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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<br><b>RICHARD AND SUSAN SMITH 1990 CHARITABLE TRUST</b>                                                                                                                                                                       |                                                                                                                                                 | A Employer identification number<br><b>22-3048829</b>                                                                                                                        |
|                                                                                                                                                        | Number and street (or P.O. box number if mail is not delivered to street address)<br><b>1280 BOYLSTON STREET</b>                                                                                                                                 |                                                                                                                                                 | B Telephone number<br><b>617-278-5200</b>                                                                                                                                    |
|                                                                                                                                                        | City or town, state, and ZIP code<br><b>CHESTNUT HILL, MA 02467</b>                                                                                                                                                                              |                                                                                                                                                 | 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<br><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"/><br>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)<br><b>\$ 32,389,316.</b> (Part I, column (d) must be on cash basis.) |                                                                                                                                                                                                                                                  | J Accounting method <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual<br><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<br>(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) |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------|---------------------------|-------------------------|-------------------------------------------------------------|
| 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                                                                                               |  |                                    |                           |                         |                                                             |
| 4 Dividends and interest from securities                                                                                                           |  | 324,717.                           | 324,717.                  |                         | STATEMENT 1                                                 |
| 5a Gross rents                                                                                                                                     |  |                                    |                           |                         |                                                             |
| b Net rental income or (loss)                                                                                                                      |  |                                    |                           |                         |                                                             |
| Net gain or (loss) from sale of assets not on line 10                                                                                              |  | -1,779,006.                        |                           |                         |                                                             |
| Gross sales price for all assets on line 6a                                                                                                        |  | 15,826,566.                        |                           |                         |                                                             |
| Capital gain net income (from Part IV, line 2)                                                                                                     |  |                                    | 0.                        |                         |                                                             |
| b Net short-term capital gain                                                                                                                      |  |                                    |                           |                         |                                                             |
| Income modifications                                                                                                                               |  |                                    |                           |                         |                                                             |
| Gross sales less returns and allowances                                                                                                            |  |                                    |                           |                         |                                                             |
| b Less Cost of goods sold                                                                                                                          |  |                                    |                           |                         |                                                             |
| c Gross profit or (loss)                                                                                                                           |  |                                    |                           |                         |                                                             |
| 11 Other income                                                                                                                                    |  | 2,960.                             | 2,960.                    |                         | STATEMENT 2                                                 |
| 12 Total. Add lines 1 through 11                                                                                                                   |  | -1,451,329.                        | 327,677.                  |                         |                                                             |
| 13 Compensation of officers, directors, trustees, etc.                                                                                             |  | 0.                                 | 0.                        |                         | 0.                                                          |
| 14 Other employee salaries and wages                                                                                                               |  |                                    |                           |                         |                                                             |
| 15 Pension plans, employee benefits                                                                                                                |  |                                    |                           |                         |                                                             |
| 16a Legal fees                                                                                                                                     |  |                                    |                           |                         |                                                             |
| b Accounting fees STMT 3                                                                                                                           |  | 11,250.                            | 0.                        |                         | 11,250.                                                     |
| c Other professional fees STMT 4                                                                                                                   |  | 142,229.                           | 142,229.                  |                         | 0.                                                          |
| 17 Interest                                                                                                                                        |  |                                    |                           |                         |                                                             |
| 18 Taxes STMT 5                                                                                                                                    |  | 2,851.                             | 2,851.                    |                         | 0.                                                          |
| 19 Depreciation and depletion                                                                                                                      |  |                                    |                           |                         |                                                             |
| 20 Occupancy                                                                                                                                       |  |                                    |                           |                         |                                                             |
| 21 Travel, conferences, and meetings                                                                                                               |  |                                    |                           |                         |                                                             |
| 22 Printing and publications                                                                                                                       |  |                                    |                           |                         |                                                             |
| 23 Other expenses STMT 6                                                                                                                           |  | 3,207.                             | 2,957.                    |                         | 250.                                                        |
| 24 Total operating and administrative expenses. Add lines 13 through 23                                                                            |  | 159,537.                           | 148,037.                  |                         | 11,500.                                                     |
| 25 Contributions, gifts, grants paid                                                                                                               |  | 13,365,650.                        |                           |                         | 13,365,650.                                                 |
| 26 Total expenses and disbursements. Add lines 24 and 25                                                                                           |  | 13,525,187.                        | 148,037.                  |                         | 13,377,150.                                                 |
| 27 Subtract line 26 from line 12:                                                                                                                  |  |                                    |                           |                         |                                                             |
| a Excess of revenue over expenses and disbursements                                                                                                |  | -149,765.16.                       |                           |                         |                                                             |
| b Net investment income (if negative, enter -0-)                                                                                                   |  |                                    | 179,640.                  |                         |                                                             |
| 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                                                             | 4,135,941.                                                                                      | 61,092.        | 61,092.               |
|                                                   | 2 Savings and temporary cash investments                                                  | 48,500.                                                                                         | 5,080,000.     | 5,080,000.            |
|                                                   | 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                                                    | 36,623,025.                                                                                     | 20,689,858.    | 27,248,224.           |
|                                                   | 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)                                           | 40,807,466.                                                                                     | 25,830,950.    | 32,389,316.           |
|                                                   | 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.                                                                                              |                |                       |
| Net Assets or Fund Balances                       | Foundations that follow SFAS 117, check here ▶ <input type="checkbox"/>                   |                                                                                                 |                |                       |
|                                                   | 24 Unrestricted and complete lines 24 through 26 and lines 30 and 31.                     |                                                                                                 |                |                       |
|                                                   | 25 Temporarily restricted                                                                 |                                                                                                 |                |                       |
|                                                   | 26 Permanently restricted                                                                 |                                                                                                 |                |                       |
|                                                   | Foundations that do not follow SFAS 117, check here ▶ <input checked="" type="checkbox"/> |                                                                                                 |                |                       |
|                                                   | 27 Capital stock, trust principal, or current funds                                       | 40,807,466.                                                                                     | 25,830,950.    |                       |
|                                                   | 28 Paid-in or capital surplus, or land, bldg, and equipment fund                          | 0.                                                                                              | 0.             |                       |
|                                                   | 29 Retained earnings, accumulated income, endowment, or other funds                       | 0.                                                                                              | 0.             |                       |
| 30 Total net assets or fund balances              | 40,807,466.                                                                               | 25,830,950.                                                                                     |                |                       |
| 31 Total liabilities and net assets/fund balances | 40,807,466.                                                                               | 25,830,950.                                                                                     |                |                       |

**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<br>(must agree with end-of-year figure reported on prior year's return) | 1 | 40,807,466.  |
| 2 Enter amount from Part I, line 27a                                                                                                                            | 2 | -14,976,516. |
| 3 Other increases not included in line 2 (itemize) ▶                                                                                                            | 3 | 0.           |
| 4 Add lines 1, 2, and 3                                                                                                                                         | 4 | 25,830,950.  |
| 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 | 25,830,950.  |

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**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<br>P - Purchase<br>D - Donation | (c) Date acquired<br>(mo, day, yr) | (d) Date sold<br>(mo, day, yr) |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|------------------------------------|--------------------------------|
| 1a                                                                                                                               |                                                  |                                    |                                |
| b SEE ATTACHED STATEMENT                                                                                                         |                                                  |                                    |                                |
| c                                                                                                                                |                                                  |                                    |                                |
| d                                                                                                                                |                                                  |                                    |                                |
| e                                                                                                                                |                                                  |                                    |                                |

| (e) Gross sales price | (f) Depreciation allowed<br>(or allowable) | (g) Cost or other basis<br>plus expense of sale | (h) Gain or (loss)<br>(e) plus (f) minus (g) |
|-----------------------|--------------------------------------------|-------------------------------------------------|----------------------------------------------|
| a                     |                                            |                                                 |                                              |
| b                     |                                            |                                                 |                                              |
| c                     |                                            |                                                 |                                              |
| d                     |                                            |                                                 |                                              |
| e 15,826,566.         |                                            | 17,445,245.                                     | -1,779,006.                                  |

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<br>as of 12/31/69 | (k) Excess of col (i)<br>over col (j), if any | (l) Gains (Col (h) gain minus<br>col (k), but not less than -0-) or<br>Losses (from col (h)) |
|---------------------------|--------------------------------------|-----------------------------------------------|----------------------------------------------------------------------------------------------|
| a                         |                                      |                                               |                                                                                              |
| b                         |                                      |                                               |                                                                                              |
| c                         |                                      |                                               |                                                                                              |
| d                         |                                      |                                               |                                                                                              |
| e                         |                                      |                                               | -1,779,006.                                                                                  |

|                                                                                                                                                                               |                                                                                     |   |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---|-------------|
| 2 Capital gain net income or (net capital loss)                                                                                                                               | { If gain, also enter in Part I, line 7<br>If (loss), enter -0- in Part I, line 7 } | 2 | -1,779,006. |
| 3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6)<br>If gain, also enter in Part I, line 8, column (c)<br>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<br>Calendar year (or tax year beginning in) | (b) Adjusted qualifying distributions | (c) Net value of noncharitable-use assets | (d) Distribution ratio<br>(col (b) divided by col (c)) |
|-------------------------------------------------------------------|---------------------------------------|-------------------------------------------|--------------------------------------------------------|
| 2008                                                              | 10,195,312.                           | 53,275,912.                               | .191368                                                |
| 2007                                                              | 12,187,292.                           | 61,752,711.                               | .197356                                                |
| 2006                                                              | 4,733,044.                            | 64,737,813.                               | .073111                                                |
| 2005                                                              | 915,045.                              | 35,651,191.                               | .025667                                                |
| 2004                                                              | 242,620.                              | 11,944,350.                               | .020313                                                |

|                                                                                                                                                                                |   |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------------|
| 2 Total of line 1, column (d)                                                                                                                                                  | 2 | .507815     |
| 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 | .101563     |
| 4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5                                                                                                 | 4 | 35,259,826. |
| 5 Multiply line 4 by line 3                                                                                                                                                    | 5 | 3,581,094.  |
| 6 Enter 1% of net investment income (1% of Part I, line 27b)                                                                                                                   | 6 | 1,796.      |
| 7 Add lines 5 and 6                                                                                                                                                            | 7 | 3,582,890.  |
| 8 Enter qualifying distributions from Part XII, line 4                                                                                                                         | 8 | 13,377,150. |

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.

