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

2009

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

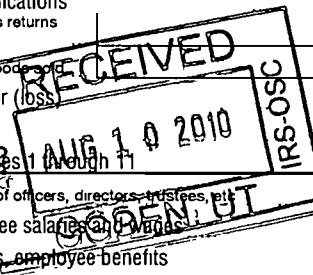
For calendar year 2009, or tax year beginning , and ending

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 Thomas Rutherford Foundation		A Employer identification number 20-2057953
	Number and street (or P O box number if mail is not delivered to street address) Room/suite 3333 P Street, NW		B Telephone number 703-354-1616
	City or town, state, and ZIP code Washington, DC 20007		C If exemption application is pending, check here <input type="checkbox"/>
	H Check type of organization: <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation		D 1. Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>
I Fair market value of all assets at end of year (from Part II, col (c), line 16) \$ 3,862,010. (Part I, column (d) must be on cash basis)		J Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	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"/>

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received			N/A	
	2 Check <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	36,049.	36,049.		Statement 1
	4 Dividends and interest from securities	27,478.	27,478.		Statement 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	26,315.			
	b Gross sales price for all assets on line 6a	827,448.			
	7 Capital gain net income (from Part IV, line 2)		26,315.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold					
c Gross profit or (loss)					
11 Other income					
12 Total. Add lines 1 through 11	89,842.	89,842.			
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc.	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees				
	c Other professional fees				
	17 Interest				
	18 Taxes Stmt 3	4,077.	0.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses Stmt 4	18,610.	0.		0.
	24 Total operating and administrative expenses Add lines 13 through 23	22,687.	0.		0.
	25 Contributions, gifts, grants paid	205,705.			205,705.
26 Total expenses and disbursements. Add lines 24 and 25	228,392.	0.		205,705.	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	<138,550.>				
b Net investment income (if negative, enter -0-)		89,842.			
c Adjusted net income (if negative, enter -0-)			N/A		

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Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only		Beginning of year	End of year	
				(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing					
	2 Savings and temporary cash investments			2,523,458.	2,346,290.	2,346,290.
	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 5			1,430,207.	1,468,825.	1,515,720.
	c Investments - corporate bonds					
Liabilities	11 Investments - land, buildings, and equipment: basis ▶					
	Less: accumulated depreciation ▶					
	12 Investments - mortgage loans					
	13 Investments - other					
	14 Land, buildings, and equipment: basis ▶					
	Less: accumulated depreciation ▶					
	15 Other assets (describe ▶)					
	16 Total assets (to be completed by all filers)			3,953,665.	3,815,115.	3,862,010.
	17 Accounts payable and accrued expenses					
	18 Grants payable					
Net Assets or Fund Balances	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.	
	Foundations that follow SFAS 117, check here ▶ <input checked="" type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31.					
	24 Unrestricted			3,953,665.	3,815,115.	
	25 Temporarily restricted					
	26 Permanently restricted					
	Foundations that do not follow SFAS 117, check here ▶ <input type="checkbox"/> and complete lines 27 through 31.					
	27 Capital stock, trust principal, or current funds					
	28 Paid-in or capital surplus, or land, bldg., and equipment fund					
	29 Retained earnings, accumulated income, endowment, or other funds					
	30 Total net assets or fund balances			3,953,665.	3,815,115.	
	31 Total liabilities and net assets/fund balances			3,953,665.	3,815,115.	

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	3,953,665.
2 Enter amount from Part I, line 27a	2	<138,550.>
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	3,815,115.
5 Decreases not included in line 2 (itemize) ▶	5	0.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	3,815,115.

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 SPDR Gold Trust - Return of Funds	P	Various	/ / 09
b UBS #02059 - See Attached	P	Various	/ / 09
c UBS #02059 - See Attached	P	Various	/ / 09
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 51.		51.	0.
b 557,966.		522,825.	35,141.
c 269,431.		278,257.	<8,826.>
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	
a			0.
b			35,141.
c			<8,826.>
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	26,315.
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	168,870.	4,138,104.	.040809
2007	111,849.	3,437,088.	.032542
2006	50,023.	2,287,712.	.021866
2005	7,292.	1,046,146.	.006970
2004	0.	490,161.	.000000

2 Total of line 1, column (d)	2	.102187
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	.020437
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	3,783,189.
5 Multiply line 4 by line 3	5	77,317.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	898.
7 Add lines 5 and 6	7	78,215.
8 Enter qualifying distributions from Part XII, line 4	8	205,705.

