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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

Department of the Treasury
Internal Revenue Service

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

G Check all that apply ☐ Initial return ☐ Initial Return of a former public charity ☐ Final return
☐ Amended return ☐ Address change ☐ Name changeUse the
IRS label.
Otherwise,
print
or type.
See Specific
Instructions.The Statler Foundation
Plaza Suites #222, 1207 Delaware
Buffalo, NY 14209

A Employer identification number

13-1889077

B Telephone number (see the instructions)

716-852-1104

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, column (c), line 16)

▶ \$ 30,936,004.

J Accounting method ☒ 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 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 (att sch)

2 Ck ☒ if the foundn is not req to att Sch B

3 Interest on savings and temporary cash investments

4 Dividends and interest from securities

5a Gross rents

b Net rental income or (loss)

6a Net gain/(loss) from sale of assets not on line 10

b Gross sales price for all assets on line 6a 2,787,643.

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/(loss) (att sch)

11 Other income (attach schedule)

12 Total. Add lines 1 through 11

13 Compensation of officers, directors, trustees, etc

14 Other employee salaries and wages

15 Pension plans, employee benefits

16a Legal fees (attach schedule) See St 1

b Accounting fees (attach sch) See St 2

c Other prof fees (attach sch) See St 3

17 Interest

18 Taxes (attach schedule)(see instr.) See Stm 4

19 Depreciation (attach sch) and depletion

20 Occupancy

21 Travel, conferences, and meetings

22 Printing and publications

23 Other expenses (attach schedule)

See Statement 5

24 Total operating and administrative expenses. Add lines 13 through 23

25 Contributions, gifts, grants paid Part XV

26 Total expenses and disbursements. Add lines 24 and 25

27 Subtract line 26 from line 12:

a Excess of revenue over expenses and disbursements

b Net investment income (if negative, enter -0-)

c Adjusted net income (if negative, enter -0-)

614 6

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
A S S E T S	1 Cash — non-interest-bearing	29,092.	93,509.	93,509.
	2 Savings and temporary cash investments	373,700.	116,144.	116,144.
	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 the instructions)			
	7 Other notes and loans receivable (attach sch)			
	Less: allowance for doubtful accounts			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments — U.S. and state government obligations (attach schedule)	1,626.		
	b Investments — corporate stock (attach schedule)	32,984,791.	31,937,909.	30,724,351.
	c Investments — corporate bonds (attach schedule)			
	11 Investments — land, buildings, and equipment basis			
L I A B I L I T I E S	Less: accumulated depreciation (attach schedule)			
	12 Investments — mortgage loans			
	13 Investments — other (attach schedule)			
	14 Land, buildings, and equipment: basis	11,981.		
	Less: accumulated depreciation (attach schedule) See Stmt 6	10,648.	695.	1,333.
	15 Other assets (describe)			
	16 Total assets (to be completed by all filers — see instructions Also, see page 1, item I)	33,389,904.	32,148,895.	30,936,004.
	17 Accounts payable and accrued expenses	589.	637.	
	18 Grants payable			
	19 Deferred revenue			
N E T A S S E T S F U N D B A L A N C E S	20 Loans from officers, directors, trustees, & other disqualified persons			
	21 Mortgages and other notes payable (attach schedule)			
	22 Other liabilities (describe)			
	23 Total liabilities (add lines 17 through 22)	589.	637.	
	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. <input checked="" type="checkbox"/>			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, building, and equipment fund			
F U N D B A L A N C E S	29 Retained earnings, accumulated income, endowment, or other funds	33,389,315.	32,148,258.	
	30 Total net assets or fund balances (see the instructions)	33,389,315.	32,148,258.	
	31 Total liabilities and net assets/fund balances (see the instructions)	33,389,904.	32,148,895.	

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	33,389,315.
2 Enter amount from Part I, line 27a	2	-1,241,057.
3 Other increases not included in line 2 (itemize)	3	
4 Add lines 1, 2, and 3	4	32,148,258.
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	32,148,258.

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 shares MLC Company)	(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1a See attached schedule	P	Various	Various
b PanAgora capital gains	P	Various	Various
c PanAgora capital losses	P	Various	Various
d GMO Multi-Strategies capital gains	P	Various	Various
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 2,276,319.		2,410,247.	-133,928.
b 386,259.			386,259.
c		147,960.	-147,960.
d 125,065.			125,065.
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h))
(i) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	
a			-133,928.
b			386,259.
c			-147,960.
d			125,065.
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	229,436.
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 the instructions) If (loss), enter -0- in Part I, line 8] —	3	0.

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 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 (column (b) divided by column (c))
2008	1,733,610.	33,071,933.	0.052419
2007	1,619,917.	37,725,289.	0.042940
2006	1,202,090.	34,770,052.	0.034573
2005	1,548,659.	32,497,146.	0.047655
2004	1,481,552.	31,347,286.	0.047263

2 Total of line 1, column (d)	2	0.224850
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	0.044970
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	28,360,057.
5 Multiply line 4 by line 3	5	1,275,352.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	6,533.
7 Add lines 5 and 6	7	1,281,885.
8 Enter qualifying distributions from Part XII, line 4	8	1,889,265.

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.

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

1 a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter 'N/A' on line 1. Date of ruling or determination letter _____ (attach copy of letter if necessary - see instr.)		
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b		1 6,533.
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, column (b)		
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		2 0.
3 Add lines 1 and 2		3 6,533.
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 6,533.
6 Credits/Payments.		
a 2009 estimated tax pmts and 2008 overpayment credited to 2009	6a 17,765.	
b Exempt foreign organizations – tax withheld at source	6b	
c Tax paid with application for extension of time to file (Form 8868)	6c	
d Backup withholding erroneously withheld	6d	
7 Total credits and payments. Add lines 6a through 6d	7 17,765.	
8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> 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 0.	
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10 11,232.	
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax 11,232. Refunded	11 0.	

