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

OMB No 1545-0052

2009

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

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 BENIGIER FOUNDATION

Number and street (or P.O. box number if mail is not delivered to street address)

C/O SEILER LLP

THREE LAGOON DRIVE, STE 400

City or town, state, and ZIP code

REDWOOD CITY, CA 94065

A Employer identification number

11-3729246

B Telephone number (see page 10 of the instructions)

(650) 365-4646

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

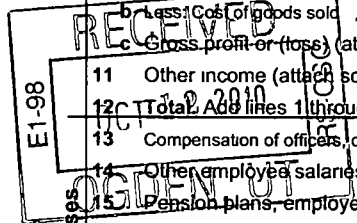
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) ☐ Accounting method: ☒ Cash ☐ Accrual

16) \$ 5,036,079. (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)
1 Contributions, gifts, grants, etc., received (attach schedule)	17,355.			
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	76,045.	76,045.		ATCH 1
5a Gross rents				
b Net rental income or (loss)				
6a Net gain or (loss) from sale of assets not on line 10	-212,069.			
b Gross sales price for all assets on line 6a	1,193,132.			
7 Capital gain net income (from Part IV, line 2)				
8 Net short-term capital gain				
9 Income modifications				
10 a Gross sales less returns and allowances				
b Less: Cost of goods sold				
c Gross profit or (loss) (attach schedule)				
11 Other income (attach schedule)	2,444.			ATCH 2
12 Total. Add lines 1 through 11	-116,225.	76,045.		
13 Compensation of officers, directors, trustees, etc	0.			
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16 a Legal fees (attach schedule)				
b Accounting fees (attach schedule) ATCH 3	17,295.	8,648.	0.	8,647.
c Other professional fees (attach schedule) *	26,089.	26,089.		
17 Interest				
18 Taxes (attach schedule) (see page 14 of the instructions) *	2,594.	1,334.		60.
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	45,978.	36,071.	0.	8,707.
25 Contributions, gifts, grants paid	603,550.			603,550.
26 Total expenses and disbursements. Add lines 24 and 25	649,528.	36,071.	0.	612,257.
27 Subtract line 26 from line 12.	-765,753.			
a Excess of revenue over expenses and disbursements				
b Net investment income (if negative, enter -0-)		39,974.		
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			
	2 Savings and temporary cash investments	60,419.	677,392.	677,392.
	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)	160,986.	0.	0.
	b Investments - corporate stock (attach schedule) ATCH 6	3,375,218.	2,192,935.	2,527,315.
	c Investments - corporate bonds (attach schedule) ATCH 7	126,142.	86,036.	112,813.
	11 Investments - land, buildings, and equipment, basis			
Less accumulated depreciation (attach schedule)				
12 Investments - mortgage loans				
13 Investments - other (attach schedule) ATCH 8	1,825,549.	1,831,053.	1,718,559.	
14 Land, buildings, and equipment, basis				
Less accumulated depreciation (attach schedule)				
15 Other assets (describe)	4,855.	0.	0.	
16 Total assets (to be completed by all filers - see the instructions. Also, see page 1, item I)	5,553,169.	4,787,416.	5,036,079.	
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. ☒			
	27 Capital stock, trust principal, or current funds	5,553,169.	4,787,416.	
	28 Paid-in or capital surplus, or land, bldg, and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds	0.	0.	
30 Total net assets or fund balances (see page 17 of the instructions)	5,553,169.	4,787,416.		
31 Total liabilities and net assets/fund balances (see page 17 of the instructions)	5,553,169.	4,787,416.		

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	5,553,169.
2 Enter amount from Part I, line 27a	2	-765,753.
3 Other increases not included in line 2 (itemize)	3	
4 Add lines 1, 2, and 3	4	4,787,416.
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	4,787,416.

Form **990-PF** (2009)

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 1,193,132.		1,405,201.	-212,069.		
b					
c					
d					
e					
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))		
(i) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any			
a					
b					
c					
d					
e					
2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }			2	-212,069.	
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	628,484.	6,061,972.	0.103676
2007	270,480.	5,410,102.	0.049995
2006	219,971.	3,015,767.	0.072940
2005	163,759.	2,982,042.	0.054915
2004	14,792.	3,033,881.	0.004876
2 Total of line 1, column (d)			2 0.286402
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 0.057280
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5			4 4,589,860.
5 Multiply line 4 by line 3			5 262,907.
6 Enter 1% of net investment income (1% of Part I, line 27b)			6 400.
7 Add lines 5 and 6			7 263,307.
8 Enter qualifying distributions from Part XII, line 4 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.			8 612,257.