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 <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	898.
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	898.
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	898.
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		0.
8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached	8		28.
9 Tax due If the total of lines 5 and 8 is more than line 7, enter amount owed	9		926.
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 type="checkbox"/>	11		

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?		X
1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.		X
1c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. <input type="checkbox"/> \$ 0. (2) On foundation managers. <input type="checkbox"/> \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. <input type="checkbox"/> \$ 0.		
2 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.		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		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		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?		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	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) <input type="checkbox"/> <u>VA</u>		
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	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		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

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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 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 ► Thomas D. Rutherford, Jr. Located at ► 3333 P Street, NW, Washington, DC	Telephone no. ► 703-354-1616 ZIP+4 ► 20007		
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? <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	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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <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?	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

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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
Thomas D. Rutherford 3333 P Street, NW Washington, DC 20007	Trustee 2.00	0.	0.	0.

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

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

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

0

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Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors *(continued)***3** Five highest-paid independent contractors for professional services. If none, enter "NONE."

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

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

0

Part IX-A Summary of Direct Charitable Activities

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

	Expenses
1 Made contributions to charitable organizations listed in part XV.	205,705.
2	
3	
4	

Part IX-B Summary of Program-Related Investments

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.

	Amount
1 N/A	
2	
3 All other program-related investments. See instructions.	
Total. Add lines 1 through 3	0.

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a	Average monthly fair market value of securities	1a	1,602,469.
b	Average of monthly cash balances	1b	2,238,332.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	3,840,801.
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	3,840,801.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	57,612.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	3,783,189.
6	Minimum investment return. Enter 5% of line 5	6	189,159.

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	189,159.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	898.
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	898.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	188,261.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	188,261.
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	188,261.

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	205,705.
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	205,705.
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	898.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	204,807.

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

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Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				188,261.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			205,705.	
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ \$ 205,705.				
a Applied to 2008, but not more than line 2a			205,705.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2009 distributable amount				0.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:	0.			
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	0.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see instr.			0.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				188,261.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008				
e Excess from 2009				

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

N/A

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

- b**
- Check box to indicate whether the foundation is a private operating foundation described in section
- ☐
- 4942(j)(3) or
- ☐
- 4942(j)(5)

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 | | X |
| | (2) Other assets | | X |
| b | Other transactions: | | |
| | (1) Sales of assets to a noncharitable exempt organization | | X |
| | (2) Purchases of assets from a noncharitable exempt organization | | X |
| | (3) Rental of facilities, equipment, or other assets | | X |
| | (4) Reimbursement arrangements | | X |
| | (5) Loans or loan guarantees | | X |
| | (6) Performance of services or membership or fundraising solicitations | | X |
| c | Sharing of facilities, equipment, mailing lists, other assets, or paid employees | | 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. | | |

[illegible]

- 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		

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) is based on all information of which preparer has any knowledge.

Paid Preparer's Use Only Signature of officer or trustee Date Title	Signature of officer or trustee <i>Thomas W. Ruthford</i>		Date 6/3/10		Title Trustee	
	Preparer's signature <i>Stef G. T...</i> , CPA		Date 6/7/10		Check if self-employed <input type="checkbox"/>	
Firm's name (or yours if self-employed), address, and ZIP code Kositzka, Wicks and Company 5500 Cherokee Ave, Suite 400 Alexandria, Virginia 22312					Preparer's identifying number EIN Phone no. (703) 642-2700	

Form 990-PF Interest on Savings and Temporary Cash Investments Statement 1

Source	Amount
Bank of America	35,910.
J.P. Morgan	139.
Total to Form 990-PF, Part I, line 3, Column A	36,049.

Form 990-PF Dividends and Interest from Securities Statement 2

Source	Gross Amount	Capital Gains Dividends	Column (A) Amount
UBS Financial Services #02058	1,325.	0.	1,325.
UBS Financial Services #02059	26,153.	0.	26,153.
Total to Form 990-PF, Part I, ln 4	27,478.	0.	27,478.

Form 990-PF Taxes Statement 3

Description	(a) Expenses Per Books	(b) Net Invest- ment Income	(c) Adjusted Net Income	(d) Charitable Purposes
2008 990-PF balance due	1,246.	0.		0.
2001 990-PF balance due	2,831.	0.		0.
To Form 990-PF, Pg 1, ln 18	4,077.	0.		0.