Part VII-A Statements Regarding Activities

	Yes	No
1 a 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 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 \$ 0. (2) On foundation managers \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If 'Yes,' attach a detailed description of the activities		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		X
4 a 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?	N/A	
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If 'Yes,' attach the statement required by General Instruction T		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?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If 'Yes,' complete Part II, column (c), and Part XV	X	
8 a Enter the states to which the foundation reports or with which it is registered (see the instructions) NY		
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)? 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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Form 990-PF (2009)

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 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? Website address <u>N/A</u>	13	X	
14	The books are in care of <u>Peter J. Fiorella, Jr.</u> Telephone no <u>716-852-1104</u> Located at <u>Plaza Suites #222, 1207 Delaware Avenue Buff</u> ZIP + 4 <u>14209</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here <u>N/A</u> and enter the amount of tax-exempt interest received or accrued during the year <u>15</u> <u>N/A</u>			

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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 the instructions)? Organizations relying on a current notice regarding disaster assistance check here <input type="checkbox"/>	1b	N/A
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? If 'Yes,' list the years <u>20__</u> , <u>20__</u> , <u>20__</u> , <u>20__</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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 the instructions)	2b	N/A
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here <u>20__</u> , <u>20__</u> , <u>20__</u> , <u>20__</u>		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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	N/A
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a	X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?	4b	X

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Form 990-PF (2009)

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))?
- (2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?
- (3) Provide a grant to an individual for travel, study, or other similar purposes?
- (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 instructions)
- (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

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ 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 instructions)?

Organizations relying on a current notice regarding disaster assistance check here

▶ ☐**5b** N/A**c** If the answer is 'Yes' to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?N/A ☐ Yes ☐ No

If 'Yes,' attach the statement required by Regulations section 53.4945-5(d).

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

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** N/A**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 instructions).

(a) Name and address	(b) Title and average hours per week devoted to position	(c) Compensation (if not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
See Statement 7		285,413.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1— see 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
Julianna D. Petronella 705 Busti Avenue Buffalo, NY	Office Manage 40	50,700.	0.	0.

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

▶ 0

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 instructions). If none, enter 'NONE'.

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
Vincent J. Muffoletto, CPA 228 Linwood Avenue Buffalo, NY 14209	Accounting/Audition	74,999.
GMO Strategic Opportunities	Investment Fees	185,930.
New England Pension Consultants One Main Street Cambridge, MA 02142	Investment Advisory	91,959.
Total number of others receiving over \$50,000 for professional services		0

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 None	
2	
3	
4	

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

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1 N/A	
2	
All other program-related investments See instructions	
3	
Total. Add lines 1 through 3	0.

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Form 990-PF (2009)

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see 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	28,773,681.
b Average of monthly cash balances	1b	16,255.
c Fair market value of all other assets (see instructions)	1c	2,000.
d Total (add lines 1a, b, and c)	1d	28,791,936.
e Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	0.
2 Acquisition indebtedness applicable to line 1 assets	2	0.
3 Subtract line 2 from line 1d	3	28,791,936.
4 Cash deemed held for charitable activities. Enter 1-1/2% of line 3 (for greater amount, see instructions)	4	431,879.
5 Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	28,360,057.
6 Minimum investment return. Enter 5% of line 5	6	1,418,003.

Part XI Distributable Amount (see 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	1,418,003.
2a Tax on investment income for 2009 from Part VI, line 5	2a	6,533.	
b Income tax for 2009 (This does not include the tax from Part VI.)	2b		
c Add lines 2a and 2b	2c		6,533.
3 Distributable amount before adjustments. Subtract line 2c from line 1	3		1,411,470.
4 Recoveries of amounts treated as qualifying distributions	4		
5 Add lines 3 and 4	5		1,411,470.
6 Deduction from distributable amount (see instructions)	6		
7 Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7		1,411,470.

Part XII Qualifying Distributions (see 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	1,889,265.
b Program-related investments — total from Part IX-B	1b	
2 Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3 Amounts set aside for specific charitable projects that satisfy the:		
a Suitability test (prior IRS approval required)	3a	
b Cash distribution test (attach the required schedule)	3b	
4 Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	1,889,265.
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 instructions)	5	6,533.
6 Adjusted qualifying distributions. Subtract line 5 from line 4	6	1,882,732.

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

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Form 990-PF (2009)

Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				1,411,470.
2 Undistributed income, if any, as of the end of 2009:				
a Enter amount for 2008 only			1,550,697.	
b Total for prior years 20____, 20____, 20____		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 1,889,265.				
a Applied to 2008, but not more than line 2a			1,550,697.	
b Applied to undistributed income of prior years (Election required — see instructions)		0.		
c Treated as distributions out of corpus (Election required — see instructions)	0.			
d Applied to 2009 distributable amount				338,568.
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.		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 instructions		0.		
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount — see instructions			0.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				1,072,902.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see instructions)	0.			
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				

BAA

Form 990-PF (2009)

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
<i>a Paid during the year</i> See Attached ,			Various - See Attached	1,536,629.
Total ► 3a				1,536,629.
<i>b Approved for future payment</i>				
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 the instructions)
		(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount	
1	Program service revenue					
a						
b						
c						
d						
e						
f						
g	Fees and contracts from government agencies					
2	Membership dues and assessments					
3	Interest on savings and temporary cash investments			14	1,014.	
4	Dividends and interest from securities			14	966,960.	
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	229,436.	
9	Net income or (loss) from special events					
10	Gross profit or (loss) from sales of inventory					
11	Other revenue					
a						
b						
c						
d						
e						
12	Subtotal. Add columns (b), (d), and (e)				1,197,410.	
13	Total. Add line 12, columns (b), (d), and (e)					13 1,197,410.

