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Return of Private Foundation

or Section 4947(a)(1) Nonexempt Charitable Trust

Treated as a Private Foundation

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 BERNARD G. AND NANCY J. BERKMAN FOUNDATION		A Employer identification number 22-2777796
	Number and street (or P O box number if mail is not delivered to street address) Room/suite 842A BEACON STREET		B Telephone number 617-566-5212
	City or town, state, and ZIP code BOSTON, MA 02215		C If exemption application is pending, check here ☐
			D 1. Foreign organizations, check here ☐ 2. Foreign organizations meeting the 85% test, check here and attach computation ☐
H Check type of organization: ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation			E If private foundation status was terminated under section 507(b)(1)(A), check here ☐
I Fair market value of all assets at end of year (from Part II, col (c), line 16) \$ 461,934.		J Accounting method: ☒ Cash ☐ Accrual ☐ Other (specify) _____	F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received	47,030.		N/A	
	2 Check ☐ if the foundation is not required to attach Sch. B				
	3 Interest on savings and temporary cash investments	137.	137.		STATEMENT 1
	4 Dividends and interest from securities	23,805.	23,805.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	<14,225.>			
	b Gross sales price for all assets on line 6a	59,698.			
	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	<889.>	<889.>		STATEMENT 3	
12 Total Add lines 1 through 11	55,858.	23,053.			
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	1,900.	950.		950.
	c Other professional fees				
	17 Interest				
	18 Taxes	70.	70.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses	699.	0.		495.
	24 Total operating and administrative expenses. Add lines 13 through 23	2,669.	1,020.		1,445.
	25 Contributions, gifts, grants paid	41,650.			41,650.
26 Total expenses and disbursements. Add lines 24 and 25	44,319.	1,020.		43,095.	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	11,539.				
b Net investment income (if negative, enter -0-)		22,033.			
c Adjusted net income (if negative, enter -0-)			N/A		

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	59,435.	68,581.	68,581.
	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 7	467,695.	470,088.	393,353.
	c Investments - corporate bonds			
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)	527,130.	538,669.	461,934.	
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 Total liabilities (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☒ and complete lines 24 through 26 and lines 30 and 31.			
	24 Unrestricted	527,130.	538,669.	
	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	527,130.	538,669.		
31 Total liabilities and net assets/fund balances	527,130.	538,669.		

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	527,130.
2 Enter amount from Part I, line 27a	2	11,539.
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	538,669.
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	538,669.

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 FHLB BOND	P	09/25/08	01/14/09
b GENERAL MOTORS	P	06/26/03	12/10/09
c PUGET ENERGY INC	P	04/14/99	02/09/09
d ENTERPRISE PRODUCTS PARTNERSHIPS LP			/ /09
e CITIGROUP INC	P		/ /09

(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 25,000.		25,000.	0.
b 4,695.		25,000.	<20,305.>
c 30,000.		23,842.	6,158.
d		81.	<81.>
e 3.			3.

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			0.
b			<20,305.>
c			6,158.
d			<81.>
e			3.

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	<14,225.>
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	71,890.	424,450.	.169372
2007	48,233.	524,513.	.091958
2006	48,252.	507,060.	.095160
2005	49,861.	457,190.	.109060
2004	45,613.	424,164.	.107536

2 Total of line 1, column (d)	2	.573086
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	.114617
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	399,906.
5 Multiply line 4 by line 3	5	45,836.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	220.
7 Add lines 5 and 6	7	46,056.
8 Enter qualifying distributions from Part XII, line 4 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.	8	43,095.

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	441.
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	441.
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	441.
6	Credits/Payments:		
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	970.
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	970.
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	529.
11	Enter the amount of line 10 to be: Credited to 2010 estimated tax ☐ 529. Refunded ☐	11	0.

Part VII-A Statements Regarding Activities

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?	Yes	No
1a			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. ☐ \$ 0. (2) On foundation managers. ☐ \$ 0.		
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ☐ \$ 0.		
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.	2	X
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes	3	X
4a	Did the foundation have unrelated business gross income of \$1,000 or more during the year?	4a	X
b	If "Yes," has it filed a tax return on Form 990-T for this year?	4b	
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) ☐ MA		
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)

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 ► <u>N/A</u>	13	X	
14	The books are in care of ► <u>BERNARD G BERKMAN</u> Telephone no. ► <u>617-566-5212</u> Located at ► <u>842A BEACON ST, BOSTON, MA</u> ZIP+4 ► <u>02215</u>			
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)? 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?		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? If "Yes," list the years ► _____ , _____ , _____	☐ Yes ☒ No	
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

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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

6b

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

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
BERNARD G BERKMAN	TRUSTEE			
842A BEACON STREET				
BOSTON, MA 02215	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 N/A	
2	
3	
4	

Part IX-B Summary of Program-Related Investments	
Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.	Amount
1 N/A	
2	
All other program-related investments. See instructions.	
3	
Total. Add lines 1 through 3	0.

