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 YASPAN-UNTERBERG FOUNDATION, INC.
C/O ROBERT YASPAN

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
290 HEWLETT NECK ROAD

City or town, state, and ZIP code
WOODMERE, NY 11598

A Employer identification number
13-3608916

B Telephone number
516-277-2101

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: [X] 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) ▶$ 2,395,187.

J Accounting method: [X] 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))

		(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				
	2 Check ▶ [X] if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities	86,005.	86,005.	86,005.	STATEMENT 1
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	-5,010.			
	b Gross sales price for all assets on line 6a 1,284,836.				
	7 Capital gain net income (from Part IV, line 2)		0.		
	8 Net short-term capital gain			N/A	
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss)				
	11 Other income	198.	198.	198.	STATEMENT 2
	12 **Total.** Add lines 1 through 11	81,193.	86,203.	86,203.	
Operating and Administrative Expenses	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				
	b Accounting fees STMT 3	7,000.	700.	0.	6,300.
	c Other professional fees				
	17 Interest	8,952.	8,952.	0.	0.
	18 Taxes STMT 4	799.	80.	0.	719.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses STMT 5	16,990.	14,525.	0.	2,465.
	24 **Total operating and administrative expenses.** Add lines 13 through 23	33,741.	24,257.	0.	9,484.
	25 Contributions, gifts, grants paid	137,425.			137,425.
	26 **Total expenses and disbursements.** Add lines 24 and 25	171,166.	24,257.	0.	146,909.
	27 Subtract line 26 from line 12:				
	a Excess of revenue over expenses and disbursements	-89,973.			
	b **Net investment income** (if negative, enter -0-)		61,946.		
	c **Adjusted net income** (if negative, enter -0-)			86,203.	

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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	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing	114,619.	69,916.	69,916.
	2 Savings and temporary cash investments	235,777.	42,849.	42,849.
	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			
	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 STMT 6	1,009,618.	1,115,008.	1,491,098.
	c Investments - corporate bonds			
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other STMT 7	722,541.	747,781.	791,324.
	14 Land, buildings, and equipment: basis ▶			
	Less accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 **Total assets** (to be completed by all filers)	2,082,555.	1,975,554.	2,395,187.
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 ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.**			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ [X] and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	0.	0.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	2,082,555.	1,975,554.	
	30 **Total net assets or fund balances**	2,082,555.	1,975,554.	
	31 **Total liabilities and net assets/fund balances**	2,082,555.	1,975,554.	

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	2,082,555.
2	Enter amount from Part I, line 27a	2	-89,973.
3	Other increases not included in line 2 (itemize) ▶	3	0.
4	Add lines 1, 2, and 3	4	1,992,582.
5	Decreases not included in line 2 (itemize) ▶ DEFERRED GAIN	5	17,028.
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	1,975,554.

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 ATTACHMENT A	P	VARIOUS	VARIOUS
b	SEE ATTACHMENT A	P	VARIOUS	VARIOUS
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	632,386.		608,066.	24,320.
b	652,450.		681,780.	-29,330.
c				
d				
e				

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				24,320.
b				-29,330.
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	-5,010.
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	24,320.

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	0.	0.	.000000
2007	165,681.	3,272,210.	.050633
2006	144,830.	2,896,212.	.050007
2005	131,720.	1,940,898.	.067865
2004	142,961.	1,771,941.	.080680

2	**Total** of line 1, column (d)	2	.249185
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	.049837
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	2,094,089.
5	Multiply line 4 by line 3	5	104,363.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	619.
7	Add lines 5 and 6	7	104,982.
8	Enter qualifying distributions from Part XII, line 4	8	146,909.

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

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see 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	619.
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	619.
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	619.
6 Credits/Payments:				
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	5,032.		
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	5,032.
8 Enter any **penalty** for underpayment of estimated tax. Check here ☐ if Form 2220 is attached			8	3.
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	4,410.
11 Enter the amount of line 10 to be: **Credited to 2010 estimated tax** ▶	4,410.	**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? N/A	4b		
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			
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 ▶ ROBERT YASPAN Telephone no. ▶ 516-374-5716

Located at ▶ 290 HEWLETT NECK ROAD, WOODMERE, NY ZIP+4 ▶ 11598

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** No: 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 8		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

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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.

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	1,968,219.
b	Average of monthly cash balances	1b	157,760.
c	Fair market value of all other assets	1c	
d	**Total** (add lines 1a, b, and c)	1d	2,125,979.
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	2,125,979.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	31,890.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3. Enter here and on Part V, line 4	5	2,094,089.
6	**Minimum investment return.** Enter 5% of line 5	6	104,704.

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	104,704.
2a	Tax on investment income for 2009 from Part VI, line 5 2a 619.		
b	Income tax for 2009. (This does not include the tax from Part VI.) 2b		
c	Add lines 2a and 2b	2c	619.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	104,085.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	104,085.
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	104,085.

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	146,909.
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	146,909.
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	619.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	146,290.

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				104,085.
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 55,366.				
b From 2005 40,761.				
c From 2006 6,459.				
d From 2007 4,532.				
e From 2008 107,118.				
f **Total** of lines 3a through e	214,236.			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ $ 146,909.				
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				104,085.
e Remaining amount distributed out of corpus	42,824.			
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	257,060.			
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	55,366.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	201,694.			
10 Analysis of line 9:				
a Excess from 2005 40,761.				
b Excess from 2006 6,459.				
c Excess from 2007 4,532.				
d Excess from 2008 107,118.				
e Excess from 2009 42,824.				

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).)

NONE

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

NONE

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

Check here ▶ ☒ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see 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*				
SEE STATEMENT 9				
Total			▶ 3a	137,425.
b *Approved for future payment*				
NONE				
Total			▶ 3b	0.