(See worksheet in the instructions for line 13 to verify calculations.)

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

[illegible]

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8/26/10

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Statement 1
Form 990-PF, Part I, Line 16a
Legal Fees

	(a) Expenses Per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Legal fees	\$ 37,379.	\$ 18,690.		\$ 18,689.
Total	<u>\$ 37,379.</u>	<u>\$ 18,690.</u>	<u>\$ 0.</u>	<u>\$ 18,689.</u>

Statement 2
Form 990-PF, Part I, Line 16b
Accounting Fees

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Accounting	\$ 74,999.	\$ 37,500.		\$ 37,499.
Total	<u>\$ 74,999.</u>	<u>\$ 37,500.</u>	<u>\$ 0.</u>	<u>\$ 37,499.</u>

Statement 3
Form 990-PF, Part I, Line 16c
Other Professional Fees

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Investment fees	\$ 366,484.	\$ 366,484.		
Total	<u>\$ 366,484.</u>	<u>\$ 366,484.</u>	<u>\$ 0.</u>	<u>\$ 0.</u>

Statement 4
Form 990-PF, Part I, Line 18
Taxes

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Excise Tax	\$ 5,000.			
Filing fees	750.	\$ 750.		
Payroll taxes	3,989.	997.		\$ 2,992.
Total	<u>\$ 9,739.</u>	<u>\$ 1,747.</u>	<u>\$ 0.</u>	<u>\$ 2,992.</u>

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8/26/10

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Statement 5
Form 990-PF, Part I, Line 23
Other Expenses

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Insurance	\$ 38,954.	\$ 19,477.		\$ 19,477.
Miscellaneous	5,971.	2,986.		2,985.
Office	12,989.	3,248.		9,741.
Telephone	3,672.	1,836.		1,836.
Total	\$ 61,586.	\$ 27,547.	\$ 0.	\$ 34,039.

Statement 6
Form 990-PF, Part II, Line 14
Land, Buildings, and Equipment

Category	Basis	Accum. Deprec.	Book Value	Fair Market Value
Furniture and Fixtures	\$ 11,981.	\$ 10,648.	\$ 1,333.	\$ 2,000.
Total	\$ 11,981.	\$ 10,648.	\$ 1,333.	\$ 2,000.

Statement 7
Form 990-PF, Part VIII, Line 1
List of Officers, Directors, Trustees, and Key Employees

Name and Address	Title and Average Hours Per Week Devoted	Compen- sation	Contri- bution to EBP & DC	Expense Account/ Other
Arthur F. DuC. Musarra 8 Swallow Lane Orchard Park, NY 14127	Trustee 0	\$ 23,784.	\$ 0.	\$ 0.
William J. Cunningham, Jr. 4537 Red Bay Circle Jensen Beach, FL 34957	Trustee 0	23,784.	0.	0.
Peter J. Fiorella, Jr. 155 Summer Street Buffalo, NY 14222	Trustee 0	23,784.	0.	0.
Marguerite Collesano 120 Rivermist Drive Buffalo, NY 14202	Trustee 0	23,784.	0.	0.
Edward M. Flynn 7 Clearwater Dr. Amherst, NY 14228	Trustee 0	23,784.	0.	0.

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13-1889077

8/26/10

08:46AM

Statement 7 (continued)
Form 990-PF, Part VIII, Line 1
List of Officers, Directors, Trustees, and Key Employees

<u>Name and Address</u>	<u>Title and Average Hours Per Week Devoted</u>	<u>Compensation</u>	<u>Contri- bution to EBP & DC</u>	<u>Expense Account/ Other</u>
Carlo M. Perfetto PO Box 252 Hamburg, NY 14075	Trustee 0	\$ 23,784.	\$ 0.	\$ 0.
Peter A. Vinolus 609 Ridge Road Lackawanna, NY 14218	Trustee 0	23,784.	0.	0.
Herbert M. Siegel 426 Franklin Street Buffalo, NY 14202	Trustee 0	23,785.	0.	0.
Robert M. Bennett 201 Millwood Lane Tonawanda, NY 14150	Trustee 0	23,785.	0.	0.
Arthur V. Sabia 14079 Mill Street Springville, NY 14141	Trustee 0	23,785.	0.	0.
Ernestine R. Green 101 Gull Landing Buffalo, NY 14202	Trustee 0	23,785.	0.	0.
Bernard A. Tolbert 645 Fifth Avenue New York, NY 10022	Trustee 0	23,785.	0.	0.
		Total \$ 285,413.	\$ 0.	\$ 0.