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		1	400.
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 ☒ and enter 1% of Part I, line 27b			
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	400.
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	400.
6 Credits/Payments			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a 1,200.		
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	1,200.
8 Enter any penalty for underpayment of estimated tax. Check here ☐ 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	800.
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax 800. 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?		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)?		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?		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?		X
If "Yes," attach a detailed description of the activities.		
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		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year?		X
If "Yes," attach the statement required by General Instruction T.		
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?	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.	X	
8a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) CALIFORNIA		
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	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		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

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Part VII-A Statements Regarding Activities (continued)

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 ☐ HTTP://WWW.BENGIERFOUNDATION.ORG				
14	The books are in care of ☐ SEILER LLP Telephone no ☐ 650-365-4646			
Located at ☐ THREE LAGOON DRIVE, STE 400, REDWOOD CITY, CA ZIP + 4 ☐ 94065-1565				
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.		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	
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	
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

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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)? ☐ Yes ☒ No
Organizations relying on a current notice regarding disaster assistance check here ☐ **5b** ☐ ☒

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? **ATTACHMENT 9** ☒ 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 **6b** ☐ ☒

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? ☐ Yes ☒ No
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 ☒ No **7b** ☐ ☒

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

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 10		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 ☐

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 NOT APPLICABLE	
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 NOT APPLICABLE	
2	
All other program-related investments. See page 24 of the instructions.	
3 NONE	
Total. Add lines 1 through 3	

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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	3,844,268.
b	Average of monthly cash balances	1b	815,488.
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	4,659,756.
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	4,659,756.
4	Cash deemed held for charitable activities. Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions)	4	69,896.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	4,589,860.
6	Minimum investment return. Enter 5% of line 5	6	229,493.

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	229,493.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	400.
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	400.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	229,093.
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	229,093.
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	229,093.

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	612,257.
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	612,257.
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	400.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	611,857.

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				229,093.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years 20 <u>07</u> , 20 <u>06</u> , 20 <u>05</u>		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004				0.
b From 2005				1,725.
c From 2006				72,091.
d From 2007				7,209.
e From 2008				327,737.
f Total of lines 3a through e	408,762.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ <u>612,257.</u>				
a Applied to 2008, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see page 26 of the instructions)		0.		
c Treated as distributions out of corpus (Election required - see page 26 of the instructions)	0.			
d Applied to 2009 distributable amount				229,093.
e Remaining amount distributed out of corpus	383,164.			
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	791,926.			
b Prior years' undistributed income Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.		0.		
d Subtract line 6c from line 6b. Taxable amount - see page 27 of the instructions		0.		
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount - see page 27 of the instructions			0.	
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0.
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)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	791,926.			
10 Analysis of line 9				
a Excess from 2005				1,725.
b Excess from 2006				72,091.
c Excess from 2007				7,209.
d Excess from 2008				327,737.
e Excess from 2009				383,164.

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

1 a 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)

2 a 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).)

GARY F. BENIGER AND CYNTHIA S. BENIGER

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

NONE

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

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

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

ATTACHMENT 11

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

NO PRESCRIBED FORM

c Any submission deadlines:

NONE

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

NONE

Part XV Supplementary Information (continued)**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a Paid during the year ATTACHMENT 12				
Total			3a	603,550.
b Approved for future payment				
Total			3b	

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated

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					
4 Dividends and interest from securities			14	76,045.	
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	-212,069.	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory . . .					
11 Other revenue a _____					
b EXCISE TAX REFUND			01	2,444.	
c _____					
d _____					
e _____					
12 Subtotal. Add columns (b), (d), and (e)				-133,580.	
13 Total. Add line 12, columns (b), (d), and (e)				13	-133,580.

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

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

[illegible]

Schedule of Contributors

OMB No 1545-0047

2009

▶ Attach to Form 990, 990-EZ, or 990-PF.

Name of the organization

THE BENGIER FOUNDATION

Employer identification number

11-3729246

Organization type (check one):

Filers of:

Section:

Form 990 or 990-EZ

☐ 501(c)() (enter number) organization

☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation

☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation

☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation

☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**.

