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Form 990-PF

Return of Private Foundation

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

2009

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

Department of the Treasury
Internal Revenue Service

For calendar year 2009, or tax year beginning 01-01-2009 , and ending 12-31-2009

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 LITWIN FOUNDATION INC

Number and street (or P O box number if mail is not delivered to street address)
1200 UNION TURNPIKE

Room/
suite

City or town, state, and ZIP code
NEW HYDE PARK, NY 11040

A Employer identification number

13-3501980

B Telephone number (see page 10 of the instructions)
(718) 343-6400

C If exemption application is pending, check here
D 1. Foreign organizations, check here
2. Foreign organizations meeting the 85% test, check here and attach computation
E If private foundation status was terminated under section 507(b)(1)(A), check here
F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here

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

I Fair market value of all assets at end of year (from Part II, col. (c), line 16) **\$ 2,104,757**

J Accounting method Cash Accrual
 Other (specify) _____

(Part I, column (d) must be on cash basis.)

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
1	Contributions, gifts, grants, etc , received (attach schedule)				
2	Check <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B				
3	Interest on savings and temporary cash investments	29,267	29,267		
4	Dividends and interest from securities.	3,970	3,970		
5a	Gross rents				
b	Net rental income or (loss) _____				
6a	Net gain or (loss) from sale of assets not on line 10	-93,031			
b	Gross sales price for all assets on line 6a _____				
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) (attach schedule)				
11	Other income (attach schedule)	2,206	2,206	0	
12	Total. Add lines 1 through 11	-57,588	35,443	0	

Revenue	13 Compensation of officers, directors, trustees, etc	0	0	0	0
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)	39,267	0	0	0
	b Accounting fees (attach schedule)	7,500	0	0	0
	c Other professional fees (attach schedule)				
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)				
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule)	2,246,349	2,245,593	0	0
	24 Total operating and administrative expenses.				
	Add lines 13 through 23	2,293,116	2,245,593	0	0
	25 Contributions, gifts, grants paid.	5,241,238			5,241,238
	26 Total expenses and disbursements. Add lines 24 and 25	7,534,354	2,245,593	0	5,241,238
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	-7,591,942			
	b Net investment income (if negative, enter -0-)		0		
	c Adjusted net income (if negative, enter -0-)			0	

Part II Balance Sheets	Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions.)	Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
1	Cash—non-interest-bearing	1,640,989	185,402	185,402
2	Savings and temporary cash investments	3,765,816	117,863	117,863
3	Accounts receivable ►			
	Less allowance for doubtful accounts ►			
4	Pledges receivable ►			
	Less allowance for doubtful accounts ►			
5	Grants receivable			
6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)			
7	Other notes and loans receivable (attach schedule) ►			
	Less allowance for doubtful accounts ►			
8	Inventories for sale or use			
9	Prepaid expenses and deferred charges			
10a	Investments—U S and state government obligations (attach schedule)	500,000		
b	Investments—corporate stock (attach schedule)	93,030		
c	Investments—corporate bonds (attach schedule)	37,975	37,975	25,627
11	Investments—land, buildings, and equipment basis ►			
	Less accumulated depreciation (attach schedule) ►			
12	Investments—mortgage loans			
13	Investments—other (attach schedule)	3,590,086	1,768,008	1,768,008
14	Land, buildings, and equipment basis ►			
	Less accumulated depreciation (attach schedule) ►			
15	Other assets (describe ►)	157,857	7,857	7,857
16	Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	9,785,753	2,117,105	2,104,757
17	Accounts payable and accrued expenses			
18	Grants payable			
19	Deferred revenue			
20	Loans from officers, directors, trustees, and other disqualified persons			
21	Mortgages and other notes payable (attach schedule)			
22	Other liabilities (describe ►)			
23	Total liabilities (add lines 17 through 22)	0	0	
	Foundations that follow SFAS 117, check here ► <input checked="" type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31.			
24	Unrestricted	9,785,753	2,117,105	
25	Temporarily restricted			
26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ► <input type="checkbox"/> 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 (see page 17 of the instructions)	9,785,753	2,117,105	
31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	9,785,753	2,117,105	

