS		
RIDGE CLEARING & OUTSOURCING 541-13940	1,184.	
TOTAL 15% RATE CAPITAL GAIN DIVIDENDS		1,184.
TOTAL LONG-TERM CAPITAL GAIN DIVIDENDS		1,184.

Form **8868**
(Rev April 2009)
Department of the Treasury
Internal Revenue Service

Application for Extension of Time To File an Exempt Organization Return

OMB No 1545-1709

▶ **File a separate application for each return.**

- 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**
File by the due date for filing your return See instructions	THE BEA & DAVID ZACK MEMORIAL FOUNDATION INC	03-0575765
	Number, street, and room or suite no If a P O. box, see instructions 3 RUBY FIELD COURT	
	City, town or post office, state, and ZIP code For a foreign address, see instructions BALTIMORE, MD 21209	

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 ▶ DONALD ZACK

Telephone No. ▶ ____________ 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 08/15, 2010, to file the exempt organization return for the organization named above The extension is for the organization's return for

▶ [X] calendar year 2009 or
▶ [ ] tax year beginning ________, ____, and ending ________, ____

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**	$ 15,962.
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**	$ 15,962.
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)