Note. Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

General Rule

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

Special Rules

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3 % support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year ▶ \$ _____

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2 of its Form 990, or check the box on line H of its Form 990-EZ, or on line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

Name of organization THE BENGIER FOUNDATION

Employer identification number
11-3729246**Part I** Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	GARY & CYNTHIA BENGIER 890 EL CAMINO DEL MAR SAN FRANCISCO, CA 94421	\$ 17,355.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)

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)	
17,404.		500 SHS FASTENAL CO PROPERTY TYPE: SECURITIES 16,267.				P	11/19/2008 1,137.	02/19/2009
6,962.		200 SHS FASTENAL CO PROPERTY TYPE: SECURITIES 6,513.				P	11/20/2008 449.	02/19/2009
16,299.		29,000 FV CAPITALSOURCE INC PROPERTY TYPE: SECURITIES 21,519.				P	09/26/2008 -5,220.	04/14/2009
14,613.		26,000 FV CAPITALSOURCE INC PROPERTY TYPE: SECURITIES 18,810.				P	09/30/2008 -4,197.	04/14/2009
8,850.		400 SHS BED BATH & BEYOND PROPERTY TYPE: SECURITIES 14,326.				P	03/18/2005 -5,476.	02/19/2009
8,845.		400 SHS BED BATH & BEYOND PROPERTY TYPE: SECURITIES 14,310.				P	03/21/2005 -5,465.	02/19/2009
26,549.		1,200 SHS BED BATH & BEYOND PROPERTY TYPE: SECURITIES 43,835.				P	12/22/2005 -17,286.	02/19/2009
8,850.		400 SHS BED BATH & BEYOND PROPERTY TYPE: SECURITIES 14,522.				P	03/13/2006 -5,672.	02/19/2009
4,425.		200 SHS BED BATH & BEYOND PROPERTY TYPE: SECURITIES 6,884.				P	06/23/2006 -2,459.	02/19/2009
8,235.		600 SHS COMCAST CORP PROPERTY TYPE: SECURITIES 14,316.				P	10/11/2007 -6,081.	02/19/2009
5,490.		400 SHS COMCAST CORP PROPERTY TYPE: SECURITIES 9,541.				P	10/12/2007 -4,051.	02/19/2009
19,215.		1,400 SHS COMCAST CORP PROPERTY TYPE: SECURITIES 33,104.				P	10/15/2007 -13,889.	02/19/2009

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)	
8,235.		600 SHS COMCAST CORP PROPERTY TYPE: SECURITIES 14,215.				P	10/24/2007	02/19/2009
							-5,980.	
45,627.		1,200 SHS CARDINAL HEALTH INC PROPERTY TYPE: SECURITIES 74,430.				P	10/04/2002	02/19/2009
							-28,803.	
30,418.		800 SHS CARDINAL HEALTH INC PROPERTY TYPE: SECURITIES 44,179.				P	07/02/2007	02/19/2009
							-13,761.	
89,116.		1,700 SHS CLOROX COMPANY PROPERTY TYPE: SECURITIES 69,545.				P	10/15/2002	02/19/2009
							19,571.	
5,242.		100 SHS CLOROX COMPANY PROPERTY TYPE: SECURITIES 5,484.				P	09/23/2005	02/19/2009
							-242.	
21,315.		1,100 SHS MICROSOFT CORP PROPERTY TYPE: SECURITIES 24,200.				P	10/04/2002	02/19/2009
							-2,885.	
21,315.		1,100 SHS MICROSOFT CORP PROPERTY TYPE: SECURITIES 24,200.				P	02/21/2003	02/19/2009
							-2,885.	
21,315.		1,100 SHS MICROSOFT CORP PROPERTY TYPE: SECURITIES 26,655.				P	04/11/2003	02/19/2009
							-5,340.	
15,502.		800 SHS MICROSOFT CORP PROPERTY TYPE: SECURITIES 20,261.				P	04/25/2003	02/19/2009
							-4,759.	
5,813.		300 SHS MICROSOFT CORP PROPERTY TYPE: SECURITIES 7,211.				P	03/22/2005	02/19/2009
							-1,398.	
11,626.		600 SHS MICROSOFT CORP PROPERTY TYPE: SECURITIES 14,503.				P	05/02/2006	02/19/2009
							-2,877.	
5,813.		300 SHS MICROSOFT CORP PROPERTY TYPE: SECURITIES 6,908.				P	05/16/2006	02/19/2009
							-1,095.	

