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### **Return of Private Foundation**

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

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements Internal Revenue Service

OMB No 1545-0052

2009

For c	alen	dar year 2009, or tax year beginning		, and ending			
G C	heck	all that apply Initial return	Initial return of a fo	Initial return of a former public charity Final return			
		Amended return	Address chang	ge 🔛	Name change		
Use	the l	RS Name of foundation			A Employer identification	n number	
i	abel.	A C THE THE TOURS AND	12 2074000	`			
	erwis			<u> </u>	13-2974080	<del></del>	
	print r type	Number and street (or P O box number if mail is not de	·	Room/suite	B Telephone number 212-541-58	067	
	Spec	ilia Contraction and a second	CENTRAL PARK	SOUTHS3 B	_		
	ructio	ne   Gity of towii, State, and Zir Code			C if exemption application is		
					D 1. Foreign organization 2. Foreign organizations m check here and attach c	eeting the 85% test.	
H_ L	_			.t.a.			
		ction 4947(a)(1) nonexempt charitable trust Labric ket value of all assets at end of year 3 Accounting	Other taxable private foundang method X Cash	Accrual	E If private foundation sta	atus was terminated	
		· / —	her (specify)	Accidal	under section 507(b)(1	•••	
( <i>II</i>		6,717,189. (Part I, colu.		basis.)	F If the foundation is in a under section 507(b)(1		
	ırt l	Analysis of Revenue and Expenses			(c) Adjusted net	(d) Disbursements	
1.0	<u> </u>	(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))	(a) Revenue and expenses per books	(b) Net investment income	income	for chantable purposes (cash basis only)	
	1	Contributions, gifts, grants, etc., received			N/A	(casii basis oiliy)	
	1	Check X if the foundation is not required to attach Sch. B			7/1/2	<b>†</b>	
	3	Interest on savings and temporary cash investments	2,383.	2,383.		1	
	4	Dividends and interest from securities	60,982.	59,547.		STATEMENT 1	
	5a	Gross rents	392,397.	392,397.		STATEMENT 2	
	ь	Net rental income or (loss) 392,397.		·			
•	6a	Net gain or (loss) from sale of assets not on line 10	<506,220.	>	, , , , , , , , , , , , , , , , , , , ,		
Revenue	ь	Gross sales price for all assets on line 6a 1,383,726.					
eve	7	Capital gain net income (from Part IV, line 2)		0.			
Œ	8	Net short-term capital gain					
	9	Income modifications					
	10a	Gross sales less returns and allowances		·			
	b	Less Cost of goods cold					
	C	Gross profit or (1658) LEIVED					
	11	Other income	649.	649.		STATEMENT 3	
	12	Total, Add-lines 1xthrough 12	<49,809.				
	13	Compensation of officers, directors, trustees, etc.	0.	0.		0.	
	14	Other employee salaries and wages					
S	1	Pension plans, employee benefits UT			-		
us.		Legal fees			-		
and Administrative Expenses	l	Accounting fees Other professional fees STMT 4	12,886.	6,419.		6,467.	
Ш	17	Interest	200.	200.		0.	
aţį	18	Taxes STMT 5	270.	270.		0.	
istr	19	Depreciation and depletion					
ᇎ	20	Occupancy					
Ā	21	Travel, conferences, and meetings					
2	22	Printing and publications					
g	23	Other expenses STMT 6	370.	0.		370.	
Operating	1	Total operating and administrative					
per		expenses. Add lines 13 through 23	13,726.	6,889.		6,837.	
0	25	Contributions, gifts, grants paid	315,000.			6,837. 315,000.	
	26	Total expenses and disbursements.					
		Add lines 24 and 25	328,726.	6,889.		321,837.	
	27	Subtract line 26 from line 12					
	a	Excess of revenue over expenses and disbursements	<378,535.		· -,	· · · · · · · · · · · · · · · · · · ·	
		Net investment income (if negative, enter -0-)		448,087.		-	
	C	Adjusted net income (if negative, enter -0-)			N/A	<u> </u>	

