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Form **990-PF**

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

OMB No 1545-0052

2009

Department of the Treasury
Internal Revenue Service

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

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 BEN D. SPAGOLIO CHARITABLE TRUST C/O ROBERT N. BOHORAD, TRUSTEE		A Employer identification number 13-7345617
	Number and street (or P O box number if mail is not delivered to street address)	Room/suite	B Telephone number (see page 10 of the instructions) 570-622-1811
	City or town, state, and ZIP code POTTSVILLE PA 17901-7280		C If exemption application is pending, check here <input type="checkbox"/> D 1 Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/> E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/> F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>

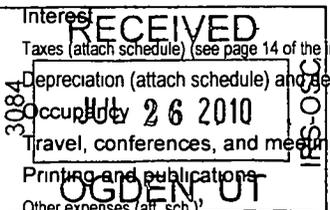
H Check type of organization Section 501(c)(3) exempt private foundation
 Section 4947(a)(1) nonexempt charitable trust Other taxable private foundation

I Fair market value of all assets at end of year (from Part II, col (c), line 16) ▶ \$ **213,594** (Part I, column (d) must be on cash basis)

J Accounting method Cash Accrual
 Other (specify)

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received (attach schedule)	1,000			
	2 Check <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	6	6		
	4 Dividends and interest from securities	2,020	2,020		
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10 STMT 1	-9,189			
	b Gross sales price for all assets on line 6a 30,336				
	7 Capital gain net income (from Part IV, line 2)		46		
	8 Net short-term capital gain			0	
	9 Income modifications				
	12 Total. Add lines 1 through 11	-6,163	2,072	0	
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc				
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)				
	b Accounting fees (attach schedule) STMT 2	1,126			
	c Other professional fees (attach schedule)				
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions) STMT 3	117			
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
21 Travel, conferences, and meetings					
22 Printing and publications					
23 Other expenses (att. sch.) STMT 4	2				
24 Total operating and administrative expenses. Add lines 13 through 23	1,245	0		0	
25 Contributions, gifts, grants paid	12,080			12,080	
26 Total expenses and disbursements. Add lines 24 and 25	13,325	0	0	12,080	
27 Subtract line 26 from line 12					
a Excess of revenue over expenses and disbursements	-19,488				
b Net investment income (if negative, enter -0-)		2,072			
c Adjusted net income (if negative, enter -0-)			0		

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Part II Balance Sheets

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

	Beginning of year	End of year		
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets				
1 Cash—non-interest-bearing				
2 Savings and temporary cash investments	8,000	10,716	10,716	
3 Accounts receivable ▶ Less allowance for doubtful accounts ▶				
4 Pledges receivable ▶ Less allowance for doubtful accounts ▶				
5 Grants receivable				
6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 16 of the instructions)				
7 Other notes and loans receivable (att schedule) ▶ Less allowance for doubtful accounts ▶				
8 Inventories for sale or use				
9 Prepaid expenses and deferred charges				
10a Investments—U S and state government obligations (attach schedule)				
b Investments—corporate stock (attach schedule) SEE STMT 5	218,240	196,036	202,878	
c Investments—corporate bonds (attach schedule)				
11 Investments—land, buildings, and equipment basis ▶ Less accumulated depreciation (attach sch) ▶				
12 Investments—mortgage loans				
13 Investments—other (attach schedule)				
14 Land, buildings, and equipment basis ▶ Less accumulated depreciation (attach sch) ▶				
15 Other assets (describe ▶)				
16 Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	226,240	206,752	213,594	
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 (attach schedule)				
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 <input type="checkbox"/> 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 <input checked="" type="checkbox"/> and complete lines 27 through 31.				
27 Capital stock, trust principal, or current funds				
28 Paid-in or capital surplus, or land, bldg, and equipment fund				
29 Retained earnings, accumulated income, endowment, or other funds	226,240	206,752		
30 Total net assets or fund balances (see page 17 of the instructions)	226,240	206,752		
31 Total liabilities and net assets/fund balances (see page 17 of the instructions)	226,240	206,752		