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)	
1,938.		100 SHS MICROSOFT CORP PROPERTY TYPE: SECURITIES 2,297.				P	05/17/2006	02/19/2009 -359.
95,794.		2,200 SHS NIKE INC PROPERTY TYPE: SECURITIES 45,436.				P	10/04/2002	02/19/2009 50,358.
3,769.		150 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 3,719.				P	01/27/2003	02/19/2009 50.
10,051.		400 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 9,841.				P	03/11/2003	02/19/2009 210.
12,564.		500 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 15,170.				P	05/14/2003	02/19/2009 -2,606.
7,538.		300 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 8,914.				P	06/11/2003	02/19/2009 -1,376.
2,513.		100 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 3,110.				P	01/13/2005	02/19/2009 -597.
10,051.		400 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 12,270.				P	01/21/2005	02/19/2009 -2,219.
7,538.		300 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 9,504.				P	03/16/2005	02/19/2009 -1,966.
2,513.		100 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 3,168.				P	03/17/2005	02/19/2009 -655.
5,026.		200 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 6,152.				P	04/20/2005	02/19/2009 -1,126.
5,026.		200 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 6,115.				P	04/26/2005	02/19/2009 -1,089.

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)	
2,513.		100 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 3,033.				P	05/03/2005 -520.	02/19/2009
5,026.		200 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 6,000.				P	05/13/2005 -974.	02/19/2009
2,513.		100 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 2,995.				P	05/18/2005 -482.	02/19/2009
5,026.		200 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 5,826.				P	05/31/2005 -800.	02/19/2009
5,026.		200 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 7,200.				P	02/01/2006 -2,174.	02/19/2009
5,026.		200 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 7,071.				P	07/21/2006 -2,045.	02/19/2009
5,026.		200 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 6,785.				P	07/26/2006 -1,759.	02/19/2009
7,538.		300 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 11,074.				P	04/16/2007 -3,536.	02/19/2009
5,026.		200 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 7,379.				P	04/23/2007 -2,353.	02/19/2009
23,872.		950 SHS PAYCHEX INC PROPERTY TYPE: SECURITIES 30,142.				P	07/02/2007 -6,270.	02/19/2009
22,729.		500 SHS UNITED PARCEL SVC INC PROPERTY TYPE: SECURITIES 35,896.				P	04/27/2007 -13,167.	02/19/2009
9,092.		200 SHS UNITED PARCEL SVC INC PROPERTY TYPE: SECURITIES 14,371.				P	05/01/2007 -5,279.	02/19/2009

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)	
12,289.		300 SHS WATERS CORP PROPERTY TYPE: SECURITIES 7,133.				P	11/28/2003 5,156.	02/19/2009
8,193.		200 SHS WATERS CORP PROPERTY TYPE: SECURITIES 8,106.				P	10/12/2005 87.	02/19/2009
18,434.		450 SHS WATERS CORP PROPERTY TYPE: SECURITIES 11,064.				P	07/02/2007 7,370.	02/19/2009
10,384.		650 SHS WELLS FARGO & CO PROPERTY TYPE: SECURITIES 14,620.				P	10/04/2002 -4,236.	02/19/2009
1,598.		100 SHS WELLS FARGO & CO PROPERTY TYPE: SECURITIES 3,498.				P	07/02/2007 -1,900.	02/19/2009
41,536.		2,600 SHS WELLS FARGO & CO PROPERTY TYPE: SECURITIES 62,928.				P	07/02/2007 -21,392.	02/19/2009
61,140.		5,000 SHS PROGRESSIVE CORP PROPERTY TYPE: SECURITIES 61,625.				P	10/07/2002 -485.	02/19/2009
1,834.		150 SHS PROGRESSIVE CORP PROPERTY TYPE: SECURITIES 3,580.				P	01/05/2007 -1,746.	02/19/2009
34,850.		2,850 SHS PROGRESSIVE CORP PROPERTY TYPE: SECURITIES 41,386.				P	07/02/2007 -6,536.	02/19/2009
34,656.		2,800 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 71,937.				P	01/23/2004 -37,281.	02/19/2009
2,475.		200 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 4,914.				P	07/02/2007 -2,439.	02/19/2009
54,086.		2,800 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 68,795.				P	07/02/2007 -14,709.	05/04/2009

