Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

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

OMB No 1545-0052

2009

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

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

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

Name of foundation
THE MALCOLM HEWITT WIENER FOUNDATION
C/O THE MILLBURN CORPORATION

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
1270 AVENUE OF THE AMERICAS

City or town, state, and ZIP code
NEW YORK, NY 10020

A Employer identification number
13-3250321

B Telephone number
212-332-7350

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 ▶ ☐

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

E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ ☐

I Fair market value of all assets at end of year *(from Part II, col. (c), line 16)* ▶$ 47,286,250.

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

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

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))	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue				
1 Contributions, gifts, grants, etc., received			N/A	
2 Check ▶ [X] if the foundation is not required to attach Sch B				
3 Interest on savings and temporary cash investments	251,433.	251,433.		STATEMENT 2
4 Dividends and interest from securities	383,903.	383,903.		STATEMENT 3
5a Gross rents				
b Net rental income or (loss)				
6a Net gain or (loss) from sale of assets not on line 10	<2,935,463.>			STATEMENT 1
b Gross sales price for all assets on line 6a 2,386,804.				
7 Capital gain net income (from Part IV, line 2)		0.		
8 Net short-term capital gain				
9 Income modifications				
10a Gross sales less returns and allowances				
b Less Cost of goods sold				
c Gross profit or (loss)				
11 Other income	<193,710.>	<193,710.>		STATEMENT 4
12 Total. Add lines 1 through 11	<2,493,837.>	441,626.		
Operating and Administrative Expenses				
13 Compensation of officers, directors, trustees, etc	0.	0.		0.
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16a Legal fees STMT 5	1,470.	1,470.		0.
b Accounting fees STMT 6	3,000.	3,000.		0.
c Other professional fees				
17 Interest	95,234.	95,234.		0.
18 Taxes STMT 7	24,652.	24,652.		0.
19 Depreciation and depletion				
20 Occupancy				
21 Travel, conferences, and meetings				
22 Printing and publications				
23 Other expenses STMT 8	467,821.	462,876.		0.
24 **Total operating and administrative expenses.** Add lines 13 through 23	592,177.	587,232.		0.
25 Contributions, gifts, grants paid	2,989,951.			2,989,951.
26 **Total expenses and disbursements.** Add lines 24 and 25	3,582,128.	587,232.		2,989,951.
27 Subtract line 26 from line 12				
a Excess of revenue over expenses and disbursements	<6,075,965.>			
b **Net investment income** (if negative, enter -0-)		0.		
c **Adjusted net income** (if negative, enter -0-)			N/A	

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Part II Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only

		Beginning of year (a) Book Value	End of year (b) Book Value	End of year (c) Fair Market Value
Assets	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments	1,478,520.	2,645,472.	2,645,472.
	3 Accounts receivable ▶ 3,766,588. Less: allowance for doubtful accounts ▶	12,322,267.	3,766,588.	3,766,588.
	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 loans receivable ▶ 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			
	b Investments - corporate stock			
	c Investments - corporate bonds			
	11 Investments - land, buildings, and equipment basis ▶ Less accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other STMT 9	27,763,946.	40,874,190.	40,874,190.
	14 Land, buildings, and equipment basis ▶ 48,197. Less accumulated depreciation STMT 10 ▶ 48,197.			
	15 Other assets (describe ▶)			
	16 **Total assets** (to be completed by all filers)	41,564,733.	47,286,250.	47,286,250.
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 **Total liabilities** (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here ▶ [X] and complete lines 24 through 26 and lines 30 and 31.**			
	24 Unrestricted	41,564,733.	47,286,250.	
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ [ ] and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg, and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 **Total net assets or fund balances**	41,564,733.	47,286,250.	
	31 **Total liabilities and net assets/fund balances**	41,564,733.	47,286,250.	

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	41,564,733.
2	Enter amount from Part I, line 27a	2	<6,075,965.>
3	Other increases not included in line 2 (itemize) ▶ UNREALIZED GAIN	3	11,797,482.
4	Add lines 1, 2, and 3	4	47,286,250.
5	Decreases not included in line 2 (itemize) ▶	5	0.
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	47,286,250.

Part IV Capital Gains and Losses for Tax on Investment Income

	(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse; or common stock, 200 shs MLC Co)	(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo , day, yr.)	(d) Date sold (mo , day, yr)
1a	SEE STATEMENT ATTACHED	P	VARIOUS	VARIOUS
b	SEE STATEMENT ATTACHED	P	VARIOUS	VARIOUS
c	S/T GAIN/LOSS-FLOW THROUGH FROM PSHIPS	P	VARIOUS	VARIOUS
d	L/T GAIN/LOSS-FLOW THROUGH FROM PSHIPS	P	VARIOUS	VARIOUS
e	REDUCTION FOR INCOME SUBJECT TO UBTI	P	VARIOUS	VARIOUS

	(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	787,419.		837,752.	<50,333.>
b	1,333,926.		3,770,181.	<2,436,255.>
c	265,459.			265,459.
d			714,334.	<714,334.>
e			16,143.	<16,143.>

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

	(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col. (j), if any	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
a				<50,333.>
b				<2,436,255.>
c				265,459.
d				<714,334.>
e				<16,143.>

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** <2,951,606.>

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)
If (loss), enter -0- in Part I, line 8 **3** N/A

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 instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2008	3,700,135.	55,194,277.	.067038
2007	* 4,291,408.	67,110,251.	.063946
2006	2,930,907.	66,138,449.	.044315
2005	4,815,416.	63,249,183.	.076134
2004	4,682,356.	64,042,369.	.073113

2	Total of line 1, column (d)	2	.324546
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	.064909
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	43,014,083.
5	Multiply line 4 by line 3	5	2,792,001.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	0.
7	Add lines 5 and 6	7	2,792,001.
8	Enter qualifying distributions from Part XII, line 4	8	2,989,951.

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

* SEE STATEMENT ATTACHED

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

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1				
	Date of ruling or determination letter ________ (attach copy of letter if necessary-see instructions)				
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ [X] and enter 1% of Part I, line 27b			1	0.
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)				
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)			2	0.
3	Add lines 1 and 2			3	0.
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	0.
6	Credits/Payments				
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	42,102.		
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	42,102.
8	Enter any **penalty** for underpayment of estimated tax Check here ☐ if Form 2220 is attached			8	
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶			9	
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶			10	42,102.
11	Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶ 42,102. **Refunded** ▶			11	0.