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**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<br>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       | 1,796. |
| 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       | 1,796. |
| 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       | 1,796. |
| 6 Credits/Payments                                                                                                                                                                                                                   |    |         |        |
| a 2009 estimated tax payments and 2008 overpayment credited to 2009                                                                                                                                                                  | 6a | 48,092. |        |
| 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  | 48,092. |        |
| 8 Enter any penalty for underpayment of estimated tax. Check here <input checked="" 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  |         |        |
| 10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid                                                                                                                                         | 10 | 46,296. |        |
| 11 Enter the amount of line 10 to be Credited to 2010 estimated tax                                                                                                                                                                  | 11 | 0.      |        |

**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  |
| b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)?<br>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  |
| c 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<br>(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?<br>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?                                                                                                                                                                                                                                                                        | N/A |    |
| 5 Was there a liquidation, termination, dissolution, or substantial contraction during the year?<br>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:<br>• By language in the governing instrument, or<br>• 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?<br>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) ▶<br>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                                                                                                                             | 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?<br>Website address ▶ N/A                                                                               | 13 | X |   |
| 14 The books are in care of ▶ RICHARD A. & SUSAN F. SMITH Telephone no ▶ 617-278-5200<br>Located at ▶ 1280 BOYLSTON ST., SUITE 100, CHESTNUT HILL, MA ZIP+4 ▶ 02467                                                           |    |   |   |
| 15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here ▶ <input type="checkbox"/><br>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                            |    |     |    |
| (2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                    |    |     |    |
| (3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                        |    |     |    |
| (4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                              |    |     |    |
| (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)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                     |    |     |    |
| (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.) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                   |    |     |    |
| 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)?<br>Organizations relying on a current notice regarding disaster assistance check here ▶ <input type="checkbox"/> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span><br>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) <span style="float: right;">N/A</span>                                                                                                                                                                                        | 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.<br>▶                                                                                                                                                                                                                                                                                                                                                                                                                  |    |     |    |
| 3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                     |    |     |    |
| 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.) <span style="float: right;">N/A</span> | 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  |

Form 990-PF (2009)

**RICHARD AND SUSAN SMITH 1990 CHARITABLE TRUST**

Form 990-PF (2009)

22-3048829

Page 6

**Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required** (continued)

|                                                                                                                                                                                                                                  |                                                                     |                                                                     |           |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------|-----------|---|
| <b>5a</b> 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))?                                                                                                                                        | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                                                     |           |   |
| (2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?                                                                              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                                                     |           |   |
| (3) Provide a grant to an individual for travel, study, or other similar purposes?                                                                                                                                               | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)?                                                                           | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?                                                            | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                                                     |           |   |
| <b>b</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                                                                 | <b>5b</b> |   |
| Organizations relying on a current notice regarding disaster assistance check here                                                                                                                                               |                                                                     | ▶ <input type="checkbox"/>                                          |           |   |
| <b>c</b> 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                                                                 |           |   |
| If "Yes," attach the statement required by Regulations section 53.4945-5(d).                                                                                                                                                     |                                                                     | <input type="checkbox"/> Yes <input type="checkbox"/> No            |           |   |
| <b>6a</b> Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?                                                                                        |                                                                     | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |           |   |
| <b>b</b> Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?                                                                                                              |                                                                     |                                                                     | <b>6b</b> | X |
| If "Yes" to 6b, file Form 8870.                                                                                                                                                                                                  |                                                                     |                                                                     |           |   |
| <b>7a</b> At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?                                                                                                                   |                                                                     | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |           |   |
| <b>b</b> If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?                                                                                                                 |                                                                     | N/A                                                                 | <b>7b</b> |   |

**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 |
|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------|---------------------------------------|
| RICHARD A. AND SUSAN F. SMITH<br>C/O SMITH MANAGEMENT, 1280 BOYLSTON S<br>CHESTNUT HILL, MA 02467 | TRUSTEES<br>1.00                                          | 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 |
|-------------------------------------------------------------|--------------------------|------------------|
| CAMBRIDGE ASSOCIATES<br>100 SUMMER STREET, BOSTON, MA 02110 | INVESTMENT<br>MANAGEMENT | 69,615.          |
|                                                             |                          |                  |
|                                                             |                          |                  |
|                                                             |                          |                  |
|                                                             |                          |                  |
|                                                             |                          |                  |
|                                                             |                          |                  |
|                                                             |                          |                  |

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 NONE                                                                                                                                                                                                                                                 |          |
|                                                                                                                                                                                                                                                        | 0.       |
| 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 NONE                                                                                                           |        |
|                                                                                                                  | 0.     |
| 2                                                                                                                |        |
|                                                                                                                  |        |
| All other program-related investments. See instructions                                                          |        |
| 3                                                                                                                |        |
|                                                                                                                  |        |
| 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 | 27,510,777. |
| b | Average of monthly cash balances                                                                           | 1b | 8,286,001.  |
| c | Fair market value of all other assets                                                                      | 1c |             |
| d | Total (add lines 1a, b, and c)                                                                             | 1d | 35,796,778. |
| 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  | 35,796,778. |
| 4 | Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)  | 4  | 536,952.    |
| 5 | Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4       | 5  | 35,259,826. |
| 6 | Minimum investment return. Enter 5% of line 5                                                              | 6  | 1,762,991.  |

**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  | 1,762,991. |
| 2a | Tax on investment income for 2009 from Part VI, line 5                                             | 2a | 1,796.     |
| b  | Income tax for 2009 (This does not include the tax from Part VI.)                                  | 2b |            |
| c  | Add lines 2a and 2b                                                                                | 2c | 1,796.     |
| 3  | Distributable amount before adjustments. Subtract line 2c from line 1                              | 3  | 1,761,195. |
| 4  | Recoveries of amounts treated as qualifying distributions                                          | 4  | 0.         |
| 5  | Add lines 3 and 4                                                                                  | 5  | 1,761,195. |
| 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  | 1,761,195. |

**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 | 13,377,150. |
| 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  | 13,377,150. |
| 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  | 1,796.      |
| 6 | Adjusted qualifying distributions. Subtract line 5 from line 4                                                                    | 6  | 13,375,354. |

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)<br>Corpus | (b)<br>Years prior to 2008 | (c)<br>2008 | (d)<br>2009 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------|-------------|-------------|
| <b>1</b> Distributable amount for 2009 from Part XI, line 7                                                                                                                       |               |                            |             | 1,761,195.  |
| <b>2</b> Undistributed Income, if any, as of the end of 2009                                                                                                                      |               |                            |             |             |
| <b>a</b> Enter amount for 2008 only                                                                                                                                               |               |                            | 0.          |             |
| <b>b</b> Total for prior years                                                                                                                                                    |               | 0.                         |             |             |
| <b>3</b> Excess distributions carryover, if any, to 2009:                                                                                                                         |               |                            |             |             |
| <b>a</b> From 2004                                                                                                                                                                |               |                            |             |             |
| <b>b</b> From 2005                                                                                                                                                                |               |                            |             |             |
| <b>c</b> From 2006                                                                                                                                                                |               |                            |             | 1,404,569.  |
| <b>d</b> From 2007                                                                                                                                                                |               |                            |             | 9,167,772.  |
| <b>e</b> From 2008                                                                                                                                                                |               |                            |             | 7,540,894.  |
| <b>f</b> Total of lines 3a through e                                                                                                                                              | 18,113,235.   |                            |             |             |
| <b>4</b> Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 13,377,150.                                                                                                 |               |                            |             |             |
| <b>a</b> Applied to 2008, but not more than line 2a                                                                                                                               |               |                            | 0.          |             |
| <b>b</b> Applied to undistributed income of prior years (Election required - see instructions)                                                                                    |               | 0.                         |             |             |
| <b>c</b> Treated as distributions out of corpus (Election required - see instructions)                                                                                            | 0.            |                            |             |             |
| <b>d</b> Applied to 2009 distributable amount                                                                                                                                     |               |                            |             | 1,761,195.  |
| <b>e</b> Remaining amount distributed out of corpus                                                                                                                               | 11,615,955.   |                            |             |             |
| <b>5</b> Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)                                        | 0.            |                            |             | 0.          |
| <b>6</b> Enter the net total of each column as indicated below:                                                                                                                   |               |                            |             |             |
| <b>a</b> Corpus Add lines 3f, 4c, and 4e Subtract line 5                                                                                                                          | 29,729,190.   |                            |             |             |
| <b>b</b> Prior years' undistributed income. Subtract line 4b from line 2b                                                                                                         |               | 0.                         |             |             |
| <b>c</b> 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.                         |             |             |
| <b>d</b> Subtract line 6c from line 6b. Taxable amount - see instructions                                                                                                         |               | 0.                         |             |             |
| <b>e</b> Undistributed income for 2008. Subtract line 4a from line 2a Taxable amount - see instr.                                                                                 |               |                            | 0.          |             |
| <b>f</b> Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010                                                              |               |                            |             | 0.          |
| <b>7</b> Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)                                                     | 0.            |                            |             |             |
| <b>8</b> Excess distributions carryover from 2004 not applied on line 5 or line 7                                                                                                 | 0.            |                            |             |             |
| <b>9</b> Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a                                                                                              | 29,729,190.   |                            |             |             |
| <b>10</b> Analysis of line 9:                                                                                                                                                     |               |                            |             |             |
| <b>a</b> Excess from 2005                                                                                                                                                         |               |                            |             |             |
| <b>b</b> Excess from 2006                                                                                                                                                         |               |                            |             | 1,404,569.  |
| <b>c</b> Excess from 2007                                                                                                                                                         |               |                            |             | 9,167,772.  |
| <b>d</b> Excess from 2008                                                                                                                                                         |               |                            |             | 7,540,894.  |
| <b>e</b> Excess from 2009                                                                                                                                                         |               |                            |             | 11,615,955. |

N/A

- 2009.03051 RICHARD AND SUSAN SMITH 199 M129221

## 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)                      |  |                                                                                                           |                                |                                  |                         |
| <b>a Paid during the year</b><br><b>SEE ATTACHMENT A</b> |  |                                                                                                           |                                |                                  | 13,365,650.             |
| <b>Total ..</b>                                          |  |                                                                                                           |                                |                                  | <b>▶ 3a</b> 13,365,650. |
| <b>b Approved for future payment</b><br><br><b>NONE</b>  |  |                                                                                                           |                                |                                  |                         |
| <b>Total ..</b>                                          |  |                                                                                                           |                                |                                  | <b>▶ 3b</b> 0.          |

|          |        |        |            |    |                         |     |         |
|----------|--------|--------|------------|----|-------------------------|-----|---------|
| 08300503 | 795930 | M12922 | 2009.03051 | 12 | RICHARD AND SUSAN SMITH | 199 | M129221 |
|----------|--------|--------|------------|----|-------------------------|-----|---------|

## Part XVII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

|          |                                                                                                                                                                                                                                                                                                                                                                                             | Yes | No |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| <b>1</b> | 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?                                                                                                                                         |     |    |
| <b>a</b> | Transfers from the reporting foundation to a noncharitable exempt organization of                                                                                                                                                                                                                                                                                                           |     |    |
|          | (1) Cash                                                                                                                                                                                                                                                                                                                                                                                    |     | X  |
|          | (2) Other assets                                                                                                                                                                                                                                                                                                                                                                            |     | X  |
| <b>b</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  |
| <b>c</b> | Sharing of facilities, equipment, mailing lists, other assets, or paid employees                                                                                                                                                                                                                                                                                                            |     | X  |
| <b>d</b> | 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 or fiduciary) is based on all information of which preparer has any knowledge.