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	226,240
2 Enter amount from Part I, line 27a	2	-19,488
3 Other increases not included in line 2 (itemize) ▶	3	
4 Add lines 1, 2, and 3	4	206,752
5 Decreases not included in line 2 (itemize) ▶	5	
6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	206,752

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 WADDELL & REED				
b				
c				
d				
e				
(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)	
a 46			46	
b				
c				
d				
e				
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any		
a				46
b				
c				
d				
e				
2 Capital gain net income or (net capital loss)				46
[If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7]				2
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) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8]				3

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

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

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

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

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

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

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2008	13,528	243,647	0.055523
2007	9,158	264,503	0.034623
2006	9,129	249,843	0.036539
2005	7,317	227,598	0.032149
2004	9,568	220,673	0.043358
2 Total of line 1, column (d)			0.202192
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			0.040438
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5			194,826
5 Multiply line 4 by line 3			7,878
6 Enter 1% of net investment income (1% of Part I, line 27b)			21
7 Add lines 5 and 6			7,899
8 Enter qualifying distributions from Part XII, line 4			12,080
If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions on page 18.			

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

1a	Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1 Date of ruling or determination letter (attach copy of letter if necessary—see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b	1	21
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	21
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	21
6	Credits/Payments		
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	
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	
8	Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> 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	21
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	
11	Enter the amount of line 10 to be Credited to 2010 estimated tax <input type="checkbox"/> Refunded <input checked="" type="checkbox"/>	11	

Part VII-A Statements Regarding Activities

	Yes	No
1a		X
b		X
c		X
d		
e		
2		X
3		X
4a		X
4b		
5		X
6	X	
7	X	
8a		
8b	X	
9		X
10		X

N/A

Part VII-A Statements Regarding Activities (continued)

11 At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions)	11		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? Website address ▶ N/A	13	X	

14 The books are in care of ▶ **ROBERT N. BOHORAD** Telephone no ▶ **570-622-1811**
P.O. BOX 1280
 Located at ▶ **POTTSVILLE, PA** ZIP+4 ▶ **17901-7280**

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041—Check here and enter the amount of tax-exempt interest received or accrued during the year ▶ **15** ▶

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

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

		Yes	No
1a During the year did the foundation (either directly or indirectly)			
(1) Engage in the sale or exchange, or leasing of property with a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here N/A ▶ <input type="checkbox"/>	1b		
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009? N/A	1c		
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," list the years ▶ 20 , 20 , 20 , 20			
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see page 20 of the instructions) 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 ▶ 20 , 20 , 20 , 20			
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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)? (see page 22 of the instructions) 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 page 22 of the instructions)? Yes No **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? Yes No 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? Yes No **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 (see page 22 of the instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
ROBERT N. BOHORAD P.O. BOX 1280	POTTSVILLE PA 17901-7280	TRUSTEE 2.00	0	0
JAMES C. BOHORAD P.O. BOX 1280	POTTSVILLE PA 17901-7280	TRUSTEE 2.00	0	0

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

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

Total number of other employees paid over \$50,000

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

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

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

Total number of others receiving over \$50,000 for professional services ▶

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 (see page 24 of the instructions)

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 page 24 of the instructions	
3	

Total. Add lines 1 through 3 ▶

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
a	Average monthly fair market value of securities	1a	182,592
b	Average of monthly cash balances	1b	15,201
c	Fair market value of all other assets (see page 24 of the instructions)	1c	0
d	Total (add lines 1a, b, and c)	1d	197,793
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	197,793
4	Cash deemed held for charitable activities. Enter 1½% of line 3 (for greater amount, see page 25 of the instructions)	4	2,967
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	194,826
6	Minimum investment return. Enter 5% of line 5	6	9,741