Part VII-A Statements Regarding Activities

			Yes	No
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		X
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see instructions for definition)?	1b		X
	If the answer is "Yes" to **1a** *or* **1b**, *attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.*			
c	Did the foundation file **Form 1120-POL** for this year?	1c		X
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year. (1) On the foundation ▶ $ 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.*	2		X
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes*	3		X
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a	X	
b	If "Yes," has it filed a tax return on **Form 990-T** for this year?	4b	X	
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T.*	5		X
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7	Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col. (c), and Part XV.*	7	X	
8a	Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ NY,DE			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation*	8b	X	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? *If "Yes," complete Part XIV*	9		X
10	Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	10		X

Part VII-A Statements Regarding Activities *(continued)*

			Yes	No
11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(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?	13	X	

Website address ▶ N/A

14 The books are in care of ▶ GREGG BUCKBINDER Telephone no ▶212-332-7350

Located at ▶THE MILLBURN CORP., 1270 6TH AVE, NEW YORK, NY ZIP+4 ▶10020

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here ▶ ☐

and enter the amount of tax-exempt interest received or accrued during the year ▶ 15 N/A

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

			Yes	No
1a	During the year did the foundation (either directly or indirectly)			
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? ☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☐ Yes ☒ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? ☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days) ☐ Yes ☒ No			
b	If any answer is "Yes" to 1a(1)-(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53 4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? N/A	1b		
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐			
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?	1c		X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))			
a	At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? ☐ Yes ☒ No			
	If "Yes," list the years ▶ ________ , ________ , ________ , ________			
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement - see instructions) N/A	2b		
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ▶ ________ , ________ , ________ , ________			
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? ☐ Yes ☒ No			
b	If "Yes," did it have excess business holdings in 2009 as a result of **(1)** any purchase by the foundation or disqualified persons after May 26, 1969, **(2)** the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or **(3)** the lapse of the 10-, 15-, or 20-year first phase holding period? *(Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)* N/A	3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?	4b		X

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required *(continued)*

5a During the year did the foundation pay or incur any amount to

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? [ ] Yes [X] No

(2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive? [ ] Yes [X] No

(3) Provide a grant to an individual for travel, study, or other similar purposes? [ ] Yes [X] No

(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? [ ] Yes [X] No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? [ ] Yes [X] No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see instructions)? N/A | 5b |

Organizations relying on a current notice regarding disaster assistance check here ▶ [ ]

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? 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 [X] No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? | 6b | | X

If "Yes" to 6b, file Form 8870

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? [ ] Yes [X] No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? N/A | 7b |

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation.

(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 11		0.	0.	0.

2 Compensation of five highest-paid employees (other than those included 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 compensation	(e) Expense account, other allowances
NONE				

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. If none, enter "NONE."

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
NONE		
Total number of others receiving over $50,000 for professional services ▶		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 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 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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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	40,235,499.
b	Average of monthly cash balances		1b	3,433,621.
c	Fair market value of all other assets		1c	
d	Total (add lines 1a, b, and c)		1d	43,669,120.
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	43,669,120.
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see instructions)		4	655,037.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4		5	43,014,083.
6	**Minimum investment return.** Enter 5% of line 5		6	2,150,704.

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	2,150,704.
2a	Tax on investment income for 2009 from Part VI, line 5	2a		
b	Income tax for 2009 (This does not include the tax from Part VI)	2b		
c	Add lines 2a and 2b		2c	0.
3	Distributable amount before adjustments Subtract line 2c from line 1		3	2,150,704.
4	Recoveries of amounts treated as qualifying distributions * SEE STATEMENT ATTACHED		4	340,931.
5	Add lines 3 and 4		5	2,491,635.
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	2,491,635.

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	2,989,951.
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		
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	2,989,951.
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	5	0.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	2,989,951.

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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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				2,491,635.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years ______ , ______ , ______		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004 4,380,892.				
b From 2005 3,062,599.				
c From 2006				
d From 2007				
e From 2008 639,973.				
f Total of lines 3a through e	8,083,464.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 2,989,951.				
a Applied to 2008, but not more than line 2a			0.	
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				2,491,635.
e Remaining amount distributed out of corpus	498,316.			
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	8,581,780.			
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 instr			0.	
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	4,380,892.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	4,200,888.			
10 Analysis of line 9				
a Excess from 2005 3,062,599.				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008 639,973.				
e Excess from 2009 498,316.				

Part XIV Private Operating Foundations (see instructions and Part VII-A, question 9) N/A

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling ▶

b Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

	Tax year	Prior 3 years			
	(a) 2009	(b) 2008	(c) 2007	(d) 2006	(e) Total
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed					
d Amounts included in line 2c not used directly for active conduct of exempt activities					
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon a "Assets" alternative test - enter (1) Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test - enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					
c "Support" alternative test - enter (1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					
(3) Largest amount of support from an exempt organization					
(4) Gross investment income					

Part XV Supplementary Information (Complete this part only if the foundation had $5,000 or more in assets at any time during the year-see the instructions.)

1 **Information Regarding Foundation Managers:**

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than $5,000) (See section 507(d)(2))

MALCOLM H. WIENER

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

NONE

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

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

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

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

c Any submission deadlines

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

Part XV Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
CONTRIBUTIONS FROM PASS-THRU PARTNERSHIPS				195.
SEE ATTACHED SCHEDULE				2,989,756.
Total			▶ 3a	2,989,951.
b *Approved for future payment*				
NONE				
Total			▶ 3b	0.

Part XVI-A **Analysis of Income-Producing Activities**

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1 Program service revenue					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments			14	251,433.	
4 Dividends and interest from securities			14	383,903.	
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			14	<193,710.>	
8 Gain or (loss) from sales of assets other than inventory			18	<2,935,463.>	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue					
a FLOW THRU FROM INV PSHIP	525990	<18,151.>	18	18,151.	
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)		<18,151.>		<2,475,686.>	0.

13 Total. Add line 12, columns (b), (d), and (e) 13 <2,493,837.>

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

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

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes)

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

			Yes	No
1	Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?			
a	Transfers from the reporting foundation to a noncharitable exempt organization of:			
	(1) Cash	1a(1)		X
	(2) Other assets	1a(2)		X
b	Other transactions:			
	(1) Sales of assets to a noncharitable exempt organization	1b(1)		X
	(2) Purchases of assets from a noncharitable exempt organization	1b(2)		X
	(3) Rental of facilities, equipment, or other assets	1b(3)		X
	(4) Reimbursement arrangements	1b(4)		X
	(5) Loans or loan guarantees	1b(5)		X
	(6) Performance of services or membership or fundraising solicitations	1b(6)		X
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		X

d If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.

(a) Line no.	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements
		N/A	

2a Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No

b If "Yes," complete the following schedule.

(a) Name of organization	(b) Type of organization	(c) Description of relationship
N/A		

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge.

