EXTENSION ATTACHED

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
BOGATIN FAMILY FOUNDATION INC.
C/O CBIZ MHM LLC

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
111 WEST 40TH STREET

City or town, state, and ZIP code
NEW YORK, NY 10018

A Employer identification number
13-3922730

B Telephone number
(212) 790-5700

C If exemption application is pending, check here ☐
D 1. Foreign organizations, check here ☐
2. Foreign organizations meeting the 85% test, check here and attach computation ☐

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

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

I Fair market value of all assets at end of year *(from Part II, col (c), line 16)* ▶$ 2,271,669.

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

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

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

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received			N/A	
	2 Check ▶ [X] if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	42,264.	42,264.		STATEMENT 1
	4 Dividends and interest from securities	692.	692.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	27,063.			
	b Gross sales price for all assets on line 6a 2,548,634.				
	7 Capital gain net income (from Part IV, line 2)		27,063.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss)				
	11 Other income				
	12 **Total** Add lines 1 through 11	70,019.	70,019.		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees STMT 3	20,890.	10,445.		10,445.
	c Other professional fees				
	17 Interest				
	18 Taxes STMT 4	250.	0.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses STMT 5	12,192.	9,804.		2,388.
	24 **Total operating and administrative expenses** Add lines 13 through 23	33,332.	20,249.		12,833.
	25 Contributions, gifts, grants paid	127,331.			127,331.
	26 **Total expenses and disbursements.** Add lines 24 and 25	160,663.	20,249.		140,164.
	27 Subtract line 26 from line 12:				
	a Excess of revenue over expenses and disbursements	<90,644.>			
	b **Net investment income** (if negative, enter -0-)		49,770.		
	c **Adjusted net income** (if negative enter -0-)			N/A	

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

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing	3,503.		
	2 Savings and temporary cash investments	1,416,263.	1,138,530.	1,138,530.
	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			
	c Investments - corporate bonds			
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other STMT 6	947,917.	1,138,509.	1,133,139.
	14 Land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 **Total assets** (to be completed by all filers)	2,367,683.	2,277,039.	2,271,669.
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 ▶ ☒ and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	2,367,683.	2,277,039.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	0.	0.	
	30 **Total net assets or fund balances**	2,367,683.	2,277,039.	
	31 **Total liabilities and net assets/fund balances**	2,367,683.	2,277,039.	

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	2,367,683.
2	Enter amount from Part I, line 27a	2	<90,644.>
3	Other increases not included in line 2 (itemize) ▶	3	0.
4	Add lines 1, 2, and 3	4	2,277,039.
5	Decreases not included in line 2 (itemize) ▶	5	0.
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	2,277,039.

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	MERRILL LYNCH #74E28	P	VARIOUS	VARIOUS
b	MERRILL LYNCH #74E28	P	VARIOUS	VARIOUS
c	MERRILL LYNCH #74E29	P	VARIOUS	VARIOUS
d	MERRILL LYNCH #74E29	P	VARIOUS	VARIOUS
e	MERRILL LYNCH #04033	P	VARIOUS	VARIOUS

	(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a	362,522.		360,955.	1,567.
b	341,561.		334,180.	7,381.
c	318,302.		298,704.	19,598.
d	281,249.		282,732.	<1,483.>
e	1,245,000.		1,245,000.	0.

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				1,567.
b				7,381.
c				19,598.
d				<1,483.>
e				0.

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	27,063.
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c). If (loss), enter -0- in Part I, line 8		3	N/A

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

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

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

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No

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

1 Enter the appropriate amount in each column for each year; see instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008	134,048.	2,984,122.	.044920
2007	163,842.	3,331,582.	.049178
2006	121,001.	3,352,467.	.036093
2005	123,371.	3,733,259.	.033046
2004	55,005.	3,213,103.	.017119

2 **Total** of line 1, column (d)	2	.180356
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	.036071
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	2,330,423.
5 Multiply line 4 by line 3	5	84,061.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	498.
7 Add lines 5 and 6	7	84,559.
8 Enter qualifying distributions from Part XII, line 4	8	140,164.

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 ▶ ☒ and enter 1% of Part I, line 27b		1	498.
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	498.
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	498.
6	Credits/Payments:			
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a 17,904.		
b	Exempt foreign organizations - tax withheld at source	6b		
c	Tax paid with application for extension of time to file (Form 8868)	6c		
d	Backup withholding erroneously withheld	6d		
7	Total credits and payments. Add lines 6a through 6d		7	17,904.
8	Enter any **penalty** for underpayment of estimated tax. Check here ☐ if Form 2220 is attached		8	
9	**Tax due** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶		9	
10	**Overpayment** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶		10	17,406.
11	Enter the amount of line 10 to be: **Credited to 2010 estimated tax** ▶ 520. **Refunded** ▶		11	16,886.

Part VII-A Statements Regarding Activities

		Line	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)? *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*	1b		X
c	Did the foundation file **Form 1120-POL** for this year?	1c		X
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. ▶ $ 0. (2) On foundation managers. ▶ $ 0.			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ▶ $ 0.			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? *If "Yes," attach a detailed description of the activities.*	2		X
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes*	3		X
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a	X	
b	If "Yes," has it filed a tax return on **Form 990-T** for this year?	4b	X	
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T.*	5		X
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7	Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col (c), and Part XV*	7	X	
8a	Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ NY			
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 ▶ C/O CBIZ MHM Telephone no. ▶ (212) 790-5700

Located at ▶ 1065 AVE OF THE AMERICAS, NEW YORK, NY ZIP+4 ▶ 10018

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)?		1b		X
	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 ▶ 2008 , , ,				
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.)		2b	X	
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 ☒ 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 ☒ No
(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ 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 ☒ 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 ☒ 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 ☒ 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 ☒ 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
JEFFREY BOGATIN 888 PARK AVENUE NEW YORK, NY	PRESIDENT/DIRECTOR 0.00	0.	0.	0.
SUSAN BOGATIN 888 PARK AVENUE NEW YORK, NY	SECRETARY/DIRECTOR 3.00	0.	0.	0.

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

(a) Name and address of each employee paid more than $50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over $50,000 ▶ 0

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

3 Five highest-paid independent contractors for professional services. If none, enter "NONE."

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
NONE		
Total number of others receiving over $50,000 for professional services ▶		0

Part IX-A **Summary of Direct Charitable Activities**

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.	Expenses
1 N/A	
2	
3	
4	

Part IX-B **Summary of Program-Related Investments**

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

Form **990-PF** (2009)

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Part X **Minimum Investment Return** (All domestic foundations must complete this part Foreign foundations, see instructions)

1 Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:			
a Average monthly fair market value of securities		1a	1,544,367.
b Average of monthly cash balances		1b	821,545.
c Fair market value of all other assets		1c	
d **Total** (add lines 1a, b, and c)		1d	2,365,912.
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	2,365,912.
4 Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)		4	35,489.
5 **Net value of noncharitable-use assets.** Subtract line 4 from line 3. Enter here and on Part V, line 4		5	2,330,423.
6 **Minimum investment return** Enter 5% of line 5		6	116,521.

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	116,521.
2a Tax on investment income for 2009 from Part VI, line 5	2a 498.		
b Income tax for 2009. (This does not include the tax from Part VI.)	2b		
c Add lines 2a and 2b		2c	498.
3 Distributable amount before adjustments. Subtract line 2c from line 1		3	116,023.
4 Recoveries of amounts treated as qualifying distributions		4	0.
5 Add lines 3 and 4		5	116,023.
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	116,023.