923611 02-02-10

Part XVI-A · Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.	Unrelated business income (a) Business code	Unrelated business income (b) Amount	Excluded by section 512, 513, or 514 (c) Exclusion code	Excluded by section 512, 513, or 514 (d) Amount	(e) Related or exempt function income
1 Program service revenue:					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments					
4 Dividends and interest from securities			14	86,005.	
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	198.	
8 Gain or (loss) from sales of assets other than inventory			18	-5,010.	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue:					
a MISC INCOME					
b					
c					
d					
e					
12 Subtotal. Add columns (b), (d), and (e)		0.		81,193.	0.

13 Total. Add line 12, columns (b), (d), and (e) 13 81,193.

(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

Signature of officer or trustee: [signature] Date: 8/12/10 Title: Trustee

Paid Preparer's Use Only

Preparer's signature: [signature] CPA Date: 8/10/10 Check if self-employed ☐ Preparer's identifying number: P00049072

Firm's name (or yours if self-employed), address, and ZIP code: RAICH ENDE MALTER & CO., LLP
90 MERRICK AVENUE
EAST MEADOW, NY 11554

EIN ▶ 11-2336434

Phone no. 516-228-9000

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 1

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
DIVIDEND & INTEREST	86,005.	0.	86,005.
TOTAL TO FM 990-PF, PART I, LN 4	86,005.	0.	86,005.

FORM 990-PF OTHER INCOME STATEMENT 2

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
CASH IN LIEU	198.	198.	198.
TOTAL TO FORM 990-PF, PART I, LINE 11	198.	198.	198.

FORM 990-PF ACCOUNTING FEES STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
RAICH ENDE MALTER	7,000.	700.	0.	6,300.
TO FORM 990-PF, PG 1, LN 16B	7,000.	700.	0.	6,300.

FORM 990-PF TAXES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES	549.	55.	0.	494.
TAXES	250.	25.	0.	225.
TO FORM 990-PF, PG 1, LN 18	799.	80.	0.	719.

FORM 990-PF OTHER EXPENSES STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
BANK CHARGES	27.	27.	0.	0.
INVESTMENT ADV FEES	14,224.	14,224.	0.	0.
MISC EXPENSE	2,739.	274.	0.	2,465.
TO FORM 990-PF, PG 1, LN 23	16,990.	14,525.	0.	2,465.

FORM 990-PF CORPORATE STOCK STATEMENT 6

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
SEE STATEMENT (A) ATTACHED	1,115,008.	1,491,098.
TOTAL TO FORM 990-PF, PART II, LINE 10B	1,115,008.	1,491,098.

FORM 990-PF OTHER INVESTMENTS STATEMENT 7

DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
SEE STATEMENT (A) ATTACHED	COST	748,828.	792,371.
INVESTMENT - BROOKFIELD	COST	21.	21.
INVESTMENT - FINANCIAL HOLDING	COST	-1,068.	-1,068.
TOTAL TO FORM 990-PF, PART II, LINE 13		747,781.	791,324.

FORM 990-PF PART VIII - LIST OF OFFICERS, DIRECTORS TRUSTEES AND FOUNDATION MANAGERS STATEMENT 8

NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN-SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
ROBERT YASPAN 290 HEWLETT NECK RD	PRESIDENT 0.00	0.	0.	0.
BARBARA YASPAN 290 HEWLETT NECK RD	TREASURER 0.00	0.	0.	0.
RICHARD YASPAN 36 PEMBROKE DRIVE	DIRECTOR 0.00	0.	0.	0.
DAVID YASPAN 71 SHELDRAKE RD	SECRETARY 0.00	0.	0.	0.
PEGGY SHAPIRO 15 VAN TASSEL LN	DIRECTOR 0.00	0.	0.	0.
JANET MELTZER 19871 GRANDVIEW AVE	DIRECTOR 0.00	0.	0.	0.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		0.	0.	0.

FORM 990-PF GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR STATEMENT 9

RECIPIENT NAME AND ADDRESS	RECIPIENT RELATIONSHIP AND PURPOSE OF GRANT	RECIPIENT STATUS	AMOUNT
ADOLPH & ROSE LEWIS 21050 95TH AVE S BOCAL RATON, FL 33428	NONE GENERAL	PUBLIC CHARITY	3,600.
ALZHEMERS ASSOC. 5900 WILSHIRE BLVD, STE 1100 LOS ANGELES, CA 90036	NONE GENERAL	PUBLIC CHARITY	500.
AMERICAN CANCER SOCIETY 6725 LYONS ST PO BOX 7 EAST SYRACUSE, NY 13057	NONE GENERAL	PUBLIC CHARITY	3,500.
AMERICAN HEARTH ASSOCIATION 1710 GILBRETH ROAD BULINGAME, CA 94010	NONE GENERAL	PUBLIC CHARITY	500.
AMERICAN JEWISH JOINT DISTRIBUTION COMMITTEE 711 3RD AVENUE NEW YORK, NY 10017	NONE GENERAL	PUBLIC CHARITY	1,000.
AMERICAN LIVER FOUNDATION 75 MADIEN LANE, SUITE 603 NEW YORK, NY 10038	NONE GENERAL	PUBLIC CHARITY	500.
AMERICAN DIABETES FUND 1701 NORTH BEAUREGARD STREET ALEXANDIRA, VA 22311	NONE GENERAL	PUBLIC CHARITY	1,500.
BERKELEY HILLEL 2736 BANCROFT WAY BERKELEY, CA 94704	NONE GENERAL	PUBLIC CHARITY	500.