13-2974080 Page 2

Attached schedules and amounts in the description		Beginning of year	End of year			
Parl	Balance Sheets Arachea schedules and amounts in the description column should be for end-of-year amounts only	(a) Book Value	(b) Book Value	(c) Fair Market Value		
1	Cash - non-interest-bearing					
2	Savings and temporary cash investments	121,003.	227,101.	227,101		
3	Accounts receivable ►					
ĺ	Less allowance for doubtful accounts	1,458.				
4	Pledges receivable					
	Less allowance for doubtful accounts					
5	Grants receivable					
6	Receivables due from officers, directors, trustees, and other					
	disqualified persons					
7	Other notes and foans receivable					
	Less allowance for doubtful accounts					
ध ।	Inventories for sale or use					
Assets	Prepaid expenses and deferred charges			<u></u>		
₹   <sub>10</sub>	a Investments - U.S. and state government obligations					
	b Investments - corporate stock STMT 8	1,811,345.	1,044,069.	1,048,085		
,	c Investments - corporate bonds STMT 9	1,028,295.	699,974.	1,004,154		
111	<b>\</b>					
' '	Less: accumulated depreciation	1	1			
12	Investments - mortgage loans					
13	CONTROL 10	3,704,129.	4,337,884.	4,437,849		
14				·		
''	Less, accumulated depreciation	†	1			
15	Other assets (describe	'				
''	Other assets (describe =					
16	Total assets (to be completed by all filers)	6,666,230.	6,309,028.	6,717,189		
17	Accounts payable and accrued expenses					
18	Grants payable					
ຜູ  19	B Deferred revenue					
薑  20	Loans from officers, directors, trustees, and other disqualified persons		. ,			
Liabilities 51 20 21	Mortgages and other notes payable					
그   22	2 Other liabilities (describe ►)					
		0.	,			
23	3 Total liabilities (add lines 17 through 22)	0.	0.			
1	Foundations that follow SFAS 117, check here					
က္က	and complete lines 24 through 26 and lines 30 and 31.					
၌ 24						
夏 25	•					
<u>m</u>  26	·					
Š	Foundations that do not follow SFAS 117, check here					
ב	and complete lines 27 through 31.	4 000 500	4 000 500			
<u>ي</u> 27		4,892,503.	4,892,503.			
Net Assets or Fund Balance	· · · · · · · · · · · · · · · · · · ·	0.	0.			
Ž 29		1,773,727.	1,416,525.			
≥ 30	Total net assets or fund balances	6,666,230.	6,309,028.			
31	Total liabilities and net assets/fund balances	6,666,230.	6,309,028.			
<u> </u>	Analysis of Changes in Net Assets or Fund I		0,000,0201			

1 Total net assets or fund balances at beginn	ing of year - Part II, column (a), line 30				
(must agree with end-of-year figure reporte	d on prior year's return)			1	6,666,230.
2 Enter amount from Part I, line 27a				2	<378,535.>
3 Other increases not included in line 2 (item	ze) 🕨	SEE	STATEMENT	7 3	21,333.
4 Add lines 1, 2, and 3				4	6,309,028.
5 Decreases not included in line 2 (itemize)	<b>&gt;</b>			5	0.
6 Total net assets or fund balances at end of	vear (line 4 minus line 5) - Part II, column	(b), line 30		6	6,309,028.

		ſ
13-297	4080	Page 3
Date acquired mo , day, yr )	(d) Dat (mo , d	e sold ay, yr )

(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 )				
<u>1a</u>	ODD AMBAGUED	CONT	n Tak marm			<u> </u>					
b	SEE ATTACHED	STA'	TEMENT					_			
C								_			
d										·	
<u>e</u>	(e) Gross sales price	(f) [	Depreciation allowed (or allowable)		t or other basis xpense of sale			, L		in or (loss (f) minus	
a											
b								. <u>-</u>			
C	<del></del>							_			<del></del>
d	1 202 726				1 000 04	_					< <u></u>
е	1,383,726.	<u> </u>			1,889,94	ь.					<506,220.
	Complete only for assets shown									ol (h) gain ot less thai	
	(i) FM V as of 12/31/69		j) Adjusted basis as of 12/31/69		cess of col (I) col (J), if any					from col (	
<u>a</u>		<del> </del>									
b		<del> </del>								<del></del> -	
_ <u>C</u>					—-						
<u>d</u>	·										<506,220.
е						_					<b>\300,220.</b>
2	Capital gain net income or (net c	apital loss)	if gain, also enter If (loss), enter -0-	in Part I, line - in Part I, line	7 7	}	2				<506,220.
	Net short-term capital gain or (lo If gain, also enter in Part I, line 8	, column (d		d (6)		}				27 / 2	
	If (loss), enter -0- in Part I, line 8		10.40/ ) (		<del></del>	لب	3			N/A	· · · · · · · · · · · · · · · · · · ·
Wa If "\	ection 4940(d)(2) applies, leave t s the foundation liable for the sec Yes," the foundation does not qua	ction 4942 dify under	tax on the distributable am section 4940(e) Do not co	mplete this pa	rt						Yes X No
1_	Enter the appropriate amount in	each colu	mn for each year, see instri	uctions before	making any entri	es					/-/
(	(a) Base period years Calendar year (or tax year beginn	ing in)	(b) Adjusted qualifying dis		Net value of no		ritable-				(d) oution ratio rided by col (c))
	2008			5,065.				7,685.			.049146
_	2007			9,608.				1,086.			.040203
	2006			0,925.				6,289			.046363
	2005			4,200.				0,879.			.049438
	2004	l		0,000.			, /5	1,101.	1		.043470
	Total of line 1, column (d)								2		.228620
	Average distribution ratio for the the foundation has been in existe	-		on line 2 by 5,	or by the number	of ye	ars		3		.045724
4	Enter the net value of noncharita	ble-use as	sets for 2009 from Part X,	line 5					4		5,528,524.
5	Multiply line 4 by line 3	-							5		252,786.
6	Enter 1% of net investment inco	me (1% of	Part 1, line 27b)						6		4,481.
7	Add lines 5 and 6	•					-		7		257,267.
8	Enter qualifying distributions fro	m Part XII,	line 4						8		321,837.
	If line 8 is equal to or greater tha See the Part VI instructions	n line 7, cl	neck the box in Part VI, line	1b, and comp	lete that part usin	ıg a 1	% tax	rate			