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a	Average monthly fair market value of securities	1a	341,988.
b	Average of monthly cash balances	1b	64,008.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	405,996.
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	405,996.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	6,090.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	399,906.
6	Minimum investment return. Enter 5% of line 5	6	19,995.

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	19,995.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	441.
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	441.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	19,554.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	19,554.
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	19,554.

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	43,095.
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	43,095.
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	43,095.

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				19,554.
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	24,807.			
b From 2005	27,707.			
c From 2006	23,360.			
d From 2007	23,239.			
e From 2008	51,207.			
f Total of lines 3a through e	150,320.			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ \$	43,095.			
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				19,554.
e Remaining amount distributed out of corpus	23,541.			
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:	173,861.			
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5				
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	24,807.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	149,054.			
10 Analysis of line 9:				
a Excess from 2005	27,707.			
b Excess from 2006	23,360.			
c Excess from 2007	23,239.			
d Excess from 2008	51,207.			
e Excess from 2009	23,541.			

**BERNARD G. AND NANCY J. BERKMAN
FOUNDATION**

Form 990-PF (2009)

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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			(e) Total
	(a) 2009	(b) 2008	(c) 2007	(d) 2006	
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).)

BERNARD G BERKMAN

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

NONE

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

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

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

SEE STATEMENT 8

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
<i>a Paid during the year</i> SEE ATTACHED SCHEDULE	N/A	OTHER PUBLIC CHARITIES		41,650.
Total				41,650.
<i>b Approved for future payment</i> NONE				
Total				0.

2009.03050 BERNARD G. AND NANCY J. BER 41578 1

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**BERNARD G. AND NANCY J. BERKMAN
FOUNDATION**Employer identification number**

22-2777796

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 foundationCheck 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).

LHA 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
**BERNARD G. AND NANCY J. BERKMAN
 FOUNDATION**

Employer identification number

22-2777796

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	842A BEACON CHILDREN TRUST 842A BEACON STREET BOSTON, MA 02215	\$ 10,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
2	BERNARD AND NANCY BERKMAN 413D DEDHAM STREET NEWTON, MA 02459	\$ 7,030.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
3	CHEVELLE REALTY TRUST 842A BEACON STREET BOSTON, MA 02215	\$ 10,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
4	PARKER HILLSIDE REALTY TRUST 842A BEACON STREET BOSTON, MA 02215	\$ 10,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
5	PILGRIM CAPITAL TRUST 842A BEACON STREET BOSTON, MA 02215	\$ 10,000.	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
CENTURY BANK	137.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	137.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
ENTERPRISE PRODUCTS PARTNERS, LP	30.	0.	30.
UBS FINANCIAL SERVICES, INC	12,300.	0.	12,300.
UBS FINANCIAL SERVICES, INC	11,605.	0.	11,605.
UBS FINANCIAL SERVICES, INC-ACC INTEREST	<130.>	0.	<130.>
TOTAL TO FM 990-PF, PART I, LN 4	23,805.	0.	23,805.

FORM 990-PF OTHER INCOME STATEMENT 3

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
ENTERPRISE PRODUCTS PARTNERS (K-1)	<889.>	<889.>	
TOTAL TO FORM 990-PF, PART I, LINE 11	<889.>	<889.>	

FORM 990-PF ACCOUNTING FEES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
SAMET & CO-PREP 990PF	1,900.	950.		950.
TO FORM 990-PF, PG 1, LN 16B	1,900.	950.		950.

FORM 990-PF	TAXES	STATEMENT	5
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
MASS FORM PC	70.	70.		0.
TO FORM 990-PF, PG 1, LN 18	70.	70.		0.

FORM 990-PF	OTHER EXPENSES	STATEMENT	6
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
DUES IN NONPROFIT ORGANIZATION	495.	0.		495.
NONDEDUCTIBLE - INCLUDING EXPENSES PER K-1	204.	0.		0.
TO FORM 990-PF, PG 1, LN 23	699.	0.		495.

FORM 990-PF	CORPORATE STOCK	STATEMENT	7
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DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
SECURITIES	470,088.	393,353.
TOTAL TO FORM 990-PF, PART II, LINE 10B	470,088.	393,353.