BUCUNELL FUND BUKNELL UNIVERSITY LEWISBURG, PA 17837	NONE GENERAL	PUBLIC CHARITY	2,500.
BYTHESDALE 95 BRADHURST AVENUE VALHALLA, NY 10595	NONE GENERAL	PUBLIC CHARITY	500.
CAMP INTERACTIVE 2865 UNIVERSITY AVENUE, SUITE E-3 BRONX, NY 10468	NONE GENERAL	PUBLIC CHARITY	1,000.
CAPS PO BOX 176 ROSLYN, NY 11576	NONE GENERAL	PUBLIC CHARITY	600.
CASA PACIFICA 1772 SOUTH LEWIS ROAD CAMARILLO, CA 93012	NONE GENERAL	PUBLIC CHARITY	1,500.
FOR THE LOVE OF JEMMA 116 JOHN STREET, SUITE 1304 NEW YORK, NY 10038	NONE GENERAL	PUBLIC CHARITY	500.
FORT LAUDERDALE CHILDREN'S THEATRE 2542B EAST SUNRISE BOULEVARD FORT LAUDERDALE, FL 33304	NONE GENERAL	PUBLIC CHARITY	550.
GILDAS PLACE 80 MAPLE AVENUE WHITE PLAINS, NY 10601	NONE GENERAL	PUBLIC CHARITY	500.
GRAND STREET SETTLEMENT 80 PITT STREET NEW YORK, NY 10002	NONE GENERAL	PUBLIC CHARITY	300.
HEART SONG 590 CENTRAL PARK AVENUE, SUITE C SCARSDALE, NY 10583	NONE GENERAL	PUBLIC CHARITY	500.

HILLEL OF BROWARD AND PALM BEACH 777 GLADES ROAD, BLDG LY-3A BOCAL RATON, FL 33431	NONE GENERAL	PUBLIC CHARITY	10,000.
HOSPICE FOUNDATION OF THE EAST BAY 3470 BUSKIRK AVENENUE PLEASANT HILL, CA 94523	NONE GENERAL	PUBLIC CHARITY	750.
JEWISH FAMILY SERVICES 3580 WILSHIRE BLVD, STE 700 LOS ANGELES, CA 90010	NONE GENERAL	PUBLIC CHARITY	500.
JEWISH FEDERATION - SPBC 300 GRAND AVENUE OAKLAND, CA 94610	NONE GENERAL	PUBLIC CHARITY	20,000.
JEWISH FOUNDATION 6505 WILSHIRE BOULEVARD, SUITE 1200 LOS ANGELES, CA 90048	NONE GENERAL	PUBLIC CHARITY	1,000.
JEWISH PARTISAN EDUCATIONAL FOUNDATION 2107 VAN NESS AVENUE, SUITE 302 SAN FRANCISCO , CA 94109	NONE GENERAL	PUBLIC CHARITY	3,000.
JEWISH WOMAN'S FOUNDATION 30 S. WELLS STREET CHICAGO, IL 60606	NONE GENERAL	PUBLIC CHARITY	500.
KIDS IN DISTRESS 819 NORTHEAST 26TH STREET FORT LAUDERDALE, FL 33305	NONE GENERAL	PUBLIC CHARITY	800.
LETS GET READY 50 BROADWAY, SUITE 806 NEW YORK, NY 10004	NONE GENERAL	PUBLIC CHARITY	1,000.
LICADD 207 HILLSIDE AVENUE WILLISTON PARK, NY 11596	NONE GENERAL	PUBLIC CHARITY	1,200.

LYMPHATIC RESEARCH FUND 100 FOREST DRIVE EAST HILLS, NY 11548	NONE GENERAL	PUBLIC CHARITY	500.
MAW IDEA 4742 N. 24TH STREET, SUITE 400 PHOENIX, AZ 85016	NONE GENERAL	PUBLIC CHARITY	500.
MEALS ON WHEELS 100 GARDEN CITY PLAZA, SUITE 100 GARDEN CITY, NY 11530	NONE GENERAL	PUBLIC CHARITY	2,500.
MIRACLE LEAGUE OF WESCHESTER 30 GLENN STREET, SUITE 307 WHITE PLAINS, NY 10603	NONE GENERAL	PUBLIC CHARITY	225.
MOSE DE LA FAMILIA NEW YORK NEW YORK, NY	NONE GENERAL	PUBLIC CHARITY	250.
NATIONAL COUNCIL OF JEWISH WOMEN 475 RIVERSIDE DRIVE NEW YORK, NY 10115	NONE GENERAL	PUBLIC CHARITY	4,500.
NORTHWESTERN 633 CLARK STREET EVANSTON, IL 60208	NONE GENERAL	PUBLIC CHARITY	600.
NY/NJ TRAIL CONFERENCE 156 RAMAPO VALLEY ROAD MAHWAH, NJ 07430	NONE GENERAL	PUBLIC CHARITY	500.
PLEASANTVILLE COTTAGE 120 WALL STREET NEW YORK, NY 10005	NONE GENERAL	PUBLIC CHARITY	500.
POLICE ATHLETE LEAGUE 34 1/2 EAST 12TH STREET NEW YORK, NY 10003	NONE GENERAL	PUBLIC CHARITY	1,000.

PROJECT OPEN HAND 730 POLK STREET SAN FRANCISCO , CA 94109	NONE GENERAL	PUBLIC CHARITY	500.
PROMISES FOUNDATION 11340 OLYMPIC BLVD, SUITE 242 LOS ANGELES, CA 90064	NONE GENERAL	PUBLIC CHARITY	5,000.
RIDES FOR KIDS 53 PARKER HILL AVENUE BOSTON, MA 02120	NONE GENERAL	PUBLIC CHARITY	500.
RODMAN RIDE 4 KIDS 10 LINCOLN ROAD FROXBORO, MA 02035	NONE GENERAL	PUBLIC CHARITY	1,000.
RONALD MCDONALD 1 KROC DRIVE OAK BROOK, IL 60523	NONE GENERAL	PUBLIC CHARITY	1,000.
SAFE HORIZON 2 LAFAYETTE STREET, 3RD FLOOR NEW YORK, NY 10007	NONE GENERAL	PUBLIC CHARITY	500.
SCARSDALE VOLUNTEER 5 WEAVER STREET SCARSDALE, NY 10583	NONE GENERAL	PUBLIC CHARITY	1,000.
SCRIPPS INSTITUTE OF OCEANOGRAPHY 9500 GILMAN DRIVE # 0940 LA JOLLA, CA 92093	NONE GENERAL	PUBLIC CHARITY	1,000.
SEA CLIFF LIONS CLUB PO BOX 102 SEA CLIFF, NY 11579	NONE GENERAL	PUBLIC CHARITY	800.
SHALOM BAYIT PO BOX 10102 OAKLAND, CA 94610	NONE GENERAL	PUBLIC CHARITY	1,500.