Form 990-PF Other Expenses Statement 4

Description	(a) Expenses Per Books	(b) Net Invest- ment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Bank Service Charges	2,393.	0.		0.
Investment fees	13,522.	0.		0.
Accounting	2,695.	0.		0.
To Form 990-PF, Pg 1, ln 23	18,610.	0.		0.

Form 990-PF	Corporate Stock	Statement	5
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Description	Book Value	Fair Market Value
Securities	1,468,825.	1,515,720.
Total to Form 990-PF, Part II, line 10b	1,468,825.	1,515,720.

Form 990-PF	Grants and Contributions Paid During the Year	Statement	6
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Recipient Name and Address	Recipient Relationship and Purpose of Grant	Recipient Status	Amount
Anacostia Gracious Arts Program 4630 Alabama Avenue SE Washington, DC 20019			1,000.
Bishop John T. Walker School for Boys Episcopal Church House, Mount St. Alban Washington, DC 20016			1,000.
Buffallo Bill Historical Center 720 Sheridan Avenue Cody, WY 82414			7,968.
Central Asia Institute P.O. Box 7209 Bozeman, MT 59771			1,000.
Cherry Lane Volunteer Fire Department 8378 US Hwy 21 S Roaring Gap, NC 28627			180.
Children's Hearing and Speech Center 3575 Kaslo Street Vancouver, British Columbia, CANADA V5M 3H4			350.

Christ Church, Georgetown 3116 O Street NW Washington, DC 20007	12,000.
Citizens Association of Georgetown 1365 Wisconsin Avenue NW, Suite 200 Washington, DC 20007	350.
Classical American Homes Preservation Trust 69 East 93rd Street New York, NY 10128	250.
Collegiate Directions 4833 Rugby Avenue, Suite 301 Bethesda, MD 20814	2,000.
Doctors Without Borders 333 7th Avenue, 2nd Floor New York, NY 10001-5004	250.
Go Bo Fund for Georgetown Hospital 3800 Reservoir Road, NW Washington, DC 20007	1,500.
Historic Georgetown Preservation Foundation Box 3603 Georgetown Station Washington, DC 20007	150.
Hollins University P.O. Box 9629 Roanoke, VA 24020-1629	10,000.
House of Ruth 5 Thomas Circle, NW Washington, DC 20005	250.
Metropolitan Club Foundation 1700 H Street, NW Washington, DC 20006-4601	750.

Thomas Rutherford Foundation	20-2057953
National Gallery of Art 2000B South Club Drive Landover, MD 20785	10,000.
National Geographic Society 1145 17th Street NW Washington, DC 20036	26,353.
North Cross School 4254 Colonial Avenue Roanoke, VA 24018	1,000.
Norwegian Seaman's Church, NY 317 East 52nd St. New York, NY 10022	2,000.
Patronato de Nutricion 0843-376 Balboa Ancon, PANAMA	1,500.
Phillips Collection 1600 21st Street NW Washington, DC 20009	35,000.
Rachel's Network 1200 18th Street NW, Suite 310 Washington, DC 20036	5,000.
Refugees International 2001 S Street NW, Suite 700 Washington, DC 20009	250.
Roaring Gap Fund P.O. Box 129 Roaring Gap, NC 28668-0129	2,500.
Salisbury School Annual Fund 251 Canaan Road Salisbury, CT 06068	1,000.

Thomas Rutherford Foundation	20-2057953
Salvation Army P.O. Box 269 Alexandria, VA 22313	2,500.
Septima Clark Public Charter Fund 425 Chesapeake St, SE Washington, DC 20032	150.
Sewanee Annual Fund 735 University Avenue Sewanee, TN 37383	5,000.
Sewanee Center 735 University Avenue Sewanee, TN 37383	2,000.
Share Our Strength 1703 M Street, NW, Suite 700 Washington, DC 20036	1,000.
So Others Might Eat 71 O Street, NW Washington, DC 20001	1,000.
St. Albans School Mount St. Albans Washington, DC 20016	50,000.
St. John's Community Services 2210 Wisconsin Avenue, NW, Suite C-150 Washington, DC 20007	500.
The Jamestown-Yorktown Foundation P.O. Box 1607 Williamsburg, VA 23187-1607	5,000.
Tudor Place Foundation 1644 31st Street, NW Washington, DC 20007	6,204.

University of Virginia

5,000.

P.O. Box 400229

Charlottesville, VA 22904-4229

Virginia Historical Society

250.

P.O. Box 7311 Richmond, VA

23220

Washington Chorus

1,000.