FORM 990-PF

GRANT APPLICATION SUBMISSION INFORMATION
PART XV, LINES 2A THROUGH 2D

STATEMENT 8

NAME AND ADDRESS OF PERSON TO WHOM APPLICATIONS SHOULD BE SUBMITTEDBERNARD G BERKMAN, BERNARD G BERKMAN AND NANCY J BERKMAN FOUNDATION
842A BEACON STREET
BOSTON, MA 02215TELEPHONE NUMBER

617-566-5212

FORM AND CONTENT OF APPLICATIONS

LETTER DETAILING THE USE OF THE REQUESTED FUNDS, IRS EXEMPTION

ANY SUBMISSION DEADLINES

NONE

RESTRICTIONS AND LIMITATIONS ON AWARDS

NONE

Bernard G & Nancy J Berkman Foundation
2009 Form 990PF part XV
CIN 22-2777796

BGB & NJB FOUNDATION - 2009 DONATIONS		Purpose	Amount
Alzheimers Association	311 Arsenal St., Watertown MA 02472	Research	100.00
American Diabetes Association	330 Congress Street Boston, MA 02210-1216	Education	100.00
American Heart Association	PO Box 71-1870, Columbus, OH 43271-1870	Education	50.00
American Lung Association	1 Abbey Lane, Middleboro, MA 02345	Education	200.00
American Red Cross of MA Bay	PO Box 51547, Boston, MA 02205-1547	Welfare	100.00
Babson College - Scholarship Fund	Babson Park, Wellesley, MA 02457	Education	5,000.00
Babson College - Annual Fund	Babson Park, Wellesley, MA 02457	Education	100.00
Barry L. Price Rehabilitation Center	38 Border Street, Newton, MA 02465	Welfare	500.00
Beth Israel Deaconess Medical Center	PO Box 55002 Boston MA 02205-5002	Research	550.00
Boston Center for Jewish Heritage	18 Phillips St, Boston, MA 02114	Education	100.00
Boston Rescue Mission	PO Box 849100, Boston, MA 02284-9100	Welfare	100.00
Brain Aneurysm Foundation	269 Hanover St Bldg 3, Hanover, MA 02339	Research	100.00
Brigham & Women's Hospital	116 Huntington Ave, 5th Floor Boston MA 02116	Research	550.00
Cape Cod Symphony Orchestra	712A Main St, Yarmouth Port MA 02675	Welfare	100.00
Children's Hospital League	300 Longwood Ave, Boston, MA 02115	Research	500.00
Combined Jewish Philanthropies	126 High Street, Boston, MA 02110-2700	Welfare	22,000.00
Crohn's & Colitis Foundation	280 Hillside Ave., Needham, MA 02494	Research	250.00
Cystic Fibrosis Foundation	810 River Ave, Ste 100 Pittsburgh PA 15212	Research	50.00
Dana Farber Cancer Institute	44 Binney St, Boston MA 02215	Research	700.00
DiSancits Clinical Research	165 Cambridge St, Boston MA 02114	Research	50.00
Eagles Cancer Unit	c/o Gerri Perlman 7884 Glen Garry Ln Delray Beach FL 3344	Welfare	50.00
Facing History and Ourselves	16 Hurd Road Brookline, MA 02146-6919	Education	100.00
Forsyth School for Dental Hygienists	140 The Fenway, Boston, MA 02115	Education	100.00
Friends of the IDF	154 Wells Ave., Newton, MA 02459	Welfare	100.00
Friends of the New England Holocaust	126 High Street, Boston, MA 02110	Religious	100.00
Globe Santa	PO Box 55820, Boston, MA 02205-5820	Welfare	200.00
Greater Boston Food Bank	99 Atkinson St., Boston, MA 02118	Welfare	200.00
Hospice of the Good Shepherd	2042 Beacon Street, Newton, MA 02168	Welfare	200.00
Hospice of Palm Beach	5300 East Ave, West Palm Beach, FL 33407	Welfare	50.00
Humane Society of Sarasota County	2331 15th Street, Sarasota, FL 34237	Welfare	100.00
Israel Assoc for Ethiopian Jews	P.O. Box 267, New London, NH 03257	Welfare	100.00
Jewish Big Brother & Sister Association	333 Nahanton Street, Newton, MA 02459	Welfare	200.00
Jewish Community Housing for the Elder	30 Wellingford Rd, Brighton MA 02135-4753	Welfare	200.00
Jewish Family & Children's Service	31 New Chardon Street, Boston, MA 02114	Welfare	350.00
Jewish National Fund	4625 East Bay Dr, Ste 311 Clearwater, FL 33764	Welfare	100.00
Jewish Vocational Service	105 Chauncy Street, Boston, MA 02111	Welfare	100.00
Jimmy Fund	77 Fourth Ave., Needham, MA 02494	Research	100.00
Lupus Foundation	40 Speen St, Ste 205, Framingham, MA 01701-1898	Research	100.00
Make-A-Wish Foundation	One Bulfinch Place, Ste 202, Boston, MA 02114	Welfare	100.00
Manasota Asath Tee-Ads	PO Box 2356, Sarasota, FL 34230	Education	100.00
Scholarship money for disadvantaged youths			
Manatee Community Foundation, Inc.	600 301 Boulevard West, Bradenton FL 34205	Education	1,000.00
Bernard G. & Nancy J Berkman Entrepreneurship Scholarship Fund			
Mass Assoc of Older Americans	108 Arlington St, Boston, MA 02116	Education	100.00
Massachusetts General Hospital	PO Box 55242 Boston MA 02205-8098	Research	500.00
National Kidney Foundation of MA Inc	11 Vanderbilt Ave, Ste 105, Norwood, MA 02062-5056	Research	100.00
National Multiple Sclerosis Society	101A First Avenue, Suite #6, Waltham, MA 02154	Research	100.00
Neurofibromatosis Inc	9 Bedford St, Burlington, MA 01803	Research	50.00
New England Home for Little Wanderers	271 Huntington Ave., Boston, MA 02115	Welfare	100.00
New England Villages	664 School Street, Pembroke, MA 02359	Welfare	100.00
Newton Free Library	330 Homer Street, Newton Centre, MA 02159	Education	50.00
Newton-Wellesly Hospital	2014 Washington Street, Newton, MA 02162-9901	Research	100.00
ORT	c/o Wanita Baker 79th Street E, Bradenton, FL 34203	Education	200.00
Pancreatic Cancer Action Network	2141 Rosecrans Ave, Ste 700 El Segundo CA 90245	Research	100.00
Parkinsons Action Network	PO Box 34661 Washington DC 20077-8460	Research	100.00
Perkins School for the Blind	175 North Beacon Street, Watertown, MA 02472	Research	100.00