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	140,164.
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	140,164.
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	498.
6 **Adjusted qualifying distributions** Subtract line 5 from line 4	6	139,666.

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 instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				116,023.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			147,201.	
b Total for prior years: ______ , ______ , ______		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ $ 140,164.				
a Applied to 2008, but not more than line 2a			140,164.	
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				0.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	0.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see instr.			7,037.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				116,023.
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	0.			
9 Excess distributions carryover to 2010 Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008				
e Excess from 2009				

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).)

JEFFREY BOGATIN

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

NONE

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

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

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

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

c Any submission deadlines:

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

Part XV Supplementary Information (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
SEE STATEMENT 7				
Total			▶ 3a	127,331.
b *Approved for future payment*				
NONE				
Total			▶ 3b	0.

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.	Unrelated business income (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			14	42,264.	
4 Dividends and interest from securities			14	692.	
5 Net rental income or (loss) from real estate:					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					
8 Gain or (loss) from sales of assets other than inventory			18	27,063.	
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.		70,019.	0.

13 **Total.** Add line 12, columns (b), (d), and (e) 13 70,019.

(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).

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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: 9/30/10 Title: SECRETARY

Paid Preparer's Use Only

Preparer's signature: [signature] Date: 9/30/10 Check if self-employed ☐ Preparer's identifying number: P01086178

Firm's name (or yours if self-employed), address, and ZIP code: CBIZ MHM, LLC, 1065 AVENUE OF THE AMERICAS, NEW YORK, NY 10018

EIN ▶

Phone no. 212-790-5700

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCE	AMOUNT
MERRILL LYNCH # 74E28 THROUGH 74E29	41,579.
MERRILL LYNCH # 74E28 THROUGH 74E29 - TAX EXEMPT ACCRUED INTEREST	<1,749.>
MERRILL LYNCH #04033	2,434.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	42,264.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
MERRILL LYNCH # 74E28 THROUGH 74E29	509.	0.	509.
MERRILL LYNCH #04033	183.	0.	183.
TOTAL TO FM 990-PF, PART I, LN 4	692.	0.	692.

FORM 990-PF ACCOUNTING FEES STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
	20,890.	10,445.		10,445.
TO FORM 990-PF, PG 1, LN 16B	20,890.	10,445.		10,445.

FORM 990-PF TAXES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
TAXES	250.	0.		0.
TO FORM 990-PF, PG 1, LN 18	250.	0.		0.

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	9,804.	9,804.		0.
STATIONERY	2,268.	0.		2,268.
FILING FEE	120.	0.		120.
TO FORM 990-PF, PG 1, LN 23	12,192.	9,804.		2,388.

FORM 990-PF OTHER INVESTMENTS STATEMENT 6

DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
MERRILL LYNCH # 74E29	COST	484,867.	486,684.
MERRILL LYNCH # 74E28	COST	653,642.	646,455.
TOTAL TO FORM 990-PF, PART II, LINE 13		1,138,509.	1,133,139.

FORM 990-PF GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR STATEMENT 7

RECIPIENT NAME AND ADDRESS	RECIPIENT RELATIONSHIP AND PURPOSE OF GRANT	RECIPIENT STATUS	AMOUNT
CITY HARVEST	N/A COMMUNITY SERVICES	PUBLIC CHARITY	100.
COLUMBIA BUSINESS SCHOOL	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	2,007.
ADL (ANTI-DEFAMATION LEAGUE)	N/A RELIGIOUS	PUBLIC CHARITY	10,000.
AHRC NYC FOUNDATION	N/A COMMUNITY SERVICES	PUBLIC CHARITY	200.
AMERICAN FRIENDS OF ISRAEL	N/A RELIGIOUS	PUBLIC CHARITY	500.
BJENY STATES	N/A COMMUNITY SERVICES	PUBLIC CHARITY	250.
CAMERA	N/A GENERAL	PUBLIC CHARITY	10,000.
CHAI LIFELINE	N/A HEALTH PROGRAMS	PUBLIC CHARITY	1,000.

CONGREGATION OF RODEPH SHOLOM	N/A RELIGIOUS	PUBLIC CHARITY	7,947.
CORNELL UNIVERSITY ITHACA, NY	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	25,000.
CORNELL UNIVERSITY HILLEL	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	1,100.
CYSTIC FYBROSIS FOUNDATION	N/A HEALTH PROGRAMS	PUBLIC CHARITY	500.
DRS ACTION 7 PINEWOOD DRIVE MONSEY, NY 10952	N/A COMMUNITY SERVICES	PUBLIC CHARITY	50.
GRAHAM WYNDHAM LEADER COUNCIL	N/A COMMUNITY SERVICES	PUBLIC CHARITY	3,500.
HORACE MANN SCHOOL, 231 WEST 246TH STREET, RIVERDALE, NY	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	2,100.
KIDS BAY BOYS & GIRLS CLUB	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	60.
JFCS/CENTER OF CHILD DEV & LEARNING	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	200.
JEWISH FEDERATION OF SOUTH SOUTH CAROLINA	N/A RELIGIOUS	PUBLIC CHARITY	7,500.

MACCABI USA SPORTS FOR ISRAEL	N/A RELIGIOUS	PUBLIC CHARITY	750.
KAPLEN JCC ON THE PALISADE	N/A RELIGIOUS	PUBLIC CHARITY	4,000.
MET COUNCIL ON JEWISH POVERTY NEW YORK, NY	N/A RELIGIOUS	PUBLIC CHARITY	20,000.
NYB PASSOVER APPEAL	N/A RELIGIOUS	PUBLIC CHARITY	50.
PROJECT EXCHANGE	N/A COMMUNITY SERVICES	PUBLIC CHARITY	100.
SAG HARBOR SYNAGOGUE	N/A RELIGIOUS	PUBLIC CHARITY	250.
NEW YORK CARES	N/A COMMUNITY SERVICES	PUBLIC CHARITY	750.
PARK AVENUE SYNAGOGUE	N/A RELIGIOUS	PUBLIC CHARITY	5,449.
SPORTS FDNA USA	N/A COMMUNITY SERVICES	PUBLIC CHARITY	250.
THE CITY OF HOPE	N/A RELIGIOUS	PUBLIC CHARITY	100.

STANDING ROOM ONLY	N/A COMMUNITY SERVICES	PUBLIC CHARITY	2,648.
THE EDUCATIONAL ALLIANCE	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	250.
SUMMER ON THE HILL	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	2,000.
THE CLAMSHELL FOUNDATION	N/A COMMUNITY SERVICES	PUBLIC CHARITY	100.
THE MELMARK SCHOOL	N/A EDUCATIONAL PROGRAMS	PUBLIC CHARITY	1,000.
UJA FEDERATION OF NY	N/A RELIGIOUS	PUBLIC CHARITY	16,150.
UNITED NEIGHBORHOOD HOUSES	N/A COMMUNITY SERVICES	PUBLIC CHARITY	100.
THE METROPOLITAN MUSEUM OF ART	N/A SUPPORT OF ARTS	PUBLIC CHARITY	190.
UJA FEDERATION OF NJ	N/A RELIGIOUS	PUBLIC CHARITY	1,000.
USA FEDERATION	N/A RELIGIOUS	PUBLIC CHARITY	180.
TOTAL TO FORM 990-PF, PART XV, LINE 3A			127,331.