2801 Upton Street, NW

Washington, DC 20008

Washington National Opera

2,500.

2600 Virginia Avenue, NW, Suite

301 Washington, DC 20037

Total to Form 990-PF, Part XV, line 3a

205,705.

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UBS Financial Services Inc.

2009 Consolidated Form 1099

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2009 Realized Gain/Loss Summary

(Includes sale proceeds not reported on Form 1099-B)

This Realized Gain/Loss Summary is not a tax reporting document and has not been submitted to the IRS. If your sale amount matches the amount on Form 1099-B, which is reported to the IRS, it is marked as such. Please rely on the confirmations previously provided to you as your official activity record.

Estimated 2009 Gain/Loss for transactions with trade dates through 12/31/09 has been incorporated into this statement. Realized gain/loss is based on the sales amount less the cost basis. Please note that gain or loss recognized on the sale or redemption of certain Structured Products may be ordinary, and not capital, gain or loss. Please check with your tax advisor and/or read the tax-related disclosure materials associated with those products. Note that the Original Cost Basis column is only populated for transactions of securities that have had their basis reduced due to premium amortization or increased due to OID accretion.

The cost basis of the oldest security lot (first-in, first-out or FIFO method of accounting) is assigned to a sale to calculate Gain/Loss unless you identified a specific lot (a "versus purchase" or "VSP" order) when you placed your sell order. An asterisk (*) indicates a UBS Financial Services adjustment to cost basis. The number "1" indicates cost basis information has been provided by a source other than UBS Financial Services. Gain/Loss may not have been adjusted for all capital changes. Gain/Loss values that may be subject to Wash Sale provisions are not indicated here. "Earnings" in the Purchase Date column indicates the position sold was acquired on various dates through dividend reinvestment and that the Gain/Loss has been aggregated.

Cost basis for coupon tax-exempt municipal securities (including securities subject to AMT) has been adjusted for mandatory amortization of bond premium. The OID amount reported on your Form 1099-OID is not adjusted for Market Discount, Acquisition Premium, or Bond Premium. Therefore, the amortization and accretion adjustments used here may not be consistent with the Form 1099-OID amount because the reporting requirements are different.

Gain/Loss from short sale closings are reported as short-term regardless of the holding period of property used to close the short position. Clients should consult their tax advisors as to whether exceptions may apply in their particular case to change this classification. The potential application of the "Constructive Sale" provisions (Sec. 1259) for short-against-the box transactions is not considered. Clients should discuss the possible application of these provisions with their tax advisor.

	Purchase		Sale		Gains		Losses		Net	
	Quantity/ Face value	Original Cost Basis	Purchase date Date Acquired	Date Sold	Sale Amount	Cost or Other Basis	Gain/Loss	Remarks	Matches 1099-B	Y
Short-term Gain/Loss:					\$ 522,824.91	\$ 557,965.71	\$ 89,957.21	\$ -54,816.41	\$ 35,140.80	
Long-term Gain/Loss:					278,257.14	269,430.96	26,078.00	-34,904.18	-8,826.18	
Sub Total:					\$ 801,082.05	\$ 827,396.67	\$ 116,035.21	\$ -89,720.59	\$ 26,314.62	
Total:					\$ 801,082.05	\$ 827,396.67	\$ 116,035.21	\$ -89,720.59	\$ 26,314.62	

Short-Term Gain/Loss

This section includes securities held for less than one year, and option contracts that are not reported on Form 1099-B.

Security Description	Activity Type	Quantity/ Face value	Original Cost Basis	Purchase date Date Acquired	Date Sold	Sale Amount	Cost or Other Basis	Gain/Loss	Remarks	Matches 1099-B	Y
ALTERA CORP	Trade	1,570,000		05/28/09	09/23/09	32,826.89	26,070.28	6,756.61			

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UBS Financial Services Inc.

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Short-Term Gain/Loss - continued

This section includes securities held for less than one year, and option contracts that are not reported on Form 1099-B.