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	9,785,753
2	Enter amount from Part I, line 27a	2	-7,591,942
3	Other increases not included in line 2 (itemize) ►	3	0
4	Add lines 1, 2, and 3	4	2,193,811
5	Decreases not included in line 2 (itemize) ►	5	76,706
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	2,117,105

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.)
1 a	ENRON	P	2001-06-12	2009-12-31
b				
c				
d				
e				
(e) Gross sales price		(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			93,031	-93,031
b				
c				
d				
e				
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				(I) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) 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		
a				-93,031
b				
c				
d				
e				
2	Capital gain net income or (net capital loss)	If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7	2	-93,031
3	Net short-term capital gain or (loss) as defined in sections 1222(5) and (6)		3	
	If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8			

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

 Yes No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part

1 Enter the appropriate amount in each column for each year, see page 18 of the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2008	8,227,099	91,701,333	0.089716
2007	9,406,982	101,361,438	0.092806
2006	3,714,003	79,156,259	0.046920
2005	2,540,200	56,655,358	0.044836
2004	3,552,650	54,568,978	0.065104

2	Total of line 1, column (d).	2	0.339382
3	Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0.067876
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5.	4	4,680,420
5	Multiply line 4 by line 3.	5	317,688
6	Enter 1% of net investment income (1% of Part I, line 27b).	6	0
7	Add lines 5 and 6.	7	317,688
8	Enter qualifying distributions from Part XII, line 4.	8	5,241,238

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions on page 18

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)

1a	Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1	1	0
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 <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b	2	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-)	3	0
3	Add lines 1 and 2.		
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-		
6	Credits/Payments	5	0
a	2009 estimated tax payments and 2008 overpayment credited to 2009		
b	Exempt foreign organizations—tax withheld at source	6a	4,447
c	Tax paid with application for extension of time to file (Form 8868)		
d	Backup withholding erroneously withheld	6b	
7	Total credits and payments Add lines 6a through 6d.		
8	Enter any penalty for underpayment of estimated tax Check here <input type="checkbox"/> if Form 2220 is attached	7	4,447
9	Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	8	
11	Enter the amount of line 10 to be Credited to 2010 estimated tax <input type="checkbox"/> 4,447 Refunded <input type="checkbox"/>		
		10	4,447
		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	<input type="checkbox"/> No
b	Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?		
	<i>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.</i>	1b	<input type="checkbox"/> No
c	Did the foundation file Form 1120-POL for this year?	1c	<input type="checkbox"/> No
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation <input type="checkbox"/> \$ _____ 0 (2) On foundation managers <input type="checkbox"/> \$ _____ 0		
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input type="checkbox"/> \$ _____ 0	2	<input type="checkbox"/> No
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If "Yes," attach a detailed description of the activities.</i>		
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? <i>If "Yes," attach a conformed copy of the changes</i>	3	<input type="checkbox"/> No
4a	Did the foundation have unrelated business gross income of \$1,000 or more during the year?		
b	If "Yes," has it filed a tax return on Form 990-T for this year?	4a	<input type="checkbox"/> No
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If "Yes," attach the statement required by General Instruction T.</i>		
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?	4b	
7	Did the foundation have at least \$5,000 in assets at any time during the year? <i>If "Yes," complete Part II, col (c), and Part XV</i>		
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) <input type="checkbox"/> NY	5	<input type="checkbox"/> No
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? <i>If "No," attach explanation.</i>		
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV on page 27)? <i>If "Yes," complete Part XIV</i>	6	<input type="checkbox"/> Yes
10	Did any persons become substantial contributors during the tax year? <i>If "Yes," attach a schedule listing their names and addresses</i>		
		7	<input type="checkbox"/> Yes
		8b	<input type="checkbox"/> Yes
		9	<input type="checkbox"/> No
		10	<input type="checkbox"/> No

Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions).	11		No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		No
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	Yes	
	Website address ► N/A			
14	The books are in care of ► THE LITWIN FOUNDATION INC Located at ► 1200 UNION TURNPIKE NEW HYDE PARK NY	Telephone no ► (718) 343-6400 ZIP +4 ► 11040		
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 —Check here ► and enter the amount of tax-exempt interest received or accrued during the year ► 15			