orn	n 990-PF(2009) M & T WEINER FOUNDATION			<u> 2974</u>			Page 4
Pa	ert VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940	(e), or 4	948 -	see ir	ıstru	ctio	ns)
1a	Exempt operating foundations described in section 4940(d)(2), check here and enter "N/A" on line 1	)					
	Date of ruling or determination letter (attach copy of letter if necessary-see instructions)						
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here 🕨 🗶 and enter 1%	<b>}</b>	1			4,4	81.
	of Part I, line 27b						<del></del>
C	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)	J					
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			4,4	81.
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			4,4	81.
6	Credits/Payments						
а	2009 estimated tax payments and 2008 overpayment credited to 2009 <u>6a</u> <u>2</u>	<u>,776.</u>					
b	Exempt foreign organizations - tax withheld at source						
C	: Tax paid with application for extension of time to file (Form 8868)						
đ	Backup withholding erroneously withheld 6d						
7	Total credits and payments Add lines 6a through 6d		7			2,7	<u> 76.</u>
8	Enter any <b>penalty</b> for underpayment of estimated tax. Check here if Form 2220 is attached		8				76. 34. 39.
9	Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed SEE STATEMENT	11 ▶	9			<u>1,7</u>	<u> 39.</u>
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	<b>&gt;</b>	10				
		unded 돈	11				
	art VII-A Statements Regarding Activities			· ,			
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate	or intervene	ın	,		Yes	
	any political campaign?			ļ	1a		X
þ	Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for d			ļ	1b		Х
	If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materia	s publishe	ed or				
	distributed by the foundation in connection with the activities.						
	Did the foundation file Form 1120-POL for this year?			,	10		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 ▶ \$	0.	-				
9	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation	lation		ļ			
_	managers ▶\$O.				_		.,
2	Has the foundation engaged in any activities that have not previously been reported to the IRS?			}	. 2		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 income the control of the control of the IRS, in its governing instrument, articles of income the control of the IRS, in its governing instrument, articles of income the control of the IRS, in its governing instrument, articles of income the IRS, in its governing in its governing instrument, articles of income the IRS, in its governin	rporation, i	or	}			v
	bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		••	}	3	_	X
	Did the foundation have unrelated business gross income of \$1,000 or more during the year?      If "Yes " has it filed a tay return on Form 990. T for this year?	•	NT	/A	4a		<u> </u>
	If "Yes," has it filed a tax return on Form 990-T for this year? Was there a liquidation, termination, dissolution, or substantial contraction during the year?		14	, A	4b 5		X
J	If "Yes," attach the statement required by General Instruction T.			}	. <del>.</del>		
E	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either						
U	By language in the governing instrument, or						
	<ul> <li>By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict w</li> </ul>	oth the state	a law				
	remain in the governing instrument?				6		Х
7	Did the foundation have at least \$5,000 in assets at any time during the year?			ľ	7	Х	
•	If "Yes," complete Part II, col. (c), and Part XV.			.	••••	<del>-</del>	
8a	a Enter the states to which the foundation reports or with which it is registered (see instructions)						
	NY						
h	of the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or design	ate)					
_	of each state as required by General Instruction G? If "No," attach explanation	,			8b	Х	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)	)(5) for cale	endar	-			
-	year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV				9		X
10	Did any persons become substantial contributors during the tax year? If *Yes,* attach a schedule listing their names and addi	esses			10		X

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had not been removed from jeopardy before the first day of the tax year beginning in 2009?