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

1	Minimum investment return from Part X, line 6	1	9,741
2a	Tax on investment income for 2009 from Part VI, line 5	2a	21
b	Income tax for 2009 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	21
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	9,720
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	9,720
6	Deduction from distributable amount (see page 25 of the instructions)	6	
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	9,720

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

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes		
a	Expenses, contributions, gifts, etc.—total from Part I, column (d), line 26	1a	12,080
b	Program-related investments—total from Part IX-B	1b	
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	12,080
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see page 26 of the instructions)	5	21
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	12,059

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

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

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				9,720
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			11,126	
b Total for prior years 20____, 20____, 20____				
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				
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ <u>12,080</u>				
a Applied to 2008, but not more than line 2a			11,126	
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)				
c Treated as distributions out of corpus (Election required—see page 26 of the instructions)				
d Applied to 2009 distributable amount				954
e Remaining amount distributed out of corpus				
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a))				
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5				
b Prior years' undistributed income Subtract line 4b from line 2b				
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed				
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions				
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions				
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				8,766
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)				
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)				
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a				
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 page 27 of the instructions and Part VII-A, question 9)

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

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

Part XV Supplementary Information (Complete this part only if the foundation had \$5,000 or more in assets at any time during the year—see page 28 of the instructions.)

1 **Information Regarding Foundation Managers:**

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

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
N/A

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

a The name, address, and telephone number of the person to whom applications should be addressed
ROBERT N. BOHORAD, TRUSTEE 570-622-1811
~~P.O. BOX 1280 POTTSVILLE PA 17901-7280~~ 3402 Village Rd. ORWIGSBURG PA 17961

b The form in which applications should be submitted and information and materials they should include
SEE STATEMENT 6

c Any submission deadlines
NONE

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors
NONE

Part XV Supplementary Information (continued)

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

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year SEE STATEMENT 7				12,080
Total			▶ 3a	12,080
b Approved for future payment N/A				
Total			▶ 3b	

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

**BEN D. SPAGOLIO CHARITABLE TRUST
C/O ROBERT N. BOHORAD, TRUSTEE**

Employer identification number

13-7345617

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 in the heading 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).

For Privacy Act and Paperwork Reduction Act Notice, see the Instructions for Form 990, 990-EZ, or 990-PF.

Schedule B (Form 990, 990-EZ, or 990-PF) (2009)

Name of organization BEN D. SPAGOLIO CHARITABLE TRUST	Employer identification number 13-7345617
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Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	ANNA BOHORAD TRUST C/O M&T BANK ONE SOUTH CENTRE STREET POTTSVILLE PA 17901	\$ 1,000	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)

Federal Statements

Statement 1 - Form 990-PF, Part I, Line 6a - Sale of Assets

Whom Sold	Description	Date Acquired	Date Sold	How Received		Expense	Depreciation	Net Gain / Loss	
				Sale Price	Cost				
257.202	SHS GROWTH FUND OF AMERICA-C VARIOUS		1/13/09	\$	7,481	\$	\$	-2,481	
156.642	SHS AMERICAN BAL FUND-C VARIOUS		11/09/09		2,420			80	
169.828	SHS WR ADVISORS BOND B VARIOUS		1/21/09		1,097			-97	
440.141	SHS WR ADVISORS GOV SEC B VARIOUS		11/10/09		2,513			-13	
147.348	SHS WR ADVISORS DIV OPP B VARIOUS		1/21/09		2,044			-544	
65.140	SHS IVY EUROPEAN OPP B VARIOUS		1/21/09		1,680			-699	
149.191	SHS IVY EUROPEAN OPP B VARIOUS		9/08/09		3,847			-877	
31.213	SHS IVY EUROPEAN OPP B VARIOUS		9/08/09		805			-184	
169.973	SHS IVY CUNDILL GLOBAL VAL B VARIOUS		1/21/09		2,277			-777	
692.055	SHS IVY CUNDILL GLOBAL VAL B VARIOUS		9/08/09		9,272			-1,632	
322.195	SHS IVY REAL ESTATE SEC B VARIOUS		9/08/09		6,033			-1,999	
1.980	SHS IVY REAL ESTATE SEC B VARIOUS		9/08/09		37			-12	
18.99	SHS WR ADVISORS CASH MGT B VARIOUS		1/21/09		19				
TOTAL				\$	39,525	\$	0	\$	-9,235