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

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.		Yes	No
1a	During the year did the foundation (either directly or indirectly)		
(1)	Engage in the sale or exchange, or leasing of property with a disqualified person?	► Yes	✓ No
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	► Yes	✓ No
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person?	► Yes	✓ No
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	► Yes	✓ No
(5)	Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	► Yes	✓ No
(6)	Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days).	► Yes	✓ No
b	If any answer is "Yes" to 1a(1)–(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here. ►	1b	
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?	1c	No
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 ► 20____, 20____, 20____, 20____		
b	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see page 20 of the instructions)	2b	
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here ► 20____, 20____, 20____, 20____		
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	► Yes	✓ No
b	If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009).	3b	
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a	No
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	No

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))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(2)	Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(3)	Provide a grant to an individual for travel, study, or other similar purposes?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(4)	Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b	If any answer is "Yes" to 5a(1)–(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here.	<input checked="" type="checkbox"/>	5b	
c	If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	<i>If "Yes," attach the statement required by Regulations section 53.4945–5(d).</i>			
6a	Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6b	No
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?			
	<i>If "Yes" to 6b, file Form 8870.</i>			
7a	At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		7b	
b	If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?			

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors**1 List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).**

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
See Additional Data Table				

2 Compensation of five highest-paid employees (other than those included on line 1—see page 23 of the instructions). If none, enter "NONE."

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				
Total number of other employees paid over \$50,000.			<input checked="" type="checkbox"/>	0

Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)

3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE"

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		

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.

1	
2	
3	
4	

Part IX-B Summary of Program-Related Investments (see page 23 of the instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and

Describe the two largest program-related investments made by the foundation during the year, see lines 1 and 2		Amount
1		
2		
All other program-related investments See page 24 of the instructions		
3		
Total Add lines 1 through 3		0

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see page 24 of the instructions.)

1 Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes		
a Average monthly fair market value of securities.	1a	4,204,647
b Average of monthly cash balances.	1b	547,048
c Fair market value of all other assets (see page 24 of the instructions).	1c	0
d Total (add lines 1a, b, and c).	1d	4,751,695
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	4,751,695
4 Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	71,275
5 Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	4,680,420
6 Minimum investment return. Enter 5% of line 5.	6	234,021

Part XI Distributable Amount (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here and do not complete this part.)

1 Minimum investment return from Part X, line 6.	1	234,021
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	234,021
4 Recoveries of amounts treated as qualifying distributions.	4	0
5 Add lines 3 and 4.	5	234,021
6 Deduction from distributable amount (see page 25 of the instructions).	6	0
7 Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	234,021

Part XII Qualifying Distributions (see page 25 of the instructions)

1 Amounts paid (including administrative expenses) to accomplish charitable, etc , purposes		
a Expenses, contributions, gifts, etc —total from Part I, column (d), line 26.	1a	5,241,238
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	5,241,238
5 Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see page 26 of the instructions).	5	0
6 Adjusted qualifying distributions. Subtract line 5 from line 4.	6	5,241,238

Note: The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years

Part XIII Undistributed Income (see page 26 of the instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				234,021
2 Undistributed income, if any, as of the end of 2008			0	
a Enter amount for 2008 only.		0		
b Total for prior years 20____, 20____, 20____				
3 Excess distributions carryover, if any, to 2009				
a From 2004.	927,254			
b From 2005.				
c From 2006.				
d From 2007.	4,426,710			
e From 2008.	3,642,032			
f Total of lines 3a through e.	8,995,996			
4 Qualifying distributions for 2009 from Part XII, line 4 ► \$ _____ 5,241,238			0	
a Applied to 2008, but not more than line 2a				
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c Treated as distributions out of corpus (Election required—see page 26 of the instructions).	0			
d Applied to 2009 distributable amount.				234,021
e Remaining amount distributed out of corpus	5,007,217			
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:	14,003,213			
a Corpus Add lines 3f, 4c, and 4e Subtract line 5			0	
b Prior years' undistributed income Subtract line 4b from line 2b.				
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.		0		
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions			0	
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions				0
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010.				0
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)	0			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)	927,254			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	13,075,959			
10 Analysis of line 9				
a Excess from 2005.				
b Excess from 2006.				
c Excess from 2007.	4,426,710			
d Excess from 2008.	3,642,032			
e Excess from 2009.	5,007,217			