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)	
5,033.		250 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 6,142.				P	07/02/2007	08/03/2009
							-1,109.	
14,214.		750 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 18,427.				P	07/02/2007	08/07/2009
							-4,213.	
9,430.		500 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 12,285.				P	07/02/2007	08/17/2009
							-2,855.	
7,574.		400 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 9,828.				P	07/02/2007	08/18/2009
							-2,254.	
2,008.		100 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 2,457.				P	07/02/2007	09/17/2009
							-449.	
18,075.		900 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 22,048.				P	08/14/2007	09/17/2009
							-3,973.	
1,021.		50 SHS SEALED AIR CORP PROPERTY TYPE: SECURITIES 1,225.				P	08/14/2007	09/21/2009
							-204.	
39,494.		39,000 FV US TREASURY NTS 4.875% 5/19/09 PROPERTY TYPE: SECURITIES 38,997.				P	05/16/2006	01/30/2009
							497.	
50,000.		50,000 FV US TREASURY NTS 4.875% 5/19/09 PROPERTY TYPE: SECURITIES 50,000.				P	05/16/2006	05/15/2009
75,000.		75,000 FV FHLB 3.75% NTS 8/18/09 PROPERTY TYPE: SECURITIES 75,000.				P	05/16/2006	08/18/2009
TOTAL GAIN (LOSS)							<u>-212,069.</u>	

ATTACHMENT 1FORM 990PF, PART I - DIVIDENDS AND INTEREST FROM SECURITIES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>
J.P. MORGAN CLEARING CORP	61,770.	61,770.
CAPITALSOURCE INC - OID	225.	225.
ACCRUED INTEREST	-3,134.	-3,134.
J.P. MORGAN CLEARING CORP	109.	109.
THE OAKMARK INTL FUND	6,839.	6,839.
MORGAN STANLEY	10,236.	10,236.
TOTAL	<u>76,045.</u>	<u>76,045.</u>

ATTACHMENT 2FORM 990PF, PART I - OTHER INCOME

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>
EXCISE TAX REFUND	2,444.
TOTALS	<u>2,444.</u>

ATTACHMENT 3

FORM 990PF, PART I - ACCOUNTING FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	ADJUSTED NET INCOME	CHARITABLE PURPOSES
ACCOUNTING FEE	17,295.	8,648.		8,647.
TOTALS	17,295.	8,648.	0.	8,647.

FORM 990PF, PART I - OTHER PROFESSIONAL FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
INVESTMENT EXPENSES	26,089.	26,089.
TOTALS	26,089.	26,089.

ATTACHMENT 5FORM 990PF, PART I - TAXES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>	<u>CHARITABLE PURPOSES</u>
FOREIGN TAXES	1,334.	1,334.	
REGISTRATION FEE	50.		50.
FRANCHISE TAX BOARD	10.		10.
EXCISE TAX	1,200.		
TOTALS	<u>2,594.</u>	<u>1,334.</u>	<u>60.</u>

FORM 990PF, PART II - CORPORATE STOCKATTACHMENT 6

<u>DESCRIPTION</u>	<u>ENDING BOOK VALUE</u>	<u>ENDING FMV</u>
5,500 SHS BED BATH & BEYOND	194,580.	212,465.
4,250 SHS CARDINAL HEALTH INC	172,219.	137,020.
3,700 SHS CLOROX COMPANY	169,089.	225,700.
6,400 SHS COMCAST CORP	140,626.	107,904.
1,400 SHS FASTENAL CO	44,378.	58,296.
11,400 SHS MICROSOFT CORP	292,979.	347,586.
5,000 SHS NIKE INC	118,477.	330,350.
11,300 SHS PAYCHEX INC	360,080.	346,232.
16,700 SHS PROGRESSIVE CORP	279,243.	300,433.
2,125 SHS CAREFUSION CORP	68,243.	53,146.
1,450 SHS UNITED PARCEL SVC	101,054.	83,187.
2,000 SHS WATERS CORP	58,628.	123,920.
7,450 SHS WELLS FARGO & CO	193,339.	201,076.
TOTALS	<u>2,192,935.</u>	<u>2,527,315.</u>

THE BENGIER FOUNDATION

11-3729246

FORM 990PF, PART II - CORPORATE BONDS

ATTACHMENT 7

<u>DESCRIPTION</u>	<u>ENDING BOOK VALUE</u>	<u>ENDING FMV</u>
125,000 FV CAPITALSOURCE CORP	86,036.	112,813.
TOTALS	<u>86,036.</u>	<u>112,813.</u>