Statement 8
Form 990-PF, Part XV, Line 2a-d
Application Submission Information

Name of Grant Program:

Name:

Care Of:

Street Address:

City, State, Zip Code:

Telephone:

Form and Content:

Submission Deadlines:

Restrictions on Awards:

See attached application

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REVENUE PER BOOKS

Interest on savings/temp cash invest	1,014
Dividends & interest from securities	966,960
Net gain (loss) - noninv. assets/disp	229,436
Total revenue	1,197,410

EXPENSES PER BOOKS

Compensation of officers, dir, etc	285,414
Other employee salaries and wages	50,700
Legal fees	37,379
Accounting fees	74,999
Other professional fees	366,484
Interest	617
Taxes	9,739
Depreciation	258
Occupancy	14,662
Other expenses	61,586
Total operating/administrative exp	901,838
Contributions, gifts, grants paid	1,536,629
Total expenses	2,438,467
Excess of revenue over expenses	-1,241,057

NET INVESTMENT REVENUE

Interest on savings/temp cash invest	1,014
Dividends & interest from securities	966,960
Capital gain net income	229,436
Total revenue	1,197,410

NET INVESTMENT EXPENSES

Compensation of officers, dir, etc	71,353
Other employee salaries and wages	12,675
Legal fees	18,690
Accounting fees	37,500
Other professional fees	366,484
Interest	617
Taxes	1,747
Depreciation	129
Occupancy	7,331
Other expenses	27,547
Total operating/administrative exp	544,073
Total expenses	544,073
Net investment income	653,337

TAX COMPUTATION

Tax on net investment income	6,533
Tax on investment income	6,533

PAYMENTS AND CREDITS

Overpayment credited from prior year	7,765
Estimated tax payments	10,000
Total payments and credits	17,765

REFUND OR AMOUNT DUE

Overpayment	11,232
Overpayment credited to next year	11,232

2009

Federal Private Foundation Tax Summary

Page 2

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The Statler Foundation

13-1889077

8/26/10

8 46 AM

Tax due	0
---------	---

TAX RATES

Marginal tax rate	1.0%
Effective tax rate	1.0%

ADJUSTED NET INCOME REVENUE

Total revenue	0
---------------	---

ADJUSTED NET INCOME EXPENSES

Total operating/administrative exp	0
------------------------------------	---

Total expenses	0
----------------	---

Adjusted net income	0
---------------------	---

CHARITABLE PURPOSES DISBURSEMENTS

Compensation of officers, dir, etc	214,061
------------------------------------	---------

Other employee salaries and wages	38,025
-----------------------------------	--------

Legal fees	18,689
------------	--------

Accounting fees	37,499
-----------------	--------

Taxes	2,992
-------	-------

Occupancy	7,331
-----------	-------

Other expenses	34,039
----------------	--------

Total operating/administrative exp	352,636
------------------------------------	---------

Contributions, gifts, grants paid	1,536,629
-----------------------------------	-----------

Total expenses and disbursements	1,889,265
----------------------------------	-----------

NET ASSETS OR FUND BALANCES

Net assets/fund bal. at beg. of year	33,389,315
--------------------------------------	------------

Excess of revenue over expenses	-1,241,057
---------------------------------	------------

Net assets/fund bal. at end of year	32,148,258
-------------------------------------	------------

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13-1889077

8/26/10

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Federal Overrides**Screen 3.1**

- ☐ An override entry of 1 has been made in Federal "Folder number (-1=omit letter) [0]" (Screen 3.1, Code 2).

Screen 4.1

- ☐ An override entry of 1 has been made in Federal "Text style: 1=mixed case, 2=upper case [0]" (Screen 4.1, Code 15).
- ☐ An override entry of 3 has been made in Federal "TIN on Forms 990/990-PF: 1=when applicable, 2=suppress, 3=force [0]" (Screen 4.1, Code 27).
- ☐ An override entry of 1 has been made in Federal "Allow preparer/IRS discussion: 1=yes, 2=no, 3=blank [0]" (Screen 4.1, Code 50).

Screen 13

- ☐ An override entry of 3 has been made in Federal "Rounding: 1=\$1, 2=\$10, 3=\$100, 4=\$1,000 (990-PF) [0]" (Screen 13, Code 16).

Screen 14

- ☐ An override entry of 2 has been made in Federal "Form 2220 options (990-PF) [0]" (Screen 14, Code 5).

Screen 15

- ☐ An override entry of 17,765 has been made in Federal "Tentative tax, less nonrefundable credits [0]" (Screen 15, Code 2).

Screen 18

- ☐ An override entry of 18 has been made in Federal "Gain (loss) from asset sales-non inventory [0] - exclusion code" (Screen 18, Code 31).
- ☐ An override entry of 229,436 has been made in Federal "Gain (loss) from asset sales-non inventory. [0] - excluded amount" (Screen 18, Code 42).

Screen 21

- ☐ An override entry of -1 has been made in Federal "Interest on savings & cash investments [0]" (Screen 21, Code 7).
- ☐ An override entry of -1 has been made in Federal "Dividends & interest from securities [0]" (Screen 21, Code 8).

Screen 36

- ☐ An override entry of 285,414 has been made in Federal "Compensation of officers, etc. [0]" (Screen 36, Code 30).
- ☐ An override entry of 258 has been made in Federal "Book depreciation [0]" (Screen 36, Code 34).

Screen 50.1

- ☐ An override entry of 1,626 has been made in Federal "U.S. and state government obligations (Form 990-PF) [0]" (Screen 50.1, Code 123).

Client STATLER

The Statler Foundation

13-1889077

8/26/10

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Federal Overrides (continued)**Screen 50.1**

- ☐ An override entry of 32,984,791 has been made in Federal "Corporate stock (Form 990-PF) [0]" (Screen 50.1, Code 124).
- ☐ An override entry of has been made in Federal "U.S. and state government obligations (Form 990-PF) [0]" (Screen 50.1, Code 223).
- ☐ An override entry of 31,937,909 has been made in Federal "Corporate stock (Form 990-PF) [0]" (Screen 50.1, Code 224).

Screen 50.2

- ☐ An override entry of 30,724,351 has been made in Federal "Corporate stock [0]" (Screen 50.2, Code 11).