**Sign Here**

**Signature of officer or trustee**

Date \_\_\_\_\_

**Title**

Preparer's  
signature

Firm's name (or yours  
if self-employed),  
address, and ZIP code

DELOITTE TAX LLP  
200 BERKELEY STREET  
BOSTON, MA 02116

Date 5

☐ Check if self-employed

Preparer's identifying number

**EIN ▶**

Phone no 617-437-2000

Form **990-PF** (2009)

**R&S SMITH 1990 CHARITABLE TRUST****22-3048829****12/31/2009**

H:\PFclients\smithchtr\2009\Summ09.xls]CONTRIBUTION

| Description                               | Recipient Status | Purpose of Grant | Recipient Relationship | Contributions        |
|-------------------------------------------|------------------|------------------|------------------------|----------------------|
| Nevada Cancer Institute                   | 501 [c] 3        | MEDICAL          | NONE                   | 500.00               |
| Institute of Contemporary Art             | 501 [c] 3        | CULTURAL         | NONE                   | 200.00               |
| Theodore & Shirley Libby Endowment Fund   | 501 [c] 3        | MEDICAL          | NONE                   | 500.00               |
| Friends of Dana Farber                    | 501 [c] 3        | MEDICAL          | NONE                   | 15,000.00            |
| Dana Farber Cancer Insitute               | 501 [c] 3        | MEDICAL          | NONE                   | 10,000,000.00        |
| Greater Miami Jewish Federation           | 501 [c] 3        | GENERAL WELFARE  | NONE                   | 5,000.00             |
| Facing History & Ourselves                | 501 [c] 3        | GENERAL WELFARE  | NONE                   | 25,000.00            |
| Joslin Diabetes Center                    | 501 [c] 3        | MEDICAL          | NONE                   | 1,000.00             |
| Aggassiz Village                          | 501 [c] 3        | CULTURAL         | NONE                   | 2,500.00             |
| Boston Marathon Jimmy Fund                | 503 [c] 3        | MEDICAL          | NONE                   | 4,000.00             |
| Barry L Price Rehabilitation Center       | 501 [c] 3        | MEDICAL          | NONE                   | 750.00               |
| Joslin Diabetes Center                    | 501 [c] 3        | MEDICAL          | NONE                   | 10,000.00            |
| Hebrew Senior Life                        | 502 [c] 3        | GENERAL WELFARE  | NONE                   | 3,000,000.00         |
| Business Executives for National Security | 501 [c] 3        | GENERAL WELFARE  | NONE                   | 1,000.00             |
| Boston Symphony Orchestra                 | 506 [c] 3        | CULTURAL         | NONE                   | 200,000.00           |
| Anti Defamation League                    | 501 [c] 3        | GENERAL WELFARE  | NONE                   | 5,000.00             |
| Huntington Theatre                        | 501 [c] 3        | CULTURAL         | NONE                   | 5,000.00             |
| Alzheimer's Association                   | 501 [c] 3        | MEDICAL          | NONE                   | 1,000.00             |
| Harvard College Fund                      | 501 [c] 3        | EDUCATION        | NONE                   | 1,000.00             |
| Beth Israel Deaconess Medical Support     | 501 [c] 3        | MEDICAL          | NONE                   | 10,000.00            |
| Boston Public Library                     | 501 [c] 3        | GENERAL WELFARE  | NONE                   | 15,000.00            |
| Buckingham Browne & Nichols               | 501 [c] 3        | EDUCATION        | NONE                   | 1,000.00             |
| Cerebral Palsy International              | 501 [c] 3        | MEDICAL          | NONE                   | 5,000.00             |
| Harvard University Center                 | 501 [c] 3        | EDUCATION        | NONE                   | 1,000.00             |
| Museum of Fine Arts                       | 501 [c] 3        | CULTURAL         | NONE                   | 5,000.00             |
| Park School                               | 502 [c] 3        | EDUCATION        | NONE                   | 1,000.00             |
| Trustees of Tufts College                 | 501 [c] 3        | EDUCATION        | NONE                   | 10,000.00            |
| Cape Cod Healthcare Foundation            | 501 [c] 3        | MEDICAL          | NONE                   | 40,000.00            |
| American Academy of Art                   | 502 [c] 3        | CULTURAL         | NONE                   | 200.00               |
|                                           |                  |                  |                        | <b>13,365,650.00</b> |

**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<br>P - Purchase<br>D - Donation | (c) Date acquired<br>(mo., day, yr.) | (d) Date sold<br>(mo., day, yr.) |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------------------------|--------------------------------------|----------------------------------|
| 1a                                                                                                                              | FROM K-1- IRM                    | P                                                | VARIOUS                              | VARIOUS                          |
| b                                                                                                                               | MAYO                             | P                                                | VARIOUS                              | VARIOUS                          |
| c                                                                                                                               | FROM K-1 - SEMPER VIC            | P                                                | VARIOUS                              | VARIOUS                          |
| d                                                                                                                               | HANSBERGER                       | P                                                | VARIOUS                              | VARIOUS                          |
| e                                                                                                                               | CONVEXITY                        | P                                                | VARIOUS                              | VARIOUS                          |
| f                                                                                                                               | FROM K-1- CHESTNUT HILL VENTURES | P                                                | VARIOUS                              | VARIOUS                          |
| g                                                                                                                               | FROM K-1 - STATE STREET          | P                                                | VARIOUS                              | VARIOUS                          |
| h                                                                                                                               | ARCHIPELAGO                      | P                                                | VARIOUS                              | VARIOUS                          |
| i                                                                                                                               | SEMPER VIC                       | P                                                | VARIOUS                              | VARIOUS                          |
| j                                                                                                                               |                                  |                                                  |                                      |                                  |
| k                                                                                                                               |                                  |                                                  |                                      |                                  |
| l                                                                                                                               |                                  |                                                  |                                      |                                  |
| m                                                                                                                               |                                  |                                                  |                                      |                                  |
| n                                                                                                                               |                                  |                                                  |                                      |                                  |
| o                                                                                                                               |                                  |                                                  |                                      |                                  |

| (e) Gross sales price | (f) Depreciation allowed<br>(or allowable) | (g) Cost or other basis<br>plus expense of sale | (h) Gain or (loss)<br>(e) plus (f) minus (g) |
|-----------------------|--------------------------------------------|-------------------------------------------------|----------------------------------------------|
| a                     |                                            |                                                 | -23,732.                                     |
| b                     | 2,429,431.                                 | 2,752,397.                                      | -322,966.                                    |
| c                     |                                            |                                                 | -82,631.                                     |
| d                     | 1,777,912.                                 | 3,264,544.                                      | -1,486,632.                                  |
| e                     | 4,375,291.                                 | 3,319,284.                                      | 1,056,007.                                   |
| f                     |                                            |                                                 | 894.                                         |
| g                     |                                            |                                                 | -54,858.                                     |
| h                     | 6,243,932.                                 | 6,721,002.                                      | -477,070.                                    |
| i                     | 1,000,000.                                 | 1,388,018.                                      | -388,018.                                    |
| j                     |                                            |                                                 |                                              |
| k                     |                                            |                                                 |                                              |
| l                     |                                            |                                                 |                                              |
| m                     |                                            |                                                 |                                              |
| n                     |                                            |                                                 |                                              |
| o                     |                                            |                                                 |                                              |

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<br>as of 12/31/69 | (k) Excess of col (i)<br>over col (j), if any | (l) Losses (from col (h))<br>Gains (excess of col. (h) gain over col (k),<br>but not less than "-0-") |
|---------------------------|--------------------------------------|-----------------------------------------------|-------------------------------------------------------------------------------------------------------|
| a                         |                                      |                                               | -23,732.                                                                                              |
| b                         |                                      |                                               | -322,966.                                                                                             |
| c                         |                                      |                                               | -82,631.                                                                                              |
| d                         |                                      |                                               | -1,486,632.                                                                                           |
| e                         |                                      |                                               | 1,056,007.                                                                                            |
| f                         |                                      |                                               | 894.                                                                                                  |
| g                         |                                      |                                               | -54,858.                                                                                              |
| h                         |                                      |                                               | -477,070.                                                                                             |
| i                         |                                      |                                               | -388,018.                                                                                             |
| j                         |                                      |                                               |                                                                                                       |
| k                         |                                      |                                               |                                                                                                       |
| l                         |                                      |                                               |                                                                                                       |
| m                         |                                      |                                               |                                                                                                       |
| n                         |                                      |                                               |                                                                                                       |
| o                         |                                      |                                               |                                                                                                       |

|   |                                                                                                                                                                                 |   |             |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------------|
| 2 | Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7<br>If (loss), enter "-0-" in Part I, line 7 }                                             | 2 | -1,779,006. |
| 3 | Net short-term capital gain or (loss) as defined in sections 1222(5) and (6).<br>If gain, also enter in Part I, line 8, column (c).<br>If (loss), enter "-0-" in Part I, line 8 | 3 | N/A         |

ADM - CB1  
INV - 052

TAX I D NO 22-3048829

TAX PERIOD FREQ 1299

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

## -- CAPITAL GAINS/LOSSES --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS    | PROCEEDS     | COST          | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|----------|--------------|---------------|----------------|----------------|---------------|
| UNITEDHEALTH GROUP INC COM         |          |              |               |                |                |               |
| SOLD 01/07/09 275 SHS              | 275      | 7,394.93     | 7,596.41-     | 201.48-        |                |               |
| @ 26.9108                          |          |              |               |                |                |               |
| 09/19/08 01/07/09                  |          |              |               |                |                |               |
| MCKESSON HBOC INC COM              |          |              |               |                |                |               |
| SOLD 01/08/09 265 SHS              | 265      | 10,556.96    | 8,968.98-     | 1,587.98       |                |               |
| @ 39.8578                          |          |              |               |                |                |               |
| 11/13/08 01/08/09                  |          |              |               |                |                |               |
| UNITED STATES TREAS NTS            |          |              |               |                |                |               |
| DTD 01/15/04 3.25% 01/15/2009      |          |              |               |                |                |               |
| 150,000 PV MATURED                 |          |              |               |                |                |               |
| 03/29/06 01/15/09                  | 30,000   | 30,000.00    | 28,800.00-    |                |                | 1,200.00      |
| 04/03/06 01/15/09                  | 30,000   | 30,000.00    | 28,757.81-    |                |                | 1,242.19      |
| 04/27/06 01/15/09                  | 30,000   | 30,000.00    | 28,682.81-    |                |                | 1,317.19      |
| 06/14/06 01/15/09                  | 30,000   | 30,000.00    | 28,727.34-    |                |                | 1,272.66      |
| 06/22/06 01/15/09                  | 30,000   | 30,000.00    | 28,612.50-    |                |                | 1,387.50      |
| TOTAL                              | 150,000* | 150,000.00 * | 143,580.46--* |                |                | 6,419.54 *    |
| MANULIFE FINL CORP COM             |          |              |               |                |                |               |
| SOLD 01/16/09 270 SHS              | 270      | 4,971.16     | 4,358.69-     | 612.47         |                |               |
| @ 18.4518                          |          |              |               |                |                |               |
| 12/22/08 01/16/09                  |          |              |               |                |                |               |
| GENERAL ELEC CO COM                |          |              |               |                |                |               |
| SOLD 01/22/09 533 SHS              | 533      | 6,742.09     | 11,859.25-    | 5,117.16-      |                |               |
| @ 12.6894                          |          |              |               |                |                |               |
| 10/02/08 01/22/09                  |          |              |               |                |                |               |
| SUNOCO                             |          |              |               |                |                |               |
| SOLD 01/23/09 550 SHS              |          |              |               |                |                |               |
| @ 42.0167                          |          |              |               |                |                |               |
| 12/05/07 01/23/09                  | 208      | 8,735.27     | 13,261.66-    |                |                | 4,526.39-     |
| 05/29/08 01/23/09                  | 330      | 13,858.84    | 14,486.87-    | 628.03-        |                |               |
| 06/06/08 01/23/09                  | 12       | 503.95       | 498.25-       | 5.70           |                |               |
| TOTAL                              | 550*     | 23,098.06 *  | 28,246.78--*  | 622.33--*      |                | 4,526.39--*   |
| PFIZER INC COM                     |          |              |               |                |                |               |
| SOLD 01/26/09 2,720 SHS            |          |              |               |                |                |               |
| @ 16.0569                          |          |              |               |                |                |               |
| 12/11/07 01/26/09                  | 621      | 9,946.44     | 14,897.79-    |                |                | 4,951.35-     |
| 12/28/07 01/26/09                  | 513      | 8,216.62     | 11,748.42-    |                |                | 3,531.80-     |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