Federal Statements

Statement 2 - Form 990-PF, Part I, Line 16b - Accounting Fees

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
LIPKIN, MARSHALL, BOHORAD & THORN	\$ 1,126	\$	\$	\$
TOTAL	<u>\$ 1,126</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>

Statement 3 - Form 990-PF, Part I, Line 18 - Taxes

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
2008 FEDERAL EXCISE TAX	\$ 117	\$	\$	\$
TOTAL	<u>\$ 117</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>

Statement 4 - Form 990-PF, Part I, Line 23 - Other Expenses

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
EXPENSES				
BANK SERVICE CHARGES	2	\$	\$	\$
TOTAL	<u>2</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>

Federal Statements

Statement 5 - Form 990-PF, Part II, Line 10b - Corporate Stock Investments

Description	Beginning of Year	End of Year	Basis of Valuation	Fair Market Value
AMERICAN GROWTH & BALANCED FUNDS - C				
\$ 100,601	\$	92,204	COST	\$ 94,027
WADDELL & REED WR ADVISOR FUNDS:				
SCIENCE AND TECHNOLOGY B	8,560	8,606	COST	9,080
ACCUMULATIVE B	7,799	7,799	COST	9,539
BOND B	9,912	9,061	COST	8,381
GOVERNMENT SECURITIES B	9,475	7,158	COST	6,947
SMALL CAP B	6,102	10,161	COST	10,067
ASSET STRATEGY B	24,309	24,309	COST	29,536
CASH MANAGEMENT B	21		COST	
IVY GLOBAL NATURAL RESOURCES B	6,704	6,704	COST	6,068
IVY EUROPEAN OPPORTUNITIES B	6,331		COST	
IVY CUNDILL GLOBAL VALUE B	11,549		COST	
IVY REAL ESTATE SECURITIES B	6,053		COST	
IVY INTERNATIONAL CORE EQUITY B		7,653	COST	8,050
IVY PACIFIC OPPORTUNITIES B		3,592	COST	3,883
ADVISORS DIVIDEND OPPORTUNITIES B	20,824	18,789	COST	17,300
TOTAL	\$ 218,240	\$ 196,036		\$ 202,878

Statement 6 - Form 990-PF, Part XV, Line 2b - Application Format and Required Contents

Description

LETTER FORM, TO INCLUDE THE PURPOSE FOR WHICH THE FUNDS
WILL BE USED

Form 990-PF, Part XV, Line 2c - Submission Deadlines

Description

NONE

Form 990-PF, Part XV, Line 2d - Award Restrictions or Limitations

Description

NONE

Federal Statements

Statement 7 - Form 990-PF, Part XV, Line 3a - Grants and Contributions Paid During the Year