Malcolm Hewitt Wiener | 12 Nov 2010 | President
Signature of officer or trustee | Date | Title

Paid Preparer's Use Only

Preparer's signature | Date 11/10/10 | Check if self-employed ☐ | Preparer's identifying number P00369214

Firm's name (or yours if self-employed), address, and ZIP code: WTAS LLC
452 FIFTH AVENUE 23RD FLOOR
NEW YORK, NY 10018

EIN ▶ 33-1197384

Phone no. 646-213-5100

923622
02-02-10

MALCOLM HEWITT WIENER FOUNDATION
#13-3250321
12/31/2009

Schedule ____

Name and Address	Status of Recipient	Purpose		Amount
After School Corporation 1440 Broadway, 16th Floor New York, NY 10018	Public Charity	Contribution	$	25,000.00
American Academy of Arts & Sciences 136 Irving Street Cambridge, MA 02138	Public Charity	Contribution	$	10,000.00
American Assistance for Cambodia 4-1-7-605 Hiroo Shibuya-ku, Tokyo (150-0012) Japan	Public Charity	Contribution	$	9,000 00
American Associates of the Royal Academy 555 Madison Avenue New York, NY 10022	Public Charity	Contribution	$	10,000.00
American Foundation for the Courtauld Institute 2 West 67th Street, #8B New York, NY 10023	Public Charity	Contribution	$	10,000.00
American Foundation for the Paris School 149 East 63rd Street New York, NY 10065	Public Charity	Contribution	$	600 00
American Friends of the British Museum One East 53rd Street, 12th Floor New York, NY 10022	Public Charity	Contribution	$	5,000 00
American Friends of the Israel Museum 10 East 40th Street, Suite 1208 New York, NY 10016	Public Charity	Contribution	$	7,000.00
American Red Cross / Greenwich Chapter 99 Indian Field Road Greenwich, CT 06830	Public Charity	Contribution	$	2,000 00
American School of Classical Studies at Athens 6-8 Charlton Street Princeton, NJ 08540	Public Charity	Contribution	$	190,000 00
American Schools of Oriental Research 656 Beacon Street, 5th Floor Boston, MA 02215-2010	Public Charity	Contribution	$	2,000 00
Americans for Oxford, Inc 500 Fifth Avenue New York, NY 10110	Public Charity	Contribution	$	10,000 00
Archaeological Institute of America 656 Beacon Street Boston, MA 02215	Public Charity	Contribution	$	1,500.00

Name and Address	Status of Recipient	Purpose		Amount
Ashmolean Museum of Art & Archaeology University of Oxford Oxford OX1 2PH ENGLAND	Public Charity	Contribution	$	10,000 00
Audubon Greenwich 613 Riversville Road Greenwich, CT 06831	Public Charity	Contribution	$	1,000.00
Boys & Girls Club of Greenwich 4 Horseneck Lane Greenwich, CT 06830	Public Charity	Contribution	$	5,000.00
Breast Cancer Research Foundation 654 Madison Avenue New York, NY 10021	Public Charity	Contribution	$	2,650.00
Brookings Institution 30 Lafayette Avenue Brooklyn, NY 11217	Public Charity	Contribution	$	15,000.00
Bruce Museum of Arts & Science One Museum Drive Greenwich, CT 06830	Public Charity	Contribution	$	7,000.00
Brunswick School 100 Maher Avenue Greenwich, CT 06830	Public Charity	Contribution	$	150,000 00
Carter Center, The One Copenhill 453 Freedom Parkway Atlanta, GA 30307	Public Charity	Contribution	$	5,000.00
Central Park Conservancy 14 East 60th Street New York, NY 10022	Public Charity	Contribution	$	1,000 00
Chess in the Schools 520 Eighth Avenue, 2nd Floor New York, NY 10018	Public Charity	Contribution	$	15,000 00
Children's Cancer & Blood Foundation 333 East 38th Street New York, NY 10016	Public Charity	Contribution	$	25,000.00
Children for Children 985 Fifth Avenue New York, NY 10021	Public Charity	Contribution	$	10,000 00
Choate Rosemary Hall PO Box 30514 Hartford, CT 06101-8460	Public Charity	Contribution	$	100,000.00
Columbia University Law School New York, NY 10027	Public Charity	Contribution	$	1,000 00
Concord Coalition 1819 H Street, NW	Public Charity	Contribution	$	1,000 00

Name and Address	Status of Recipient	Purpose		Amount
Suite 800 Washington, DC 20006				
Cornell University B-48 Goldwin Smith Hall Ithaa, NY 14853-2801	Public Charity	Contribution	$	275,000.00
Council on Foreign Relations 58 East 68th Street New York, NY	Public Charity	Contribution	$	50,000 00
Doctors of the World 80 Maiden Lane New York, NY 10038	Public Charity	Contribution	$	20,000 00
Doctors Without Borders 333 Seventh Avenue, 2nd Floor New York, NY 10001	Public Charity	Contribution	$	25,000.00
Environmental Defense 257 Park Avenue South New York, NY 10010	Public Charity	Contribution	$	1,000 00
Fairfield County Community Foundation 383 Main Avenue Norwalk, CT 06851	Public Charity	Contribution	$	2,000 00
Food Bank of Lower Fairfield County 461 Glenbrook Road Stamford, CT 06906	Public Charity	Contribution	$	1,000 00
Foundation for a Civil Society 455 East 51st Street, Apt 2D New York, NY 10022	Public Charity	Contribution	$	35,000.00
Foundation for Art and Preservation in Embassies 2715 M Street, NW Washington, DC 20007	Public Charity	Contribution	$	1,000.00
Frick Collection 1 East 70th Street New York, NY 10021	Public Charity	Contribution	$	16,500 00
Fund for Park Avenue 110 East 42nd Street, Room 1300 New York, NY 10017	Public Charity	Contribution	$	200 00
Grant W. Koch Scholarship Fund PO Box 1404 Brewster, MA 02631	Public Charity	Contribution	$	1,000 00
Greenwich Academy 200 North Maple Avenue Greenwich, CT 06830-4799	Public Charity	Contribution	$	85,000 00
Greenwich Adult Day Care Inc 70 Parsonage Road Greenwich, CT 06830-9702	Public Charity	Contribution	$	500.00

Name and Address	Status of Recipient	Purpose		Amount
Greenwich Emergency Medical Services 1111 East Putnam Avenue Riverside, CT 06878	Public Charity	Contribution	$	1,000 00
Greenwich Fire Fighter Association, Local 1042 PO Box 4064 Greenwich, CT 06830	Public Charity	Contribution	$	500 00
Greenwich Historic Trust 39 Strickland Road Cos Cob, CT 06807	Public Charity	Contribution	$	1,000.00
Greenwich Hospital 5 Perryridge Road Greenwich, CT 06830	Public Charity	Contribution	$	50,000.00
Greenwich Library 101 W Putnam Avenue Greenwich, CT 06830-5387	Public Charity	Contribution	$	2,000.00
Greenwich Police Scholarship Fund 15 Havemeyer Place Greenwich, CT 06836	Public Charity	Contribution	$	500.00
Greenwich Teen Center Greenwich, CT 06836	Public Charity	Contribution	$	500 00
Habitat for Humanity 121 Habitat Street Americus, GA 31709-3498	Public Charity	Contribution	$	1,000 00
Harlem Educational Activities Fund 200 Madison Avenue, 5th Floor New York, NY 10016-3998	Public Charity	Contribution	$	15,000 00
Harvard Art Museum 32 Quincy Street Cambridge, MA 02138	Public Charity	Contribution	$	25,000 00
Human Rights First 330 Seventh Avenue New York, NY 10001	Public Charity	Contribution	$	2,500 00
Human Rights Watch 485 Fifth Avenue New York, NY 10017	Public Charity	Contribution	$	10,000 00
Inner City Foundation for Charity & Education 238 Jewett Avenue Bridgeport, CT 06606	Public Charity	Contribution	$	15,000 00
Institute for Mediterranean Studies 7086 East Aracoma Drive Cincinnati, OH 45237	Public Charity	Contribution	$	76,000.00
Institute of Fine Arts 1 East 78th Street New York, NY 10021	Public Charity	Contribution	$	45,000 00