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9)

1a	If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling. <input type="text"/>			
b	Check box to indicate whether the organization is a private operating foundation described in section <input type="checkbox"/> 4942(j)(3) or <input type="checkbox"/> 4942(j)(5)			
2a	Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed.			
b	85% of line 2a.			
c	Qualifying distributions from Part XII, line 4 for each year listed.			
d	Amounts included in line 2c not used directly for active conduct of exempt activities.			
e	Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c.			
3	Complete 3a, b, or c for the alternative test relied upon			
a	"Assets" alternative test—enter			
(1)	Value of all assets.			
(2)	Value of assets qualifying under section 4942(j)(3)(B)(i).			
b	"Endowment" alternative test—enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed.			
c	"Support" alternative test—enter			
(1)	Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties).			
(2)	Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(III).			
(3)	Largest amount of support from an exempt organization			
(4)	Gross investment income			

Part XV Supplementary Information (Complete this part only if the organization had \$5,000 or more in assets at any time during the year—see page 27 of the instructions.)**1 Information Regarding Foundation Managers:**

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

LEONARD LITWIN

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

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

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

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

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	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
Name and address (home or business)				
a <i>Paid during the year</i>				
SEE SCHEDULE ATTACHED VARIOUS VARIOUS, NY 00000	NONE	PUBLIC CHARITY	SEE ATTACHED	5,241,238
Total			► 3a	5,241,238
b <i>Approved for future payment</i>				
Total			► 3b	0

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated

Enter gross amounts unless otherwise indicated		Unrelated business income	Excluded by section 512, 513, or 514	(e) Related or exempt function income (See page 28 of the instructions)	
		(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount
1 Program service revenue					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments.					
3 Interest on savings and temporary cash investments				14	29,267
4 Dividends and interest from securities.				14	3,970
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	2,206
8 Gain or (loss) from sales of assets other than inventory				14	-93,031
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory.					
11 Other revenue a					
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e).			0		-57,588
13 Total Add line 12, columns (b), (d), and (e).				13	-57,588
(See worksheet in line 13 instructions on page 28 to verify calculations.)					

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

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

Explain below how each activity for which income is reported in

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

Additional Data

Software ID: 09000028
Software Version: 2009.04020
EIN: 13-3501980
Name: THE LITWIN FOUNDATION INC

Form 990PF Part VIII Line 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
LEONARD LITWIN	PRESIDENT & DIRECTOR 5 00	0	0	0
1200 UNION TURNPIKE NEW HYDE PARK, NY 11040				
CAROLE PITTELMAN	TREASURER 5 00	0	0	0
1200 UNION TURNPIKE NEW HYDE PARK, NY 11040				
DIANE MILLER	VICE PRESIDENT 5 00	0	0	0
26 SPLIT ROCK DRIVE GREAT NECK, NY 11024				
RICHARD COHEN	ASSISTANT SECRETARY 5 00	0	0	0
1250 UNION TURNPIKE NEW HYDE PARK, NY 11040				
MORTON SANDERS	SECRETARY 5 00	0	0	0
1200 UNION TURNPIKE NEW HYDE PARK, NY 11040				
SEYMOUR D REICH	DIRECTOR 5 00	0	0	0
845 THIRD AVENUE NEW YORK, NY 10022				
RUTH LITWIN	DIRECTOR 5 00	0	0	0
1200 UNION TURNPIKE NEW HYDE PARK, NY 11040				

TY 2009 Accounting Fees Schedule

Name: THE LITWIN FOUNDATION INC

EIN: 13-3501980

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
ACCOUNTING FEES	7,500	0	0	0