PERIOD 01/01/09 THRU 12/31/09

TAX PERIOD FREQ 1299

ADM - CBI  
INV - 052

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST         | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|--------------|----------------|----------------|---------------|
| (CONTINUED)                        |        |             |              |                |                |               |
| PFIZER INC COM                     |        |             |              |                |                |               |
| SOLD 01/26/09 2,720 SHS            |        |             |              |                |                |               |
| @ 16.0569                          |        |             |              |                |                |               |
| 01/30/08 01/26/09                  | 451    | 7,223.58    | 10,473.71-   | 3,250.13-      |                |               |
| 02/05/08 01/26/09                  | 41     | 656.69      | 953.14-      | 296.45-        |                |               |
| 02/15/08 01/26/09                  | 642    | 10,282.79   | 14,388.63-   | 4,105.84-      |                |               |
| 02/19/08 01/26/09                  | 228    | 3,651.83    | 5,100.27-    | 1,448.44-      |                |               |
| 03/05/08 01/26/09                  | 224    | 3,587.77    | 4,917.18-    | 1,329.41-      |                |               |
| TOTAL                              | 2,720* | 43,565.72 * | 62,479.14--* | 10,430.27--*   |                | 8,483.15--*   |
| SUNOCO                             |        |             |              |                |                |               |
| SOLD 01/26/09 268 SHS              |        |             |              |                |                |               |
| @ 44.45                            |        |             |              |                |                |               |
| 06/06/08 01/26/09                  | 256    | 11,374.01   | 10,629.38-   | 744.63         |                |               |
| 10/02/08 01/26/09                  | 12     | 533.16      | 395.02-      | 138.14         |                |               |
| TOTAL                              | 268*   | 11,907.17 * | 11,024.40--* | 882.77 *       |                |               |
| ARCHER-DANIELS-MIDLAND COMPANY     |        |             |              |                |                |               |
| SOLD 01/27/09 269 SHS              |        |             |              |                |                |               |
| @ 27.7536                          |        |             |              |                |                |               |
| 11/22/06 01/27/09                  | 269    | 7,454.92    | 9,113.24-    |                |                | 1,658.32-     |
| SUNOCO                             |        |             |              |                |                |               |
| SOLD 01/28/09 535 SHS              |        |             |              |                |                |               |
| @ 46.6373                          |        |             |              |                |                |               |
| 10/02/08 01/28/09                  | 535    | 24,940.12   | 17,611.34-   | 7,328.78       |                |               |
| EASTMAN KODAK CO COM               |        |             |              |                |                |               |
| SOLD 01/30/09 1,348 SHS            |        |             |              |                |                |               |
| @ 4.5223                           |        |             |              |                |                |               |
| 06/24/08 01/30/09                  | 1,342  | 6,042.06    | 18,933.47-   | 12,891.41-     |                |               |
| 07/02/08 01/30/09                  | 6      | 27.01       | 85.27-       | 58.26-         |                |               |
| TOTAL                              | 1,348* | 6,069.07 *  | 19,018.74--* | 12,949.67--*   |                |               |
| MITSUBISHI UFJ FINANCIAL GROUP INC |        |             |              |                |                |               |
| SOLD 01/30/09 1,345 SHS            |        |             |              |                |                |               |
| @ 5.6334                           |        |             |              |                |                |               |
| 12/08/08 01/30/09                  | 1,345  | 7,549.98    | 6,039.05-    | 1,510.93       |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

PERIOD 01/01/09 THRU 12/31/09

ADM - CB1  
INV - 052

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE    | UNITS   | PROCEEDS    | COST         | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|---------------------------------------|---------|-------------|--------------|----------------|----------------|---------------|
| <b>ARCHER-DANIELS-MIDLAND COMPANY</b> |         |             |              |                |                |               |
| SOLD 01/30/09 535 SHS                 |         |             |              |                |                |               |
| @ 27.4096                             |         |             |              |                |                |               |
| 11/22/06 01/30/09                     | 18      | 492.65      | 609.81-      |                |                | 117.16-       |
| 06/27/07 01/30/09                     | 142     | 3,886.46    | 4,583.67-    |                |                | 697.21-       |
| 09/18/07 01/30/09                     | 198     | 5,419.15    | 6,382.53-    |                |                | 963.38-       |
| 09/24/07 01/30/09                     | 177     | 4,844.40    | 5,799.23-    |                |                | 954.83-       |
| TOTAL                                 | 535*    | 14,642.66 * | 17,375.24 -* |                |                | 2,732.58 -*   |
| <b>WHITING PETROLEUM CORP</b>         |         |             |              |                |                |               |
| SOLD 02/02/09 535 SHS                 |         |             |              |                |                |               |
| @ 28.8295                             |         |             |              |                |                |               |
| 01/29/09 02/02/09                     | 535     | 15,402.29   | 15,515.00-   | 112.71-        |                |               |
| <b>BIOGEN IDEC INC</b>                |         |             |              |                |                |               |
| SOLD 02/06/09 268 SHS                 |         |             |              |                |                |               |
| @ 51.9607                             |         |             |              |                |                |               |
| 01/27/09 02/06/09                     | 268     | 13,920.03   | 13,261.10-   | 658.93         |                |               |
| <b>UNITED STATES TREAS BILLS</b>      |         |             |              |                |                |               |
| DTD 06/05/08 06/04/2009               |         |             |              |                |                |               |
| SOLD 02/11/09 28,000 P V              |         |             |              |                |                |               |
| @ 99.900288                           |         |             |              |                |                |               |
| YTM 1.496%                            |         |             |              |                |                |               |
| 11/12/08 02/11/09                     | 28,000  | 27,872.08   | 27,883.16-   | 11.08-         |                |               |
| <b>UNITED STATES TREAS BILLS</b>      |         |             |              |                |                |               |
| DTD 07/31/08 07/30/2009               |         |             |              |                |                |               |
| SOLD 02/11/09 130,000 P V             |         |             |              |                |                |               |
| @ 99.8131                             |         |             |              |                |                |               |
| YTM .550%                             |         |             |              |                |                |               |
| 01/14/09 02/11/09                     | 130,000 | 129,671.50  | 129,858.44-  | 186.94-        |                |               |
| <b>QWEST CORP NT</b>                  |         |             |              |                |                |               |
| DTD 12/15/05 7.625% 06/15/2015        |         |             |              |                |                |               |
| MAKE WHOLE CALL ONLY                  |         |             |              |                |                |               |
| SOLD 02/10/09 27,000 P V              |         |             |              |                |                |               |
| @ 88.8287                             |         |             |              |                |                |               |
| 10/29/08 02/10/09                     | 27,000  | 23,983.76   | 20,655.00-   | 3,328.76       |                |               |
| <b>A T &amp; T INC</b>                |         |             |              |                |                |               |
| SOLD 02/11/09 1,606 SHS               |         |             |              |                |                |               |
| @ 24.30                               |         |             |              |                |                |               |
| 08/06/08 02/11/09                     | 541     | 13,113.77   | 16,556.93-   | 3,443.16-      |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

PERIOD 01/01/09 THRU 12/31/09

ADM - CB1  
INV - 052

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE   | UNITS  | PROCEEDS    | COST       | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|--------------------------------------|--------|-------------|------------|----------------|----------------|---------------|
| (CONTINUED)                          |        |             |            |                |                |               |
| A T & T INC                          |        |             |            |                |                |               |
| SOLD 02/11/09 1.606 SHS              |        |             |            |                |                |               |
| @ 24.30                              |        |             |            |                |                |               |
| 08/19/08 02/11/09                    | 536    | 12,992.57   | 16,567.38- | 3,574.81-      |                |               |
| 11/06/08 02/11/09                    | 529    | 12,822.88   | 13,896.30- | 1,073.42-      |                |               |
| TOTAL                                | 1,606* | 38,929.22 * | 47,020.61- | 8,091.39-      |                |               |
| ABBOTT LABS COM                      |        |             |            |                |                |               |
| SOLD 02/11/09 804 SHS                |        |             |            |                |                |               |
| @ 55.55                              |        |             |            |                |                |               |
| 04/24/08 02/11/09                    | 538    | 29,853.45   | 27,243.24- | 2,610.21       |                |               |
| 05/08/08 02/11/09                    | 266    | 14,760.26   | 13,626.49- | 1,133.77       |                |               |
| TOTAL                                | 804*   | 44,613.71 * | 40,869.73- | 3,743.98 *     |                |               |
| ANADARKO PETE CORP COM               |        |             |            |                |                |               |
| SOLD 02/11/09 1,078 SHS              |        |             |            |                |                |               |
| @ 40.05                              |        |             |            |                |                |               |
| 02/12/07 02/11/09                    | 401    | 16,035.90   | 16,465.86- |                |                | 429.96-       |
| 02/22/07 02/11/09                    | 495    | 19,794.94   | 20,235.70- |                |                | 440.76-       |
| 11/04/08 02/11/09                    | 182    | 7,278.14    | 6,288.48-  | 989.66         |                |               |
| TOTAL                                | 1,078* | 43,108.98 * | 42,990.04- | 989.66 *       |                | 870.72-*      |
| ARCHER-DANIELS-MIDLAND COMPANY       |        |             |            |                |                |               |
| SOLD 02/11/09 1,338 SHS              |        |             |            |                |                |               |
| @ 27.6471                            |        |             |            |                |                |               |
| 12/01/05 02/11/09                    | 300    | 8,276.08    | 7,081.32-  |                |                | 1,194.76      |
| 12/05/05 02/11/09                    | 600    | 16,552.17   | 14,150.04- |                |                | 2,402.13      |
| 09/18/07 02/11/09                    | 151    | 4,165.63    | 4,867.49-  |                |                | 701.86-       |
| 09/19/08 02/11/09                    | 287    | 7,917.45    | 6,294.02-  | 1,623.43       |                |               |
| TOTAL                                | 1,338* | 36,911.33 * | 32,392.87- | 1,623.43 *     |                | 2,895.03 *    |
| AVENTINE RENEWABLE ENERGY HLDG SR NT |        |             |            |                |                |               |
| DTD 03/27/07 10% 04/01/2017          |        |             |            |                |                |               |
| CONT CALL BEG @105 ON 04/01/12       |        |             |            |                |                |               |
| PAR CALL 04/01/15 SUBJ COND CALLS    |        |             |            |                |                |               |
| SOLD 02/11/09 54,000 P V             |        |             |            |                |                |               |
| @ 18.50                              |        |             |            |                |                |               |
| 08/22/08 02/11/09                    | 54,000 | 9,990.00    | 36,315.00- | 26,325.00-     |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

