EXTENSION GRANTED TO NOVEMBER 15, 2010

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 LANIE AND ETHEL FOUNDATION

Number and street (or P O box number if mail is not delivered to street address): 250 W 57TH STREET — Room/suite: 1508

City or town, state, and ZIP code: NEW YORK, NY 10107-0011

A Employer identification number 13-4133103

B Telephone number 212-696-4050

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)* ▶$ 1,547,667.

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	79,968.		N/A	
	2 Check ▶[ ] if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	135.	135.		STATEMENT 1
	4 Dividends and interest from securities	21,290.	20,770.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	<63,019.>			
	b Gross sales price for all assets on line 6a 13,049.				
	7 Capital gain net income (from Part IV, line 2)		0.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss)				
	11 Other income	2,015.	2,015.		STATEMENT 3
	12 **Total.** Add lines 1 through 11	40,389.	22,920.		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	16,500.	8,250.		8,250.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees STMT 4	5,965.	2,983.		2,982.
	c Other professional fees				
	17 Interest				
	18 Taxes STMT 5	<3,697.>	239.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings	2,633.	1,317.		1,316.
	22 Printing and publications				
	23 Other expenses STMT 6	12,019.	11,649.		370.
	24 **Total operating and administrative expenses.** Add lines 13 through 23	33,420.	24,438.		12,918.
	25 Contributions, gifts, grants paid	159,668.			159,668.
	26 **Total expenses and disbursements.** Add lines 24 and 25	193,088.	24,438.		172,586.
	27 Subtract line 26 from line 12:				
	a Excess of revenue over expenses and disbursements	<152,699.>			
	b **Net investment income** (if negative, enter -0-)		0.		
	c **Adjusted net income** (if negative, enter -0-)			N/A	

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923501 02-02-10 LHA **For Privacy Act and Paperwork Reduction Act Notice, see the instructions.** Form **990-PF** (2009)

12031102 758882 1560 2009.04050 THE LANIE AND ETHEL FOUNDAT 1560 1

Part II Balance Sheets (Attached schedules and amounts in the description column should be for end-of-year amounts only)		Beginning of year (a) Book Value	End of year (b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments	438,971.	48,800.	48,800.
	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 8	3,791.	0.	0.
	c Investments - corporate bonds STMT 9	0.	311,493.	311,493.
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other STMT 10	971,647.	1,187,374.	1,187,374.
	14 Land, buildings, and equipment: basis ▶			
	Less accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 **Total assets** (to be completed by all filers)	1,414,409.	1,547,667.	1,547,667.
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 **Total liabilities** (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here ▶ [X] and complete lines 24 through 26 and lines 30 and 31.**			
	24 Unrestricted	1,414,409.	1,547,667.	
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ [ ] and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg., and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 **Total net assets or fund balances**	1,414,409.	1,547,667.	
	31 **Total liabilities and net assets/fund balances**	1,414,409.	1,547,667.	

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	1,414,409.
2 Enter amount from Part I, line 27a	2	<152,699.>
3 Other increases not included in line 2 (itemize) ▶ UNREALIZED GAIN	3	306,570.
4 Add lines 1, 2, and 3	4	1,568,280.
5 Decreases not included in line 2 (itemize) ▶ SEE STATEMENT 7	5	20,613.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	1,547,667.

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	1,215 SHS LIBERTY MEDIA HOLDING CORP.	D	05/16/07	12/15/09
b	FROM JPMORGAN GLOBAL ACCESS PORTFOLIO K-1		VARIOUS	VARIOUS
c	FROM JPMORGAN GLOBAL ACCESS PORTFOLIO K-1		VARIOUS	VARIOUS
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	13,049.		8,991.	4,058.
b				<21,313.>
c				<45,764.>
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				4,058.
b				<21,313.>
c				<45,764.>
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	<63,019.>
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	177,163.	1,623,099.	.109151
2007	202,054.	1,494,345.	.135212
2006	126,760.	977,835.	.129633
2005	91,419.	115,137.	.794002
2004	58,431.	58,492.	.998957

2	**Total** of line 1, column (d)	2	2.166955
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	.433391
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	1,410,061.
5	Multiply line 4 by line 3	5	611,108.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	0.
7	Add lines 5 and 6	7	611,108.
8	Enter qualifying distributions from Part XII, line 4	8	172,586.