TY 2009 General Explanation Attachment

Name: THE LITWIN FOUNDATION INC

EIN: 13-3501980

Identifier	Return Reference	Explanation
	PART VII-A QUESTION 13	THE FOUNDATION PLACED AN IN THE NEW YORK LAW JOURNAL ON FEBRUARY 23, 2010 TO COMPLY WITH THE PUBLIC INSPECTION REQUIREMENT A COPY OF THE AD IS AVAILABLE ON REQUEST
PART XV LINE 3a SCHEDULE OF GRANTS AND CONTRIBUTIONS PAID	PART XV LINE 3a SCHEDULE OF GRANTS AND CONTRIBUTIONS PAID	THE LITWIN FOUNDATION CHARITABLE CONTRIBUTIONS FOR THE YEAR ENDED DECEMBER 31, 2009 DATE CHK # CHARITY AMOUNT 1/8/2009 2198 A A B G U -292,000 004/3/2009 2253 Abilities - 5,000 003/30/2009 2244 ABNY FOUNDATION -5,000 006/19/2009 2330 Albert Einstein College Of Medicine -1,500 004/16/2009 2271 Alzheimer's Association -15,000 006/15/2009 2327 Alzheimer's Association -12,500 006/3/2009 2311 American Cancer Society -1,500 006/11/2009 2323 American Federation For Aging Research -5,000 004/13/2009 2265 American Friends Of Meir Panim - 500 004/28/2009 2280 American Friends Of Migdal Ohr -2,000 004/16/2009 2272 American Friends of the Hebrew University -2,000 006/9/2009 2320 American Friends Of The Israeli Museum - 5,000 003/18/2009 2234 AMERICAN HEART ASSOCIATION -1,000 002/4/2009 2206 American Jewish Committee -5,000 007/2/2009 2344 American Jewish World Service -3,000 002/4/2009 2205 American Red Cross -1,000 006/15/2009 2328 American Red Cross -10,000 004/14/2009 2267 APGA - 1,000 004/7/2009 2258 Areyvut -1,000 005/11/2009 2291 BATTERY CONSERVANCY -5,000 006/3/2009 2313 Big Apple Circus -5,000 004/3/2009 2255 Big Apple Greeter -2,500 004/7/2009 2259 Calvary Hospital Fund -3,000 004/22/2009 2278 Carnegie Hall -5,000 004/20/2009 2273 CATHOLIC CHARITIES - 2,500 004/22/2009 2277 CENTRAL PARK CONSERVANCY -7,500 007/2/2009 2341 CFIDS ASSOCIATION -2,500 003/17/2009 2231 Chabad Of Roslyn -5,000 004/3/2009 2254 Chabad's Children Of Chernobyl - 300 006/30/2009 2336 Chamah -1,652 003/6/2009 2223 Chapin School -110,000 006/5/2009 2317 Chapin School -10,000 003/5/2009 2221 Citizens Housing & Planning Council -2,500 004/23/2009 2279 City Harvest -3,000 007/2/2009 2339 Citymeals On Wheels -5,000 004/20/2009 2275 Coalition To Salute Americas Heros -200 006/10/2009 2322 Cornell University College Of Agriculture & Life Sciences - 50,000 003/4/2009 2217 Crohn's & Colitis Foundation Of America -1,000,000 006/5/2009 2318 Crohn's & Colitis Foundation Of America -10,000 005/14/2009 2294 Diabetes Research Foundation - 1,000 004/9/2009 2262 EDUCATIONAL ALLIANCE -2,500 006/30/2009 2335 Episcopal Charities -500 003/16/2009 2224 Food Bank For New York City -2,000 007/2/2009 2343 Fountain House - 2,000 004/3/2009 2252 FRESH AIR FUND -1,000 003/3/2009 2216 Friends Of Hudson River Park - 10,000 006/3/2009 2314 FUND FOR AMERICAN STUDIES -3,000 004/15/2009 2270 Fund For Park Avenue -500 001/8/2009 2197 Fund For The City Of New York -40,000 005/20/2009 2298 GRAENUM BERGER BRONX JEWISH FEDERATION -1,000 006/12/2009 2325 GREAT NECK STUDENT AID FUND INC - 1,000 003/24/2009 2239 Gurwin Jewish Geriatric Foundation -10,000 003/23/2009 2236 HOLY APOSTLES SOUP KITCHEN -450 006/19/2009 2329 Horticultural Society Of New York - 1,500 005/28/2009 2307 Inner City Scholarship Fund -10,000 007/6/2009 2350 Israel Policy Forum - 5,000 006/30/2009 2334 Jamaica Service Program For Older Adults -2,000 005/6/2009 2287 Jerusalem Fellowships -3,600 005/5/2009 2286 Jewish Children's Museum -2,000 005/4/2009 2284 Jewish National Fund -5,000 003/30/2009 2245 Jewish Theological Seminary -10,000 005/13/2009 2292 Kidney & Urology Foundation -2,000 005/18/2009 2295 Klingberg Family Center -1,000 004/13/2009 2263 Lenox Hill Hospital -5,000 005/29/2009 2309 Lexington School For The Deaf -2,500 003/5/2009 2222 LINCOLN CENTER FOR THE PERFORMING ARTS -2,000 003/16/2009 2230 LINCOLN CENTER FOR THE