Name and Address	Status of Recipient	Purpose		Amount
International Rescue Committee 122 East 42nd Street New York, NY 10168-1289	Public Charity	Contribution	$	5,000 00
International Women's Health Coalition 24 East 21st Street New York, NY 10010	Public Charity	Contribution	$	10,000.00
Isaacs Center Meals-on-Wheels 415 East 93rd Street New York, NY 10028	Public Charity	Contribution	$	20,000.00
Jewish Family & Children's Services 1415 LaSalle Street Jacksonville, FL 32207-3196	Public Charity	Contribution	$	1,000.00
Junior League of Greenwich 231 East Putnam Avenue Greenwich, CT 06830	Public Charity	Conribution	$	1,000.00
Kappa Kappa Gamma Foundation PO Box 38 Columbus, OH 43216-0038	Public Charity	Contribution	$	100 00
Kappa Kappa Gamma of Cornell Foundation PO Box 876 Ithaca, NY 14851-0876	Public Charity	Contribution	$	500 00
Meals on Wheels of Greenwich 89 Maple Avenue Greenwich, CT 06830-5652	Public Charity	Contribution	$	500 00
MedicAlert 2323 Colorado Avenue Turlock, CA 95382	Public Charity	Contribution	$	400 00
Metropolitan Museum of Art 1000 Fifth Avenue New York, NY 10028-0198	Public Charity	Contribution	$	75,000 00
Morgan Library 29 East 36th Street New York, NY 10016-34003	Public Charity	Contributions	$	12,500.00

Name and Address	Status of Recipient	Purpose		Amount
Museum of Fine Arts Boston 465 Huntington Avenue Boston, MA 02115	Public Charity	Contribution	$	20,000.00
National Association of Scholars 221 Witherspoon Street, 2nd Floor Princeton, NJ 08542-3215	Public Charity	Contribution	$	20,000.00
National Foundation for Cancer Research 4600 East West HighwaySuite 525 Bethesda, MD 20814	Public Charity	Contribution	$	116,706 00
National MS Society 706 Haddonfield Road Cherry Hill, NJ 08002	Public Charity	Contribution	$	500 00
Neurosciences Institute 10640 John Jay Hopkins Drive San Diego, CA 92121	Public Charity	Contribution	$	25,000 00
New Covenant House 90 Fairfield Avenue Stamford, CT 06904	Public Charity	Contribution	$	1,000.00
New York Public Library Fifth Avenue & 42nd Street New York, NY 10018	Public Charity	Contribution	$	5,000 00
Norwalk Youth Symphony, Inc 71 East Avenue, Suite N Norwalk, CT 06851	Public Charity	Contribution	$	1,000.00
Oxfam 26 West Street Boston, MA 02111-1206	Public Charity	Contribution	$	5,000.00
Phillips Academy 180 Main Street Andover, MA 01810	Public Charity	Contribution	$	60,000.00
Planned Parenthood of Connecticut 345 Whitney Avenue New Haven, CT 06511-2348	Public Charity	Contribution	$	5,000 00

Name and Address	Status of Recipient	Purpose		Amount
Planned Parenthood of New York 26 Bleecker Street New York, NY 10012-2413	Public Charity	Contribution	$	30,000 00
Prep for Prep 328 West 71st Street New York, NY 10023	Public Charity	Contribution	$	5,000.00
REACH Prep 115 East Putnam Avenue Greenwich, CT 06830	Public Charity	Contribution	$	5,000.00
Riverkeeper 828 South Broadway Tarrytown, NY 10591	Public Charity	Contribution	$	10,000 00
Robin Hood Foundation 862 Broadway, 7th Floor New York, NY 10003	Public Charity	Contribution	$	110,000 00
Rockefeller University 1230 York Avenue New York, NY 10021	Public Charity	Contribution	$	7,500 00
Save Venice 1104 Lexington Avenue, #4C New York, NY 10075	Public Charity	Contribution	$	6,000 00
Semitic Museum 6 Divinity Avenue Cambridge, MA 02138	Public Charity	Contribution	$	5,000.00
Shakespeare on the Sound PO Box 15 Norwalk, CT 06853	Public Charity	Contribution	$	2,500 00
Society for the Preservation of Greek Herritage 5125 MacArthur Boulevard NW, Suite 38 Washington, DC 20016	Public Charity	Contribution	$	100.00
Sterling and Francine Clark Art Institute 225 South Street Williamstown, MA 01267	Public Charity	Contribution	$	2,000 00
Storm King Art Center Old Pleasant Hill Road Mountainville, NY 10953-0280	Public Charity	Contribution	$	1,000 00

Name and Address	Status of Recipient	Purpose		Amount
Studio in a School 410 West 59th Street New York, NY 10019	Public Charity	Contribution	$	1,000.00
Synergos Institute 9 East 69th Street New York, NY 10021	Public Charity	Contribution	$	5,000.00
Temple University 7725 Penrose Avenue Elkins Park, PA 19027	Public Charity	Contribution	$	45,000.00
Touch Foundation 875 Third Avenue, 5th Floor New York, NY 10022	Public Charity	Contribution	$	20,000 00
United Nations Association of the USA 801 Second Avenue, 2nd Floor New York, NY 10017-4706	Public Charity	Contribution	$	1,000 00
United Way of Greenwich One Lafayette Court Greenwich, CT 06836-7820	Public Charity	Contribution	$	10,000.00
Villa I Tatti 124 Mount Auburn Street Cambridge, MA 02138-5762	Public Charity	Contributions	$	10,000 00
Waterside School 535 Fairfield Avenue Stamford, CT 06902	Public Charity	Contribution	$	5,000 00
Weill Cornell Medical College 525 East 68th Street New York, NY 10021	Public Charity	Contribution	$	900,000 00
Wisconsin Project on Nuclear Arms Control 1701 K Street, NW Suite 805 Washington, DC 20006	Public Charity	Contribution	$	3,000 00
Women's Foreign Policy Group 1875 Connecticut Avenue, NW Suite 720 Washington, DC 20009-5728	Public Charity	Contribution	$	1,000 00

Name and Address	Status of Recipient	Purpose		Amount
World Monuments Fund 174 East 80th Street New York, NY 10021	Public Charity	Contribution	$	30,000.00
Yale University 320 York Street New Haven, CT 06520-7425	Public Charity	Contribution	$	500 00
			$	2,989,756 00

2009 DEPRECIATION AND AMORTIZATION REPORT

FORM 990-PF PAGE 1 990-PF

Asset No	Description	Date Acquired	Method	Life	Line No	Unadjusted Cost Or Basis	Bus % Excl	* Reduction In Basis	Basis For Depreciation	Accumulated Depreciation	Current Sec 179	Current Year Deduction
1	COMPUTER EQUIPMENT	061599	200DB	5.00	17	23,207.			23,207.	23,207.		0.
2	FURNITURE & FIXTURES	041599	200DB	7.00	17	24,226.			24,226.	24,226.		0.
3	OFFICE EQUIPMENT	051599	200DB	5.00	17	764.			764.	764.		0.
	* TOTAL 990-PF PG 1 DEPR					48,197.		0.	48,197.	48,197.	0.	0.