FORM 990PF, PART II - OTHER INVESTMENTS

ATTACHMENT 8

<u>DESCRIPTION</u>	<u>ENDING</u>	<u>ENDING</u>
	<u>BOOK VALUE</u>	<u>FMV</u>
47,301.585 SHS OAKMARK INTL FD	886,609.	796,559.
HCP ABSOLUTE RETURN FUND	944,444.	922,000.
TOTALS	<u>1,831,053.</u>	<u>1,718,559.</u>

ATTACHMENT 9FORM 990PF, PART VII-B, LINE 5C-EXPENDITURE RESPONSIBILITY STATEMENT

GRANTEE'S NAME: BAY SCHOOL OF SAN FRANCISCO
GRANTEE'S ADDRESS: 35 KEYES AVENUE
CITY, STATE & ZIP: SAN FRANCISCO, CA 94129
GRANT DATE: 01/15/2009
GRANT AMOUNT: 40,000.
GRANT PURPOSE: CHARITABLE/EDUCATIONAL PROGRAMS
AMOUNT EXPENDED: 40,000.
ANY DIVERSION? NO
DATES OF REPORTS: 06/30/2009
VERIFICATION DATE: 09/24/2010
RESULTS OF VERIFICATION:

THE GRANT AMOUNT WAS ENTIRELY USED FOR THE CHARITABLE/EDUCATIONAL
PURPOSE. THERE IS NO BALANCE TO BE ACCOUNTED FOR IN FUTURE YEARS.

THE BENGIER FOUNDATION

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

11-3729246

ATTACHMENT 10

NAME AND ADDRESS	TITLE AND AVERAGE HOURS PER WEEK DEVOTED TO POSITION	COMPENSATION	CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS	EXPENSE ACCT . AND OTHER ALLOWANCES
GARY F. BENGIER P.O. BOX 590308 SAN FRANCISCO, CA 94159-0308	BOARD CHAIRMAN 1.00	0.	0.	0.
CYNTHIA S. BENGIER P.O. BOX 590308 SAN FRANCISCO, CA 94159-0308	CFO 1.00	0.	0.	0.
BROOKE N. BENGIER P.O. BOX 590308 SAN FRANCISCO, CA 94159-0308	SECRETARY 1.00	0.	0.	0.
GRAND TOTALS		0.	0.	0.

ATTACHMENT 10

FORM 990PF, PART XV - NAME, ADDRESS AND PHONE FOR APPLICATIONS

GARY F. BENGIER
P.O. BOX 590308
SAN FRANCISCO, CA 94159-0308

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

ATTACHMENT 12

RECIPIENT NAME AND ADDRESS	RELATIONSHIP TO SUBSTANTIAL CONTRIBUTOR AND FOUNDATION STATUS OF RECIPIENT	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
THE BAY SCHOOL 35 KEYES AVENUE SAN FRANCISCO, CA 94129	NONE PRIVATE	UNRESTRICTED	50,000.
SFSU FOUNDATION 1600 HOLLOWAY AVENUE SAN FRANCISCO, CA 94132	NONE PUBLIC	UNRESTRICTED	30,000.
THE EXPLORATORIUM 3601 LYON STREET SAN FRANCISCO, CA 94123	NONE PUBLIC	UNRESTRICTED	55,000.
SUMMER SEARCH 620 DAVIS STREET SAN FRANCISCO, CA 94111	NONE PUBLIC	UNRESTRICTED	250,000.
BOYS AND GIRLS CLUBS OF SAN FRANCISCO 55 HAWTHORNE STREET, SUITE 600 SAN FRANCISCO, CA 94105	NONE PUBLIC	UNRESTRICTED	1,050.
GIRL VENTURES 3543 18TH STREET #18 SAN FRANCISCO, CA 94110	NONE PUBLIC	UNRESTRICTED	2,500.

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

ATTACHMENT 12 (CONT'D)

RECIPIENT NAME AND ADDRESS	RELATIONSHIP TO SUBSTANTIAL CONTRIBUTOR AND FOUNDATION STATUS OF RECIPIENT	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
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SANTA FE INSTITUTE 1399 HYDE PARK ROAD SANTA FE, NM 87501	NONE PUBLIC	UNRESTRICTED	200,000.
UCSF MEDICAL CENTER 350 PARNASSUS AVENUE, SUITE 307 SAN FRANCISCO, CA 94143	NONE PUBLIC	UNRESTRICTED	15,000.

TOTAL CONTRIBUTIONS PAID 603,550.