PERFORMING ARTS -10,000 002/23/2009 2214 LINCOLN CENTER INSTITUTE -5,500 003/31/2009 2248 LOWER EAST SIDE TENEMENT MUSEUM -3,000 003/26/2009 2243 Lower Manhattan Cultural Council - 5,000 005/29/2009 2308 Manhattan Institute For Policy Research -5,000 005/18/2009 2296 Manhattan Theater Club -1,000 006/5/2009 2316 MARCH OF DIMES -500 003/26/2009 2241 Mazon -500 001/8/2009 2196 MEMORIAL SLOAN KETTERING CANCER CENTER -300,000 004/7/2009 2260 MEMORIAL SLOAN KETTERING CANCER CENTER -5,000 006/29/2009 2333 Metropolitan Museum Of Art -5,000 004/20/2009 2274 Metropolitan Opera -30,000 005/27/2009 2304 Metropolitan Opera -10,000 007/2/2009 2338 Metropolitan Opera -10,000 005/4/2009 2285 Michael J. Fox Foundation -1,000 006/4/2009 2315 Mount Sinai Children's Center Foundation -5,000 004/7/2009 2261 Museum Of Jewish Heritage - 10,000 004/15/2009 2269 Museum Of Modern Art -3,000 007/2/2009 2348 Museum Of The City Of New York -2,000 003/18/2009 2233 NATIONAL CANCER RESEARCH CENTER -2,000 004/14/2009 2268 National Multiple Sclerosis Society -2,500 007/7/2009 2351 National September 11 Memorial Museum - 10,000 007/2/2009 2342 Nature Conservancy -5,000 005/20/2009 2299 NEW YORK BOTANICAL GARDEN -2,500 001/19/2009 2201 New York Crohn's Foundation -490,000 006/22/2009 2331 New York Eye & Ear Infirmary -5,000 005/13/2009 2293 NEW YORK JUNIOR TENNIS LEAGUE -1,000 003/16/2009 2229 New York Philharmonic Orchestra -5,000 007/2/2009 2349 New York Philharmonic Orchestra - 5,000 006/11/2009 2324 New York Restoration Project -2,500 004/7/2009 2257 North Shore-LIJ Health System Foundation -5,000 003/31/2009 2247 NOTRE DAME CHURCH -2,000 003/31/2009 2246 NYU Langone Medical Center -5,500 001/8/2009 2194 NYU SCHOOL OF MEDICINE -1,739,805 007/2/2009 2347 Old Westbury Gardens -1,000 005/28/2009 2305 PARKER JEWISH INSTITUTE FOUNDATION - 5,000 004/13/2009 2266 Parkinson Disease Foundation -1,000 003/16/2009 2225 Partnership For The Homeless -1,000 004/3/2009 2256 Philosophy Day School -1,000 003/5/2009 2220 Realty Foundation Of New York -5,000 001/8/2009 2195 Rockefeller University -500,000 003/26/2009 2242 RONALD McDONALD HOUSE -5,000 002/26/2009 2215 Roundabout Theater Company -10,000 007/2/2009 2340 Saint Vincent Catholic Medical Center Foundation -2,000 005/11/2009 2290 SAJES -2,500 003/18/2009 2228 SALUTE TO ISRAEL PARADE -500 003/31/2009 2249 SALVADORI CENTER -3,000 004/30/2009 2282 Salvation Army -400 006/9/2009 2321 Samuel Waxman Cancer Research Center -4,000 003/4/2009 2219 Samuel Waxman Cancer Research Foundation -3,000 002/20/2009 2212 Sarah Jane Brain Foundation -5,000 003/24/2009 2238 Settlement Housing Fund -5,000 007/2/2009 2346 SKY SCRAPER MUSEUM -2,000 003/25/2009 2240 Smile Train -500 005/4/2009 2283 South Street Seaport Museum - 5,000 005/26/2009 2302 ST FRANCIS HOSPITAL -6,000 002/10/2009 2210 STARLIGHT STARBRIGHT CHILDREN'S FOUNDATION -2,500 001/22/2009 2202 Temple Beth El Of Great Neck -7,090 082/20/2009 2211 Temple Beth El Of Great Neck -4,221 243/19/2009 2235 Temple Beth El Of Great Neck - 4,119 174/13/2009 2264 Temple Beth El Of Great Neck -80,000 004/20/2009 2276 Temple Beth El Of Great Neck -4,365 245/26/2009 2301 Temple Beth El Of Great Neck -4,399 866/22/2009 2332 Temple Beth El Of Great Neck -4,135 593/24/2009 2237 The Danny Fund -1,000 006/3/2009 2312 The Feinstein Institute - Medical Research -10,000 007/1/2009 2337 The Jewish Museum -5,000 007/2/2009 2345 UNITED HOSPITAL FUND -2,000 005/28/2009 2306 United States Holocaust Memorial Museum - 5,000 004/2/2009 2250 VISITING NURSE SERVICE OF LONG ISLAND -3,000 004/2/2009 2251 West Side YMCA -2,500 006/15/2009 2326 Woodbourne Arboretum -100,000 005/20/2009 2300 World Jewish Congress -10,000 005/6/2009 2288 Youth Renewal Fund -1,000 003/18/2009 2232 ZUCKER HILLSIDE HOSPITAL -2,500 000 _____ TOTAL -5,241,238 18 =====