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Part VII-B Statements Regarding Activities for Which F	Form 4720 May Be F	Required (contro	13-29/40	00	• Page <b>6</b>
	Offit 4/20 Way be F	required (contin	ueo,	·····	
<ol> <li>5a During the year did the foundation pay or incur any amount to</li> <li>(1) Carry on propaganda, or otherwise attempt to influence legislation (section</li> </ol>	1045(0)\2	v.	s X No		
(2) Influence the outcome of any specific public election (see section 4955), o		<del></del>	13 (ZL) NU		
• • • • • • • • • • • • • • • • • • • •	t to carry on, unectry or mune		s X No		
any voter registration drive?  (3) Provide a grant to an individual for travel, study, or other similar purposes	<b>າ</b>	Ye			
			13 <u>21</u> 110		
(4) Provide a grant to an organization other than a charitable, etc., organization	n described in section		es X No		
509(a)(1), (2), or (3), or section 4940(d)(2)?  (5) Provide for any purpose other than religious, charitable, scientific, literary,	or educational numeros or f	- <del></del>	is LAY NO		
	or educational purposes, or i	Ü	s X No		
the prevention of cruelty to children or animals?	dor the eventions decombed i		15 A 140		
b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify und		iii neguiations	N/A	5b	
section 53 4945 or in a current notice regarding disaster assistance (see instru Organizations relying on a current notice regarding disaster assistance check h	•		<b>▶</b> □	Ju	
, ,		inad	· —		
c If the answer is "Yes" to question 5a(4), does the foundation claim exemption for		I/A 🔲 Ye	s 🔲 No		
expenditure responsibility for the grant?			.2 60		
If "Yes," attach the statement required by Regulations section 53 4945					
6a Did the foundation, during the year, receive any funds, directly or indirectly, to	pay premiums on	□ va	es X No		
a personal benefit contract?	omanal hanofit contract?	16		6b	x
b Did the foundation, during the year, pay premiums, directly or indirectly, on a p	iersonai denenii contract?		ļ	OU	
If "Yes" to 6b, file Form 8870.	helter transaction 2		es X No		
7a At any time during the tax year, was the foundation a party to a prohibited tax s b If yes, did the foundation receive any proceeds or have any net income attribute		J TE		7b	
Information About Officers Directors Trust		nagore Highly		/U	
Part VIII Paid Employees, and Contractors	ees, Foundation Ma	mayers, mym	,		
1 List all officers, directors, trustees, foundation managers and their	compensation.	<del></del>			
	(b) Title, and average	(c) Compensation	(d) Contributions to employee benefit plans	(e)	Expense
(a) Name and address	hours per week devoted to position	(If not paid, enter -0-)	and deferred compensation		unt, other wances
JOAN KONNER	PRESIDENT		de l'iparication	<u>===</u>	
200 CENTRAL PARK SOUTH, APT 33B					
NEW YORK, NY 10019	0.00	0.	0.		0.
	DIRECTOR				
200 CENTRAL PARK SOUTH, APT 33B					
NEW YORK, NY 10019	0.00	0.	0.		0.
	DIRECTOR				
C/O J. KONNER 200 CENTRAL PARK SOUTH					
NEW YORK, NY 10019	0.00	0.	0.		0.
HEM TORRY IN TOOLS					
	1	•			
2 Compensation of five highest-paid employees (other than those inc	luded on line 1). 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	acco	Expense unt, other wances
NONE	devoted to position		compensation	and	Wances
NONE					
	· · · · · · · · · · · · · · · · · · ·	<del> </del>			
	1				
		<u> </u>		<del>                                     </del>	
	†		ł		
				<del>                                     </del>	
<del></del>	1				
		1	<del>                                     </del>		
Total number of other employees paid over \$50,000	1	1	<u> </u>	·	0
Total names of other employees paid over worker			·		

Part VIII Information About Officers, Directors, Trustees, Foundation Paid Employees, and Contractors (continued)	ation Managers, Highly	
3 Five highest-paid independent contractors for professional services. If none, enter	er "NONE."	
(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE	-	
Total number of others receiving over \$50,000 for professional services  Part IX-A Summary of Direct Charitable Activities		<b>▶</b> 0
List the foundation's four largest direct charitable activities during the tax year. Include relevant state number of organizations and other beneficiaries served, conferences convened, research papers pro		Expenses
1 N/A		· · · · · · · · · · · · · · · · · · ·
2		
3		
4		
Part IX-B Summary of Program-Related Investments		
Describe the two largest program-related investments made by the foundation during the tax year of N/A	n lines 1 and 2	Amount
2		
All other program-related investments See instructions		
3		
Total. Add lines 1 through 3		0.