SMILE TRAIN 41 MADISON AVENUE, 28TH FLOOR NEW YORK, NY 10010	NONE GENERAL	PUBLIC CHARITY	1,000.
SYINBAL C CENTER NEW YORK NEW YORK, NY	NONE GENERAL	PUBLIC CHARITY	500.
SYRACUSE UNIVERSITY 721 UNIVERSITY AVENUE, SUITE 415 SYRACUSE, NY 13244	NONE GENERAL	PUBLIC CHARITY	3,500.
TEMPLE ISRAEL 477 LONGWOOD AVENUE BOSTON, MA 02215	NONE GENERAL	PUBLIC CHARITY	1,750.
TEMPLE SINAI 120 HARBOR HILL ROAD EAST HILLS, NY 11577	NONE GENERAL	PUBLIC CHARITY	7,500.
THE FARM SCHOOL 488 MOORE HILL ROAD ATHOL, MA 01331	NONE GENERAL	PUBLIC CHARITY	500.
UNITED WAY 819 GRAND BOULEVARD DEER PARK, NY 11729	NONE GENERAL	PUBLIC CHARITY	1,000.
UC BERKELEY 2080 ADDISON STREET BERKELEY, CA 94720	NONE GENERAL	PUBLIC CHARITY	500.
UJA FEDERATION OF NY 130 EAST 59TH STREET NEW YORK, NY 10022	NONE GENERAL	PUBLIC CHARITY	32,000.
WESTCHESTER GOLF CADDIE FUND 49 KNOLLWOOD ROAD, SUITE 220 ELMSFORD, NY 10523	NONE GENERAL	PUBLIC CHARITY	750.

WESTCHESTER REFORM TEMPLE 255 MAMARONECK ROAD SCARSDALE, NY 10583	NONE GENERAL	PUBLIC CHARITY	3,250.
WESTERN ANNUAL FUND CASE WESTERN RESERVE UNIVERSITY CLEVELAND, OH 44106	NONE GENERAL	PUBLIC CHARITY	1,000.
WHITE PLAINS HOSPITAL 41 EAST POST ROAD WHITE PLAINS, NY 10601	NONE GENERAL	PUBLIC CHARITY	1,500.
TOTAL TO FORM 990-PF, PART XV, LINE 3A			137,425.

Acct #: 55097200 Phone #:

7/2/2010 Foundation Margin NonTaxable Domestic NY IA Fee=Y DISC/CMN=N FI Acct=N Capital Appreciation and Income IPO=Y DOB=

Capital Gains

YASPAN-UNTERBERG FDN INC
C/O ROBERT YASPAN 17840 SOUTHWICK WAY
BOCA RATON FL 33498-6418

Capital Gains Summary From 01/01/2009 To 12/31/2009

Description	Totals
Short Term Gain/Loss	24,320.04
Long Term Gain/Loss	-29,328.86
Total Short Sale Gain/Loss	0.00
Discount Income	0.00
Total Capital Gains/Losses	-5,008.82
Adjusted Basis	1,289,843.93
Proceeds	1,284,835.11
Total Curr Gain/Loss	0.00

EQUITIES

Purchase Date	Close Date	No. of Shares	Orig Face	Symbol	Description	Unit Cost	Sale Price	Total Cost	Net Amount	Ind	ST Gain/Loss	LT Gain/Loss	Book Cost	Disc Inc	Curr Gain/Loss
05/04/2009	07/13/2009	325 00	0.00	POT	***POTASH CORP OF SASKATCHEWAN INC	95 279	82 263	30,965 58	26,734 82	ST	-4,230 76	0 00	30,965 58	0 00	0 00
06/16/2009	09/18/2009	750 00	0 00	QCOM	QUALCOMM INC	43 994	44 571	32,995 27	33,427 41	ST	432 14	0 00	32,995 27	0 00	0 00
04/16/2009	10/20/2009	300 00	0 00	LMT	LOCKHEED MARTIN CORP	76 836	72.757	23,050 82	21,826 42	ST	-1,224 40	0 00	23,050 82	0 00	0 00
07/22/2009	10/20/2009	450 00	0 00	LMT	LOCKHEED MARTIN CORP	76 401	72.757	34,380 45	32,739 62	ST	-1,640 83	0 00	34,380 45	0 00	0 00
10/07/2009	11/30/2009	2,100 00	0 00	BSBR	BANCO SANTANDER SA ADR REPR 1 COM STK NPV	13 403	13 510	28,146.93	28,370 48	ST	223 55	0 00	28,146 93	0.00	0 00
07/09/2009	11/30/2009	250 00	0 00	BAX	BAXTER INTERNATIONAL INC	53 073	54 530	13,268 18	13,632 17	ST	363 99	0 00	13,268 18	0 00	0 00