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
SHORT TERM CAPITAL GAINS								
CITIGROUP INC 2.12% 2012	5000.0000§	04/06/09	05/12/09	(0.48)(A)	(0.48)(A)	5,040 00	5,014 87(C)	25 13
MBNA CC MSTR NT ABS 2006	5000 0000	09/16/09	11/30/09			4,989.06	4,989.06	0.00
USAA AUTO OWNER ABS 2008	0000	08/17/09	08/17/09			67 11	67.11	0 00
	.0000	09/15/09	09/15/09			71 65	71 65	0 00
	0000	10/15/09	10/15/09			69 79	69.79	0 00
	0000	11/16/09	11/16/09			70 32	70.32	0 00
	.0000	12/15/09	12/15/09			63 80	63.80	0 00
		Security Subtotal				**342.67**	**342.67**	**0.00**
FEDERAL NATL MTG ASSOC	9000 0000§	09/15/08	05/12/09	(26 30)(A)	(47.24)(A)	10,033 20	9,569 22(C)	463 98
	23000 0000§	01/06/09	05/12/09	(103.57)(A)	(103.57)(A)	25,640 40	25,337 17(C)	303 23
	1000.0000§	02/11/09	05/12/09	(3 57)(A)	(3.57)(A)	1,114 81	1,110 93(C)	3 88
	9000.0000§	07/31/08	05/12/09	(11.46)(A)	(24.43)(A)	10,033 19	9,253.04(C)	780.15
		Security Subtotal				**46,821.60**	**45,270.36**	**1,551.24**

Merrill Lynch

Account No. 885-74E29

Taxpayer No. 94-1687665

BANK OF AMERICA (MLTC)

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
FORD CR AUT ABS 2008	.0000	07/15/09	07/15/09			324.91	324.91	0 00
	.0000	08/17/09	08/17/09			321.20	321.20	0 00
	.0000	09/15/09	09/15/09			297 31	297.31	0 00
	0000	10/15/09	10/15/09			292.92	292 92	0 00
	.0000	11/16/09	11/16/09			294.07	294.07	0.00
	.0000	12/15/09	12/15/09			276 13	276.13	0 00
		Security Subtotal				**1,806.54**	**1,806.54**	**0.00**
USAA AUTO OWNER ABS 2007	0000	07/15/09	07/15/09			123 92	123 92	0 00
	.0000	08/17/09	08/17/09			118 46	118 46	0 00
	.0000	09/15/09	09/15/09			110.42	110.42	0.00
	.0000	10/15/09	10/15/09			105.36	105.36	0.00
	0000	11/16/09	11/16/09			104.09	104.09	0.00
	0000	12/15/09	12/15/09			96 10	96 10	0 00
		Security Subtotal				**658.35**	**658.35**	**0.00**
FORD CR AUT ABS 2008	0000	10/22/09	10/22/09			19 44	19 44	0.00
	.0000	11/16/09	11/16/09			134.10	134.10	0 00
	0000	12/16/09	12/16/09			121.39	121.39	0.00
		Security Subtotal				**274.93**	**274.93**	**0.00**
USAA AUTO OWNER ABS 2008	0000	06/15/09	06/15/09			1,347.28	1,347 28	0 00
	.0000	07/15/09	07/15/09			1,401.21	1,401 21	0 00
	.0000	08/17/09	08/17/09			1,347 31	1,347.31	0.00
	.0000	09/15/09	09/15/09			1,298 50	1,298 50	0 00
	.0000	10/15/09	10/15/09			1,238.19	1,238.19	0.00
	0000	11/16/09	11/16/09			1,260 19	1,260 19	0 00
	.0000	12/15/09	12/15/09			1,176 16	1,176 16	0.00
		Security Subtotal				**9,068.84**	**9,068.84**	**0.00**
FORD CR AUT ABS 2009	.0000	11/16/09	11/16/09			76 35	76.35	0 00
	.0000	12/15/09	12/15/09			112.87	112.87	0.00
		Security Subtotal				**189.22**	**189.22**	**0.00**
CITI CC ISSUANC ABS 2002	10000.0000	06/01/09	11/09/09			10,000.00	9,981.25	18.75

Merrill Lynch

Account No. 885-74E29

Taxpayer No. 94-1687665

BANK OF AMERICA (MLTC)

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
MBNA CC MSTR NT ABS 2003	5000.0000	07/21/09	11/30/09			4,989 06	4,978 12	10 94
	1000 0000	11/06/09	11/30/09			997 81	990 00	7 81
		Security Subtotal				**5,986.87**	**5,968.12**	**18.75**
FEDERAL NATL MTG ASSOC	4000.0000§	05/30/08	02/23/09	(1.84)(A)	(8.84)(A)	4,327.39	4,053.45(C)	273.94
	5000.0000§	05/30/08	05/12/09	(5.58)(A)	(14 33)(A)	5,426.54	5,063 55(C)	362.99
	2000 0000§	02/11/09	05/12/09	(9.65)(A)	(9.65)(A)	2,170 63	2,157 19(C)	13.44
		Security Subtotal				**11,924.56**	**11,274.19**	**650.37**
US TSY 3 125% SEP 30 201	14000 0000§	02/23/09	03/02/09	(3.43)(A)	(3 43)(A)	14,874 95	14,846 46(C)	28 49
		Short Term Capital Gains Subtotal				**111,977.59**	**109,684.86**	**2,292.73**

SHORT TERM CAPITAL LOSSES

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
MARYLAND BK N A ABS 1999	5000.0000	05/27/09	09/15/09			5,000.00	5,062.50	(62.50)
US TSY 6.125% AUG 15 202	7000.0000§	12/31/08	05/12/09	(42.88)(A)	(42 88)(A)	8,917 89	10,311.68(C)	(1,393.79)
	1000.0000§	02/11/09	05/12/09	(2.83)(A)	(2.83)(A)	1,273 98	1,342 95(C)	(68.97)
	8000.0000§	03/31/09	05/12/09	(11 33)(A)	(11.33)(A)	10,191 88	10,887.45(C)	(695 57)
		Security Subtotal				**20,383.75**	**22,542.08**	**(2,158.33)**
US TSY 4 000% AUG 15 201	5000.0000§	03/02/09	05/12/09	(8.32)(A)	(8.32)(A)	5,353 12	5,448.73(C)	(95 61)
	5000.0000§	03/31/09	05/12/09	(6.11)(A)	(6.11)(A)	5,353 13	5,550.55(C)	(197 42)
		Security Subtotal				**10,706.25**	**10,999.28**	**(293.03)**
US TSY 4 500% FEB 15 203	13000 0000§	11/28/08	05/12/09	(16 76)(A)	(20 49)(A)	13,731 25	15,053.47(C)	(1,322 22)
	1000.0000§	02/11/09	05/12/09	(0.90)(A)	(0 90)(A)	1,056.25	1,161.33(C)	(105 08)
		Security Subtotal				**14,787.50**	**16,214.80**	**(1,427.30)**

BANK OF AMERICA (MLTC)