Name	Address	Relationship	Status	Purpose	Amount
HILLSIDE SPCA	P.O. BOX 233				
POTTSVILLE PA 17901	N/A		501(C)(3)	FOR ASSISTANCE TO ANIMALS	475
MUSCULAR DYSTROPHY ASSOC.	5940 HAMILTON BLVD.				
ALLENTOWN PA 18106	N/A		501(C)(3)	FOR ASSISTANCE WITH RESEARCH	250
ORWIGSBURG BOROUGH	NORTH WARREN ST.				
ORWIGSBURG PA 17961	N/A		501(C)(3)	FOR ASSISTANCE WITH AMBULANCE SERVIC	100
SCHUYLKILL COUNTY COUNCIL	1440 MAHANTONGO STREET				
POTTSVILLE PA 17901	N/A		501(C)(3)	FOR ASSISTANCE WITH ARTS	35
TRYALL FUND	641 LEXINGTON AVE.				
NEW YORK NY 10022	N/A		501(C)(3)	FOR ASSISTANCE IN EDUCATION	200
SUSAN G. KOEMAN FOR CURE	5005 LBJ FREEWAY				
DALLAS TX 75244	N/A		501(C)(3)	ASSISTANCE WITH MEDICAL RESEARCH	100
SCHUYLKILL COUNTY YMCA	219 N. 12TH ST.				
POTTSVILLE PA 17901	N/A		501(C)(3)	TO PROMOTE CHRISTIAN PRINCIPLES	450
SCHUYLKILL SYMPHONY ORCH.	96 PROGRESS AVE.				
POTTSVILLE PA 17901	N/A		501(C)(3)	FOR ASSISTANCE TO SUPPORT MUSIC	350
POTTSVILLE PUBLIC LIBRARY	215 W. MARKET ST.				
POTTSVILLE PA 17901	N/A		501(C)(3)	FOR ASSISTANCE WITH EDUCATION/BOOKS	465
DIOCESE OF ALLENTOWN	1100 W. HAMILTON ST.				
ALLENTOWN PA 18105	N/A		CHURCH	FOR ASSISTANCE WITH RELIGION	100
PHILHARMONIC CTR FOR ARTS	5833 PELICAN BAY BLVD.				
NAPLES FL 34108	N/A		501(C)(3)	FOR ASSISTANCE WITH ARTS	1,425
ST. PATRICK'S RC CHURCH	319 MAHANTONGO ST.				
POTTSVILLE PA 17901	N/A		CHURCH	FOR ASSISTANCE WITH RELIGION	550
SCHUYLKILL HEALTH CARE	SOUTH JACKSON ST.				
POTTSVILLE PA 17901	N/A		501(C)(3)	PUBLIC CHARITY	1,295
VASSAR COLLEGE	124 RAYMOND AVE.				
POUGHKEEPSIE NY 12604	N/A		SCHOOL	FOR ASSISTANCE WITH EDUCATION	25
HAWK MOUNTAIN SANCTUARY	1700 HAWK MOUNTAIN ROAD				
KEMPTON PA 19529	N/A		501(C)(3)	FOR ASSISTANCE WITH NATURE PRESERVAT	50
NEW YORK UNIVERSITY	44 WEST 4TH STREET				
NEW YORK NY 10012	N/A		SCHOOL	FOR ASSISTANCE WITH EDUCATION	250
STUDENT VOLUNTEERS	4848 LAKEVIEW DRIVE				
YORBA LINDA CA 92886	N/A		501(C)(3)	FOR ASSISTANCE WITH YOUTH DEVELOPMEN	100
HOLOCAUST MUSEUM OF SW FL	4760 TAMiami TRAIL NORTH				
NAPLES FL 34103	N/A		501(C)(3)	FOR ASSISTANCE WITH MUSEUM	200
BIG BROTHERS/SISTERS	91 SOUTH PROGRESS AVENUE				
POTTSVILLE PA 17901	N/A		501(C)(3)	FOR ASSISTANCE WITH YOUTH DEVELOPMEN	50

Federal Statements

Statement 7 - Form 990-PF, Part XV, Line 3a - Grants and Contributions Paid During the
Year (continued)