928102
06-24-09

(D) - Asset disposed

* ITC, Section 179, Salvage, Bonus, Commercial Revitalization Deduction

THE MALOCLM HEWITT WIENER FOUNDATION
EIN: 13-3250321
FOR THE YEAR ENDED 12/31/09

Page 3 Part V - Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income
Line 1 Calendar Year 2007 Adjusted Qualifying Distributions
and
Page 8 Part XI - Distribution Amount
Line 4 Recoveries of Amounts Before Adjustments

On 7/2/07 and 11/28/07, the Malcolm Hewitt Wiener Foundation ("MHWF") has made two grants of $500,000 each, totaling $1 million, to the Institute for Aegean Prehistory ("Instap"), a private operating foundation that is controlled by the same substantial contributor as MHWF. MHWF has included these amounts as qualifying distributions on its 2007 Form 990PF.

Pursuant to IRC Reg. § 53.4942(a)-3(c)(2)(i), in order for MHWF to treat the $1 million as qualifying distributions, Instap is required to re-distribute this amount no later than the close of the first taxable year after the taxable year (FYE 6/30/08) it received the grants, which is 6/30/09.

Since Instap has only re-distributed $659,069 by 6/30/09, MHWF is required to made the following adjustments on its subsequent Form 990PF, i.e. 2009 Form 990PF:

1. Page 8 Part XI Line 4 - The remaining portion of $340,931 ($1,000,000 minus $659,059) is included as "Amount Recovered" when calculating the 2009 Distributable Amount.

2. Page 3 Part V Line 1 - The 2007 Adjusted Qualifying Distributions is reduced from $4,632,339 to $4,291,408, when calculating the excise tax on net investment income.

FORM 990-PF GAIN OR (LOSS) FROM SALE OF ASSETS STATEMENT 1

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
SEE STATEMENT ATTACHED	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
787,419.	837,752.	0.	0.	<50,333.>

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
SEE STATEMENT ATTACHED	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
1,333,926.	3,770,181.	0.	0.	<2,436,255.>

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
S/T GAIN/LOSS-FLOW THROUGH FROM PSHIPS	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
265,459.	0.	0.	0.	265,459.

The Malcolm Hewitt Weiner Foundation
EIN: 13-3250321
Capital Gains/Losses
For the Year Ended 12/31/09

# of Shares	Description	Date Sold	Date Purchased	Proceeds	Cost Basis	Gain/Loss
400	Legg Mason Inc	03/10/09	03/10/08	4,745	25,197	(20,452)
650	Legg Mason Inc	03/10/09	03/19/08	7,711	36,529	(28,818)
150	Legg Mason Inc	03/10/09	05/14/08	1,779	8,409	(6,630)
144	Eurazeo Paris	03/12/09	06/06/08	3,506	16,800	(13,294)
6	Eurazeo Paris	03/16/09	06/06/08	155	700	(545)
275	Eurazeo Paris	03/16/09	09/23/08	7,091	23,448	(16,357)
650	CIT Group Inc	07/10/09	09/26/08	885	5,148	(4,264)
650	Hammerson Plc	11/24/09	03/19/09	4,613	1,381	3,233
1,400	Hammerson Plc	11/25/09	03/19/09	9,574	2,974	6,601
1,030	Hammerson Plc	11/26/09	03/19/09	6,799	2,188	4,611
400	Rohm and Haas Co	01/06/09	08/04/08	24,356	30,017	(5,661)
2,000	UST Inc	01/06/09	10/17/08	139,000	133,569	5,431
1,100	Puget Energy Inc	02/09/09	08/04/08	33,000	30,693	2,307
900	Puget Energy Inc	02/09/09	08/05/08	27,000	24,983	2,017
2,000	Advanced Med Optics	02/26/09	01/12/09	44,000	43,404	596
2,000	Genetech Inc	03/26/09	03/10/09	190,000	183,946	6,054
2,000	Lee Enterprises	03/31/09	08/19/08	601	6,991	(6,389)
7,000	Lee Enterprises	03/31/09	08/22/08	2,105	26,401	(24,296)
6,000	Lee Enterprises	03/31/09	02/20/09	1,804	3,626	(1,822)
600	Rohm and Haas Co	04/02/09	08/04/08	46,800	45,025	1,775
1,000	Rohm and Haas Co	04/02/09	08/19/08	78,000	75,316	2,684
2,000	Wyeth	10/16/09	03/10/09	66,000	48,028	17,972
3,000	Schering Plough Corp	11/05/09	03/10/09	31,503	22,553	8,950
1,730	Merck & Co	11/05/09	03/10/09	56,391	40,426	15,964
	Total Short Term Capital Gain (Loss)			787,419	837,752	(50,332)
7,300	BW Gas Ltd	01/19/09	02/12/07	22,081	87,417	(65,336)
875	MDC Holdings Inc	02/03/09	10/24/07	28,203	35,054	(6,851)
750	MBIA Inc	02/09/09	07/21/04	3,534	42,650	(39,116)
500	MBIA Inc	02/09/09	10/19/04	2,356	27,357	(25,001)
250	MBIA Inc	02/09/09	04/20/05	1,178	12,724	(11,546)
225	MBIA Inc	02/23/09	04/20/05	802	11,451	(10,650)
352	MBIA Inc	02/23/09	02/12/08	1,254	4,371	(3,116)
885	MBIA Inc	02/24/09	02/12/08	2,994	10,989	(7,995)
956	MBIA Inc	02/25/09	02/12/08	3,110	11,871	(8,761)
607	MBIA Inc	02/26/09	02/12/08	1,879	7,537	(5,658)
18	MBIA Inc	02/26/09	02/13/08	56	213	(158)
732	MBIA Inc	02/27/09	02/13/08	2,006	8,671	(6,665)
249	Brookfield Infrastructure	03/03/09	01/14/08	2,562	5,189	(2,627)
1,300	Tokio Marine Holdings	03/03/09	02/13/97	26,996	23,572	3,424
200	Eurazeo Paris	03/03/09	03/14/07	4,375	25,815	(21,440)
150	Eurazeo Paris	03/04/09	03/14/07	3,239	19,361	(16,123)
100	Eurazeo Paris	03/05/09	03/14/07	2,078	12,908	(10,830)
45	Eurazeo Paris	03/06/09	03/14/07	905	5,808	(4,904)
205	Eurazeo Paris	03/06/09	08/15/07	4,122	25,641	(21,519)
5	Eurazeo Paris	03/09/09	08/15/07	102	625	(524)
195	Eurazeo Paris	03/09/09	02/12/08	3,963	20,248	(16,285)
1,179	Forest City Enterprises	03/10/09	07/03/07	5,304	72,511	(67,207)
1,000	Legg Mason Inc	03/10/09	07/27/07	11,863	91,252	(79,389)
775	Legg Mason Inc	03/10/09	02/22/08	9,194	52,736	(43,542)
200	Eurazeo Paris	03/10/09	02/12/08	4,497	20,767	(16,270)
274	Forest City Enterprises	03/11/09	07/03/07	1,229	16,852	(15,623)
25	Eurazeo Paris	03/11/09	02/12/08	603	2,596	(1,992)
125	Eurazeo Paris	03/11/09	02/13/08	3,017	13,301	(10,285)
597	Forest City Enterprises	03/12/09	07/03/07	2,665	36,717	(34,051)
6	Eurazeo Paris	03/12/09	02/13/08	146	638	(492)
1,700	CIT Group Inc	04/03/09	10/18/07	5,807	58,874	(53,067)
1,050	CIT Group Inc	04/03/09	10/24/07	3,587	35,433	(31,846)
1,875	CIT Group Inc	04/03/09	11/19/07	6,405	53,926	(47,521)
500	CIT Group Inc	04/03/09	12/05/07	1,708	12,497	(10,788)
250	CIT Group Inc	04/03/09	12/12/07	854	6,263	(5,409)
525	CIT Group Inc	04/03/09	03/04/08	1,793	10,778	(8,985)
1,000	Tokio Marine Holdings	04/27/09	02/13/97	27,904	18,132	9,772