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
US TSY 2 125% NOV 30 201	5000 0000§	11/30/09	12/31/09	(0 49)(A)	(0 49)(A)	4,878 89	5,026 86(C)	(147.97)
		Short Term Capital Losses Subtotal				**55,756.39**	**59,845.52**	**(4,089.13)**
NET SHORT TERM CAPITAL GAIN (LOSS)								**(1,796.40)**
LONG TERM CAPITAL GAINS								
FEDERAL NATL MTG ASSOC	14000 0000§	03/31/08	05/12/09	(40 95)(A)	(123.49)(A)	15,607 20	14,886.25(C)	720 95
FEDERAL NATL MTG ASSOC	5000.0000§	11/30/07	02/23/09	(2 01)(A)	(16.02)(A)	5,409 22	5,058.22(C)	351 00
	5000.0000§	12/31/07	02/23/09	(2 86)(A)	(21.34)(A)	5,409.22	5,082 85(C)	326 37
		Security Subtotal				**10,818.44**	**10,141.07**	**677.37**
US TSY 6 125% AUG 15 202	4000.0000§	01/31/08	02/27/09	(4.81)(A)	(29 94)(A)	5,194 36	4,954.12(C)	240 24
	3000 0000§	01/31/08	05/12/09	(7.98)(A)	(26.84)(A)	3,821.95	3,711.21(C)	110.74
		Security Subtotal				**9,016.31**	**8,665.33**	**350.98**
US TSY 4.500% FEB 15 203	10000.0000	08/31/07	05/12/09			10,562.50	9,503 13	1,059.37
		Long Term Capital Gains Subtotal				**46,004.45**	**43,195.78**	**2,808.67**
NET LONG TERM CAPITAL GAIN (LOSS)								**2,808.67**
TOTAL CAPITAL GAINS AND LOSSES						**213,738.43**	**212,726.16**	**1,012.27**
TOTAL REPORTABLE GROSS PROCEEDS						**213,736.52**		
DIFFERENCE						**1.91 ***		

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
SHORT TERM CAPITAL GAINS								
FNMA P898913 05 50%20		01/26/09	01/26/09			79.31	79 31	0 00
		02/25/09	02/25/09			91 22	91 22	0 00
		03/25/09	03/25/09			225 63	225.63	0 00
		04/27/09	04/27/09			251 34	251 34	0 00
		05/26/09	05/26/09			186.92	186 92	0 00
		Security Subtotal				***834.42***	***834.42***	***0.00***
FHLMC G1 2522 05%20		01/15/09	01/15/09			304 14	304 14	0 00
		02/17/09	02/17/09			441 97	441.97	0 00
		03/16/09	03/16/09			537 58	537 58	0 00
		04/15/09	04/15/09			682 62	682 62	0 00
		05/15/09	05/15/09			648 73	648 73	0 00
		06/15/09	06/15/09			505 20	505 20	0 00
		07/15/09	07/15/09			602 51	602.51	0 00
		08/17/09	08/17/09			487 68	487.68	0 00
		09/15/09	09/15/09			387.63	387 63	0.00
		10/15/09	10/15/09			423 54	423.54	0 00
		11/16/09	11/16/09			394 94	394.94	0 00
		12/15/09	12/15/09			548 21	548 21	0 00
		01/15/10	01/15/10			548.53	548 53	0.00
		Security Subtotal				***6,513.28***	***6,513.28***	***0.00***
FHLMC A5 0422 07%20		01/15/09	01/15/09			3.31	3 31	0.00
		02/17/09	02/17/09			3 33	3 33	0 00
		03/16/09	03/16/09			125.10	125 10	0 00
		04/15/09	04/15/09			3 78	3 78	0 00
		05/15/09	05/15/09			4 15	4.15	0.00
		Security Subtotal				***139.67***	***139.67***	***0 00***

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
FHLMC G1 8181 05%20		07/15/09	07/15/09			457 62	457 62	0 00
		08/17/09	08/17/09			388 92	388 92	0 00
		09/15/09	09/15/09			179 02	179 02	0 00
		10/15/09	10/15/09			135 24	135 24	0 00
		11/16/09	11/16/09			362.77	362.77	0 00
		12/15/09	12/15/09			246.27	246 27	0 00
		01/15/10	01/15/10			266 94	266 94	0.00
		Security Subtotal				***2,036.78***	***2,036.78***	***0 00***
FHLMC A6 2676 05%20		01/15/09	01/15/09			52.68	52 68	0.00
		02/17/09	02/17/09			421.18	421 18	0.00
		03/16/09	03/16/09			49 90	49 90	0 00
		04/15/09	04/15/09			1,032.60	1,032 60	0 00
		05/15/09	05/15/09			48.34	48.34	0.00
		Security Subtotal				***1,604.70***	***1,604.70***	***0.00***
FNMA P919405 05 50%20		01/26/09	01/26/09			1,304.77	1,304.77	0 00
		02/25/09	02/25/09			4,760 66	4,760.66	0 00
		03/25/09	03/25/09			2,873.26	2,873 26	0 00
		04/27/09	04/27/09			4,929.94	4,929 94	0 00
		05/26/09	05/26/09			4,385 14	4,385 14	0 00
		Security Subtotal				***18,253.77***	***18,253.77***	***0.00***
FHLMC G1 2697 05 50%20		01/15/09	01/15/09			328 37	328 37	0 00
		02/17/09	02/17/09			638.99	638.99	0 00
		03/16/09	03/16/09			1,094 24	1,094 24	0 00
		04/15/09	04/15/09			808 40	808 40	0 00
		05/15/09	05/15/09			725 24	725 24	0.00
		06/15/09	06/15/09			689.25	689 25	0 00
		07/15/09	07/15/09			633 31	633 31	0 00
		08/17/09	08/17/09			449 56	449 56	0 00
		09/15/09	09/15/09			601 99	601 99	0 00
		10/15/09	10/15/09			345 55	345.55	0.00
		Security Subtotal				***6,314.90***	***6,314.90***	***0 00***

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
FHLMC J0 5089 05%20		01/15/09	01/15/09			125 16	125 16	0 00
		02/17/09	02/17/09			91 73	91 73	0 00
		03/16/09	03/16/09			632 39	632.39	0 00
		04/15/09	04/15/09			767 03	767 03	0 00
		05/15/09	05/15/09			591 65	591.65	0 00
		06/15/09	06/15/09			395 87	395.87	0.00
		07/15/09	07/15/09			464 15	464.15	0 00
		08/17/09	08/17/09			232 52	232.52	0 00
		09/15/09	09/15/09			238 68	238 68	0 00
		10/15/09	10/15/09			309 95	309 95	0 00
		11/16/09	11/16/09			255 46	255 46	0.00
		12/15/09	12/15/09			133.08	133 08	0 00
		01/15/10	01/15/10			153.91	153.91	0.00
		Security Subtotal				***4,391.58***	***4,391.58***	***0.00***
FHLMC J0 4867 05 50%20		01/15/09	01/15/09			663.63	663 63	0 00
		02/17/09	02/17/09			140.07	140.07	0 00
		03/16/09	03/16/09			852.32	852.32	0 00
		04/15/09	04/15/09			1,189.73	1,189 73	0 00
		05/15/09	05/15/09			1,221.92	1,221 92	0 00
		06/15/09	06/15/09			1,694 98	1,694 98	0 00
		07/15/09	07/15/09			946.11	946 11	0 00
		08/17/09	08/17/09			841 02	841 02	0 00
		09/15/09	09/15/09			700 01	700 01	0 00
		10/15/09	10/15/09			76 56	76 56	0 00
		Security Subtotal				***8,326 35***	***8,326.35***	***0.00***
FHLMC G1 2710 05 50%20		01/15/09	01/15/09			235 97	235.97	0 00
		02/17/09	02/17/09			83.66	83 66	0 00
		03/16/09	03/16/09			139 50	139.50	0 00
		04/15/09	04/15/09			122 66	122.66	0 00
		05/15/09	05/15/09			136.32	136 32	0.00
		06/15/09	06/15/09			119 86	119 86	0.00
		07/15/09	07/15/09			127 60	127.60	0 00
		Security Subtotal				***965.57***	***965.57***	***0 00***