**TY 2009 Investments Corporate
Bonds Schedule****Name:** THE LITWIN FOUNDATION INC**EIN:** 13-3501980

Name of Bond	End of Year Book Value	End of Year Fair Market Value
MERRILL LYNCH BONDS	37,975	25,627

TY 2009 Investments - Other Schedule

Name: THE LITWIN FOUNDATION INC**EIN:** 13-3501980

Category / Item	Listed at Cost or FMV	Book Value	End of Year Fair Market Value
STATE OF ISRAEL BONDS	FMV	500,000	500,000
INVESTMENT IN CYNVEC LLC	FMV	1,268,008	1,268,008

TY 2009 Legal Fees Schedule

Name: THE LITWIN FOUNDATION INC**EIN:** 13-3501980

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
LEGAL FEES	39,267	0	0	0

TY 2009 Other Assets Schedule

Name: THE LITWIN FOUNDATION INC**EIN:** 13-3501980

Description	Beginning of Year - Book Value	End of Year - Book Value	End of Year - Fair Market Value
ORGANIZATION EXPENSES	3,410	3,410	3,410
PREPAID FEDERAL INCOME TAX	154,447	4,447	4,447

TY 2009 Other Decreases Schedule

Name: THE LITWIN FOUNDATION INC**EIN:** 13-3501980

Description	Amount
NON DEDUCTIBLE LOSS PER K-1 CYNVEC INC ID# 84-1650178	76,706

TY 2009 Other Expenses Schedule

Name: THE LITWIN FOUNDATION INC**EIN:** 13-3501980

Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
NY STATE FEE	250	0	0	0
BANK FEES	386	0	0	0
NEW YORK LAW JOURNAL AD	120	0	0	0
LOSS PER K-1 CYNVEC LLC 84-1650178	2,245,593	2,245,593	0	0

TY 2009 Other Income Schedule

Name: THE LITWIN FOUNDATION INC**EIN:** 13-3501980

Description	Revenue And Expenses Per Books	Net Investment Income	Adjusted Net Income
OTHER SECURITIES LITIGATION	2,206	2,206	