The Malcolm Hewitt Weiner Foundation
EIN: 13-3250321
Capital Gains/Losses
For the Year Ended 12/31/09

# of Shares	Description	Date Sold	Date Purchased	Proceeds	Cost Basis	Gain/Loss
450	Power Corp of Canada	05/29/09	05/01/07	10,440	15,328	(4,888)
950	Power Corp of Canada	05/29/09	05/02/07	22,039	32,841	(10,802)
425	Power Corp of Canada	05/29/09	05/03/07	9,860	14,728	(4,868)
675	CIT Group Inc	06/29/09	03/04/08	1,549	13,857	(12,309)
1,300	CIT Group Inc	06/29/09	03/05/08	2,982	26,903	(23,921)
2,400	CIT Group Inc	06/29/09	03/19/08	5,506	32,255	(26,749)
1,450	CIT Group Inc	06/29/09	04/22/08	3,326	15,824	(12,498)
1,875	CIT Group Inc	06/29/09	05/30/08	4,301	19,434	(15,132)
900	CIT Group Inc	06/30/09	05/30/08	1,984	9,328	(7,345)
625	CIT Group Inc	07/01/09	05/30/08	1,360	6,478	(5,118)
825	CIT Group Inc	07/01/09	06/03/08	1,795	7,938	(6,143)
578	CIT Group Inc	07/01/09	06/04/08	1,257	5,566	(4,309)
722	CIT Group Inc	07/10/09	06/04/08	983	6,953	(5,971)
1,000	Derwent London	08/06/09	06/19/08	16,656	21,807	(5,151)
88	Derwent London	08/06/09	06/20/08	1,466	1,893	(427)
350	Power Corp of Canada	08/07/09	05/03/07	9,366	12,129	(2,763)
200	Power Corp of Canada	08/07/09	06/19/07	5,352	7,516	(2,165)
2,300	Louisiana Pacific Corp	08/07/09	04/10/07	15,174	46,262	(31,087)
225	Power Corp of Canada	08/10/09	06/19/07	5,982	8,456	(2,474)
1,000	Louisiana Pacific Corp	08/10/09	04/10/07	6,440	20,114	(13,674)
1,800	Louisiana Pacific Corp	08/10/09	06/06/07	11,592	36,042	(24,450)
25	Power Corp of Canada	09/16/09	06/19/07	667	940	(273)
875	Power Corp of Canada	09/16/09	01/16/08	23,333	31,041	(7,708)
250	Power Corp of Canada	09/16/09	03/19/08	6,667	7,555	(888)
550	Power Corp of Canada	09/16/09	05/12/08	14,667	18,349	(3,683)
625	Power Corp of Canada	09/16/09	05/14/08	16,667	21,172	(4,505)
2,200	Hammerson Plc	11/24/09	06/16/08	15,614	38,793	(23,179)
2,525	Louisiana Pacific Corp	12/07/09	06/06/07	16,475	50,558	(34,083)
850	Louisiana Pacific Corp	12/07/09	10/24/07	5,546	14,039	(8,493)
1,325	Louisiana Pacific Corp	12/07/09	01/02/08	8,645	17,902	(9,256)
975	Louisiana Pacific Corp	12/07/09	02/19/08	6,362	11,105	(4,743)
1,650	Louisiana Pacific Corp	12/07/09	03/19/08	10,766	14,608	(3,842)
900	Louisiana Pacific Corp	12/07/09	06/09/08	5,872	9,546	(3,674)
1,300	Louisiana Pacific Corp	12/07/09	06/10/08	8,482	13,761	(5,279)
2,300	Louisiana Pacific Corp	12/11/09	06/10/08	14,150	24,347	(10,197)
1,400	Louisiana Pacific Corp	12/11/09	10/24/08	8,613	4,765	3,848
2,100	Louisiana Pacific Corp	12/11/09	10/27/08	12,919	7,182	5,738
6,000	Wheelock and Co Ltd	12/22/09	09/18/06	18,067	10,433	7,634
2,000	Wheelock and Co Ltd	12/23/09	09/18/06	6,076	3,478	2,598
3,000	Wheelock and Co Ltd	12/24/09	09/18/06	9,061	5,217	3,844
572,000	Rolls Royce PLC Class C	01/08/09	01/20/06	848	-	848
2,000	Advanced Med Optics	02/26/09	10/09/07	44,000	63,538	(19,538)
1	Time Warner Cable	03/30/09	01/13/97	9	22	(14)
1,500	Lee Enterprises	03/31/09	06/21/99	451	43,449	(42,998)
500	Lee Enterprises	03/31/09	03/09/00	150	11,048	(10,897)
1,000	Lee Enterprises	03/31/09	05/05/06	301	30,889	(30,588)
1,000	Lee Enterprises	03/31/09	08/24/07	301	17,917	(17,616)
1,000	Lee Enterprises	03/31/09	09/24/07	301	15,127	(14,826)
1	Time Warner Inc	04/02/09	12/05/02	12	21	(9)
465	Ashland Inc	04/28/09	05/18/01	8,527	7,756	771
93	Ashland Inc	04/28/09	08/09/01	1,705	1,551	154
186	Ashland Inc	04/28/09	12/02/02	3,411	3,102	309
2,000	Boyd Gaming Corp	04/30/09	11/27/06	18,526	86,858	(68,333)
1,000	Boyd Gaming Corp	04/30/09	11/27/06	9,263	43,429	(34,166)
2,500	Schieb Earl	05/01/09	03/14/84	5,000	17,688	(12,688)
1,000	Schieb Earl	05/01/09	01/19/95	2,000	8,022	(6,022)
1,500	Schieb Earl	05/01/09	06/30/97	3,000	9,480	(6,480)
9,000	Schieb Earl	05/01/09	09/26/97	18,000	72,450	(54,450)
2,000	Schieb Earl	05/01/09	10/26/98	4,000	11,140	(7,140)
3,000	Schieb Earl	05/01/09	11/09/99	6,000	10,710	(4,710)
251	Time Warner Cable	05/04/09	01/13/97	8,721	9,397	(676)
167	Time Warner Cable	05/04/09	12/05/02	5,803	6,946	(1,143)
1,000	Dish Network Corp	05/11/09	09/27/04	18,062	26,478	(8,415)
526	Embarq Corp	05/13/09	04/16/87	22,048	11,074	10,973
500	Palm Harbor Homes Inc	06/15/09	05/24/04	942	9,129	(8,187)
1,000	Palm Harbor Homes Inc	06/15/09	05/25/04	1,884	18,934	(17,050)
8,000	Danone ADR - rights	06/24/09	12/27/05	4,713	-	4,713
858,000	Rolls Royce PLC rights	07/06/09	01/20/06	1,381	-	1,381
100	Ferro Corp	07/31/09	03/29/99	493	2,494	(2,001)
900	Ferro Corp	07/31/09	05/03/99	4,441	25,864	(21,424)
1,000	Ferro Corp	07/31/09	10/11/99	4,934	21,568	(16,634)
1,000	Ferro Corp	07/31/09	12/06/99	4,934	21,836	(16,901)