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
FNMA P940842 05 50%20		01/26/09	01/26/09			34 09	34 09	0 00
		02/25/09	02/25/09			236 42	236 42	0 00
		03/25/09	03/25/09			315.15	315.15	0 00
		04/27/09	04/27/09			360.83	360.83	0.00
		05/26/09	05/26/09			83.16	83.16	0 00
		Security Subtotal				*1,029.65*	*1,029.65*	*0 00*
FHLMC G1 8199 05 50%20		01/15/09	01/15/09			32 11	32 11	0 00
FHLMC G1 3145 05 50%20		01/15/09	01/15/09			77.99	77.99	0 00
FNMA P981774 05%20		07/27/09	07/27/09			1,057.43	1,057.43	0.00
		08/25/09	08/25/09			880 41	880.41	0.00
		09/25/09	09/25/09			876 32	876 32	0 00
		10/26/09	10/26/09			247 42	247 42	0.00
		11/25/09	11/25/09			944 13	944.13	0 00
		12/28/09	12/28/09			258 91	258.91	0.00
		01/25/10	01/25/10			276.97	276.97	0 00
		Security Subtotal				*4,541.59*	*4,541.59*	*0 00*
FNMA P963451 05%20		01/26/09	01/26/09			132 30	132 30	0 00
		02/25/09	02/25/09			308.38	308 38	0 00
		03/25/09	03/25/09			674.36	674 36	0 00
		04/27/09	04/27/09			355 10	355 10	0 00
		05/26/09	05/26/09			789 46	789 46	0 00
		06/25/09	06/25/09			373 08	373.08	0 00
		07/27/09	07/27/09			533.44	533.44	0 00
		08/25/09	08/25/09			380 80	380.80	0 00
		09/25/09	09/25/09			514 74	514 74	0 00
		10/26/09	10/26/09			292.92	292.92	0 00
		11/25/09	11/25/09			684 20	684 20	0 00
		12/28/09	12/28/09			211.78	211 78	0 00
		01/25/10	01/25/10			419 98	419 98	0 00
		Security Subtotal				*5,670.54*	*5,670.54*	*0 00*

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
FNMA P962491 05 50%20		01/26/09	01/26/09			285 28	285 28	0 00
		02/25/09	02/25/09			837 81	837 81	0 00
		03/25/09	03/25/09			723.07	723.07	0 00
		04/27/09	04/27/09			512 10	512 10	0 00
		05/26/09	05/26/09			608.83	608 83	0.00
		Security Subtotal				***2,967.09***	***2,967.09***	***0 00***
FHLMC G1 3161 05 50%20		07/15/09	07/15/09			1,870 45	1,870 45	0 00
		08/17/09	08/17/09			530.70	530 70	0 00
		09/15/09	09/15/09			353 33	353.33	0 00
		Security Subtotal				***2,754.48***	***2,754.48***	***0.00***
		SHORT TERM CAPITAL GAINS SUBTOTAL				**66,454.47**	**66,454.47**	**0.00**
NET SHORT TERM CAPITAL GAIN (LOSS)								**0.00**

OTHER TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
FNMA P898913 05 50%20	6951.0000	06/05/07	05/12/09			4,157.11	3,957.24	N/C
FHLMC A5 0422 07%20	7936.0000	05/11/07	05/14/09			3,151 59	3,417.93	N/C
FHLMC A6 2676 05%20	40000 0000	06/05/07	05/12/09			36,875.85	34,057.42	N/C
FNMA P919405 05 50%20	172000 0000	06/05/07	05/12/09			144,335 47	135,306 34	N/C
FHLMC G1 2697 05 50%20	1000 0000	06/05/07	01/08/09			752 36	718 12	N/C
	1000 0000	06/05/07	09/21/09			524 95	492 01	N/C
	23699 0000	06/05/07	10/27/09			12,163 16	11,318 22	N/C
		Security Subtotal				***13,440.47***	***12,528.35***	***0.00***
FHLMC J0 4867 05 50%20	3000 0000	06/08/07	01/08/09			2,444.24	2,316.09	N/C
	5000 0000	06/08/07	07/21/09			3,122 94	2,931.83	N/C
	4000 0000	06/08/07	09/21/09			2,279 59	2,121 09	N/C
	23000 0000	06/08/07	10/27/09			13,121 18	12,121 04	N/C
		Security Subtotal				***20,967.95***	***19,490.05***	***0.00***

Merrill Lynch

Account No. 885-74E29

Taxpayer No. 94-1687665

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
FHLMC G1 2710 05 50%20	15000 0000	06/25/07	01/08/09			11,890.36	11,277.74	N/C
	5000 0000	06/25/07	07/21/09			3,236 68	3,041.50	N/C
		Security Subtotal				***15,127.04***	***14,319.24***	***0 00***
FNMA P940842 05 50%20	10000 0000	07/31/07	05/12/09			8,487.97	7,901 97	N/C
FHLMC G1 8199 05 50%20	6000 0000	07/31/07	01/08/09			4,681.77	4,454 66	N/C
FHLMC G1 3145 05 50%20	5000 0000	05/08/08	01/08/09			4,516 80	4,443 30	N/C
FNMA P962491 05 50%20	24000.0000	03/10/08	05/12/09			21,072 58	20,075 17	N/C
FHLMC G1 3161 05 50%20	33000 0000	05/13/09	07/21/09			25,526 88	25,473 54	N/C
	23000 0000	05/13/09	09/21/09			17,017 03	16,830.75	N/C
		Security Subtotal				***42,543.91***	***42,304.29***	***0 00***
		OTHER TRANSACTIONS SUBTOTAL				319,358.51	302,255.96	~~0.00~~ 17,103
TOTAL CAPITAL GAINS AND LOSSES						**385,812.98**	**368,710.43**	
TOTAL REPORTABLE GROSS PROCEEDS						**385,714.95**		
DIFFERENCE**						**98.03**		

Note Capital gains and losses in this statement are not reported to the IRS

* This transaction denotes the gain or loss on the sale of an option. While option sales are not subject to 1099-B reporting, the gain or loss information is relevant for tax return preparation

** Difference reflects items that are included in the reportable gross proceeds section of your statement but are not included in the gain/loss section (e g., liquidation of fractional shares and the proceeds from certain tender offers) It also reflects items that are included in the gain/loss section of your statement but not in the reportable gross proceeds section (e g , option premium received)

(P) Indicates that an option premium has been included in the calculation

(S) Short Sale

(M) Marked to Market

(CSVB) Because of complex tax rules, the holding period used for trades resulting from covering short against the box should be reviewed to verify applicability.

(D) The cost basis for this tax lot has been adjusted to include an option premium and a portion of the Unlimited Advantage fee assessed in the previous years starting in 2000.

(L5) This transaction may be subject to reduced capital gains tax rates on five year gains Please consult your tax advisor for more information.