Security Description	Activity Type	Quantity/ Face value	Original Cost Basis	Purchase date Date Acquired	Date Sold	Sale Amount	Cost or Other Basis	Gain/Loss	Remarks	Matches 1099-B
DELL INC	Trade	2,250,000		04/17/09	08/20/09	32,676.59	24,322.50	8,354.09		Y
FREEPORT-MCMORAN COPPER & GOLD INC	Trade	240,000		07/22/08	05/06/09	12,647.07	23,736.55	-11,089.48		Y
	Trade	455,000		10/10/08	05/06/09	23,976.73	15,875.95	8,100.78		Y
	Trade	695,000		10/10/08	08/20/09	44,008.61	24,250.08	19,758.53		Y
GENL ELECTRIC CO	Trade	2,570,000		10/10/08	06/10/09	35,038.47	48,853.13	-13,814.66		Y
GOLDCORP INC NEW	Trade	285,000		06/04/08	02/05/09	8,637.19	11,075.46	-2,438.27		Y
	Trade	650,000		06/04/08	02/05/09	19,698.87	25,508.72	-5,809.85		Y
ISHARES FTSEXINHUA CHINA 25 INDEX FUND	Trade	920,000		01/14/09	08/04/09	39,086.47	23,358.80	15,727.67		Y
	Trade	420,000		02/02/09	08/04/09	17,843.83	10,449.38	7,394.45		Y
MOSAIC CO	Trade	580,000		06/19/09	08/21/09	31,577.54	27,002.68	4,574.86		Y
POWERSHARES DB MULTI SECTOR COMMODITY TR DB AGRICULTURE FUND	Trade	950,000		05/21/09	10/02/09	23,397.89	25,788.24	-2,390.35		Y
SPDR GOLD TRUST	Trade	300,000		08/31/09	10/13/09	31,180.66	27,916.38	3,264.28		Y
SPDR S&P 500 ETF TR	Trade	200,000		07/08/08	03/26/09	16,567.33	24,937.39	-8,370.06		Y
	Trade	200,000		07/11/08	03/26/09	16,567.33	24,778.88	-8,211.55		Y
	Trade	12,000		10/10/08	03/26/09	994.04	1,043.28	-49.24		Y
	Trade	413,000		10/10/08	04/15/09	34,645.67	35,906.22	-1,260.55		Y
SYMANTEC CORP	Trade	1,550,000		04/02/09	10/29/09	26,937.57	24,191.18	2,746.39		Y
	Trade	1,460,000		04/03/09	10/29/09	25,373.45	23,813.62	1,559.83		Y
TAIWAN SEMICONDUCTOR MFG CO LTD ADR	Trade	2,531,000		03/18/09	05/18/09	26,600.18	22,307.41	4,292.77		Y
UNITED STATES OIL FUND LP	Trade	827,000		02/05/09	06/03/09	30,738.80	23,311.85	7,426.95		Y
WENDYS ARBYS GROUP INC	Trade	6,010,000		10/02/09	10/20/09	26,944.53	28,326.93	-1,382.40		Y
Total Short-Term Gain/Loss						557,965.71	522,824.91	35,140.80		

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Long-Term Gain/Loss

This section includes securities held for more than one year, and option contracts that are not reported on Form 1099-B.

Security Description	Activity Type	Quantity/ Face value	Original Cost Basis	Purchase date Date Acquired	Date Sold	Sale Amount	Cost or Other Basis	Gain/Loss	Remarks	Matches 1099-B
CURRENCYSHARES JAPANESE YEN TRUST SHS	Trade Trade	250.000 250.000		05/04/07 05/07/07	01/14/09 01/14/09	27,928.12 27,928.12	20,827.50 20,846.37	7,100.62 7,081.75		Y Y
LORILLARD INC	Trade Trade Trade Trade	350.000 180.000 190.000 350.000		08/05/08 08/18/08 08/18/08 08/24/08	10/20/09 10/20/09 11/09/09 11/09/09	28,223.29 14,514.83 14,825.88 27,310.83	25,740.19 12,833.82 13,546.81 24,645.79	2,483.10 1,681.01 1,279.07 2,665.04		Y Y Y Y
MEDTRONIC INC	Trade Trade	740.000 310.000		05/04/07 05/08/08	10/14/09 10/14/09	27,403.34 11,479.78	39,900.80 14,787.00	-12,497.46 -3,307.22		Y Y
PROCTER & GAMBLE CO	Trade	970.000		05/04/07	04/02/09	47,554.57	60,382.50	-12,827.93		Y
SOWSTN ENERGY CO	Trade	610.000		07/22/08	10/14/09	28,058.77	24,271.36	3,787.41		Y
SPDR RUSSELL/NOMURA S/C JAPAN ETF	Trade	390.000		05/04/07	11/20/09	14,203.43	20,475.00	-6,271.57		Y
Total Long-Term Gain/Loss						269,430.96	278,257.14	-8,826.18		