ADM - CBI  
INV - 052

SCHEDULE OF CAPITAL GAINS & LOSSES  
PERIOD 01/01/09 THRU 12/31/09  
TAX PERIOD FREQ 1299

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|-------------|----------------|----------------|---------------|
| BANK OF AMERICA CORP NEW           |        |             |             |                |                |               |
| SOLD 02/11/09 539 SHS              | 539    | 3,229.88    | 11,858.00-  | 8,628.12-      |                |               |
| @ 6.0524                           |        |             |             |                |                |               |
| 10/07/08 02/11/09                  |        |             |             |                |                |               |
| BARRICK GOLD CORP COM              |        |             |             |                |                |               |
| SOLD 02/11/09 2,143 SHS            |        |             |             |                |                |               |
| @ 39.22                            |        |             |             |                |                |               |
| 12/02/05 02/11/09                  | 273    | 10,690.62   | 7,264.15-   |                |                | 3,426.47      |
| 12/22/05 02/11/09                  | 950    | 37,201.79   | 25,194.00-  |                |                | 12,007.79     |
| 12/07/07 02/11/09                  | 226    | 8,850.11    | 8,909.42-   |                |                | 59.31-        |
| 05/27/08 02/11/09                  | 43     | 1,683.87    | 1,751.65-   | 67.78-         |                |               |
| 08/12/08 02/11/09                  | 651    | 25,493.02   | 21,583.19-  | 3,909.83       |                |               |
| TOTAL                              | 2,143* | 83,919.41 * | 64,702.41 * | 3,842.05 *     |                | 15,374.95 *   |
| BIOGEN IDEC INC                    |        |             |             |                |                |               |
| SOLD 02/11/09 267 SHS              | 267    | 13,596.09   | 13,211.61-  | 384.48         |                |               |
| @ 50.982                           |        |             |             |                |                |               |
| 01/27/09 02/11/09                  |        |             |             |                |                |               |
| BOSTON SCIENTIFIC CORP NT          |        |             |             |                |                |               |
| DTD 11/17/05 6.25% 11/15/2015      |        |             |             |                |                |               |
| MAKE WHOLE CALL ONLY               |        |             |             |                |                |               |
| RATE ADJ RE ACQUISITION GDT        |        |             |             |                |                |               |
| SOLD 02/11/09 54,000 P V           | 54,000 | 50,220.00   | 41,040.00-  | 9,180.00       |                |               |
| @ 93.00                            |        |             |             |                |                |               |
| 12/09/08 02/11/09                  |        |             |             |                |                |               |
| CHESAPEAKE ENERGY CORP             |        |             |             |                |                |               |
| SOLD 02/11/09 1,077 SHS            | 1,077  | 19,590.52   | 32,837.73-  |                |                | 13,247.21-    |
| @ 18.25                            |        |             |             |                |                |               |
| 03/22/07 02/11/09                  |        |             |             |                |                |               |
| CHEVRON CORP (NEW)                 |        |             |             |                |                |               |
| SOLD 02/11/09 188 SHS              | 188*   | 8,602.39    | 6,838.39-   |                |                | 1,764.00      |
| @ 71.747                           |        |             |             |                |                | 923.03        |
| 03/02/06 02/11/09                  | 120    | 4,874.69    | 3,951.66-   |                |                | 2,687.03 *    |
| 03/31/06 02/11/09                  | 68     | 13,477.08 * | 10,790.05-  |                |                |               |
| TOTAL                              | 188*   |             |             |                |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

PERIOD 01/01/09 THRU 12/31/09  
TAX PERIOD FREQ 1299

ADM - CBI  
INV - 052

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE   | UNITS  | PROCEEDS    | COST       | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|--------------------------------------|--------|-------------|------------|----------------|----------------|---------------|
| <b>CISCO SYSTEM INC COM</b>          |        |             |            |                |                |               |
| SOLD 02/11/09 1,344 SHS<br>@ 16.1624 |        |             |            |                |                |               |
| 05/22/07 02/11/09                    | 542    | 8,727.45    | 14,309.39- |                |                | 5,581.94-     |
| 05/23/07 02/11/09                    | 802    | 12,914.04   | 21,089.79- |                |                | 8,175.75-     |
| TOTAL                                | 1,344* | 21,641.49 * | 35,399.18* |                |                | 13,757.69-*   |
| <b>CITIGROUP INC</b>                 |        |             |            |                |                |               |
| SOLD 02/11/09 2,673 SHS<br>@ 3.59    |        |             |            |                |                |               |
| 03/08/07 02/11/09                    | 524    | 1,849.71    | 26,618.15- |                |                | 24,768.44-    |
| 05/30/08 02/11/09                    | 754    | 2,661.60    | 16,841.87- | 14,180.27-     |                |               |
| 11/14/08 02/11/09                    | 537    | 1,895.60    | 4,912.26-  | 3,016.66-      |                |               |
| 11/20/08 02/11/09                    | 858    | 3,028.72    | 4,646.67-  | 1,617.95-      |                |               |
| TOTAL                                | 2,673* | 9,435.63 *  | 53,018.95* | 18,814.88*     |                | 24,768.44-*   |
| <b>COMCAST CORPORATION CL A</b>      |        |             |            |                |                |               |
| SOLD 02/11/09 4,176 SHS<br>@ 13.62   |        |             |            |                |                |               |
| 12/30/05 02/11/09                    | 1,791  | 24,285.82   | 31,119.70- |                |                | 6,833.88-     |
| 09/21/07 02/11/09                    | 418    | 5,668.05    | 9,951.70-  |                |                | 4,283.65-     |
| 11/19/07 02/11/09                    | 1,182  | 16,027.83   | 22,883.52- |                |                | 6,855.69-     |
| 12/12/07 02/11/09                    | 248    | 3,362.86    | 4,374.72-  |                |                | 1,011.86-     |
| 06/20/08 02/11/09                    | 537    | 7,281.68    | 10,706.38- | 3,424.70-      |                |               |
| TOTAL                                | 4,176* | 56,626.24 * | 79,036.02* | 3,424.70*      |                | 18,985.08-*   |
| <b>CONAGRA INC COM</b>               |        |             |            |                |                |               |
| SOLD 02/11/09 2,142 SHS<br>@ 16.55   |        |             |            |                |                |               |
| 06/26/08 02/11/09                    | 1,344  | 22,162.43   | 28,384.61- | 6,222.18-      |                |               |
| 11/25/08 02/11/09                    | 528    | 8,706.67    | 7,629.07-  | 1,077.60       |                |               |
| 01/21/09 02/11/09                    | 270    | 4,452.28    | 4,486.29-  | 34.01-         |                |               |
| TOTAL                                | 2,142* | 35,321.38 * | 40,499.97* | 5,178.59*      |                |               |
| <b>CORNING INC COM</b>               |        |             |            |                |                |               |
| SOLD 02/11/09 1,344 SHS<br>@ 11.17   |        |             |            |                |                |               |
| 12/14/07 02/11/09                    | 414    | 4,599.51    | 10,225.80- |                |                | 5,626.29-     |
| 05/02/08 02/11/09                    | 382    | 4,243.93    | 10,292.76- | 6,048.77-      |                |               |
| 05/12/08 02/11/09                    | 548    | 6,088.25    | 14,269.92- | 8,181.67-      |                |               |
| TOTAL                                | 1,344* | 14,931.75 * | 34,788.48* | 14,230.44*     |                | 5,626.29-*    |

## SCHEDULE OF CAPITAL GAINS &amp; LOSSES

PERIOD 01/01/09 THRU 12/31/09

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

ADM - CB1  
INV - 052

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|-------------|----------------|----------------|---------------|
| DU PONT E I DE NEMOURS & CO COM    |        |             |             |                |                |               |
| SOLD 02/11/09 454 SHS              |        |             |             |                |                |               |
| @ 23.4817                          |        |             |             |                |                |               |
| 11/19/07 02/11/09                  | 197    | 4,614.04    | 8,833.48-   |                |                | 4,219.44-     |
| 02/21/08 02/11/09                  | 257    | 6,019.34    | 11,739.55-  | 5,720.21-      |                |               |
| TOTAL                              | 454*   | 10,633.38 * | 20,573.03-* | 5,720.21-      |                | 4,219.44-*    |
| EMC CORP COM                       |        |             |             |                |                |               |
| SOLD 02/11/09 2,705 SHS            |        |             |             |                |                |               |
| @ 12.26                            |        |             |             |                |                |               |
| 02/09/06 02/11/09                  | 148    | 1,805.59    | 2,005.40-   |                |                | 199.81-       |
| 02/14/06 02/11/09                  | 600    | 7,319.96    | 8,064.12-   |                |                | 744.16-       |
| 06/30/06 02/11/09                  | 1,000  | 12,199.93   | 10,218.20-  |                |                | 1,981.73      |
| 01/30/08 02/11/09                  | 133    | 1,622.59    | 2,109.17-   |                |                | 486.58-       |
| 09/02/08 02/11/09                  | 824    | 10,052.74   | 12,687.21-  | 2,634.47-      |                |               |
| TOTAL                              | 2,705* | 33,000.81 * | 35,084.10-* | 2,634.47-      |                | 551.18 *      |
| EQT CORP                           |        |             |             |                |                |               |
| SOLD 02/11/09 538 SHS              |        |             |             |                |                |               |
| @ 35.802                           |        |             |             |                |                |               |
| 04/17/08 02/11/09                  | 269    | 9,614.54    | 18,023.03-  | 8,408.49-      |                |               |
| 05/06/08 02/11/09                  | 269    | 9,614.54    | 18,224.75-  | 8,610.21-      |                |               |
| TOTAL                              | 538*   | 19,229.08 * | 36,247.78-* | 17,018.70-*    |                |               |
| ENCANA CORP COM                    |        |             |             |                |                |               |
| SOLD 02/11/09 268 SHS              |        |             |             |                |                |               |
| @ 44.0259                          |        |             |             |                |                |               |
| 02/24/06 02/11/09                  | 268    | 11,782.79   | 11,306.52-  |                |                | 476.27        |
| FRONTIER COMMUNICATIONS CORP       |        |             |             |                |                |               |
| SOLD 02/11/09 3,499 SHS            |        |             |             |                |                |               |
| @ 8.18                             |        |             |             |                |                |               |
| 01/03/06 02/11/09                  | 499    | 4,051.86    | 6,109.96-   |                |                | 2,058.10-     |
| 01/26/06 02/11/09                  | 3,000  | 24,359.86   | 36,428.70-  |                |                | 12,068.84-    |
| TOTAL                              | 3,499* | 28,411.72 * | 42,538.66-* |                |                | 14,126.94-*   |
| GENERAL ELEC CO COM                |        |             |             |                |                |               |
| SOLD 02/11/09 2,142 SHS            |        |             |             |                |                |               |
| @ 11.9602                          |        |             |             |                |                |               |
| 10/02/08 02/11/09                  | 4      | 47.60       | 89.00-      |                |                | 41.40-        |
| 10/14/08 02/11/09                  | 1,618  | 19,254.40   | 33,724.94-  | 14,470.56-     |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
 CHARITABLE TRUST - MAYO CAPITAL  
 RICHARD AND SUSAN SMITH TRUSTEES  
 TAX I D NO 22-3048829 ADM - CB1  
 INV - 052