N/C Results may not be calculated for transactions which involve the amortization of premium, the repayment of principal, the sale of partnership interest, derivative products purchased in the secondary market, or the determination of ordinary income and/or capital items for discount and zero coupon issues

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
SHORT TERM CAPITAL GAINS								
CONOCO PHILLIPS	5000.0000§	02/06/09	05/11/09	(0.88)(A)	(0.88)(A)	5,157 19	5,044.37(C)	112 82
CISCO SYSTEMS INC 4 95% 1	5000.0000	04/06/09	05/11/09			5,020.00	4,946.00	74.00
PFIZER INC	7000 0000§	03/19/09	05/11/09	(4.04)(A)	(4 04)(A)	7,606 31	7,376.69(C)	229 62
TIME WARNER CABLE 8 75% 1	5000 0000§	12/03/08	05/11/09	(0 75)(A)	(0.87)(A)	5,600 00	5,028 53(C)	571 47
FEDERAL NATL MTG ASSOC	30000 0000§	05/15/09	12/10/09	(582 30)(A)	(582.30)(A)	30,000 00	30,000.00(C)	0.00
US TSY 4 375% AUG 15 201	2000.0000§	07/16/08	06/04/09	(10 87)(A)	(22.28)(A)	2,171 56	2,085.38(C)	86.18
US TSY 3 875% SEP 15 201	13000.0000§	03/19/09	07/31/09	(153.41)(A)	(153.41)(A)	13,474 76	13,465 66(C)	9 10
	2000.0000§	04/28/09	07/31/09	(16.76)(A)	(16.76)(A)	2,073 04	2,071.99(C)	1.05
	21000.0000§	04/28/09	08/28/09	(227 35)(A)	(227.35)(A)	21,761.99	21,704 53(C)	57.46
	6000.0000§	05/11/09	08/28/09	(59.06)(A)	(59.06)(A)	6,217.72	6,204.37(C)	13.35
	23000.0000§	05/11/09	09/30/09	(290.23)(A)	(290.23)(A)	23,761.88	23,719.61(C)	42 27
	19000.0000§	05/11/09	12/28/09	(392 51)(A)	(392 51)(A)	19,469.74	19,441.70(C)	28.04
		Security Subtotal				**86,759.13**	**86,607.86**	**151.27**
US TSY 4 500% SEP 30 201	5000.0000§	05/11/09	09/15/09	(58.18)(A)	(58 18)(A)	5,354 08	5,345 72(C)	8 36

BANK OF AMERICA (MLTC)

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
U S TRSY INFLATIN NTE	24000 0000·	10/08/08	05/11/09	(499 47)(A)	(876 07)(A)	26,368 81	24,621 04(C)	1,747 77
		Short Term Capital Gains Subtotal				**174,037.08**	**171,055.59**	**2,981.49**
SHORT TERM CAPITAL LOSSES								
HARTFORD FINL SVC 6 30% 1	1000.0000§	03/03/08	02/26/09	(0.15)(A)	(0 87)(A)	642.50	1,010.79(C)	(368 29)
	2000.0000§	03/03/08	03/03/09	(0 32)(A)	(1.76)(A)	1,155 00	2,021.56(C)	(866 56)
		Security Subtotal				**1,797.50**	**3,032.35**	**(1,234.85)**
FEDERAL NATL MTG ASSOC	12000 0000§	05/15/09	06/30/09	(50.05)(A)	(50.05)(A)	12,177.91	12,182.87(C)	(4 96)
US TSY 3 875% FEB 15 201	5000 0000§	04/28/09	06/04/09	(11 41)(A)	(11.41)(A)	5,356 64	5,423.18(C)	(66 54)
US TSY 4.500% SEP 30 201	1000.0000§	05/11/09	06/04/09	(2 20)(A)	(2.20)(A)	1,077.19	1,078.58(C)	(1 39)
US TSY 4.500% MAY 15 201	7000.0000§	12/30/08	02/06/09	(16.23)(A)	(16.23)(A)	7,815.09	8,315.98(C)	(500.89)
	14000.0000§	12/30/08	05/11/09	(107.10)(A)	(107.10)(A)	15,592 50	16,557.34(C)	(964.84)
	8000 0000§	01/30/09	05/11/09	(30.52)(A)	(30 52)(A)	8,910 00	8,998.89(C)	(88.89)
		Security Subtotal				**32,317.59**	**33,872.21**	**(1,554.62)**
		Short Term Capital Losses Subtotal				**52,726.83**	**55,589.19**	**(2,862.36)**
NET SHORT TERM CAPITAL GAIN (LOSS)								**119.13**
LONG TERM CAPITAL GAINS								
ASTRAZENECA PLC 5 90% 201	5000 0000§	10/16/07	05/11/09	(3 40)(A)	(14.11)(A)	5,287 50	5,098 39(C)	189.11
ABBOTT LABORATORI 5 87% 1	4000 0000§	02/28/08	05/11/09	(10.47)(A)	(33 31)(A)	4,333 20	4,237 61(C)	95 59
BOEING CO 5 12%FEB15 13	4000.0000	06/07/07	05/11/09			4,200 00	3,910 09	289.91
	1000.0000·	08/06/07	05/11/09			1,050 00	992.40	57.60
		Security Subtotal				**5,250.00**	**4,902.49**	**347.51**

Merrill Lynch

Account No. 885-74E28

Taxpayer No. 94-1687665

BANK OF AMERICA (MLTC)

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
COMCAST CORP 6 30%NOV15 1	4000 0000§	08/27/07	05/11/09	(0 91)(A)	(4 05)(A)	4,042 00	4,026 87(C)	15 13
GOLDMAN SACHS GRO 5.12% 1	4000 0000	06/07/07	05/11/09			3,910 36	3,805.92	104 44
	3000 0000	08/06/07	05/11/09			2,932.78	2,831.75	101 03
		Security Subtotal				**6,843.14**	**6,637.67**	**205.47**
JPMORGAN CHASE 4 75% 2015	5000 0000	06/07/07	05/11/09			4,879.99	4,679 24	200 75
	2000 0000	08/06/07	05/11/09			1,952.01	1,883.36	68.65
		Security Subtotal				**6,832.00**	**6,562.60**	**269.40**
UNITED PARCEL SVC 5.50% 1	5000.0000§	01/14/08	05/11/09	(2.59)(A)	(9.04)(A)	5,342.50	5,077.01(C)	265.49
WAL-MART STORES 5 80% 201	4000.0000§	01/29/08	05/11/09	(7.34)(A)	(25.00)(A)	4,360.39	4,220.20(C)	140.19
GENERAL ELEC CAP CORP	5000 0000	06/07/07	05/11/09			4,815 00	4,725 83	89 17
FEDERAL NATL MTG ASSOC	4000 0000§	11/07/07	05/11/09	(0.50)(A)	(2 02)(A)	4,411 28	4,013 56(C)	397 72
FEDERAL NATL MTG ASSOC	2000 0000§	06/04/07	05/11/09	(0 49)(A)	(2.52)(A)	2,261 20	2,011.69(C)	249 51
	5000 0000§	09/10/07	05/11/09	(7 88)(A)	(34.84)(A)	5,653 00	5,185 35(C)	467.65
		Security Subtotal				**7,914.20**	**7,197.04**	**717.16**
FEDERAL HOME LN MTG CORP	5000 0000§	10/29/07	05/11/09	(10 54)(A)	(43 26)(A)	5,504 00	5,098 77(C)	405 23
US TSY 4.750% FEB 15 203	3000 0000§	03/04/08	05/11/09	(1 02)(A)	(3.27)(A)	3,256.64	3,153 29(C)	103.35
US TSY 4 250% SEP 30 201	4000.0000§	02/07/08	06/04/09	(23 27)(A)	(70.63)(A)	4,335.00	4,190 00(C)	145.00
		Long Term Capital Gains Subtotal				**72,526.85**	**69,141.33**	**3,385.52**