Name	Address	Relationship	Status	Purpose	Amount
ABBOTT HOUSE	100 NORTH BROADWAY				
IRVINGTON NY 10533	N/A		501 (C) (3)	FOR ASSISTANCE WITH YOUTH DEVELOPMEN	400
TEMPLE B'NAI BRITH SISTER	408 WYOMING AVENUE				
KINGSTON PA 18704	N/A		501 (C) (3)	FOR ASSISTANCE WITH RELIGION	25
NEW YORK PRESBYT. HOSP.	654 WEST 170TH STREET				
NEW YORK NY 10032	N/A		501 (C) (3)	FOR ASSISTANCE WITH HOSPITAL	200
AMERICAN CANCER SOCIETY	125 WEST 31ST STREET				
NEW YORK NY 10001	N/A		501 (C) (3)	FOR ASSISTANCE WITH CANCER RESEARCH	50
ARMENIAN SISTERS OF IMMAC	213 BRAMBER DRIVE				
BROOMALL PA 19008	N/A		501 (C) (3)	FOR ASSISTANCE WITH RELIGION	50
NEW YORK CARES, INC.	214 WEST 29TH STREET				
NEW YORK NY 10001	N/A		501 (C) (3)	YOUTH HEALTH AND WELFARE	100
FORDHAM UNIVERSITY	113 WEST 60TH STREET				
NEW YORK NY 10133	N/A	SCHOOL		FOR ASSISTANCE WITH EDUCATION	75
SOUTHERN POVERTY LAW CTR	400 WASHINGTON AVENUE				
MONTGOMERY AL 36117	N/A		501 (C) (3)	FOR ASSISTANCE WITH LEGAL AID	100
UNWANTGAME	PO BOX 380559				
BROOKLYN NY 11238	N/A		501 (C) (3)	FOR ASSISTANCE WITH YOUTH DEVELOPMEN	40
MAHANAY CITY PUBLIC LIBRA	19 WEST MAHANAY STREET				
MAHANAY CITY PA 17948	N/A		501 (C) (3)	FOR ASSISTANCE WITH EDUCATION/BOOKS	50
PANCREATIC CANCER ACTION	2141 ROSENCRANS AVENUE				
EL SEGUNDO CA 90245	N/A		501 (C) (3)	FOR ASSISTANCE WITH CANCER RESEARCH	100
BLUE MOUNTAIN EAGLE FOUND	675 REDDALE ROAD				
ORWIGSBURG PA 17961	N/A		501 (C) (3)	FOR ASSISTANCE WITH YOUTH	100
NAT'L KINDNEY FOUNDATION	30 EAST 33RD STREET				
NEW YORK NY 10016	N/A		501 (C) (3)	FOR ASSISTANCE WITH KIDNEY RESEARCH	100
SCHUYLKILL KEEP IT PRETTY	91 SOUTH PROGRESS AVENUE				
POTTSVILLE PA 17901	N/A		501 (C) (3)	FOR ASSISTANCE WITH ENVIRONMENT	600
LEUKEMIA AND LYMPHOMA SOC	PO BOX 4072				
PITTSFIELD MA 01202	N/A		501 (C) (3)	FOR ASSISTANCE WITH LEUKEMIA RESEARC	50
A BETTER CHANCE	240 WEST 35TH STREET				
NEW YORK NY 10001	N/A		501 (C) (3)	FOR ASSISTANCE WITH YOUTH DEVELOPMEN	100
AMERICAN HEART ASSOCIATIO	7272 GREENVILLE AVENUE				
DALLAS TX 75231	N/A		501 (C) (3)	FOR ASSISTANCE WITH HEART RESEARCH	25
TRUSTEES OF PHILLIPS ACAD	180 MAIN STREET				
ANDOVER MA 01810	N/A	SCHOOL		FOR ASSISTANCE WITH EDUCATION	60
JEWISH MUSEUM OF EAST PA	2400 WEST END AVENUE				
POTTSVILLE PA 17901	N/A		501 (C) (3)	FOR ASSISTANCE WITH MUSEUM	200

Federal Statements

Statement 7 - Form 990-PF, Part XV, Line 3a - Grants and Contributions Paid During the
Year (continued)