PERIOD 01/01/09 THRU 12/31/09  
 TAX PERIOD FREQ 1299

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST       | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|------------|----------------|----------------|---------------|
| (CONTINUED)                        |        |             |            |                |                |               |
| GENERAL ELEC CO COM                |        |             |            |                |                |               |
| SOLD 02/11/09 2,142 SHS            |        |             |            |                |                |               |
| @ 11.9602                          |        |             |            |                |                |               |
| 11/25/08 02/11/09                  | 520    | 6,188.07    | 8,241.64-  | 2,053.57-      |                |               |
| TOTAL                              | 2,142* | 25,490.07 * | 42,055.58- | 16,565.51-     |                |               |
| GENERAL ELEC CAP CORP MTN          |        |             |            |                |                |               |
| DTD 12/06/02 5.45% 01/15/2013      |        |             |            |                |                |               |
| NON-CALLABLE                       |        |             |            |                |                |               |
| SOLD 02/11/09 27,000 P V           |        |             |            |                |                |               |
| @ 100.33                           |        |             |            |                |                |               |
| 09/26/08 02/11/09                  | 27,000 | 27,089.10   | 25,469.10- | 1,620.00       |                |               |
| HALLIBURTON COMPANY COM            |        |             |            |                |                |               |
| SOLD 02/11/09 595 SHS              |        |             |            |                |                |               |
| @ 18.5677                          |        |             |            |                |                |               |
| 06/04/07 02/11/09                  | 287    | 5,311.68    | 10,403.75- | 5,092.07-      |                |               |
| 06/07/07 02/11/09                  | 308    | 5,700.34    | 10,826.20- | 5,125.86-      |                |               |
| TOTAL                              | 595*   | 11,012.02 * | 21,229.95- | 10,217.93-     |                |               |
| J P MORGAN CHASE & CO COM          |        |             |            |                |                |               |
| SOLD 02/11/09 477 SHS              |        |             |            |                |                |               |
| @ 26.072                           |        |             |            |                |                |               |
| 01/08/07 02/11/09                  | 477    | 12,407.66   | 22,781.52- | 10,373.86-     |                |               |
| LILLY ELI & CO COM                 |        |             |            |                |                |               |
| SOLD 02/11/09 809 SHS              |        |             |            |                |                |               |
| @ 36.56                            |        |             |            |                |                |               |
| 09/19/06 02/11/09                  | 490    | 17,884.90   | 26,924.07- | 9,039.17-      |                |               |
| 12/01/06 02/11/09                  | 100    | 3,649.98    | 5,347.89-  | 1,697.91-      |                |               |
| 11/21/07 02/11/09                  | 89     | 3,248.48    | 4,393.26-  | 1,144.78-      |                |               |
| 07/17/08 02/11/09                  | 130    | 4,744.97    | 6,180.59-  | 1,435.62-      |                |               |
| TOTAL                              | 809*   | 29,528.33 * | 42,845.81- | 11,881.86-     |                |               |
| MANULIFE FINL CORP COM             |        |             |            |                |                |               |
| SOLD 02/11/09 1,071 SHS            |        |             |            |                |                |               |
| @ 16.3656                          |        |             |            |                |                |               |
| 12/22/08 02/11/09                  | 1,071  | 17,463.20   | 17,289.48- | 173.72         |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

ADM - CBI  
INV - 052

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|-------------|----------------|----------------|---------------|
| MARSH & MCLENNAN COS INC COM       |        |             |             |                |                |               |
| SOLD 02/11/09 2,617 SHS            |        |             |             |                |                |               |
| @ 21.328                           |        |             |             |                |                |               |
| 05/19/06 02/11/09                  | 170    | 3,615.54    | 4,804.20-   |                |                | 1,188.66-     |
| 05/30/06 02/11/09                  | 300    | 6,380.36    | 8,368.26-   |                |                | 1,987.90-     |
| 06/16/06 02/11/09                  | 300    | 6,380.36    | 8,280.18-   |                |                | 1,899.82-     |
| 06/27/06 02/11/09                  | 1,500  | 31,901.81   | 38,940.00-  |                |                | 7,038.19-     |
| 08/06/07 02/11/09                  | 347    | 7,379.96    | 9,259.63-   |                |                | 1,879.67-     |
| TOTAL                              | 2,617* | 55,658.03 * | 69,652.27-* |                |                | 13,994.24-*   |
| MCKESSON HBOC INC COM              |        |             |             |                |                |               |
| SOLD 02/11/09 537 SHS              |        |             |             |                |                |               |
| @ 44.8505                          |        |             |             |                |                |               |
| 11/13/08 02/11/09                  | 4      | 179.16      | 135.38-     | 43.78          |                |               |
| 11/20/08 02/11/09                  | 533    | 23,873.20   | 15,978.22-  | 7,894.98       |                |               |
| TOTAL                              | 537*   | 24,052.36 * | 16,113.60-* | 7,938.76 *     |                |               |
| MICROSOFT CORP COM                 |        |             |             |                |                |               |
| SOLD 02/11/09 3,213 SHS            |        |             |             |                |                |               |
| @ 19.25                            |        |             |             |                |                |               |
| 02/14/06 02/11/09                  | 884    | 16,963.86   | 23,552.33-  |                |                | 6,588.47-     |
| 07/16/07 02/11/09                  | 144    | 2,763.34    | 4,308.76-   |                |                | 1,545.42-     |
| 09/28/07 02/11/09                  | 172    | 3,300.66    | 5,050.11-   |                |                | 1,749.45-     |
| 10/05/07 02/11/09                  | 524    | 10,055.50   | 15,642.71-  |                |                | 5,587.21-     |
| 09/08/08 02/11/09                  | 441    | 8,462.74    | 11,538.59-  | 3,075.85-      |                |               |
| 11/13/08 02/11/09                  | 517    | 9,921.17    | 10,475.20-  | 554.03-        |                |               |
| 01/22/09 02/11/09                  | 531    | 10,189.85   | 9,364.45-   | 825.40         |                |               |
| TOTAL                              | 3,213* | 61,657.12 * | 79,932.15-* | 2,804.48-*     |                | 15,470.55-*   |
| MITSUBISHI UFJ FINANCIAL GROUP INC |        |             |             |                |                |               |
| SOLD 02/11/09 2,675 SHS            |        |             |             |                |                |               |
| @ 5.14                             |        |             |             |                |                |               |
| 12/08/08 02/11/09                  | 2,675  | 13,588.92   | 12,010.75-  | 1,578.17       |                |               |
| MOSAIC CO                          |        |             |             |                |                |               |
| SOLD 02/11/09 538 SHS              |        |             |             |                |                |               |
| @ 42.9111                          |        |             |             |                |                |               |
| 10/02/08 02/11/09                  | 270    | 11,569.73   | 13,547.22-  | 1,977.49-      |                |               |
| 10/17/08 02/11/09                  | 268    | 11,484.03   | 9,076.62-   | 2,407.41       |                |               |
| TOTAL                              | 538*   | 23,053.76 * | 22,623.84-* | 429.92 *       |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

ADM - CB1  
INV - 052

## SCHEDULE OF CAPITAL GAINS &amp; LOSSES

PERIOD 01/01/09 THRU 12/31/09  
TAX PERIOD FREQ 1299

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST       | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|------------|----------------|----------------|---------------|
| <b>MYLAN LABS INC</b>              |        |             |            |                |                |               |
| SOLD 02/11/09 2,694 SHS            |        |             |            |                |                |               |
| @ 11.66                            |        |             |            |                |                |               |
| 03/11/08 02/11/09                  | 1,134  | 13,154.32   | 11,635.75- | 1,518.57       |                |               |
| 10/10/08 02/11/09                  | 1,560  | 18,095.90   | 10,286.80- | 7,809.10       |                |               |
| TOTAL                              | 2,694* | 31,250.22 * | 21,922.55* | 9,327.67 *     |                |               |
| <b>NEWMONT MINING CORP</b>         |        |             |            |                |                |               |
| SOLD 02/11/09 1,071 SHS            |        |             |            |                |                |               |
| @ 42.3271                          |        |             |            |                |                |               |
| 01/25/07 02/11/09                  | 206    | 8,706.97    | 9,216.05-  |                |                | 509.08-       |
| 03/23/07 02/11/09                  | 247    | 10,439.91   | 10,801.06- |                |                | 361.15-       |
| 02/28/08 02/11/09                  | 228    | 9,636.84    | 12,022.05- | 2,385.21-      |                |               |
| 01/28/09 02/11/09                  | 390    | 16,484.08   | 14,430.00- | 2,054.08       |                |               |
| TOTAL                              | 1,071* | 45,267.80 * | 46,469.16* | 331.13**       |                | 870.23**      |
| <b>OMNICARE INC</b>                |        |             |            |                |                |               |
| SOLD 02/11/09 809 SHS              |        |             |            |                |                |               |
| @ 27.9417                          |        |             |            |                |                |               |
| 10/31/06 02/11/09                  | 500    | 13,940.77   | 18,185.20- |                |                | 4,244.43-     |
| 12/28/06 02/11/09                  | 134    | 3,736.13    | 5,196.47-  |                |                | 1,460.34-     |
| 09/10/07 02/11/09                  | 175    | 4,879.27    | 5,260.50-  |                |                | 381.23-       |
| TOTAL                              | 809*   | 22,556.17 * | 28,642.17* |                |                | 6,086.00**    |
| <b>PFIZER INC COM</b>              |        |             |            |                |                |               |
| SOLD 02/11/09 4,013 SHS            |        |             |            |                |                |               |
| @ 14.27                            |        |             |            |                |                |               |
| 03/05/08 02/11/09                  | 232    | 3,296.70    | 5,092.80-  | 1,796.10-      |                |               |
| 03/07/08 02/11/09                  | 452    | 6,422.88    | 9,632.44-  | 3,209.56-      |                |               |
| 03/24/08 02/11/09                  | 1,130  | 16,057.21   | 23,307.15- | 7,249.94-      |                |               |
| 03/27/08 02/11/09                  | 2,199  | 31,247.62   | 45,769.77- | 14,522.15-     |                |               |
| TOTAL                              | 4,013* | 57,024.41 * | 83,802.16* | 26,777.75**    |                |               |
| <b>SPDR GOLD TRUST</b>             |        |             |            |                |                |               |
| SOLD 02/11/09 539 SHS              |        |             |            |                |                |               |
| @ 92.852                           |        |             |            |                |                |               |
| 04/02/08 02/11/09                  | 539    | 50,014.61   | 47,906.00- | 2,108.61       |                |               |

-- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST         | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|--------------|----------------|----------------|---------------|
| <b>TALISMAN ENERGY INC</b>         |        |             |              |                |                |               |
| SOLD 02/11/09 6,660 SHS            |        |             |              |                |                |               |
| @ 10.09                            |        |             |              |                |                |               |
| 02/23/07 02/11/09                  | 525    | 5,265.72    | 9,444.17-    |                |                | 4,178.45-     |
| 08/06/07 02/11/09                  | 349    | 3,500.45    | 6,007.69-    |                |                | 2,507.24-     |
| 08/30/07 02/11/09                  | 347    | 3,480.39    | 5,935.61-    |                |                | 2,455.22-     |
| 09/19/07 02/11/09                  | 527    | 5,285.78    | 9,796.40-    |                |                | 4,510.62-     |
| 10/15/07 02/11/09                  | 194    | 1,945.81    | 3,957.29-    |                |                | 2,011.48-     |
| 12/28/07 02/11/09                  | 77     | 772.31      | 1,446.60-    |                |                | 674.29-       |
| 01/07/08 02/11/09                  | 198    | 1,985.93    | 3,738.68-    |                |                | 1,752.75-     |
| 02/15/08 02/11/09                  | 506    | 5,075.15    | 8,033.15-    |                |                |               |
| 02/21/08 02/11/09                  | 457    | 4,583.68    | 7,348.56-    | 2,958.00-      |                |               |
| 03/12/08 02/11/09                  | 677    | 6,790.27    | 11,753.74-   | 2,764.88-      |                |               |
| 06/25/08 02/11/09                  | 806    | 8,084.13    | 17,493.59-   | 4,963.47-      |                |               |
| 07/16/08 02/11/09                  | 538    | 5,396.11    | 10,179.66-   | 9,409.46-      |                |               |
| 08/04/08 02/11/09                  | 1,459  | 14,633.69   | 24,859.32-   | 4,783.55-      |                |               |
| TOTAL                              | 6,660* | 66,799.42 * | 119,994.46 * | 10,225.63-     |                | 18,090.05-*   |
| <b>TIME WARNER INC</b>             |        |             |              |                |                |               |
| SOLD 02/11/09 2,691 SHS            |        |             |              |                |                |               |
| @ 8.7215                           |        |             |              |                |                |               |
| 07/19/07 02/11/09                  | 876    | 7,587.43    | 18,285.45-   |                |                | 10,698.02-    |
| 01/10/08 02/11/09                  | 256    | 2,217.33    | 4,111.21-    |                |                | 1,893.88-     |
| 04/30/08 02/11/09                  | 752    | 6,513.41    | 11,436.12-   | 4,922.71-      |                |               |
| 07/08/08 02/11/09                  | 807    | 6,989.80    | 11,608.70-   | 4,618.90-      |                |               |
| TOTAL                              | 2,691* | 23,307.97 * | 45,441.48 *  | 9,541.61-      |                | 12,591.90-*   |
| <b>THE TRAVELERS COMPANIES INC</b> |        |             |              |                |                |               |
| SOLD 02/11/09 808 SHS              |        |             |              |                |                |               |
| @ 40.1088                          |        |             |              |                |                |               |
| 03/24/06 02/11/09                  | 698    | 27,953.91   | 28,869.28-   |                |                | 915.37-       |
| 08/08/08 02/11/09                  | 110    | 4,405.34    | 4,733.33-    | 327.99-        |                |               |
| TOTAL                              | 808*   | 32,359.25 * | 33,602.61 *  | 327.99-        |                | 915.37-*      |
| <b>UNITEDHEALTH GROUP INC COM</b>  |        |             |              |                |                |               |
| SOLD 02/11/09 804 SHS              |        |             |              |                |                |               |
| @ 28.21                            |        |             |              |                |                |               |
| 09/19/08 02/11/09                  | 266    | 7,487.86    | 7,347.80-    |                |                | 140.06        |
| 09/24/08 02/11/09                  | 271    | 7,628.61    | 7,003.97-    |                |                | 624.64        |
| 01/14/09 02/11/09                  | 267    | 7,516.00    | 6,514.69-    |                |                | 1,001.31      |
| TOTAL                              | 804*   | 22,632.47 * | 20,856.46 *  |                |                | 1,766.01 *    |

## SCHEDULE OF CAPITAL GAINS &amp; LOSSES

PERIOD 01/01/09 THRU 12/31/09

TAX I D NO 22-3048829

ADM - CB1

INV - 052

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990

CHARITABLE TRUST - MAYO CAPITAL

RICHARD AND SUSAN SMITH TRUSTEES

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|-------------|----------------|----------------|---------------|
| UNIMPROVIDENT CORP                 |        |             |             |                |                |               |
| SOLD 02/11/09 1,345 SHS            |        |             |             |                |                |               |
| @ 12.8423                          |        |             |             |                |                |               |
| 05/25/06 02/11/09                  | 52     | 664.68      | 912.82-     |                |                | 248.14-       |
| 07/12/06 02/11/09                  | 325    | 4,154.22    | 5,475.99-   |                |                | 1,321.77-     |
| 08/03/06 02/11/09                  | 968    | 12,373.19   | 16,062.31-  |                |                | 3,689.12-     |
| TOTAL                              | 1,345* | 17,192.09 * | 22,451.12-* |                |                | 5,259.03-*    |
| VALERO ENERGY CORP                 |        |             |             |                |                |               |
| SOLD 02/11/09 812 SHS              |        |             |             |                |                |               |
| @ 23.0617                          |        |             |             |                |                |               |
| 08/22/08 02/11/09                  | 812    | 18,677.27   | 27,219.21-  | 8,541.94-      |                |               |
| VERIZON COMMUNICATIONS INC         |        |             |             |                |                |               |
| DTD 11/04/08 8.75\$ 11/01/2018     |        |             |             |                |                |               |
| MAKE WHOLE CALL + 75 BP            |        |             |             |                |                |               |
| SOLD 02/11/09 50,000 P V           |        |             |             |                |                |               |
| @ 117.3736                         |        |             |             |                |                |               |
| 10/31/08 02/11/09                  | 50,000 | 58,686.80   | 51,751.50-  | 6,935.30       |                |               |
| VIACOM INC CL B NEW                |        |             |             |                |                |               |
| SOLD 02/11/09 898 SHS              |        |             |             |                |                |               |
| @ 15.4608                          |        |             |             |                |                |               |
| 06/07/06 02/11/09                  | 598    | 9,209.63    | 21,533.98-  |                |                | 12,324.35-    |
| 06/30/06 02/11/09                  | 300    | 4,620.21    | 10,765.35-  |                |                | 6,145.14-     |
| TOTAL                              | 898*   | 13,829.84 * | 32,299.33-* |                |                | 18,469.49-*   |
| WHITING PETROLEUM CORP             |        |             |             |                |                |               |
| SOLD 02/11/09 803 SHS              |        |             |             |                |                |               |
| @ 29.5252                          |        |             |             |                |                |               |
| 01/29/09 02/11/09                  | 803    | 23,660.43   | 23,287.00-  | 373.43         |                |               |
| WILLIAMS COS INC COM               |        |             |             |                |                |               |
| SOLD 02/11/09 1,340 SHS            |        |             |             |                |                |               |
| @ 15.0855                          |        |             |             |                |                |               |
| 12/19/08 02/11/09                  | 1,340  | 20,134.05   | 18,634.98-  | 1,499.07       |                |               |
| WYETH                              |        |             |             |                |                |               |
| SOLD 02/11/09 439 SHS              |        |             |             |                |                |               |
| @ 42.852                           |        |             |             |                |                |               |
| 07/24/07 02/11/09                  | 265    | 11,339.81   | 13,604.86-  |                |                | 2,265.05-     |
| 07/31/07 02/11/09                  | 174    | 7,445.77    | 8,490.23-   |                |                | 1,044.46-     |
| TOTAL                              | 439*   | 18,785.58 * | 22,095.09-* |                |                | 3,309.51-*    |

## SCHEDULE OF CAPITAL GAINS &amp; LOSSES

PERIOD 01/01/09 THRU 12/31/09

TAX I D NO 22-3048829

ADM - CB1  
INV - 052

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990

CHARITABLE TRUST - MAYO CAPITAL

RICHARD AND SUSAN SMITH TRUSTEES

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS | PROCEEDS   | COST       | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|-------|------------|------------|----------------|----------------|---------------|
| -----                              | ----- | -----      | -----      | -----          | -----          | -----         |
| MYLAN LABS INC                     |       |            |            |                |                |               |
| SOLD 02/23/09 500 SHS              |       |            |            |                |                |               |
| @ 13.1639                          |       |            |            |                |                |               |
| 02/19/09 02/23/09                  | 500   | 6,561.91   | 5,806.40-  | 755.51         |                |               |
| UNITEDHEALTH GROUP INC COM         |       |            |            |                |                |               |
| SOLD 02/26/09 600 SHS              |       |            |            |                |                |               |
| @ 20.1628                          |       |            |            |                |                |               |
| 02/23/09 02/26/09                  | 600   | 12,085.61  | 14,576.34- | 2,490.73-      |                |               |
| ANADARKO PETE CORP COM             |       |            |            |                |                |               |
| SOLD 03/24/09 200 SHS              |       |            |            |                |                |               |
| @ 43.2736                          |       |            |            |                |                |               |
| 02/23/09 03/24/09                  | 200   | 8,650.67   | 6,874.02-  | 1,776.65       |                |               |
| PFIZER INC COM                     |       |            |            |                |                |               |
| SOLD 03/25/09 1,000 SHS            |       |            |            |                |                |               |
| @ 14.3971                          |       |            |            |                |                |               |
| 02/19/09 03/25/09                  | 1,000 | 14,357.01  | 14,059.40- | 297.61         |                |               |
| CONAGRA INC COM                    |       |            |            |                |                |               |
| SOLD 03/27/09 223 SHS              |       |            |            |                |                |               |
| @ 17.264                           |       |            |            |                |                |               |
| 02/20/09 03/27/09                  | 223   | 3,840.93   | 3,470.62-  | 370.31         |                |               |
| TIME WARNER CABLE INC              |       |            |            |                |                |               |
| SOLD 04/02/09 75 SHS               |       |            |            |                |                |               |
| @ 25.5535                          |       |            |            |                |                |               |
| 03/26/09 04/02/09                  | 75    | 1,913.50   | 1,942.04-  | 28.54-         |                |               |
| GENERAL ELEC CO COM                |       |            |            |                |                |               |
| SOLD 04/21/09 500 SHS              |       |            |            |                |                |               |
| @ 11.4783                          |       |            |            |                |                |               |
| 02/23/09 04/21/09                  | 12    | 137.50     | 108.72-    | 28.78          |                |               |
| 02/24/09 04/21/09                  | 488   | 5,591.50   | 4,499.31-  | 1,092.19       |                |               |
| TOTAL                              | 500*  | 5,729.00 * | 4,608.03-* | 1,120.97 *     |                |               |
| GENERAL ELEC CO COM                |       |            |            |                |                |               |
| SOLD 04/22/09 340 SHS              |       |            |            |                |                |               |
| @ 12.1077                          |       |            |            |                |                |               |
| 02/23/09 04/22/09                  | 340   | 4,109.71   | 3,080.40-  | 1,029.31       |                |               |