The Malcolm Hewitt Weiner Foundation
EIN: 13-3250321
Capital Gains/Losses
For the Year Ended 12/31/09

# of Shares	Description	Date Sold	Date Purchased	Proceeds	Cost Basis	Gain/Loss
2,000	Ferro Corp	07/31/09	03/09/00	9,869	37,630	(27,761)
1,000	Ferro Corp	07/31/09	03/24/00	4,934	18,008	(13,073)
444	Fisher Communications Inc	08/21/09	09/27/04	8,664	21,142	(12,478)
16	Fisher Communications Inc	08/21/09	09/28/04	312	760	(447)
40	Fisher Communications Inc	08/21/09	09/30/04	781	1,925	(1,144)
500	Cavalier Homes Inc	09/02/09	05/24/04	1,375	2,633	(1,258)
1,000	Cavalier Homes Inc	09/02/09	05/25/04	2,750	5,348	(2,598)
1,000	Cavalier Homes Inc	09/02/09	05/28/04	2,750	5,720	(2,970)
1,700	Cavalier Homes Inc	09/02/09	08/05/08	4,675	3,817	858
1,500	Gray Television Class B	09/28/09	12/18/96	3,790	13,350	(9,560)
500	Gray Television Class B	09/28/09	12/27/00	1,263	6,725	(5,461)
500	Media General Inc Cl A	10/12/09	08/06/91	4,638	11,038	(6,400)
1,000	Media General Inc Cl A	10/12/09	10/21/91	9,275	20,590	(11,315)
7,059	Ladbrokes PLC rights	10/20/09	03/01/05	4,507	-	4,507
0 777	Directv Group Inc	11/25/09	12/02/02	25	1	24
0 200	Liberty Starz	11/25/09	12/02/02	10	0	9
400	E W Scripps	12/01/09	05/02/01	2,518	2,877	(359)
266	E W Scripps	12/01/09	05/18/01	1,674	1,987	(313)
0 550	AOL Inc	12/10/09	01/13/97	11	10	0
2,000	US Transgenics Inc	01/05/09	06/08/99	-	1,000,000	(1,000,000)
8 630	3F Investment Corp Ltd Class B	08/31/09	Various	13,517	12,314	1,203
299 402	3F Investment Corp Ltd Class B	12/31/09	Various	500,000	427,203	72,797
	Total Long Term Capital Gain (Loss)			1,333,926	3,770,181	(2,436,255)

The Malcolm Hewitt Wiener Foundation
EIN# 13-3250321
Form 990-PF, PART IV

Partnership Capital Gains

Partnership Name	S/T Capital Gain (Loss)	L/T Capital Gain (Loss)
Millburn International Stock Index Fund LP	175	1,448
Millurn Multi-Strategy Portfolio LP	-	-
Millburn Equity Partners LLC	41,969	(423,602)
ShareVest Partners LP	-	-
Brookfield Infrastructure Partners LP	-	-
Millburn Mco Partners LP	2,377	(8,941)
Millburn Select Strategies LP	220,938	(283,239)
	265,459	(714,334)

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
L/T GAIN/LOSS-FLOW THROUGH FROM PSHIPS	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
0.	714,334.	0.	0.	<714,334.>

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
REDUCTION FOR INCOME SUBJECT TO UBTI	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
0.	0.	0.	0.	0.

CAPITAL GAINS DIVIDENDS FROM PART IV	0.
TOTAL TO FORM 990-PF, PART I, LINE 6A	<2,935,463.>

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 2

SOURCE	AMOUNT
FROM PARTNERSHIPS	249,875.
GABELLI & COMPANY	1,552.
IRS	5.
JP MORGAN/WHITMAN-ADVISORY	1.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	251,433.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 3

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
FIRST REPUBLIC BANK	1,825.	0.	1,825.
FROM PARTNERSHIPS	159,717.	0.	159,717.
GABELLI & COMPANY	148,394.	0.	148,394.
JP MORGAN/WHITMAN	20,768.	0.	20,768.
JP MORGAN/WHITMAN-ADVISORY	52,341.	0.	52,341.
THIRD AVENUE FUND	858.	0.	858.
TOTAL TO FM 990-PF, PART I, LN 4	383,903.	0.	383,903.

FORM 990-PF OTHER INCOME STATEMENT 4

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME
ORDINARY INCOME/(LOSS) FROM PARTNERSHIPS	<196,130.>	<196,130.>	
GABELLI & CO	1,321.	1,321.	
ROYALTIES FROM PARTNERSHIPS	233.	233.	
CLASS ACTION SETTLEMENTS	866.	866.	
TOTAL TO FORM 990-PF, PART I, LINE 11	<193,710.>	<193,710.>	

FORM 990-PF LEGAL FEES STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
LEGAL FEES	1,470.	1,470.		0.
TO FM 990-PF, PG 1, LN 16A	1,470.	1,470.		0.