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	0.
c	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b)				
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)			2	0.
3	Add lines 1 and 2			3	0.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)			4	0.
5	**Tax based on investment income.** Subtract line 4 from line 3. If zero or less, enter -0-			5	0.
6	Credits/Payments:				
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	1,900.		
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	1,900.
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	1,900.
11	Enter the amount of line 10 to be: **Credited to 2010 estimated tax** ▶ 0. **Refunded** ▶			11	1,900.

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 ▶ THE LANIE & ETHEL FOUNDATION Telephone no. ▶ 212-696-4052

Located at ▶ 250 W 57TH STREET, STE 1508, NEW YORK, NY ZIP+4 ▶ 10107

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 ▶ ______, ______, ______, ______			
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 ☒ 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 | | 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
SEE STATEMENT 11		16,500.	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 THE FOUNDATION DID NOT ENGAGE IN DIRECT CHARITABLE ACTIVITIES DURING THE YEAR	0.
2 THE FOUNDATION MADE GRANTS, CONTRIBUTIONS AND OTHER GIFTS TO QUALIFIED ORGANIZATIONS.	0.
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	1,262,098.
b	Average of monthly cash balances	1b	169,436.
c	Fair market value of all other assets	1c	
d	**Total** (add lines 1a, b, and c)	1d	1,431,534.
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	1,431,534.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	21,473.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3. Enter here and on Part V, line 4	5	1,410,061.
6	**Minimum investment return.** Enter 5% of line 5	6	70,503.

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	70,503.
2a	Tax on investment income for 2009 from Part VI, line 5 — 2a:		
b	Income tax for 2009. (This does not include the tax from Part VI.) — 2b:		
c	Add lines 2a and 2b	2c	0.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	70,503.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	70,503.
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	70,503.

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	172,586.
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	172,586.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	0.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	172,586.

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				70,503.
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 55,506.				
b From 2005 87,506.				
c From 2006 85,323.				
d From 2007 134,825.				
e From 2008 96,027.				
f Total of lines 3a through e	459,187.			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ $ 172,586.				
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				70,503.
e Remaining amount distributed out of corpus	102,083.			
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	561,270.			
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	55,506.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	505,764.			
10 Analysis of line 9:				
a Excess from 2005 87,506.				
b Excess from 2006 85,323.				
c Excess from 2007 134,825.				
d Excess from 2008 96,027.				
e Excess from 2009 102,083.				

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 ▶ [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 ATTACHED SCHEDULE				
Total			▶ 3a	159,668.
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 SEE STATEMENT 12					
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	135.	
4 Dividends and interest from securities			14	21,290.	
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	<63,019.>	
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.		<39,579.>	0.

13 **Total.** Add line 12, columns (b), (d), and (e) 13 <39,579.>

(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] 11/3/10 Trustee

Signature of officer or trustee | Date | Title

Paid Preparer's Use Only

Preparer's signature	Carol F. CPA	Date 11/02/10	Check if self-employed ☐	Preparer's identifying number
Firm's name (or yours if self-employed), address, and ZIP code	JAMES D. MILLER & CO. LLP 350 FIFTH AVENUE STE 4601 NEW YORK, NEW YORK 10118-4601	EIN	Phone no. (212)268-9888

Schedule B
(Form 990, 990-EZ, or 990-PF)
Department of the Treasury
Internal Revenue Service

Schedule of Contributors

▶ Attach to Form 990, 990-EZ, or 990-PF.