Name	Address	Relationship	Status	Purpose	Amount
AMERICAN CANCER SOCIETY NEW YORK NY 10001	125 WEST 31ST STREET N/A		501(C)(3)	FOR ASSISTANCE WITH CANCER RESEARCH	50
HISTORICAL SOCIETY OF SCH POTTSVILLE PA 17901	301 NORTH CENTRE STREET N/A		501(C)(3)	FOR ASSISTANCE WITH MUSEUM	100
POTTSVILLE MOTHERS' FOOTB POTTSVILLE PA 17901	PO BOX 953 N/A		501(C)(3)	FOR ASSISTANCE WITH YOUTH SPORTS	400
BAREFIELD DEVELOPMENT COR POTTSVILLE PA 17901	410 LAUREL BOULEVARD N/A		501(C)(3)	FOR ASSISTANCE WITH AFFORDABLE HOUSI	100
LITERACY COUNCIL FOR SCHU POTTSVILLE PA 17901	ROCKWOOD PLAZA N/A		501(C)(3)	FOR ASSISTANCE WITH EDUCATION	500
THE WELLNESS COMMUNITY BETHLEHEM PA 18017	3400 BATH PIKE N/A		501(C)(3)	FOR ASSISTANCE WITH HEALTH AND WELFA	150
KATE FOUNDATION FOR RETT BRANFORD CT 06405	944 MAIN STREET N/A		501(C)(3)	FOR ASSISTANCE WITH RETT SYNDROM RES	150
SUDDEN INFANT DEATH SYNDR BALTIMORE MD 21208	1314 BEFORD AVENUE N/A		501(C)(3)	FOR ASSISTANCE WITH SID RESEARCH	150
ROOM TO GROW NEW YORK NY 10010	54 WEST 21ST STREET N/A		501(C)(3)	FOR ASSISTANCE WITH YOUTH DEVELOPMEN	150
USA FOR UNHCR WASHINGTON DC 20006	1775 K ST. NW N/A		501(C)(3)	FOR ASSISTANCE WITH HEALTH AND WELFA	50
PLANNED PARENTHOOD FEDERA WASHINGTON DC 20077	PO BOX 96735 N/A		501(C)(3)	FOR ASSISTANCE WITH EDUCATION	25
POTTSVILLE AREA SCHOOL DI POTTSVILLE PA 17901	1500 LAUREL BOULEVARD N/A	SCHOOL		FOR ASSISTANCE WITH EDUCATION	200
WYOMING SEMINARY KINGSTON PA 18704	201 NORTH SPRAGUE AVENUE N/A	SCHOOL		FOR ASSISTANCE WITH EDUCATION	195
PROSPECTUS BERCO READING PA 19604	840 WILLIAM LANE N/A			FOR ASSISTANCE TO THE DISABLED	160
OHEB ZEDECK SYNAGOGUE CTR POTTSVILLE PA 17901	2400 WEST END AVENUE N/A	CHURCH		FOR ASSISTANCE WITH RELIGION	70
NATIVITY BVM HIGH SCHOOL POTTSVILLE PA 17901	LAWTONS HILL N/A	SCHOOL		FOR ASSISTANCE WITH EDUCATION	200
SCHUYLKILL HEALTHCARE AUX POTTSVILLE PA 17901	420 SOUTH JACKSON STREET N/A		501(C)(3)	FOR ASSISTANCE WITH HEALTH CARE	285
GAL TO GAL FOUNDATION BEND OR 97702	86 SW CENTURY DR, PMB 164 N/A		501(C)(3)	FOR ASSISTANCE WITH HEALTH AND WELFA	250

13-7345617

Federal Statements

Statement 7 - Form 990-PF, Part XV, Line 3a - Grants and Contributions Paid During the Year (continued)

Name	Address	Relationship	Status	Purpose	Amount
TOTAL					12,080

Federal Statements**Taxable Dividends from Securities**

<u>Description</u>	<u>Amount</u>	<u>Unrelated Business Code</u>	<u>Exclusion Code</u>	<u>Postal Code</u>
WADDELL & REED	\$ 483			PA
AMERICAN FUNDS	1,504			PA
VANGUARD	33			PA
TOTAL	<u>\$ 2,020</u>			