LONG TERM CAPITAL LOSSES

AMERICAN EXPRESS 6.15% 17	4000 0000§	08/24/07	05/11/09	(0.67)(A)	(3.01)(A)	3,690.00	4,019 79(C)	(329 79)

BANK OF AMERICA (MLTC)

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
BK OF AMER CORP 5 25% 201	7000.0000	06/07/07	05/11/09			5,496.40	6,733.75	(1,237 35)
HARTFORD FINL SVC 6 30% 1	2000.0000§	03/03/08	03/06/09	(0 34)(A)	(1.78)(A)	1,105.00	2,021.54(C)	(916.54)
CITIGROUP INC 5 00% 2014	8000 0000	06/07/07	05/11/09			6,321 60	7,591.79	(1,270 19)
	2000 0000	08/06/07	05/11/09			1,580.40	1,915.13	(334.73)
		Security Subtotal				**7,902.00**	**9,506.92**	**(1,604.92)**
CVS CAREMARK CORP 6 25% 2	5000.0000	08/02/07	05/12/09			4,812 50	4,832 00	(19 50)
DAIMLERCHRYSLER N 6.50% 1	6000.0000§	06/07/07	05/11/09	(9 94)(A)	(49.51)(A)	5,910.00	6,139 85(C)	(229 85)
	1000 0000§	08/06/07	05/11/09	(1.38)(A)	(6.32)(A)	985.00	1,019 28(C)	(34.28)
		Security Subtotal				**6,895.00**	**7,159.13**	**(264.13)**
EXELON CORP 4 90%JUN15 15	5000 0000	10/17/07	05/12/09			4,401 00	4,703 65	(302 65)
MORGAN STANLEY 4.75% 2014	4000.0000	06/07/07	05/11/09			3,640 00	3,724.57	(84 57)
	1000.0000	08/06/07	05/11/09			910.00	927 44	(17 44)
		Security Subtotal				**4,550.00**	**4,652.01**	**(102.01)**
MARATHON OIL CORP 6 00% 1	5000.0000§	09/26/07	05/11/09	(0.12)(A)	(0.51)(A)	4,845.00	5,003 54(C)	(158 54)
NEWS AMERICA INC 6 20% 34	4000.0000	06/07/07	05/12/09			2,771 16	3,713 92	(942 76)
	1000.0000	08/06/07	05/12/09			692 79	931.67	(238.88)
		Security Subtotal				**3,463.95**	**4,645.59**	**(1,181.64)**
SIMON PROPERTY GR 5 75% 1	2000 0000	06/07/07	05/11/09			1,808.93	1,983.04	(174 11)
	1000 0000	08/06/07	05/11/09			904 47	992 42	(87 95)
		Security Subtotal				**2,713.40**	**2,975.46**	**(262.06)**
WACHOVIA BANK NA 5 60% 16	4000.0000	06/07/07	05/11/09			3,520 80	3,929.14	(408 34)
	1000.0000	08/06/07	05/11/09			880.20	989.00	(108.80)
		Security Subtotal				**4,401.00**	**4,918.14**	**(517.14)**
XTO ENERGY INC 6 75% 2037	4000.0000§	10/03/07	05/12/09	(1 15)(A)	(4.78)(A)	3,840.00	4,235.86(C)	(395.86)

BANK OF AMERICA (MLTC)

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
USD CAN NATURAL R 5 70% 1	5000 0000	10/16/07	05/11/09			4,700 01	4,916.10	(216 09)
PHILIPS ELECTRONI 6.87% 3	5000.0000	03/06/08	05/11/09			4,900.00	4,969.65	(69.65)
HSBC FINANCE CORP	1000.0000§	06/07/07	05/11/09	(1.61)(A)	(8.00)(A)	982.50	1,017.14(C)	(34 64)
	3000.0000§	08/06/07	05/11/09	(4.10)(A)	(18 82)(A)	2,947.50	3,043.54(C)	(96.04)
		Security Subtotal				**3,930.00**	**4,060.68**	**(130.68)**
		Long Term Capital Losses Subtotal				**71,645.26**	**79,353.81**	**(7,708.55)**
NET LONG TERM CAPITAL GAIN (LOSS)								**(4,323.03)**
OTHER TRANSACTIONS								
U S TREASURY BILL	6000 0000	09/25/08	01/30/09			5,998 50	5,961.15	37 35
		Other Transactions Subtotal				**5,998.50**	**5,961.15**	
TOTAL CAPITAL GAINS AND LOSSES						**376,934.52**	**381,101.07**	**(4,203.90)**
TOTAL REPORTABLE GROSS PROCEEDS						**376,681.58**		
DIFFERENCE						**252.94 ***		

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
SHORT TERM CAPITAL GAINS								
FNMA P850786 05 50%20		07/27/09	07/27/09			1,103.41	1,103 41	0 00
		08/25/09	08/25/09			521.99	521 99	0 00
		09/25/09	09/25/09			699.74	699.74	0 00
		Security Subtotal				***2,325.14***	***2,325.14***	***0.00***
FNMA P916493 05%20		01/26/09	01/26/09			302 23	302.23	0 00
		02/25/09	02/25/09			4,078.04	4,078 04	0 00
		03/25/09	03/25/09			2,520 38	2,520 38	0 00
		04/27/09	04/27/09			112 86	112 86	0 00
		05/26/09	05/26/09			855 91	855 91	0 00
		Security Subtotal				***7,869.42***	***7,869.42***	***0.00***
FNMA P938775 05 50%20		01/26/09	01/26/09			356 97	356 97	0 00
		02/25/09	02/25/09			1,392 91	1,392 91	0 00
		03/25/09	03/25/09			2,284.79	2,284 79	0 00
		04/27/09	04/27/09			1,282 49	1,282 49	0 00
		05/26/09	05/26/09			1,393 40	1,393 40	0 00
		Security Subtotal				***6,710 56***	***6,710.56***	***0.00***
FNMA P912872 05 50%20		01/26/09	01/26/09			98 26	98 26	0 00
		02/25/09	02/25/09			145 49	145 49	0 00
		03/25/09	03/25/09			280.07	280.07	0 00
		04/27/09	04/27/09			293 19	293 19	0 00
		05/26/09	05/26/09			524 15	524.15	0 00
		Security Subtotal				***1,341.16***	***1,341.16***	***0.00***
FNMA P906157 06%20		01/26/09	01/26/09			9.68	9 68	0 00
		02/25/09	02/25/09			9.97	9.97	0 00
		03/25/09	03/25/09			254.49	254.49	0 00
		04/27/09	04/27/09			389.69	389.69	0 00
		05/26/09	05/26/09			127 59	127.59	0 00
		Security Subtotal				***791.42***	***791.42***	***0 00***