OMB No 1545-0047

2009

Name of the organization

THE LANIE AND ETHEL FOUNDATION

Employer identification number

13-4133103

Organization type (check one):

Filers of:	**Section:**
Form 990 or 990-EZ	☐ 501(c)( ) (enter number) organization
	☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
	☐ 527 political organization
Form 990-PF	☒ 501(c)(3) exempt private foundation
	☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation
	☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule.**
Note. Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule See instructions.

General Rule

☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, $5,000 or more (in money or property) from any one contributor. Complete Parts I and II.

Special Rules

☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of **(1)** $5,000 or **(2)** 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1 Complete Parts I and II.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than $1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than $1,000 If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of $5,000 or more during the year. ▶ $ ______________

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2 of its Form 990, or check the box on line H of its Form 990-EZ, or on line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

Name of organization	Employer identification number
THE LANIE AND ETHEL FOUNDATION	13-4133103

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	THURMOND J. SMITHGALL 101 WEST 97TH STREET, APT 25C NEW YORK, NY 10024	$ 79,968.	Person [X] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)

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

SOURCE	AMOUNT
JPMORGAN	135.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	135.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
FROM JPMORGAN GLOBAL ACCESS PORTFOLIOS LLC K-1	14,245.	0.	14,245.
JPMORGAN	7,045.	0.	7,045.
TOTAL TO FM 990-PF, PART I, LN 4	21,290.	0.	21,290.

FORM 990-PF OTHER INCOME STATEMENT 3

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME
NET IRC SECTION 988 GAIN/LOSS	<346.>	<346.>	
OTHER ORDINARY INCOME/LOSS	1,117.	1,117.	
ORDINARY INCOME ON DISPOSITION OF GALLEON OFFSHORE SPC, LTD	433.	433.	
ORDINARY INCOME ON DISPOSITION OF GOLDEN TREE OFFSHORE, LTD	811.	811.	
TOTAL TO FORM 990-PF, PART I, LINE 11	2,015.	2,015.	

FORM 990-PF ACCOUNTING FEES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING AND TAX PREP FEES	5,965.	2,983.		2,982.
TO FORM 990-PF, PG 1, LN 16B	5,965.	2,983.		2,982.

FORM 990-PF TAXES STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES (FROM K-1)	239.	239.		0.
2008 FEDERAL TAX REFUND	<3,936.>	0.		0.
TO FORM 990-PF, PG 1, LN 18	<3,697.>	239.		0.

FORM 990-PF OTHER EXPENSES STATEMENT 6

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
INVESTMENT FEES	100.	100.		0.
FILING FEES	250.	125.		125.
MISCELLANEOUS	491.	246.		245.
PORTFOLIO DEDUCTIONS (FROM K-1)	11,148.	11,148.		0.
BANK FEES	30.	30.		0.
TO FORM 990-PF, PG 1, LN 23	12,019.	11,649.		370.

FORM 990-PF	OTHER DECREASES IN NET ASSETS OR FUND BALANCES	STATEMENT 7

DESCRIPTION	AMOUNT
DIFFERENCE BETWEEN TAX AND BOOK COST FOR SECURITIES SOLD	20,613.
TOTAL TO FORM 990-PF, PART III, LINE 5	20,613.

FORM 990-PF	CORPORATE STOCK	STATEMENT 8

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
LIBERTY MEDIA HOLDING CORP	0.	0.
TOTAL TO FORM 990-PF, PART II, LINE 10B	0.	0.

FORM 990-PF	CORPORATE BONDS	STATEMENT 9

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
KRAFT FOODS INC. NOTES 5 5/8% DUE 11/1/11	106,206.	106,206.
STANFORD UNIVERSITY 4 3/4% DUE 5/1/19	101,272.	101,272.
JOHNS HOPKINS UNIVERSITY NOTES 5 1/4% DUE 7/1/19	104,015.	104,015.
TOTAL TO FORM 990-PF, PART II, LINE 10C	311,493.	311,493.