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P	Minimum Investment Return (All domestic foundations must complete this part. Foreign four	ndations,	see instructions.)
1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
а	Average monthly fair market value of securities	1a	2,560,231.
	Average of monthly cash balances	1b	2,560,231. 585,924.
C	Fair market value of all other assets	10	2,466,560.
đ	Total (add lines 1a, b, and c)	1d	5,612,715.
	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	5,612,715.
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	84,191.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4.	5	5,528,524.
6	Minimum investment return. Enter 5% of line 5	6	276,426.
P	art XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and foreign organizations check here  and do not complete this part )	d certain	
1	Minimum investment return from Part X, line 6	1	276,426.
2a	Tax on investment income for 2009 from Part VI, line 5		
b	Income tax for 2009 (This does not include the tax from Part VI )		
C	Add lines 2a and 2b	2c	4,481.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	4,481. 271,945.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	271,945.
6	Deduction from distributable amount (see instructions)	6	0.
7	Distributable amount as adjusted Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	271,945.
P	art XII Qualifying Distributions (see instructions)		
1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes		
а	Expenses, contributions, gifts, etc total from Part I, column (d), line 26	1a	321,837.
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	
3	Amounts set aside for specific charitable projects that satisfy the		
а	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	321,837.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment		<u> </u>
	income Enter 1% of Part I, line 27b	5	4,481.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	4,481. 317,356.
	Note. The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation of	ualifies fo	r the section

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4940(e) reduction of tax in those years

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Part XIII Undistributed Income (see instructions)

1 Distributable amount for 2009 from Part XI, the 7 2 Undestrouse Instens. If you so of the end of 2009 a Enter amount for 2008 only b Total for promy seas:  3 Excess distributions carryover, if any, to 2009 a From 2004 b From 2005 c From 2006 c From 2007 c From 2006 c From 2007 c From 2008 c From 2009 c		(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
2 Undeschooled Incorem, Carely, us of the end of 2009	· •				271.945.
a Edite amount for 2006 enly b Total for pnor years    Sexest distributions carryover, if any, to 2009   From 2005   From 2006     From 2006   From 2007     From 2008   Total for mount of the property of th	· · ·	<del>1 </del>		<del>1 111.' '111' '.111 - 11111''. 11111'</del> .	
3 Excess distributions carryover, if any, to 2009 a From 2004 b From 2005 c From 2006 c From 2007 c From 2008 c From 2009 c From 2008 c Fr				320,764	
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Inne 40 from line 2b	a Corpus Add lines 3f, 4c, and 4e Subtract line 5	0.			
Inne 40 from line 2b	•				***************************************
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4a from line 2a Taxable amount - see instr  f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010  7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)  8 Excess distributions carryover from 2004 not applied on line 5 or line 7  9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a  10 Analysis of line 9 a Excess from 2005 b Excess from 2006 c Excess from 2007 d Excess from 2008	amount - see instructions		0.		
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not applied on line 5 or line 7	section 170(b)(1)(F) or 4942(g)(3)	0.			
9 Excess distributions carryover to 2010.  Subtract lines 7 and 8 from line 6a  10 Analysis of line 9  a Excess from 2005 b Excess from 2006 c Excess from 2007 d Excess from 2008	8 Excess distributions carryover from 2004				
Subtract lines 7 and 8 from line 6a	not applied on line 5 or line 7	0.			
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d Excess from 2007	a Excess from 2005				
d Excess from 2008	b Excess from 2006				
	c Excess from 2007				
e Excess from 2009	d Excess from 2008				
	e Excess from 2009				