06/09/2009	12/22/2009	550 00	0 00	BHP	***BHP BILLITON LTD SPONSORED ADR	59 174	72 843	32,545 53	40,062 79	ST	7,517 26	0 00	32,545 53	0 00	0 00
ST - TERM TOTAL		4,725 00						195,352 76	196,793 71	ST	1,440 95	0 00	195,352 76	0 00	0 00
07/03/2007	01/28/2009	250 00	0 00	CVD	COVANCE INC	70 058	36 766	17,514 53	9,191 45	LT	0 00	-8,323 08	17,514 53	0.00	0 00
01/16/2007	01/28/2009	1,250 00	0 00	CVD	COVANCE INC	63 266	36 766	79,081 88	45,957 24	LT	0 00	-33,124 64	79,081.88	0 00	0 00
07/05/2005	02/06/2009	1,000 00	0 00	DNR	DENBURY RESOURCES INC NEW HOLDING COMPANY	10 645	13 475	10,669 95	13,474 52	LT	0 00	2,804 57	10,669 95	0 00	0.00
06/17/2005	02/09/2009	3,000 00	0 00	DNR	DENBURY RESOURCES INC NEW HOLDING COMPANY	9 595	13 920	28,861 05	41,759 46	LT	0 00	12,898 41	28,861 05	0 00	0 00
06/20/2005	02/09/2009	1,000 00	0 00	DNR	DENBURY RESOURCES INC NEW HOLDING COMPANY	9 732	13 920	9,766 75	13,919 82	LT	0 00	4,153 07	9,766 75	0 00	0 00
09/06/2007	03/02/2009	175 00	0 00	MON	MONSANTO CO	70 464	72 754	12,331 11	12,731 89	LT	0 00	400 78	12,331 11	0 00	0 00
11/26/2003	03/04/2009	750 00	0 00	EXPD	EXPEDITORS INTL OF WASH INC	19 570	26 174	14,715 30	19,630.24	LT	0 00	4,914 94	14,715 30	0 00	0 00
10/20/2006	03/05/2009	50.00	0 00	BLK	BLACKROCK INC CL A	146 019	92 939	7,300 92	4,646 94	LT	0 00	-2,653 98	7,300 92	0 00	0 00
04/21/2006	03/11/2009	100 00	0 00	AMT	AMERICAN TOWER CORP CL A	32 657	28 636	3,265 69	2,863 56	LT	0 00	-402 13	3,265 69	0 00	0 00
07/06/2006	03/11/2009	400 00	0 00	AMT	AMERICAN TOWER CORP CL A	32 402	28 636	12,960 84	11,454 25	LT	0 00	-1,506 59	12,960 84	0 00	0 00
12/13/2005	03/11/2009	250 00	0 00	AMT	AMERICAN TOWER CORP CL A	27 182	28 636	6,820 47	7,158 91	LT	0 00	338 44	6,820 47	0 00	0 00
08/16/2006	03/19/2009	250 00	0 00	KSU	KANSAS CITY SOUTHERN NEW	26 532	15 001	6,632 87	3,750 28	LT	0 00	-2,882 59	6,632 87	0 00	0 00
12/04/2006	03/19/2009	750 00	0 00	KSU	KANSAS CITY SOUTHERN NEW	26 650	15 001	19,987 50	11,250 83	LT	0 00	-8,736 67	19,987 50	0 00	0 00
03/25/1999	03/23/2009	1,105 00	0 00	S680622	***SUNCOR ENERGY INC	4 246	25 400	4,692 17	28,066 62	LT	0 00	23,374 45	4,692 17	0 00	0 00
03/25/1999	03/23/2009	1,145 00	0 00	S680622	***SUNCOR ENERGY INC	4.246	25 400	4,862 02	29,082 60	LT	0 00	24,220 58	4,862 02	0 00	0 00
02/02/1902	05/08/2009	500 00	0 00	GE	GENERAL ELECTRIC CO	29 920	14 386	14,960 95	7,192 71	LT	0 00	-7,768 24	14,960 95	0 00	0 00

05/09/1995	05/08/2009	650 00	0 00	GE	GENERAL ELECTRIC CO	9 881	14 386	6,422 69	9,350.53	LT	0 00	2,927 84	6,422 69	0 00	0 00
08/13/1996	05/08/2009	100.00	0 00	GE	GENERAL ELECTRIC CO	14 208	14 386	1,420 83	1,438 54	LT	0 00	17 71	1,420 83	0 00	0 00
08/08/2005	05/28/2009	1,750 00	0 00	SSW	***SEASPAN CORP	18 886	7 013	33,050 54	12,271 91	LT	0 00	-20,778 63	33,050 54	0 00	0 00
08/09/2005	05/28/2009	2,000 00	0 00	SSW	***SEASPAN CORP	18 790	7 013	37,779 05	14,025 04	LT	0 00	-23,754 01	37,779 05	0 00	0 00
08/16/2006	05/29/2009	2,250 00	0 00	KSU	KANSAS CITY SOUTHERN NEW	26 532	16 203	59,695 88	36,456 31	LT	0 00	-23,239 57	59,695 88	0 00	0 00
09/28/2007	10/21/2009	1,500 00	0 00	PBR	***PETROLEO BRASILEIRO SA PETROBRAS SPONSORED ADR	38 268	50 250	57,402 53	75,373 36	LT	0 00	17,970 83	57,402 53	0 00	0 00
09/06/2007	10/26/2009	525 00	0 00	MON	MONSANTO CO	70 464	72 441	36,993 34	38,030 39	LT	0 00	1,037 05	36,993 34	0 00	0 00
10/06/2006	12/30/2009	312 00	0 00	KMR	KINDER MORGAN MGMT LLC SHS	32 570	54 577	10,161 71	17,027 62	LT	0 00	6,865 91	10,161 71	0 00	0 00
LT - TERM TOTAL		21,062 00						497,350 57	466,105 02	LT	0 00	-31,245 55	497,350 57	0 00	0 00
SECTION TOTAL		25,787.00						692,703 33	662,898 73		1,440 95	-31,245 55	692,703 33	0 00	0 00