FORM 990-PF	OTHER INVESTMENTS	STATEMENT 10

DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
ANNUAL REVIEW NOTES LINKED TO THE S&P 500 INDEX	FMV	43,197.	43,197.
JPM GLOBAL ACCESS PORTFOLIOS, LLC	FMV	1,144,177.	1,144,177.
TOTAL TO FORM 990-PF, PART II, LINE 13		1,187,374.	1,187,374.

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

NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN-SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
THURMOND SMITHGALL 250 W 57TH STREET STE 1508 NEW YORK, NY 10107	TRUSTEE 1.00	0.	0.	0.
JOHN ROBERTS 250 W 57TH STREET STE 1508 NEW YORK, NY 10107	TRUSTEE 2.50	16,500.	0.	0.
ALFRED F. HUBAY 250 W 57TH STREET STE 1508 NEW YORK, NY 10107	TRUSTEE 0.25	0.	0.	0.
KATHERINE GILL 250 W 57TH STREET STE 1508 NEW YORK, NY 10107	TRUSTEE 0.25	0.	0.	0.
DANIEL TUCKER 250 W 57TH STREET STE 1508 NEW YORK, NY 10107	TRUSTEE 0.25	0.	0.	0.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		16,500.	0.	0.

FORM 990-PF PROGRAM SERVICE REVENUE STATEMENT 12

DESCRIPTION	BUS CODE	UNRELATED BUSINESS INC	EXCL CODE	EXCLUDED AMOUNT	RELATED OR EXEMPT FUNC-TION INCOME
NET IRC SECTION 988 GAIN/LOSS			14	<346.>	
OTHER ORDINARY INCOME/LOSS			14	1,117.	
ORDINARY INCOME ON DISPOSITION OF GALLEON OFFSHORE SPC, LTD			14	433.	
ORDINARY INCOME ON DISPOSITION OF GOLDEN TREE OFFSHORE, LTD			14	811.	
TOTAL TO FORM 990-PF, PG 11, LINE 1				2,015.	

THE LANIE AND ETHEL FOUNDATION
EIN: 13-4133103
LIST OF GRANTS MADE 2009
(from Checking Account)

1) **Friends of Goethe - $5,000**

Colony Square, Plaza Level, 1197 Peachtree St., NE, Atlanta, Georgia 30361

For general operating support.

2) **Free for All at Town Hall - $4,000**

Twin Lions, Inc., 200 East 64th Street, Suite 28-D, New York NY 10065-7426

For general operating support.

3) **George London Foundation - $13,200**

PO Box 231276, New York, NY 10023

To support recitals on WQXR-FM radio in the 2008-09 season.

4) **The Hudson Review - $7,500**

684 Park Avenue, New York, NY 10021

To support the Writers in the Schools Program at the Young Women's Leadership School and the Heritage School in East Harlem.

5) **Kneisel Hall Chamber Music Festival - $3,000**

PO Box 648, Blue Hill, ME 04614

To underwrite a festival concert.

6) **Los Angeles Opera - $25,000**

135 North Grand Avenue, Los Angeles, CA 90012

To underwrite the "Recovered Voices" project.

7) **Mannes College of Music - $10,000**

150 West 85th Street, New York, NY 10024

To support the production of "Dialogues of the Carmelites."

8) **Martina Arroyo Foundation - $3,000**

PO Box 2015, Radio City Station, New York, NY 10101

To support the Prelude to Performance program.

9) **Marine Environmental Research Institute - $3,000**

55 Main St, PO Box 1652, Blue Hill, ME 04614

For general operating support.

10) **New England Conservatory - $15,000**

290 Huntington Avenue, Boston, MA 02115

To support their Community Performances and Partnerships Program.

11) **The New York Festival of Song - $6,000**

307 7th Avenue, Suite 601, New York, NY 10001

To support their performance during their concert season.

12) **New York Grand Opera - $2,000**

250 W. 54th St, Suite 807, New York, NY 10019

For general operating support.