2009**General Information****Page 1****Client STATLER****The Statler Foundation****13-1889077**

8/26/10

08 46AM

Forms needed for this return

Federal: 990-PF, 990-W

Tax Rates

<u>Private Foundation</u>	<u>Marginal</u>	<u>Effective</u>
Federal	1.0 %	1.0 %

Carryovers to 2010

None

Undistributed Income Carryovers to 2010

2009 Undistributed Income 1,072,902.

Federal Estimates

Form 990-PF

	<u>Estimate</u>	<u>Overpayment</u>	<u>Balance</u>
5/17/10	2,808.	2,808.	0.
6/15/10	2,808.	2,808.	0.
9/15/10	2,808.	2,808.	0.
12/15/10	2,808.	2,808.	0.
Total	<u>\$ 11,232.</u>	<u>\$ 11,232.</u>	<u>\$ 0.</u>

Form **990-W**

(Worksheet)

Department of the Treasury
Internal Revenue Service

For Form 990-PF Purposes
**Estimated Tax on Unrelated Business Taxable
 Income for Tax-Exempt Organizations**
 (and on Investment Income for Private Foundations)
 (Keep for your records. Do not send to the Internal Revenue Service.)

OMB No 1545-0976

2010

1	Unrelated business taxable income expected in the tax year	1	
2	Tax on the amount on line 1. See instructions for tax computation.	2	
3	Alternative minimum tax (see instructions)	3	
4	Total Add lines 2 and 3	4	
5	Estimated tax credits (see instructions)	5	
6	Subtract line 5 from line 4	6	
7	Other taxes (see instructions)	7	
8	Total Add lines 6 and 7	8	
9	Credit for federal tax paid on fuels (see instructions)	9	
10a	Subtract line 9 from line 8 Note. If less than \$500, the organization is not required to make estimated tax payments. Private foundations, see instructions	10a	11,232.
10b	Enter the tax shown on the 2009 return (see instructions). Caution. If zero or the tax year was for less than 12 months, skip this line and enter the amount from line 10a on line 10c	10b	
10c	2010 Estimated Tax. Enter the smaller of line 10a or line 10b. If the organization is required to skip line 10b, enter the amount from line 10a on line 10c	10c	11,232.

		(a)	(b)	(c)	(d)	
11	Installment due dates (see instructions)	11	5/17/10	6/15/10	9/15/10	12/15/10
12	Required installments. Enter 25% of line 10c in columns (a) through (d) unless the organization uses the annualized income installment method, the adjusted seasonal installment method, or is a 'large organization' (see instructions)	12	2,808.	2,808.	2,808.	2,808.
13	2009 Overpayment. (see instructions)	13	2,808.	2,808.	2,808.	2,808.
14	Payment due. (Subtract line 13 from line 12)	14	0.	0.	0.	0.

BAA For Paperwork Reduction Act Notice, see separate instructions.

Form 990-W (2010)

Vincent J. Muffoletto, CPA
228 Linwood Ave
Buffalo, NY 14209
(716) 881-1700

Client **STATLER**
August 26, 2010

The Statler Foundation
Plaza Suites #222, 1207 Delaware
Buffalo, NY 14209
716-852-1104

FEDERAL FORMS

Form 990-PF
Form 990-W (PF)

2009 Return of Private Foundation
Estimated Tax on Net Investment Income

FEE SUMMARY

Preparation Fee

The Statler Foundation

December 31, 2009

EIN 13-1889077

Schedule to Part II - Balance Sheet

<u>Par Value/ Shares</u>	<u>Description</u>	<u>Cost</u>	<u>Market</u>
	Cash - Schwab Account	10,923.92	10,923.92
	Cash in Bank	82,584.60	82,584.60
	Total Cash and Equivalents - Line 1	93,508.52	93,508.52
51,397.45	Schwab US Treasury Money Fund	51,397.45	51,397.45
41,770.00	Schwab Value Advantage Money Market	41,770.00	41,770.00
22,977.25	MTB Prime Money Market	22,977.25	22,977.25
	Temporary Investments - Line 2	116,144.70	116,144.70
Stock Mutual Funds			
4,314.00	Claymore/BNY Mellon BRIC ETF	148,487.88	183,172.44
12,557.00	Ishares Msci Jpn Index	105,851.74	122,305.18
1,664.00	Ishares Barclays 7-10 Year Treasury	149,743.36	147,430.40
3,387.00	Ishares JPMorgan USD Emerging	339,094.43	344,728.86
6,042.00	Ishares FTSE/Xinhua China 25 I	159,608.62	255,334.92
1,056.00	Ishares iBoxx High Yield Corp	77,647.58	92,759.04
4,321.00	Ishares Russell 2000 Index	252,744.24	269,803.24
901.00	Ishares Tr Gs Investop	88,849.43	93,839.15
1,752.00	Spdr Ser Tr Db Intl Govt Infla	100,033.96	97,866.72
4,145.00	Db Commodity Index Fund	100,937.21	102,049.90
1,549.00	SPDR Gold Trust	122,168.09	166,223.19
7,163.00	Vanguard Intl Eqty Index	245,422.77	312,378.43
5,897.00	Ishares Msci Grmny Idx	126,086.81	132,328.68
11,791.00	Vanguard Total Stock Mkt Index	737,884.69	664,658.67
4,487.00	Wisdomtree Dreyfus Etf	99,827.20	98,714.00
2,907.00	PowerShares QQQ	132,451.87	132,995.25
375,627.28	GMO Strategic Opportunities Allocation Fund-III	6,397,503.16	5,808,105.00
N/A	GMO Multi-Strategy Fund (Offshore), L.P.	2,636,213.53	2,230,379.00
510,390.95	CTF OPP Investment	5,122,122.81	5,179,374.00
425,156.00	Pimco All Asset Inst	5,613,805.69	5,276,208.00
1,700.00	Benchmark Plus Institutional Partners Fund	1,700,000.00	1,523,338.00
1,015.34	Federal Street Associates Offshore Fund, LTD	1,700,000.00	1,541,885.00
N/A	Panagora Risk Parity Total Return Fund, LLC	4,081,424.00	4,318,774.05
17,063.13	Gottex Market Neutral Plus Fund SPC	1,700,000.00	1,629,700.00
	Total Mutual Funds - ine 10(b)	31,937,909.07	30,724,351.12