Form 990-PF (2009) M & T	WEINER FOUNI	OATION		13-29	74080 Page 10			
Part XIV Private Operating	Foundations (see In	nstructions and Part VI	l-A, question 9)	N/A				
1 a If the foundation has received a ruling	g or determination letter tha	at 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 for	undation is a private operat	ing foundation described	in section	4942(J)(3) or 49	942(j)(5)			
2 a Enter the lesser of the adjusted net	Tax year		Prior 3 years					
income from Part I or the minimum	(a) 2009	(b) 2008	(c) 2007	(d) 2006	(e) Total			
investment return from Part X for		<u> </u>	,,,					
each year listed	-	<u> </u>						
b 85% of line 2a		<del>                                     </del>						
c Qualifying distributions from Part XII,	•							
line 4 for each year listed		<del></del>						
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	s							
Subtract line 2d from line 2c 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		<u> </u>						
Part XV Supplementary In at any time during			if the foundation	n had \$5,000 or mo	ore in assets			
Information Regarding Founda     List any managers of the foundation year (but only if they have contributed NONE	who have contributed more		ributions received by th	e foundation before the clos	se of any tax			
<ul> <li>b List any managers of the foundation other entity) of which the foundation</li> <li>NONE</li> </ul>			(or an equally large port	ion of the ownership of a pa	artnership or			
2 Information Regarding Contrib	ution Grant Gift Loan	. Sahalambin ata Di	romana.					
Check here ► X if the foundation the foundation makes gifts, grants, et	n only makes contributions	to preselected charitable	organizations and does	not accept unsolicited requience items 2a, b, c, and	ests for funds. If I d			
a The name, address, and telephone nu	umber of the person to who	om applications should be	addressed					
<b>b</b> The form in which applications should	d be submitted and informa	ation and materials they sl	nould include					
c Any submission deadlines	c Any submission deadlines							
d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors								

3 Grants and Contributions Paid During the		Payment		Γ · · · · · · ·
Recipient	If recipient is an individual.			
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				
		OTHER	CHARITABLE	
		PUBLIC	CONTRIBUTION	
SEE ATTACHED STATEMENT	NONE	CHARITY		315,000.
				:
Total	<u> </u>		<b>▶</b> 3a	315,000.
b Approved for future payment				
NONE				
Total		<u> </u>	<b>&gt;</b> 3b	0.

oss amounts unless otherwise indicated Unrelated business income Excluded by section 512, 513, or 51		by section 512, 513, or 514	(e)		
BUSINESS   Amount   sion			(d) Amount	Related or exemp	
code		code	Amount	Tunction income	
_	· <del></del>			<del></del>	
1				<del></del>	
	•				
-		<del></del>			
- <del> </del>					
-	<del> </del>				
<del></del>					
<del>                                     </del>					
		11/	2 292		
			60 992		
<u> </u>	-12-12-11-11-11-11-11-11-11-11-11-11-11-		00,302		
<u> </u>				·····	
		11	392 397		
		1 7 2	372   391 •		
1		16	649		
·		11	043.		
		1.8	<506.220.		
			- 1300/2201	··	
				-	
		<del></del>		-	
				<del></del>	
				····	
_					
_	. (	0.	<49.809.	· · · · · · · · · · · · · · · · · · ·	
<u> </u>			13	<49,80	
)					
	omplishment of	Exempt P	urposes	-	
				alichment of	
				mannent of	
<del></del>				<del>-</del>	
			<del></del>		
			<del>-</del>		
			_	<del></del>	
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			<del></del>		
	(a) Business code	(a) Business code Amount	Business Code  Amount  Code  Amount  Code  Amount  Code  Code  Amount  Code  C	(a) Business Amount Exclusion Amount  14 2,383. 14 60,982.  14 392,397.  18 <506,220.>  0. <49,809.> 13	