Bernard G & Nancy J Beekman Foundation 2/2
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PMC- Jimmy Fund	77 Fourth Ave, Needham, MA 02494	Research	500.00
Project Bread	145 Border Street, Boston, MA 02128	Welfare	100.00
Prostate Cancer Foundation	1250 Fourth St, Santa Monica, CA 90401	Research	100.00
ROFEH International	1710 Beacon Street, Brookline MA 02445-2124	Welfare	500.00
Sarasota Manatee Jewish Federation	580 McIntosh Rd, Sarasota, FL 34232	Welfare	200.00
Schepens Eye Reserch Institute	20 Staniford St, Boston MA 02114	Research	500.00
Scott Thaler Memorial	Brigham & Women's Hosp, 116 Huntington Ave Boston 021	Research	50.00
Shriners Hosprtal for Children	PO Box 863768, Orlando, FL 32886	Welfare	250.00
Southeastern Guide Dogs	4210 77th Street E, Palmetto, FL 34221	Welfare	200.00
Southwestern Chapter NFPGA	200 Forest Lake Blvd, Ste 3, Daytona Beach, FL 32119	Welfare	200.00
SPARCC-Safe Place and Rape Crisis C	2139 Main St, Sarasota, FL 34237	Welfare	100.00
Springwell (Traveling Meals of Newton)	125 Walnut St, Watertown MA 02472	Research	100.00
Susan G. Komen for Breast Cancer	PO Box 845037, Boston, MA 02284-5037	Research	300.00
Temple Beth Avodah	45 Puddingstone Ln, Newton Centre, MA 02459	Religious	600.00
Tzedakah Fund, Inc.	PO Box 9806, Phoenix, AZ 85068	Religious	50.00
Vet's Helping Heros	19657 Oakbrook Ct, Boca Raton FL 33434	Welfare	100.00
WEDU	PO Box 31556 Tampa FL 33631	Education	250.00
Wellness Community - Boston	1039 Chestnut St, Newton Upper Falls, MA 02464	Welfare	100.00
Wellness Community - Sarasota	3900 Clark Rd, Bldg P-3, Sarasota, FL 34233	Welfare	500.00
West Point Jewish Chapel	P.O. Box 84, West Point, NY 10996	Religious	100.00
WGBH	125 Western Avenue, Boston, MA 02134	Education	300.00
			\$41,650.00
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