13) **The Pearl Theater Company - $8,000**

80 St. Marks Place, New York, NY 10003

For support of the Arts in Education initiative, Classics in the Classroom.

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14) **Friends of Bayreuth - $54,968.00**

Postfach 10018, D-95404, Bayreuth, Germany

To support the Bayreuth Festival

GESELLSCHAFT DER FREUNDE VON BAYREUTH e.V.

Dear Mr. Roberts,

As announced please find enclosed our financial statement 2009, annual report 2009 and "Post aus Bayreuth".

Please do not hesitate contacting us for further questions.

With kind regards

Gesellschaft der Freunde von Bayreuth • Festspielhügel 6 • 95445 Bayreuth • Allemagne (Germany)
Tel. + 49 (0) 921-229 25 • Fax + 49 (0) 921-130 90 • www. freunde-bayreuth.org

Overview of assets on December 31, 2009

Assets	EUR	EUR	Previous year in thousands
A. Capital assets			
Financial assets			
1. Shares in affiliated undertakings	25.0000,00		0
2. Shareholdings	0,00		0
		25.0000,00	
B. Circulating assets			
I. Other assets	2.079,61		3
II. Cash balance	7.732.816,28		7.2921
		7.734.895,89	7.924
		7.759.895,89	7.924

Liabilities	EUR	EUR	Previous year in thousands
A. Net assets			
I. Club funds			
1. Balance carried forwards	7.164.996,73		6.662
2. Carryforwards	375.003,60		503
		7.540.000,33	
II. Revenue reserves		191.000,00	100
		7.731.000,33	7.265
III. Liabilities			
1. Accounts payable trade	25.262,78		23
2. Other liabilities	3.632,78		6
		28.895,56	29
		7.759.895,89	7.294

Accounting on cash basis for the period from January, 1st until December, 31st, 2009

	EUR	EUR	2009 EUR	Previous year in thousands
1. Revenues				
Donations		1.969.368,26		2.496
Membership dues		1.064.720,72		1.058
Initial membership dues		61.360,00		55
Other assets		6.227,91		16
			3.101.676,89	3.625
2. Personnel expenses				
a) Wages and salaries	-128.932,67			-121
b) Social security contributions	-27.803,51			-26
		-156.7,36,18		-147
3. Statutory expenses				
Benefits for Bayreuther Festspiele GmbH	-2.371.881,29			-2.798
Grant benefits / subsidies	-34.443,38			-76
		-2.406.342,67		-2.874
4. Other operating expenses		-349.236,39		-304
			-2.912.297,24	-3.325
5. Other interest and similar income			276.623,95	303
6. Annual result			466.003,60	603
7. Allocation to retained earnings			-91.000,00	-100
8. Carryforwards			375.003,60	503

Auditor's Certificate

Bayreuth, May 17th, 2010

ermögensübersicht zum 31. Dezember 2009

ktiva	EUR	EUR	Vorjahr TEUR
A. Anlagevermögen			
Finanzanlagen			
1. Anteile an verbundenen Unternehmen	25.000,00		0
2. Beteiligungen	0,00		0
		25.000,00	0
B. Umlaufvermögen			
I. Sonstige Vermögensgegenstände	2.079,61		3
II. Kassenbestand, Guthaben bei Kreditinstituten	7.732.816,28		7.291
		7.734.895,89	7.294
		7.759.895,89	7.294

Passiva	EUR	EUR	Vorjahr TEUR
A. Eigenkapital			
I. Vereinsvermögen			
1. Vortrag	7.164.996,73		6.662
2. Ergebnisvortrag	375.003,60		503
		7.540.000,33	7.165
II. Gewinnrücklagen		191.000,00	100
		7.731.000,33	7.265
III. Verbindlichkeiten			
1. Verbindlichkeiten aus Lieferungen und Leistungen	25.262,78		23
2. Sonstige Verbindlichkeiten	3.632,78		6
		28.895,56	29
		7.759.895,89	7.294