Merrill Lynch

Account No. 885-74E28

Taxpayer No. 94-1687665

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
FNMA P257160 05% 20		01/26/09	01/26/09			45 24	45 24	0 00
		02/25/09	02/25/09			161 65	161.65	0 00
		03/25/09	03/25/09			303.41	303.41	0 00
		04/27/09	04/27/09			228.58	228.58	0.00
		05/26/09	05/26/09			250.60	250.60	0 00
		Security Subtotal				***989.48***	***989.48***	***0 00***
FNMA P963010 05 50%20		01/26/09	01/26/09			211.59	211 59	0 00
		02/25/09	02/25/09			471 78	471 78	0 00
		03/25/09	03/25/09			696 59	696.59	0 00
		04/27/09	04/27/09			134 42	134.42	0 00
		05/26/09	05/26/09			138.29	138.29	0.00
		Security Subtotal				***1,652.67***	***1,652.67***	***0.00***
FNMA P962687 05%20		01/26/09	01/26/09			49.71	49.71	0.00
		02/25/09	02/25/09			187.45	187.45	0 00
		03/25/09	03/25/09			162 57	162.57	0 00
		04/27/09	04/27/09			172.06	172.06	0 00
		05/26/09	05/26/09			166.21	166.21	0 00
		Security Subtotal				***738.00***	***738.00***	***0 00***
FNMA P985465 05%20		07/27/09	07/27/09			665.03	665 03	0.00
		08/25/09	08/25/09			2,444 21	2,444.21	0 00
		09/25/09	09/25/09			299.31	299 31	0.00
		Security Subtotal				***3,408 55***	***3,408.55***	***0.00***
FNMA P889579 06%20		01/26/09	01/26/09			340.88	340.88	0.00
		02/25/09	02/25/09			637 88	637.88	0 00
		03/25/09	03/25/09			792.29	792 29	0.00
		04/27/09	04/27/09			720.31	720.31	0 00
		05/26/09	05/26/09			280.69	280.69	0 00
		Security Subtotal				***2,772.05***	***2,772.05***	***0.00***
		SHORT TERM CAPITAL GAINS SUBTOTAL				**28,598.45**	**28,598.45**	**0.00**
NET SHORT TERM CAPITAL GAIN (LOSS)								**0.00**

BANK OF AMERICA (MLTC)

2009 SUPPLEMENTAL ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
OTHER TRANSACTIONS								
FNMA P850786 05 50%20	49053 0000	05/14/09	09/23/09			23,921.77	23,737 55	N/C
FNMA P916493 05%20	95000.0000	06/04/07	05/11/09			LT 82,956.74	76,752 35	N/C
FNMA P938775 05 50%20	60000 0000	06/04/07	05/11/09			LT 51,563.10	48,554 01	N/C
FNMA P912872 05 50%20	15258.0000	08/23/07	05/11/09			LT 12,896.07	12,132.77	N/C
FNMA P906157 06%20	10563.0000	08/20/07	05/11/09			LT 8,735 40	8,311 86	N/C
FNMA P257160 05% 20	15049 0000	04/14/08	05/11/09			LT 14,075 37	13,539 37	N/C
FNMA P963010 05 50%20	20000.0000	03/28/08	05/11/09			LT 17,871 58	17,423.63	N/C
FNMA P962687 05%20	10024 0000	04/11/08	05/11/09			LT 9,290.75	8,970 90	N/C
FNMA P985465 05%20	65432.0000	05/14/09	09/23/09			48,731.68	48,440.50	N/C
FNMA P889579 06%20	17558.0000	11/19/08	04/27/09			15,810.12	15,295.63	N/C
	14419 0000	11/19/08	05/11/09			12,697.39	12,276.85	N/C
		Security Subtotal				***28,507.51***	***27,572.48***	***0 00***
		OTHER TRANSACTIONS SUBTOTAL				**298,549.97**	**285,435.42**	
TOTAL CAPITAL GAINS AND LOSSES						**327,148.42**	**314,033.87**	
TOTAL REPORTABLE GROSS PROCEEDS						**327,148.42**		

Note Capital gains and losses in this statement are not reported to the IRS

* This transaction denotes the gain or loss on the sale of an option. While option sales are not subject to 1099-B reporting, the gain or loss information is relevant for tax return preparation

** Difference reflects items that are included in the reportable gross proceeds section of your statement but are not included in the gain/loss section (e.g , liquidation of fractional shares and the proceeds from certain tender offers). It also reflects items that are included in the gain/loss section of your statement but not in the reportable gross proceeds section (e g , option premium received)

(P) Indicates that an option premium has been included in the calculation

(S) Short Sale

(M) Marked to Market

(CSVB) Because of complex tax rules, the holding period used for trades resulting from covering short against the box should be reviewed to verify applicability

Merrill Lynch

THE BOGATIN FAMILY FOUNDATION

EMA Fiscal Statement

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
249,000 0000	CD WILMINGTON SFS FSB	03/03/09	06/10/09	249,000 00	249,000 00	0 00
249,000 0000	CD FIRSTBANK OF PR	03/02/09	06/08/09	249,000 00	249,000 00	0 00
249,000 0000	CD WILMINGTON SFS FSB	06/24/09	09/30/09	249,000 00	249,000 00	0 00
249,000 0000	CD BANCO POP PUERTO RICO	06/24/09	09/30/09	249,000.00	249,000 00	0 00
249,000.0000	CD GE CAPITAL FINANCIAL	06/24/09	12/28/09	249,000.00	249,000 00	0 00
				1,245,000	1,245,000	

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

Application for Extension of Time To File an Exempt Organization Return

▶ File a separate application for each return.

OMB No 1545-1709

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

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

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

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

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

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

Type or print	Name of Exempt Organization BOGATIN FAMILY FOUNDATION INC. C/O CBIZ MHM LLC	Employer identification number 13-3922730
File by the due date for filing your return See instructions	Number, street, and room or suite no. If a P.O box, see instructions 111 WEST 40TH STREET	
	City, town or post office, state, and ZIP code For a foreign address, see instructions NEW YORK, NY 10018	

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

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

- The books are in the care of ▶ C/O CBIZ MHM 1065 AVE OF THE AMERICAS - NEW YORK, NY 10018

  Telephone No. ▶ (212) 790-5700 FAX No ▶
- If the organization does not have an office or place of business in the United States, check this box ▶ [ ]
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ______ If this is for the whole group, check this box ▶ [ ] . If it is for part of the group, check this box ▶ [ ] and attach a list with the names and EINs of all members the extension will cover

1 I request an automatic 3-month (6-months for a corporation required to file Form 990-T) extension of time until AUGUST 15, 2010, to file the exempt organization return for the organization named above The extension is for the organization's return for

▶ [X] calendar year 2009 or

▶ [ ] tax year beginning ______, and ending ______.

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

3a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits See instructions	3a	$ 498.
b	If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made Include any prior year overpayment allowed as a credit.	3b	$ 17,904.
c	**Balance Due.** Subtract line 3b from line 3a Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System) See instructions	3c	$ 0.

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

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

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

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

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

Type or print File by the extended due date for filing the return See instructions	Name of Exempt Organization BOGATIN FAMILY FOUNDATION INC. C/O CBIZ MHM LLC	Employer identification number 13-3922730
	Number, street, and room or suite no. If a P.O. box, see instructions. 111 WEST 40TH STREET	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions NEW YORK, NY 10018	

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

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

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

- The books are in the care of ▶ C/O CBIZ MHM 1065 AVE OF THE AMERICAS - NEW YORK, NY 10018
  Telephone No. ▶ (212) 790-5700 FAX No. ▶
- If the organization does not have an office or place of business in the United States, check this box ▶ [ ]
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ____ . If this is for the whole group, check this box ▶ [ ] If it is for part of the group, check this box ▶ [ ] and attach a list with the names and EINs of all members the extension is for

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

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

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

7 State in detail why you need the extension

8a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits See instructions.	8a	$ 498.
b	If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	$ 17,904.
c	**Balance Due.** Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	8c	$ 0.

Signature and Verification

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

Signature ▶ Title ▶ SECRETARY Date ▶

923832
05-26-09