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

_	D. 141	4441			db-d (- c-shee 504/-) -6		Yes	Na
1		•	ectly engage in any of the followin				162	140
_			(3) organizations) or in section 52	- ·	iizations /			
a		· -	ition to a noncharitable exempt org	yamzation of		10(1)		Х
	(1) Ca					1a(1)		X
_	• •	ther assets				1a(2)		
U		transactions				4 1/4 1		v
	• •	ales of assets to a noncharitat	· -		•	1b(1)		X
			ncharitable exempt organization		•	1b(2)		X
		ental of facilities, equipment, o	or other assets			1b(3)		X
	٠,	eimbursement arrangements				1b(4)	-	X
		oans or loan guarantees				1b(5)		X
			mbership or fundraising solicitatio			1b(6)		X
C		=	ling lists, other assets, or paid em			10		
a		•	· · · ·		ways show the fair market value of the goods, of		ets,	
		• • •		eo iess (nan ian market vait	ue in any transaction or sharing arrangement, sh	OW III		
a \	Line no	(b) Amount involved	other assets, or services received (c) Name of noncharitable	evernt organization	(d) Description of transfers, transactions, and si	2000000		
<u> </u>	⊔ne no	(b) Amount involved	N/A	exempt organization	(u) Description of transfers, transactions, and si	naring ar	rangeme	ints
			N/A		<del>- </del>			
					-			<del></del>
								<del></del> -
				<del></del>	-			<del></del>
_								
		<del></del>				_		
_								
_								
_								
-								
			-					
		6 d-A d Al						
28			tly affiliated with, or related to, one	=	izations described	٦,,,,	ГУ	No
		• • •	r than section 501(c)(3)) or in sect	10H 52/ /	L_	_ Yes	LA	_] NO
	ıı Yes	complete the following sche (a) Name of org	·	(b) Type of organization	(c) Description of relationsh			
_		N/A		(w) 1) po or organization	(a) seed profit of relationship	· P		
		11/21		-				
_		<u></u>		<del> </del>				
-					nents, and to the best of my knowledge and belief, it is tr	ue, corre	xct,	
			than taxpayer or fiduciary) is based on					
		Classe 1	orened	1 (() (1) 17	N PRESIDENT			
916	Sic	nature of/officer or trustee	1	Date	Tritle			
Sign Here		Preparer's	<del>-///</del>		Date / Check if Preparer	s identif	ying nur	nber
ğ	², ₹	signature	4. 8 HIM		11/9//D self- employed ► □			
n	Paid Preparer's Use Only	Firm's name (or yours CITR	IN COOPERMAN &	COMPANY, LLF				
	Jse Jse		FIFTH AVENUE					
			YORK, NY 10017	-4683	Phone no (212)	-69	7-1	000
	اـــــــــــــــــــــــــــــــــــــ					m <b>990</b>		
					1 311		'	

		COI	NTINUA	TION FOR	990-PF,	PART	ΙV
1 & T WEINER FOU	NDATION	13-	-29740	80 P	AGE _ 1	OF ·	1
Part IV Capital Gains and Lo	sses for Tax on Investment Income						
	describe the kind(s) of property sold, each warehouse, or common stock, 200			(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo , day, yr )	(d) Date s (mo , day,	
a SEE SCHEDULE A	BARCLAYS WEALTH	· · · ·		P			
b SEE SCHEDULE B	BERNSTEIN GLOBAL	WEALTH		P			
c SEE SCHEDULE B	BERNSTEIN GLOBAL	WEALTH		P			
d SEE SCHEDULE B	BERNSTEIN GLOBAL	WEALTH		P			
<del></del>	EEDY BROWNE VALUE	FUND		P			
	FIRST MANHATTAN			P			
g SEE SCHEDULE C				P			
	TATES TREAS BILLS			P			
TIME WARNER CA				P			
AOL INC COM -				P			
k MUTUAL EUROPEA				P			
CAPITAL GAINS	DIVIDENDS						
m							
n		<u> </u>					
0				<u> </u>		_	
(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale			Gain or (loss) lus (f) minus (g)		
242,489.		223,92	20.			18,56	59.
297,588.		403,85	55.		<	106,26	<del>7.</del> >
398,104.		776,28	30.		<.	378,17	76.>
9.		·					9.
136,676.		154,83				<18,15	<u>4.</u> >
f 49,174.		60,53		_		<11,34	
20,910.		40,73				<19,82	
44,976.		45,00	00.				<u> 4.</u> >
15.							5.
5.							5.

d	9.			9.
е	136,676.		154,830.	<18,154.>
f	49,174.		60,515.	<11,341.>
g	20,910.		40,730.	<19,820.>
h	44,976.		45,000.	<24.>
	15.			15.
T	5.			5.
k	193,766.		184,816.	8,950.
T	14.			14.
m				
n		·		
0				
Ť	Complete only for assets showing	ng gain in column (h) and owned by	the foundation on 12/31/69	(I) Losses (from col (h))
	(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	Gains (excess of col (h) gain over col (k), but not less than "-0-")
a				18,569.
b	•			<106,267.>
c				<378,176.>
d				9.
e				<18,154.>
f				<11,341.>
g				<19,820.>
h				<24.>
ī				15.
ī				5.
k				8,950.
ī				14.
m				
n				
0				
2	Capital gain net income or (net ca		r in Part I, line 7 )-" in Part I, line 7	2 <506,220.>
3	Net short-term capital gain or (los If gain, also enter in Part I, line 8, If (loss), enter "-0-" in Part I, line 8		d (6)·	3 N/A