FORM 990-PF | ACCOUNTING FEES | STATEMENT 6

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	3,000.	3,000.		0.
TO FORM 990-PF, PG 1, LN 16B	3,000.	3,000.		0.

FORM 990-PF | TAXES | STATEMENT 7

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES WITHHELD	11,135.	11,135.		0.
FEDERAL TAXES PAID	13,517.	13,517.		0.
TO FORM 990-PF, PG 1, LN 18	24,652.	24,652.		0.

FORM 990-PF | OTHER EXPENSES | STATEMENT 8

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FILING FEES	1,166.	0.		0.
POSTAGE AND DELIVERY	392.	0.		0.
INVESTMENT MANAGEMENT FEE	110,988.	110,988.		0.
INVESTMENT EXPENSES	181,177.	181,177.		0.
PUBLICATION	120.	0.		0.
INSURANCE	3,017.	0.		0.
ALLOCATED PAYROLL EXPENSES	146,149.	146,149.		0.
ALLOCATED EMPLOYEE BENEFITS	24,562.	24,562.		0.
DUES AND SUBSCRIPTIONS	250.	0.		0.
TO FORM 990-PF, PG 1, LN 23	467,821.	462,876.		0.

FORM 990-PF OTHER INVESTMENTS STATEMENT 9

DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
3F INVESTMENT CORP LTD	COST	6,026,116.	6,026,116.
BROOKFIELD INFRASTRUCTURE PARTNERS LP	COST	0.	0.
GABELLI & COMPANY	COST	9,027,533.	9,027,533.
JP MORGAN/WHITMAN	COST	2,026,533.	2,026,533.
JP MORGAN/WHITMAN ADVISORY	COST	2,760,224.	2,760,224.
MILLBURN EQUITY PARTNERS	COST	2,969,378.	2,969,378.
MILLBURN INTERNATIONAL STK INDEX FUND	COST	0.	0.
MILLBURN MCO PARTNERS LP	COST	74,854.	74,854.
MILLBURN MULTI STRATEGY PORTFOLIO	COST	0.	0.
MILLBURN SELECT STRATEGIES LP	COST	10,243,350.	10,243,350.
SATELLITE OFFSHORE	COST	302,997.	302,997.
SHAREVEST PARTNERS LP	COST	6,213,414.	6,213,414.
THIRD AVENUE FUND	COST	35,736.	35,736.
TUDOR BVI FUND LIMITED	COST	1,194,055.	1,194,055.
US TRANGENICS	COST	0.	0.
TOTAL TO FORM 990-PF, PART II, LINE 13		40,874,190.	40,874,190.

FORM 990-PF DEPRECIATION OF ASSETS NOT HELD FOR INVESTMENT STATEMENT 10

DESCRIPTION	COST OR OTHER BASIS	ACCUMULATED DEPRECIATION	BOOK VALUE
COMPUTER EQUIPMENT	23,207.	23,207.	0.
FURNITURE & FIXTURES	24,226.	24,226.	0.
OFFICE EQUIPMENT	764.	764.	0.
TOTAL TO FM 990-PF, PART II, LN 14	48,197.	48,197.	0.

FORM 990-PF PART VIII - LIST OF OFFICERS, DIRECTORS TRUSTEES AND FOUNDATION MANAGERS STATEMENT 11

NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN-SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
MALCOLM H. WIENER C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	PRESIDENT/TREASURER 3.00	0.	0.	0.
HARVEY BEKER C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	V.P, & DIRECTOR 0.25	0.	0.	0.
GEORGE E. CRAPPLE C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	V.P. & ASST TREAS/DIRECTOR 0.25	0.	0.	0.
MARTIN J. WHITMAN C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	DIRECTOR 0.25	0.	0.	0.
CAROLYN S WIENER C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	DIRECTOR 0.25	0.	0.	0.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		0.	0.	0.

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

Application for Extension of Time To File an Exempt Organization Return

▶ File a separate application for each return.

OMB No. 1545-1709

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

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

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

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

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

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

Type or print	Name of Exempt Organization THE MALCOLM HEWITT WIENER FOUNDATION C/O THE MILLBURN CORPORATION	Employer identification number 13-3250321
File by the due date for filing your return. See instructions.	Number, street, and room or suite no. If a P.O. box, see instructions. 1270 AVENUE OF THE AMERICAS	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. NEW YORK, NY 10020	

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

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

- The books are in the care of ▶ GREGG BUCKBINDER
THE MILLBURN CORP. 1270 6TH AVE - NEW YORK, NY 10020
Telephone No. ▶ 212-332-7350 FAX No. ▶
- If the organization does not have an office or place of business in the United States, check this box ▶ [ ]
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ______ . If this is for the whole group, check this box ▶ [ ] . If it is for part of the group, check this box ▶ [ ] and attach a list with the names and EINs of all members the extension will cover.

1 I request an automatic 3-month (6-months for a corporation required to file Form 990-T) extension of time until AUGUST 15, 2010 , to file the exempt organization return for the organization named above. The extension is for the organization's return for:
▶ [X] calendar year 2009 or
▶ [ ] tax year beginning ____________ , and ending ____________ .

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

3a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	3a	$ 0.
b	If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	3b	$ 42,102.
c	**Balance Due.** Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c	$ 0.

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

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

Note. Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868.

- If you are filing for an **Automatic 3-Month Extension, complete only Part I** (on page 1).

Part II **Additional (Not Automatic) 3-Month Extension of Time.** Only file the original (no copies needed).

Type or print	Name of Exempt Organization THE MALCOLM HEWITT WIENER FOUNDATION C/O THE MILLBURN CORPORATION	**Employer identification number** 13-3250321
File by the extended due date for filing the return See instructions	Number, street, and room or suite no. If a P.O. box, see instructions. 1270 AVENUE OF THE AMERICAS	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. NEW YORK, NY 10020	

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

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

STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.

- The books are in the care of ▶ GREGG BUCKBINDER THE MILLBURN CORP. 1270 6TH AVE - NEW YORK, NY 10020

Telephone No. ▶ 212-332-7350 FAX No. ▶

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

4 I request an additional 3-month extension of time until NOVEMBER 15, 2010.

5 For calendar year 2009 , or other tax year beginning ______ , and ending ______ .

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

7 State in detail why you need the extension
ADDITIONAL TIME IS REQUIRED TO OBTAIN THE NECESSARY INFORMATION TO FILE A COMPLETE AND ACCURATE RETURN.

8a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	8a	$	0.
b	If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	$	42,102.
c	**Balance Due.** Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	8c	$	0.

Signature and Verification

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form.

Signature ▶ [signature] Title ▶ CPA Date ▶ 8/3/10

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05-26-09