FIXED INCOME

Purchase Date	Close Date	No. of Shares	Orig Face	Symbol	Description	Unit Cost	Sale Price	Total Cost	Net Amount	Ind	ST Gain/Loss	LT Gain/Loss	Book Cost	Disc Inc	Curr Gain/Loss
12/17/2008	02/09/2009	25,000 00	0 00	68199ADC6	OMNICOM GROUP INC LIQUID YIELD OPT NT ZERO CPN 0 00000% 2/7/2031 68199ADC6	99 633	100 000	24,908 37	25,000 00	ST	91 63	0 00	24,828 13	0 00	0 00
02/19/2009	04/08/2009	25,000 00	0 00	650111AD9	NEW YORK TIMES CO R/MD 4 50 03/15/2010 4 50000% 03/15/2010 650111AD9 MS_15	93 250	103 492	23,312 50	25,873 02	ST	2,560 52	0 00	23,312 50	0 00	0 00

12/08/2008	08/04/2009	25,000 00	0 00	268648AK8	EMC CORP SR NT CONV 1 75000% 12/01/2011 268648AK8 JD_01	96 450	113 700	24,112 50	28,425 00	ST	4,312 50	0 00	24,112 50	0 00	0 00
01/29/2009	08/05/2009	25,000 00	0 00	549271AD6	LUBRIZOL CORP SR NT 4 62500% 10/01/2009 549271AD6 AO_01	100 386	100 414	25,096 50	25,103 50	ST	7 00	0 00	25,096 50	0 00	0 00
11/21/2008	08/06/2009	25,000 00	0 00	293791AM1	ENTERPRISE PRODS OPER L P SENIOR NOTE 4 62500% 10/15/2009 293791AM1 AO_15	95 000	100 459	23,750 00	25,114 75	ST	1,364 75	0 00	23,750 00	0 00	0 00
04/09/2009	08/06/2009	25,000 00	0 00	68199ADJ1	OMNICOM GROUP INC CONV -CONTRA CUSIP- 0 00000% 07/31/2032 68199ADJ1	98 125	100 000	24,531 25	25,000 00	ST	468 75	0 00	24,531 25	0 00	0 00
11/13/2008	09/08/2009	25,000 00	0 00	01799AJD3	ALLEGHENY ENERGY SUPPLY - CONTRA CUSIP - 7 80000% 3/15/2011 01799AJD3 MS_15	95 500	103 250	23,875 00	25,812 50	ST	1,937 50	0 00	23,875 00	0 00	0 00
12/04/2008	09/28/2009	25,000 00	0 00	585055AL0	MEDTRONIC INC SR NT CONV 1 50000% 4/15/2011 585055AL0 AO_15	90 500	99 625	22,625 00	24,906 25	ST	2,281 25	0 00	22,625 00	0 00	0 00
10/23/2008	09/28/2009	25,000 00	0 00	949746MZ1	WELLS FARGO & CO NEW 4 62500% 08/09/2010 949746MZ1 FA_09	99 320	102 928	24,830 00	25,732 00	ST	902 00	0 00	24,830 00	0 00	0 00

11/24/2008	09/28/2009	25,000 00	0 00	98385XAR7	XTO ENERGY INC SR NT 5 00000% 08/01/2010 98385XAR7 FA_01	97 750	102 550	24,437 50	25,637 50	ST	1,200 00	0 00	24,437 50	0 00	0 00
03/27/2009	10/01/2009	25,000 00	0 00	019SPC9D8	ALLIED WASTE NORTH AMER INC SR NT - CONTRA CUSIP - 5 75000% 2/15/2011 019SPC9D8 FA_15	97 875	105 125	24,468 75	26,281 31	ST	1,812 56	0 00	24,468 75	0 00	0 00
04/22/2009	11/02/2009	50,000 00	0 00	502413AJ6	L-3 COMMUNICATI ONS CORP SENIOR SUB NOTES 7 62500% 06/15/2012 502413AJ6 CALLED @ 101 27 11/02/09 JD_15	101 000	101 271	50,500 00	50,635 50	ST	135 50	0 00	50,500 00	0 00	0 00
06/22/2009	11/13/2009	50,000 00	0 00	029912AQ5	AMERICAN TOWER CORP SENIOR NOTE 7 12500% 10/15/2012 029912AQ5 CALLED @ 101 78 11/13/09 AO_15 CC	101 000	101 781	50,500 00	50,890 50	ST	390 50	0 00	50,500 00	0 00	0 00
12/02/2008	12/01/2009	25,000 00	0 00	428236AT0	HEWLETT PACKARD CO NTS 6 12500% 03/01/2014 428236AT0 MS_01	99 561	113 751	24,890 25	28,437 75	ST	3,547 50	0 00	24,890 25	0 00	0 00
ST - TERM TOTAL		400,000 00						391,837 62	412,849 58	ST	21,011 96	0 00	391,757 38	0 00	0 00

10/03/2007	06/10/2009	50,000 00	0 00	02999ACP9	AMERICAN TOWER CORP SR NT -CONTRA CUSIP- 7 50000% 05/01/2012 02999ACP9 MN_01	103 500	102 125	51,750 00	51,062 50	LT	0 00	-687 50	51,750 00	0 00	0 00
11/26/2008	12/01/2009	25,000 00	0 00	17275RAB8	CISCO SYS INC SR NT 5 25000% 02/22/2011 17275RAB8 FA_22	101 336	105 552	25,334 00	26,388 00	LT	0 00	1,054 00	25,334 00	0 00	0 00
10/20/2008	12/29/2009	25,000 00	0 00	060505BU7	BANK AMER CORP 4 50000% 08/01/2010 060505BU7 FA_01	97 515	101 802	24,378 75	25,450 50	LT	0 00	1,071 75	24,378 75	0 00	0 00
LT - TERM TOTAL		100,000 00						101,462 75	102,901 00	LT	0 00	1,438 25	101,462 75	0 00	0 00
SECTION TOTAL		500,000 00						493,300 37	515,750 58		21,011 96	1,438 25	493,220 13	0 00	0 00