The Statler Foundation
December 31, 2009
EIN 13-1889077
Schedule to Part IV - Capital Gains

<u>Transaction Date</u>	<u>Description</u>	<u>Proceeds</u>	<u>Federal Tax Cost</u>	<u>Gain/ Loss</u>
01/31/09	FHLMC REMIC 175-H 9.5% 8/15/21	45.11	50.21	(5.10)
02/28/09	FHLMC REMIC 175-H 9.5% 8/15/21	13.85	15.42	(1.57)
03/31/09	FHLMC REMIC 175-H 9.5% 8/15/21	13.95	15.53	(1.58)
04/30/09	FHLMC REMIC 175-H 9.5% 8/15/21	12.30	13.69	(1.39)
05/31/09	FHLMC REMIC 175-H 9.5% 8/15/21	61.89	68.89	(7.00)
06/30/09	FHLMC REMIC 175-H 9.5% 8/15/21	12.12	13.49	(1.37)
07/31/09	FHLMC REMIC 175-H 9.5% 8/15/21	11.97	13.32	(1.35)
08/31/09	FHLMC REMIC 175-H 9.5% 8/15/21	13.26	14.76	(1.50)
09/30/09	FHLMC REMIC 175-H 9.5% 8/15/21	10.72	11.93	(1.21)
10/31/09	FHLMC REMIC 175-H 9.5% 8/15/21	11.40	12.69	(1.29)
11/30/09	FHLMC REMIC 175-H 9.5% 8/15/21	12.08	13.45	(1.37)
12/31/09	FHLMC REMIC 175-H 9.5% 8/15/21	1,155.55	1,382.27	(226.72)
01/20/09	Currencyshares Japanese Yen Tr	14,080.10	11,659.33	2,420.77
01/20/09	Ishares Barclays 20+ Yr Treasury	11,386.47	9,227.06	2,159.41
01/20/09	Ishares Barclays 20+ Yr Treasury	18,672.18	15,132.39	3,539.79
01/20/09	Ishares Barclays 20+ Yr Treasury	11,385.67	9,227.06	2,158.61
01/20/09	Ishares Barclays TIPS Bond Fun	33,868.80	35,895.63	(2,026.83)
01/20/09	Ishares FTSE/Xinhua China 25 I	17,903.24	30,686.46	(12,783.22)
01/20/09	Ishares iBoxx High Yield Corp	14,493.37	14,191.27	302.10
01/20/09	Ishares Russell 2000 Index	4,330.30	4,878.13	(547.83)
01/20/09	Ishares Russell 2000 Index	8,660.61	9,756.26	(1,095.65)
01/20/09	Ishares Russell 2000 Index	1,515.60	1,707.35	(191.75)
01/20/09	Ishares Tr Gs Investop	19,460.20	17,213.62	2,246.58
01/20/09	SPDR Barclays Capital Int'l Tr	21,129.10	22,258.47	(1,129.37)
01/20/09	SPDR Gold Trust	17,898.79	17,232.02	666.77
02/04/09	Ishares Russell 2000 Index	103,993.66	111,123.83	(7,130.17)
02/04/09	SPDR - S&P 500 Trust	101,520.77	116,018.31	(14,497.54)
03/05/09	Ishares Russell 2000 Index	82,327.78	113,416.55	(31,088.77)
06/02/09	Ishares Barclays 20+ Yr Treasury	71,294.16	71,786.56	(492.40)
06/02/09	Ishares Barclays 20+ Yr Treasury	35,922.00	36,368.91	(446.91)
06/02/09	Ishares Barclays TIPS Bond Fun	133,663.98	139,570.66	(5,906.68)
06/02/09	Ishares Barclays TIPS Bond Fun	83,312.50	76,238.51	7,073.99
06/02/09	Ishares FTSE/Xinhua China 25 I	70,841.62	74,165.69	(3,324.07)
06/02/09	Ishares FTSE/Xinhua China 25 I	14,346.20	9,683.35	4,662.85
06/02/09	Vanguard Intl Eqty Index	141,861.55	141,168.12	693.43
06/02/09	Vanguard Total Stock Mkt Index	63,219.37	85,137.42	(21,918.05)
07/13/09	Vanguard REIT Index	49,632.54	104,065.95	(54,433.41)
07/13/09	Vanguard REIT Index	2,072.89	2,055.58	17.31
07/13/09	Vanguard REIT Index	2,598.41	2,577.59	20.82
07/13/09	Vanguard REIT Index	2,919.56	2,896.18	23.38
07/13/09	Vanguard REIT Index	14,597.80	14,480.89	116.91
10/02/09	iShares GSCI Commodity Trust	84,806.77	175,268.45	(90,461.68)
10/02/09	iShares GSCI Commodity Trust	1,868.62	1,679.45	189.17
10/02/09	iShares GSCI Commodity Trust	127,382.65	137,271.94	(9,889.29)
10/02/09	Ishares MSCI Hong Kong Index	139,019.72	109,159.33	29,860.39
10/02/09	Ishares Tr Gs Investop	82,510.51	70,096.70	12,413.81
10/02/09	Ishares Tr Gs Investop	175,465.40	165,900.00	9,565.40
11/20/09	iShares GSCI Commodity Trust	99,496.31	97,307.86	2,188.45
12/16/09	Currencyshares Japanese Yen Tr	80,686.89	67,018.22	13,668.67