escheinigung des Abschlussprüfers

n die Gesellschaft der Freunde von Bayreuth e.V., Bayreuth

Vir haben die Jahresrechnung – bestehend aus Vermögensübersicht sowie Einnahmen- und Ausgabenrechnung – unter Zugrundelegung der uchführung der Gesellschaft der Freunde von Bayreuth e.V., Bayreuth, für das Geschäftsjahr vom 1. Januar bis 31. Dezember 2009 geprüft. Die Buchführung und die Aufstellung der Jahresrechnung nach den gesetzlichen Vorschriften und ihre Auslegung durch die IDW Stellungnahme zur Rechnungslegung: Rechnungslegung von Vereinen (IDW RS HFA 14) liegen in der Verantwortung des Vorstands des Vereins. Unsere Aufgabe ist es, auf der Grundlage der von uns durchgeführten Prüfung eine Beurteilung über die Jahresrechnung unter Zugrundelegung der Buchführung abzugeben.

Wir haben unsere Prüfung unter Beachtung des IDW Prüfungsstandards: Prüfung von Vereinen (IDW PS 750) vorgenommen. Danach ist die Prüfung so zu planen und durchzuführen, dass Unrichtigkeiten und Verstöße, die sich auf die Darstellung der Jahresrechnung wesentlich auswirken, mit hinreichender Sicherheit erkannt werden. Bei der Festlegung der Prüfungshandlungen werden die Kenntnisse über die Tätigkeit und über das wirtschaftliche und rechtliche Umfeld des Vereins sowie die Erwartungen über mögliche Fehler berücksichtigt. Im Rahmen der Prüfung werden die Wirksamkeit des rechnungslegungsbezogenen internen Kontrollsystems sowie Nachweise für die Angaben in Buchführung und Jahresrechnung überwiegend auf der Basis von Stichproben beurteilt. Die Prüfung umfasst die Beurteilung der angewandten Grundsätze zur Rechnungslegung und der wesentlichen Einschätzungen des Vorstands. Wir sind der Auffassung, dass unsere Prüfung eine hinreichend sichere Grundlage für unsere Beurteilung bildet.

Nach unserer Beurteilung aufgrund der bei der Prüfung gewonnenen Erkenntnisse entspricht die Jahresrechnung den gesetzlichen Vorschriften und ihrer Auslegung durch die IDW RS HFA 14.

München, den 17. Mai 2010

SüdTreu Süddeutsche Treuhand AG
Wirtschaftsprüfungsgesellschaft

(Falk) (Höll)
Wirtschaftsprüfer Wirtschaftsprüfer

Einnahmen- und Ausgabenrechnung für die Zeit vom 1. Januar bis 31. Dezember 2009

	EUR	EUR	2009 EUR	Vorjahr TEUR
1. Einnahmen				
Spenden		1.969.368,26		2.496
Jahresbeiträge		1.064.720,72		1.058
Beitrittsgelder		61.360,00		55
Sonstige		6.227,91		16
			3.101.676,89	3.625
2. Personalaufwand				
a) Löhne und Gehälter	-128.932,67			-121
b) Soziale Abgaben	-27 803,51			-26
		-156.736,18		-147
3. Satzungsgemäße Aufwendungen				
Leistungen an die Bayreuther Festspiele GmbH	-2.371.881,29			-2.798
Zuwendungen/Zuschüsse	-34.443,38			-76
		-2.406.324,67		-2.874
4. Sonstige betriebliche Aufwendungen		-349 236,39		-304
			-2.912.297,24	-3.325
5. Sonstige Zinsen und ähnliche Erträge			276.623,95	303
6. Jahresergebnis			466.003,60	603
7. Einstellung in die Gewinnrücklagen			-91.000,00	-100
8. Ergebnisvortrag			375.003,60	503

Bayreuth, den 17. Mai 2010

Der Vorstand. Dr. Georg Frhr. von Waldenfels Ulrich Andreas Vogt Prof. h.c Hans-Ludwig Grüschow