REAL ESTATE INVESTMENT TRUST

Purchase Date	Close Date	No of Shares	Orig Face	Symbol	Description	Unit Cost	Sale Price	Total Cost	Net Amount	Ind	ST Gain/Loss	LT Gain/Loss	Book Cost	Disc Inc	Curr Gain/Loss
05/06/2009	08/27/2009	400 00	0 00	VNO	VORNADO REALTY TRUST	52 188	56 857	20,875 12	22,742 25	ST	1,867 13	0 00	20,875 12	0 00	0 00
ST - TERM TOTAL		400 00						20,875 12	22,742 25	ST	1,867 13	0 00	20,875 12	0 00	0 00
SECTION TOTAL		400 00						20,875 12	22,742 25		1,867 13	0 00	20,875 12	0 00	0 00

MATURITIES

Purchase Date	Close Date	No of Shares	Orig Face	Symbol	Description	Unit Cost	Sale Price	Total Cost	Net Amount	Ind	ST Gain/Loss	LT Gain/Loss	Book Cost	Disc Inc	Curr Gain/Loss
05/19/2006	05/15/2009	75,000 00	0 00	242361AC7	DEAN FOODS CO SR NTS 6 62500% 05/15/2009 242361AC7 MN_15	100 750	100 000	75,562 50	75,000 00	LT	0 00	-562 50	75,562 50	0 00	0 00
LT - TERM TOTAL		75,000 00						75,562 50	75,000 00	LT	0 00	-562 50	75,562 50	0 00	0 00

SECTION TOTAL		75,000 00						75,562 50	75,000.00		0 00	-562 50	75,562 50	0 00	0 00

CAPITAL GAIN DIVIDENDS

Purchase Date	Close Date	No. of Shares	Orig Face	Symbol	Description	Unit Cost	Sale Price	Total Cost	Net Amount	Ind	ST Gain/Loss	LT Gain/Loss	Book Cost	Disc Inc	Curr Gain/Loss
CAPITAL GAIN DIVIDENDS	06/12/2009	6 51		VNO	VORNADO REALTY TRUST			0 00	6 51	LT	0 00	6 51	0 00	0 00	0 00
CAPITAL GAIN DIVIDENDS	09/14/2009	7 85		VNO	VORNADO REALTY TRUST			0 00	7 85	LT	0 00	7 85	0 00	0 00	0 00
CAPITAL GAIN DIVIDENDS	12/14/2009	5 65		VNO	VORNADO REALTY TRUST			0 00	5 65	LT	0 00	5 65	0 00	0 00	0 00
LT - TERM TOTAL		20 01						0 00	20 01	LT	0 00	20 01	0 00	0 00	0.00
SECTION TOTAL		20 01						0 00	20 01		0 00	20 01	0 00	0.00	0 00

CAPITAL GAIN FROM LIQUIDATING DIVIDENDS

Purchase Date	Close Date	No. of Shares	Orig Face	Symbol	Description	Unit Cost	Sale Price	Total Cost	Net Amount	Ind	ST Gain/Loss	LT Gain/Loss	Book Cost	Disc Inc	Curr Gain/Loss
01/01/1900	06/12/2009	760 00	0 00	VNO	VORNADO REALTY TRUST	0 000	0 353	0 00	267 90	LT	0 00	267 90	0 00	0 00	0 00
01/01/1900	09/14/2009	915 73	0 00	VNO	VORNADO REALTY TRUST	0 000	0 352	0 00	322.79	LT	0 00	322 79	0 00	0 00	0 00
01/01/1900	12/14/2009	659 75	0 00	VNO	VORNADO REALTY TRUST	0 000	0 352	0 00	232 56	LT	0 00	232 56	0 00	0 00	0 00
LT - TERM TOTAL		2,335 48						0 00	823 25	LT	0 00	823 25	0 00	0 00	0 00
06/18/2008	02/13/2009	4,000 00	0 00	TOO	***TEEKAY OFFSHORE PARTNERS LP	19 018	0 344	1,375 74	1,375 74		0 00	0 00	1,375 74	0 00	0.00
08/09/2005	02/16/2009	2,000 00	0 00	SSW	***SEASPAN CORP	19 296	0 418	836 95	836 95		0 00	0 00	836 95	0 00	0 00
08/08/2005	02/16/2009	1,750 00	0 00	SSW	***SEASPAN CORP	19 393	0 418	732 33	732 33		0 00	0 00	732 33	0 00	0 00
08/09/2005	05/12/2009	2,000 00	0 00	SSW	***SEASPAN CORP	18 878	0 088	176 20	176 20		0 00	0 00	176 20	0 00	0 00
08/08/2005	05/12/2009	1,750 00	0 00	SSW	***SEASPAN CORP	18 974	0 088	154 17	154 17		0 00	0 00	154 17	0 00	0 00

06/18/2008	05/15/2009	4,000 00	0 00	TOO	***TEEKAY OFFSHORE PARTNERS LP	18 674	0 344	1,375 74	1,375 74		0 00	0 00	1,375 74	0 00	0 00
06/18/2008	08/14/2009	4,000 00	0 00	TOO	***TEEKAY OFFSHORE PARTNERS LP	18 330	0 344	1,375 74	1,375 74		0 00	0 00	1,375 74	0 00	0 00
06/18/2008	11/17/2009	4,000 00	0 00	TOO	***TEEKAY OFFSHORE PARTNERS LP	17 986	0 344	1,375 74	1,375 74		0 00	0 00	1,375 74	0 00	0 00
SECTION TOTAL		25,835 48						7,402 61	8,225 86		0 00	823 25	7,402 61	0 00	0 00