The Statler Foundation

December 31, 2009

EIN 13-1889077

Schedule to Part IV - Capital Gains

Transaction <u>Date</u>	<u>Description</u>	<u>Proceeds</u>	<u>Federal Tax Cost</u>	<u>Gain/ Loss</u>
12/16/09	SPDR Barclays Capital Int'l Tr	89,357.90	82,620.42	6,737.48
12/16/09	Vanguard Total Stock Mkt Index	44,296.80	50,478.00	(6,181.20)
12/23/09	SPDR Gold Trust	145,001.87	110,626.30	34,375.57
02/02/09	Wellington Trust Co., NA CTF OPP Investment	1,707.98	2,373.00	(665.02)
05/01/09	Wellington Trust Co., NA CTF OPP Investment	9,934.18	12,679.96	(2,745.78)
08/03/09	Wellington Trust Co., NA CTF OPP Investment	11,586.80	12,837.48	(1,250.68)
11/02/09	Wellington Trust Co., NA CTF OPP Investment	12,912.64	13,485.03	(572.39)
Total Capital Gain Sales		2,276,318.46	2,410,246.94	(133,928.48)

Capital Gain/Loss Distributions

	<u>Gains</u>	<u>Losses</u>
01/31/09		(17,144.02)
02/28/09	868.89	
03/31/09		(95,853.32)
04/30/09		(631.61)
05/31/09		(23,078.81)
06/30/09	48,389.91	
07/31/09		(11,252.30)
08/31/09	43,840.12	
09/30/09	171,917.13	
10/31/09	387.97	
11/30/09	77,291.58	
12/31/09	43,563.69	
Total Panagora Gains and Losses	386,259.29	(147,960.06)
12/31/09	GMO Multi-Strategy Fund (Offshore), L.P.	125,065.00
Total Capital Gain/Loss Distributions	511,324.29	(147,960.06)

The Statler Foundation 2009 Scholarships and Grants

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<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
1/16/2009	1416	Buffalo State College	Flanagan, Gorman, Henseler	3,000
1/16/2009	1412	Buffalo State College	Scholarships(5)	4,000
1/20/2009	1418	Buffalo State College	Mang & Porzio	2,000
2/17/2009	1417	Buffalo State College	Bruton/Motten	2,000
7/2/2009	1438	Buffalo State College	VOID: Scholarships 6	0
7/2/2009	1437	Buffalo State College	Scholarships 15	15,000
7/8/2009	1444	Buffalo State College	5 Student Scholarships	4,000
9/28/2009	1460	Buffalo State College	Mang, B. #133689983	1,000
1/16/2009	1413	College of Charleston	Sommer, Rachel B.	1,000
7/2/2009	1442	Erie Community College	Spring Scholarships	37,500
12/7/2009	1467	Erie Community College	2009 Fall Scholarships	37,500
7/16/2009	1445	Green Mountain College	Hrusa, CJ #108840710	1,000
4/27/2009	1426	Johnson & Wales	Spring School Scholarships	25,000
11/17/2009	1466	Johnson & Wales University	Fall 09 Scholarships	25,000
7/2/2009	1433	Mercyhurst College	Miranda, M. o59768455	1,000
8/17/2009	1450	Michigan State University	Perot, ER #A39873260	1,000
4/27/2009	1429	Monroe Community College	2009 Spring Scholarships	5,000
11/16/2009	1464	Monroe Community College	2009 Fall Scholarships	5,000
1/16/2009	1407	Niagara County Community College	Fall 2008 Scholarships	15,000
4/27/2009	1430	Niagara County Community College	2009 Spring Scholarships	15,000
12/7/2009	1469	Niagara County Community College	2009 Fall Scholarships	15,000
4/27/2009	1427	Niagara University	Spring 2009 Scholarships	90,000
10/19/2009	1461	Niagara University	Fall 2009 Scholarships	90,000
4/27/2009	1428	Paul Smith's College	2009 Spring Scholarships	25,533
12/7/2009	1468	Paul Smith's College	2009 Spring Scholarships	25,000
2/17/2009	1420	Rochester Institute of Technology	Provo, Thomas Paul	1,000
7/8/2009	1443	Rochester Institute of Technology	Provo, Thomas Paul	1,000
2/17/2009	1419	SUNY Cobleskill	Megan L. Chesley	1,000
7/2/2009	1439	SUNY Cobleskill	Megan L. Chesley	1,000
7/2/2009	1436	The Culinary Institute of America	Chapman, King, Lorigo, Pullinzi	3,500
1/16/2009	1411	Trocaire College	Dennee, A.J. #089763539	1,000

The Statler Foundation 2009 Scholarships and Grants

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<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
1/16/2009	1415	Trocaire College	Lane & Passucci	2,000
4/27/2009	1425	Trocaire College	Kirsch, Morgan, Wachowski	3,000
7/2/2009	1441	Trocaire College	Jarosa, Adam/Fall 2008	1,000
7/2/2009	1434	Trocaire College	Washburn, Kristin M. #107783943	1,000
7/2/2009	1440	Trocaire College	Scholarships (4)	4,000
7/20/2009	1446	Trocaire College	Bucki, JM #120789480	1,000
8/17/2009	1448	Trocaire College	Wachowski, BP #A0000010879	0
1/16/2009	1414	University of Central Florida	Spivack, Mitchell #121708718	1,000
8/17/2009	1449	University of Central Florida	Spivack, Mitchell #121708718	1,000
		Scholarships in Excellence		93,596