FORM 990-PF	DIVIDENDS	AND	INTER	REST	FROM	SEC	URITIES		STATEMENT	1
SOURCE			GROSS	S AMO	UNT		PITAL GA DIVIDEND		COLUMN (A AMOUNT	.)
BARCLAYS CAPITAL I		_		39,	048.		_	0.	39,0	48.
BARCLAYS CAPITAL II INT PAID FIRST MANHATTAN NOM MUTUAL DISCOVERY FI SANFORD BERNSTEIN	MINEE UND			19, 11,	818.2 244. 325. 553.	>		0. 14. 0.	<15,8 19,2 11,3 5,5	30.
THRU K-1 - ESB ASSOTHRU K-1 - ESB COM				1.	8.			0. 0.	1.6	8. 36.
TOTAL TO FM 990-PF		4 =			996.			14.	60,9	
FORM 990-PF		RENT	AL IN	COME	<u> </u>	-			STATEMENT	2
KIND AND LOCATION	OF PROPERTY						ACTIV NUMB		GROSS RENTAL INC	OME
FROM K-1 ESB ASSOC FROM K-1 ESB COMPA								1 2	1,3 391,0	
TOTAL TO FORM 990-	PF, PART I,	LINE	5A					=	392,3	97.
FORM 990-PF		ro	HER I	INCON	1E				STATEMENT	3
DESCRIPTION				REV	(A) /ENUE BOOKS		(B) NET INV MENT IN	EST-	(C) ADJUSTE NET INCO	
PASS THRU FROM K-1 PASS THRU FROM K-1 OTHER INCOME FROM	- ESB COMPA	YV	 S	,		33. 23.		33. 23.		
CO OTHER INCOME FROM		1			!	20. 573.		20. 573.		
TOTAL TO FORM 990-	PF, PART I,	LINE	11			649.		649	•	

FORM 990-PF C	THER PROFES	SIONAL FEES		STATEMENT 4
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	CHARITABLE
INVESTMENT FEES BANK CHARGES	12,839. 47.	6,419.		6,420. 47.
TO FORM 990-PF, PG 1, LN 16C	12,886.	6,419.		6,467.
FORM 990-PF	TAX	ES		STATEMENT 5
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	CHARITABLE
FOREIGN TAXES	270.	270.		0.
TO FORM 990-PF, PG 1, LN 18	270.	270.		0.
FORM 990-PF	OTHER E	XPENSES		STATEMENT 6
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	CHARITABLE
ADVERTISING AND PROMOTION FILING FEES	120. 250.	0.		120. 250.
TO FORM 990-PF, PG 1, LN 23	370.	0.		370.
FORM 990-PF OTHER INCREASES	S IN NET ASS	ETS OR FUND BA	ALANCES	STATEMENT 7
DESCRIPTION			•	AMOUNT
ADJUSTED FROM INVESTMENT ACT	IVITIES		<del></del>	21,333.
TOTAL TO FORM 990-PF, PART I	IT TIME 3		_	21,333.

FORM 990-PF	CORPORATE STOCK		STATEMENT 8
DESCRIPTION		BOOK VALUE	FAIR MARKET VALUE
SANFORD BERNSTEIN-NOMINEE FIRST MANHATTAN-NOMINEE		0.	0. 1,048,085.
TOTAL TO FORM 990-PF, PART II,	1,044,069.	1,048,085.	
FORM 990-PF	CORPORATE BONDS		STATEMENT 9
DESCRIPTION		BOOK VALUE	FAIR MARKET VALUE
MUTUAL DISCOVERY FUND TWEEDY BROWNE AMERICAN VALUE FU MUTUAL EUROPEAN FUND	JND	699,974.	1,004,154. 0. 0.
TOTAL TO FORM 990-PF, PART II,	LINE 10C	699,974.	1,004,154.
FORM 990-PF	OTHER INVESTMENTS		STATEMENT 10
DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
EMPIRE STATE BUILDING ASSOC. EMPIRE STATE BUILDING COMPANY BERNSTEIN INTERNATIONAL FUND STERLING STAMOS BARCLAY'S WEALTH SECURITIES	COST COST COST COST COST	1,156. 2,125,606. 0. 1,270,087. 941,035.	1,156. 2,125,606. 0. 1,270,087. 1,041,000.
TOTAL TO FORM 990-PF, PART II,	LINE 13	4,337,884.	4,437,849.