CASH IN LIEU

Purchase Date	Close Date	No. of Shares	Orig Face	Symbol	Description	Unit Cost	Sale Price	Total Cost	Net Amount	Ind	ST Gain/Loss	LT Gain/Loss	Book Cost	Disc Inc	Curr Gain/Loss
CASH IN LIEU	02/13/2009	14 40		EEQ	ENBRIDGE ENERGY MANAGEMENT LLC SHS UNITS REPSTG LTD LIABILITY COMPANY INTERESTS			0 00	14 40	LT	0 00	14 40	0 00	0 00	0 00
CASH IN LIEU	02/13/2009	0 16		KMR	KINDER MORGAN MGMT LLC SHS			0 00	0 16	LT	0 00	0 16	0 00	0.00	0 00
CASH IN LIEU	02/20/2009	20 68		KMR	KINDER MORGAN MGMT LLC SHS			0 00	20 68	LT	0.00	20 68	0 00	0.00	0 00
CASH IN LIEU	02/20/2009	0 16		KMR	KINDER MORGAN MGMT LLC SHS			0 00	-0 16	LT	0 00	-0.16	0 00	0 00	0 00
CASH IN LIEU	05/18/2009	28 95		EEQ	ENBRIDGE ENERGY MANAGEMENT LLC SHS UNITS REPSTG LTD LIABILITY COMPANY INTERESTS			0 00	28 95	LT	0 00	28 95	0 00	0 00	0 00
CASH IN LIEU	05/18/2009	27 88		KMR	KINDER MORGAN MGMT LLC SHS			0 00	27 88	LT	0 00	27 88	0 00	0 00	0 00

CASH IN LIEU	08/20/2009	35 44	EEQ	ENBRIDGE ENERGY MANAGEMENT LLC SHS UNITS REPSTG LTD LIABILITY COMPANY INTERESTS	0 00	35 44	LT	0 00	35 44	0 00	0 00	0 00
CASH IN LIEU	08/20/2009	16 23	KMR	KINDER MORGAN MGMT LLC SHS	0 00	16 23	LT	0 00	16 23	0 00	0 00	0 00
CASH IN LIEU	11/13/2009	33 75	EEQ	ENBRIDGE ENERGY MANAGEMENT LLC SHS UNITS REPSTG LTD LIABILITY COMPANY INTERESTS	0 00	33 75	LT	0 00	33 75	0 00	0 00	0 00
CASH IN LIEU	11/13/2009	20 35	KMR	KINDER MORGAN MGMT LLC SHS	0 00	20 35	LT	0 00	20 35	0 00	0 00	0 00
LT - TERM TOTAL		198 00			0 00	197 68	LT	0 00	197 68	0.00	0.00	0 00
SECTION TOTAL		198 00			0 00	197 68		0 00	197 68	0 00	0 00	0 00

Indicators

ST	- Short Term
LT	- Long Term
WO	- Written Option
SS	- Short Sale
P	- Purchase includes option premium
S	- Sale includes option premium

*** This report is intended to be an internal worksheet and should not be relied upon for accuracy, unless it confirms with the official records of the firm
*** Mortgage backed factors are updated on the 8th business day of the month

Source Neuberger Berman

This capital gain and loss summary is provided for information purposes only and does not conform to tax preparation standards, please refer to your account statement or other statement provided by your custodian for the official records of your account(s) It is provided for your personal record keeping purposes only This review contains information supplied by third parties, including but not limited to the client This report is based upon information that we consider reliable, but we do not represent that it is accurate or complete, and it should not be relied upon as such It is accordingly not a substitute Form 1099 and should not be supplied to the Internal Revenue Service This report should not be relied on in extending credit to the client or any individual or entity affiliated with the client

PLEASE CONSULT YOUR TAX ADVISOR

LT is the designation for a gain or loss on a security held for more than twelve (12) months

ST is the designation for a gain or loss on a security held for twelve (12) months

The Internal Revenue Code (If Applicable).
SECTION 1091 - WASH SALES
SECTION 1092 - STRADDLES
SECTION 1259 - CONSTRUCTIVE SALES

Any adjustments to the result of Mutual Fund (& Closed-End Fund) Transactions required by Section 852(b) (4) are not reflected above

Closing Transactions due to taxable merger involving cash and stock may be reflected differently on the above Capital Gains/Losses Statement and on the Form 1099 you will or have received at the end of the year

Please note that the Cost Basis used to determine Gains or Losses as listed in this report for Master Limited Partnerships (MLP), Original Issue Discount (OID) and certain municipal bonds may have been adjusted for reallocated income, gains, losses or return of capital.

For securities not purchased through Neuberger Berman but purchased elsewhere and later transferred in, you will need to supply relevant information to your tax advisor It is your responsibility to ensure the accuracy of this information since Neuberger Berman has no knowledge of such assets cost basis

Exchange rates used to derive foreign exchange gains and losses may be provided from various outside sources and may not reflect realizable rates Neuberger Berman does not warrant the accuracy of these sources and is not responsible for inaccuracies. Rates may also be subject to change without notice.

Certain companies, such as Real Estate Investment Trusts, commonly known as REITs pay distributions throughout the year and reallocate these distributions at year-end as all or some of the following: Return of Capital, Short Term Gain, Long Term Gain, and Regular Income Due to this late reallocation, these entries may be posted to your account in the beginning of the following year resulting in an amended Capital Gains Report

This material may contain multiple Neuberger Berman account information Such aggregate information is provided for discussion purposes only and is not necessarily representative of any one of the individual accounts comprising this combined report. Clients should review each individual account statement for specific holdings and gains and losses