TOTAL SCHOLARSHIPS

561,629

12/7/2009	1470	Erie Community College	2009 Grant/Internship	35,000
12/7/2009	1471	Erie Community College	2009 Grant North & City	200,000
12/7/2009	1472	Rochester Institute of Technology	2009 Grant/Internship	35,000
12/7/2009	1473	Florida International University	2009 Grant	50,000
12/7/2009	1474	The Culinary Institute of America	2009 Grant	125,000
12/7/2009	1475	Mercyhurst College	2009 Grant	150,000
12/7/2009	1476	Niagara University	2009 Grant	125,000
12/7/2009	1477	Trocaire College	2009 Grant	80,000
12/7/2009	1478	Buffalo State College	2009 Grant	200,000

1,000,000
(25,000)
975,000

Return of prior year grant

Food Bank of WNY
TOTAL GRANTS

TOTAL GRANTS AND SCHOLARSHIPS

1,536,629

THE STATLER FOUNDATION

107 Delaware Avenue, Suite 508
Buffalo, New York 14202

Scholarship Application



"For research work for the benefit of the hotel industry of the United States, not only in the construction and operation of hotels, but in the training and making more proficient the workers in hotels, for the benefit of the hotel industry, as a whole." — Ellsworth M. Statler

.....
(name of sponsoring organization)

State

Address

.....
(name of authorized officer of sponsoring organization)

NAME OF APPLICANT
(FIRST) (MIDDLE) (LAST)

ADDRESS
(STREET) (CITY) (STATE) (ZIP CODE)

SOCIAL SECURITY NO

I. Personal Information (Please Print)

1. Name of applicant
(FIRST) (MIDDLE INITIAL) (LAST)
2. Permanent Address
(STREET)
(City) (State) (Zip Code) Telephone No (Area Code)
3. Date of Birth
4. Sex. Male ☐ Female ☐
5. Health (Check one) Excellent ... Good ... Fair
6. Parent's or Guardian's full name
7. Parent's or Guardian's address
8. Parent's or Guardian's occupation. Father
Mother
- (a) Number in immediate family of public, high school and college age
9. Are you a U S Citizen? Yes No
10. If your parents are or have been employed in the hotel-motel or foods industry, indicate by
name, location and position held:
.....

II. School Information

1. Name of school you are now attending:
2. Date of graduation
3. Name of your president or principal
4. Address of the school you are now attending
.....
5. What foreign language, if any, have you taken in school?

(see back page)

6. What foreign language if any can you speak?

How well? Fluently Understandably

7. What paying jobs have you held (indicate whether during the summer or school year, the approximate number of hours per week, and your earnings.)

8. List the extra-curricular or work activity you feel has contributed the most to your development.

III. Personal History

Write of your personal background, interests, etc., (Not more than 500 words.) to include:

1. When you became interested in the Hospitality Field.
2. Your experiences with the field as a customer, as a worker, in your personal contacts with those in the field.
3. Why you think you have the aptitudes and interests necessary for success in this field.
4. What progress you expect to make in the next ten years in this field.

IV. Financial Status (Confidential)

1. Do you expect financial assistance from your family? (check box)
Yes ☐ No ☐
2. Do you expect to receive any financial loans or grants from other private or public sources?
If so, please list.

.....
3. If financial assistance is available pursuant to the foregoing, how much of the total tuition can you assume? State amount in dollars.

V. Important, please note — Three letters of recommendation are required from responsible citizens in your area attesting to your character and integrity.

VI. After study of application, you may be notified of your personal interview

THE STATLER FOUNDATION

STUDENT'S SCHOOL RECORD

To be completed, signed by the Principal, Counselor or Department Head
and mailed as follows:

(name of sponsoring organization)

(Address)

NAME AND ADDRESS OF SCHOOL _____

STUDENT'S NAME _____

STUDENT'S ADDRESS _____

COURSE OF STUDY _____

APPLICANT'S RANK IN CLASS _____

HIGH SCHOOL or TECHNICAL SCHOOL AVERAGE _____

PLEASE RATE APPLICANT RELATIVE TO THE OTHER MEMBERS OF THE SAME CLASS BY
PLACING A CHECK MARK UNDER THE APPROPRIATE COLUMN FOR EACH TRAIT LISTED:

Exc.	Good	Fair	Avg.	
				Emotional Stability
				Maturity
				Originality
				Dependability
				Drive to Achieve
				Speaking Skill
				Writing Skill
				School Citizenship (Conduct, Loyalty)
				Attitude toward Authority
				Popularity among Students
				Qualities of Leadership
				Ability to Stand Up Under College Pressure

Do you feel the applicant has made a wise choice of career _____ if so, why?
(Yes or No)

Please attach an official transcript of Student's High School/Technical School grades up to the
present semester.

Signed _____

Date _____

Title _____

[illegible]

- ch you have applied for hotel, motel, restaurant ma

Topic	Date Submitted	Accepted?

- to which you have applied for hotel, motel, restaurant

Page	Date Submitted	Accepted?

- employers to which you may apply for on-the-job training.

Class	Date Submitted	Accepted?

- by April 15 for following academic year.

- ance by the school you are entering.

Applicant's Signature