TWR320 01 GOULSTON &amp; STORRS, P C

## SCHEDULE OF CAPITAL GAINS &amp; LOSSES

PERIOD 01/01/09 THRU 12/31/09

ADM - CB1  
INV - 052

TAX I D NO 22-3048829

TAX PERIOD FREQ 1299

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE   | UNITS  | PROCEEDS    | COST        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|--------------------------------------|--------|-------------|-------------|----------------|----------------|---------------|
| WHITING PETROLEUM CORP               |        |             |             |                |                |               |
| SOLD 04/22/09 521 SHS                | 521    | 17,373.02   | 11,065.31-  | 6,307.71       |                |               |
| @ 33.3664                            |        |             |             |                |                |               |
| 02/24/09 04/22/09                    |        |             |             |                |                |               |
| ANADARKO PETE CORP COM               |        |             |             |                |                |               |
| SOLD 04/24/09 423 SHS                | 165    | 7,294.40    | 5,671.07-   | 1,623.33       |                |               |
| @ 44.2696                            | 200    | 8,841.69    | 6,634.20-   | 2,207.49       |                |               |
| 02/23/09 04/24/09                    | 58     | 2,564.09    | 1,875.42-   | 688.67         |                |               |
| 03/04/09 04/24/09                    | 423*   | 18,700.18 * | 14,180.69-* | 4,519.49 *     |                |               |
| 03/06/09 04/24/09                    |        |             |             |                |                |               |
| TOTAL                                |        |             |             |                |                |               |
| TIME WARNER CABLE INC                |        |             |             |                |                |               |
| SOLD 04/24/09 .303 SHS               | .303   | 8.24        | 7.85-       | .39            |                |               |
| @ 27.34                              |        |             |             |                |                |               |
| 03/26/09 04/24/09                    |        |             |             |                |                |               |
| MYLAN LABS INC                       |        |             |             |                |                |               |
| SOLD 04/28/09 500 SHS                | 500    | 7,273.16    | 5,943.45-   | 1,329.71       |                |               |
| @ 14.5667                            |        |             |             |                |                |               |
| 03/06/09 04/28/09                    |        |             |             |                |                |               |
| QWEST COMMUNICATIONS INTL INC SR NT  |        |             |             |                |                |               |
| DTD 11/08/05 3.5% 11/15/2025         |        |             |             |                |                |               |
| CONT CALLABLE BEG 11/20/2010         |        |             |             |                |                |               |
| AT GREATER OF 100 OR MAKE WHOLE CALL |        |             |             |                |                |               |
| SOLD 05/01/09 13,000 P V             | 13,000 | 12,675.00   | 11,927.50-  | 747.50         |                |               |
| @ 97.50                              |        |             |             |                |                |               |
| 02/24/09 05/01/09                    |        |             |             |                |                |               |
| MYLAN LABS INC                       |        |             |             |                |                |               |
| SOLD 05/11/09 500 SHS                | 500    | 6,989.82    | 5,943.45-   | 1,046.37       |                |               |
| @ 14.00                              |        |             |             |                |                |               |
| 03/06/09 05/11/09                    |        |             |             |                |                |               |
| UNUMPROVIDENT CORP                   |        |             |             |                |                |               |
| SOLD 05/12/09 264 SHS                | 264    | 4,490.52    | 2,758.80-   | 1,731.72       |                |               |
| @ 17.05                              |        |             |             |                |                |               |
| 02/23/09 05/12/09                    |        |             |             |                |                |               |

SCHEDULE OF CAPITAL GAINS & LOSSES  
PERIOD 01/01/09 THRU 12/31/09

TAX I D NO 22-3048829

ADM - CB1  
INV - 052A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS | PROCEEDS    | COST        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|-------|-------------|-------------|----------------|----------------|---------------|
| CONOCOPHILLIPS                     |       |             |             |                |                |               |
| SOLD 05/18/09 222 SHS              |       |             |             |                |                |               |
| @ 45.75                            |       |             |             |                |                |               |
| 03/16/09 05/18/09                  | 222   | 10,151.80   | 8,113.92-   | 2,037.88       |                |               |
| TYCO INTERNATIONAL LTD             |       |             |             |                |                |               |
| SOLD 05/27/09 662 SHS              |       |             |             |                |                |               |
| @ 27.2335                          |       |             |             |                |                |               |
| 04/13/09 05/27/09                  | 662   | 18,014.88   | 13,920.40-  | 4,094.48       |                |               |
| TOTAL S A ADR                      |       |             |             |                |                |               |
| SOLD 05/28/09 221 SHS              |       |             |             |                |                |               |
| @ 55.7741                          |       |             |             |                |                |               |
| 04/22/09 05/28/09                  | 3     | 167.26      | 139.68-     | 27.58          |                |               |
| 05/06/09 05/28/09                  | 218   | 12,154.08   | 11,655.11-  | 498.97         |                |               |
| TOTAL                              | 221*  | 12,321.34 * | 11,794.79-* | 526.55 *       |                |               |
| SUNOCO                             |       |             |             |                |                |               |
| SOLD 06/04/09 444 SHS              |       |             |             |                |                |               |
| @ 28.70                            |       |             |             |                |                |               |
| 03/16/09 06/04/09                  | 444   | 12,733.59   | 12,464.41-  | 269.18         |                |               |
| MCKESSON HBOC INC COM              |       |             |             |                |                |               |
| SOLD 07/06/09 221 SHS              |       |             |             |                |                |               |
| @ 43.4365                          |       |             |             |                |                |               |
| 03/11/09 07/06/09                  | 2     | 86.79       | 71.19-      | 15.60          |                |               |
| 03/24/09 07/06/09                  | 219   | 9,503.59    | 7,916.63-   | 1,586.96       |                |               |
| TOTAL                              | 221*  | 9,590.38 *  | 7,987.82-*  | 1,602.56 *     |                |               |
| CONAGRA INC COM                    |       |             |             |                |                |               |
| SOLD 07/22/09 222 SHS              |       |             |             |                |                |               |
| @ 19.1157                          |       |             |             |                |                |               |
| 02/20/09 07/22/09                  | 222   | 4,239.14    | 3,455.05-   | 784.09         |                |               |
| VALERO ENERGY CORP                 |       |             |             |                |                |               |
| SOLD 08/05/09 217 SHS              |       |             |             |                |                |               |
| @ 18.69                            |       |             |             |                |                |               |
| 04/09/09 08/05/09                  | 4     | 74.60       | 83.54-      | 8.94-          |                |               |
| 06/01/09 08/05/09                  | 213   | 3,972.35    | 4,930.52-   | 958.17-        |                |               |
| TOTAL                              | 217*  | 4,046.95 *  | 5,014.06-*  | 967.11-*       |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

ADM - CB1  
INV - 052

SCHEDULE OF CAPITAL GAINS & LOSSES

PERIOD 01/01/09 THRU 12/31/09  
TAX PERIOD FREQ 1299

-- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS   | COST       | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|------------|------------|----------------|----------------|---------------|
| THE TRAVELERS COMPANIES INC        |        |            |            |                |                |               |
| SOLD 07/30/09 221 SHS              |        |            |            |                |                |               |
| @ 42.90                            |        |            |            |                |                |               |
| 02/25/09 07/30/09                  | 82     | 3,516.07   | 3,108.62   | 407.45         |                |               |
| 07/30/09 07/30/09                  | 139    | 5,960.16   | 5,874.65   | 85.51          |                |               |
| TOTAL                              | 221*   | 9,476.23 * | 8,983.27** | 492.96 *       |                |               |
| UNITED STATES TREAS BILLS          |        |            |            |                |                |               |
| DTD 11/20/08 11/19/2009            |        |            |            |                |                |               |
| SOLD 08/11/09 70,000 P V           |        |            |            |                |                |               |
| @ 99.92025                         |        |            |            |                |                |               |
| YTM .294%                          |        |            |            |                |                |               |
| 03/18/09 08/11/09                  | 70,000 | 69,944.18  | 69,785.62  | 158.56         |                |               |
| BAXTER INTERNATIONAL INC COM       |        |            |            |                |                |               |
| SOLD 08/11/09 219 SHS              |        |            |            |                |                |               |
| @ 55.25                            |        |            |            |                |                |               |
| 06/02/09 08/11/09                  | 219    | 12,095.06  | 10,688.40  | 1,406.66       |                |               |
| MCKESSON HBOC INC COM              |        |            |            |                |                |               |
| SOLD 08/19/09 220 SHS              |        |            |            |                |                |               |
| @ 55.2458                          |        |            |            |                |                |               |
| 03/11/09 08/19/09                  | 220    | 12,144.97  | 7,830.97   | 4,314.00       |                |               |
| CVS CORP COM                       |        |            |            |                |                |               |
| SOLD 08/25/09 500 SHS              |        |            |            |                |                |               |
| @ 36.8155                          |        |            |            |                |                |               |
| 02/24/09 08/25/09                  | 500    | 18,397.27  | 13,413.35  | 4,983.92       |                |               |
| EASTMAN KODAK CO CONV SR NT        |        |            |            |                |                |               |
| DTD 10/10/03 3.375% 10/15/2033     |        |            |            |                |                |               |
| CONT CALL BEG @100 10/15/10        |        |            |            |                |                |               |
| CONV COM STK @31.01997 TO 10/15/33 |        |            |            |                |                |               |
| SOLD 09/17/09 15,000 P V           |        |            |            |                |                |               |
| @ 99.00                            |        |            |            |                |                |               |
| YTM 3.436%                         |        |            |            |                |                |               |
| 02/24/09 09/17/09                  | 15,000 | 14,850.00  | 11,662.50  | 3,187.50       |                |               |
| A T & T INC                        |        |            |            |                |                |               |
| SOLD 09/23/09 213 SHS              |        |            |            |                |                |               |
| @ 27.2956                          |        |            |            |                |                |               |
| 07/24/09 09/23/09                  | 213    | 5,805.29   | 5,404.49   | 400.80         |                |               |

SCHEDULE OF CAPITAL GAINS & LOSSES

TWR320 01 GOULSTON & STORRS, P C

ADM - CB1  
INV - 052

TAX I D NO 22-3048829

PERIOD 01/01/09 THRU 12/31/09  
TAX PERIOD FREQ 1299

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

-- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS | PROCEEDS    | COST        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|-------|-------------|-------------|----------------|----------------|---------------|
| ABBOTT LABS COM                    |       |             |             |                |                |               |
| SOLD 09/28/09 221 SHS              | 221   | 10,663.20   | 11,671.01-  | 1,007.81-      |                |               |
| @ 48.271                           |       |             |             |                |                |               |
| 02/26/09 09/28/09                  |       |             |             |                |                |               |
| CONOCOPHILLIPS                     |       |             |             |                |                |               |
| SOLD 10/05/09 221 SHS              | 221   | 10,527.04   | 10,008.12-  | 518.92         |                |               |
| @ 47.6649                          |       |             |             |                |                |               |
| 09/30/09 10/05/09                  |       |             |             |                |                |               |
| KROGER CO COM                      |       |             |             |                |                |               |
| SOLD 10/12/09 153 SHS              | 153   | 3,479.51    | 3,351.25-   | 128.26         |                |               |
| @ 22.7825                          |       |             |             |                |                |               |
| 07/16/09 10/12/09                  |       |             |             |                |                |               |
| A T & T INC                        |       |             |             |                |                |               |
| SOLD 10/14/09 127 SHS              | 127   | 3,319.69    | 3,435.35-   | 115.66-        |                |               |
| @ 26.16                            |       |             |             |                |                |               |
| 10/06/09 10/14/09                  |       |             |             |                |                |               |
| TOTAL S A ADR                      |       |             |             |                |                |               |
| SOLD 10/14/09 194 SHS              | 194   | 12,088.61   | 11,139.48-  | 949.13         |                |               |
| @ 62.334                           |       |             |             |                |                |               |
| 10/05/09 10/14/09                  |       |             |             |                |                |               |
| TOTAL S A ADR                      |       |             |             |                |                |               |
| SOLD 10/16/09 231 SHS              | 200   | 12,749.67   | 11,165.34-  | 1,584.33       |                |               |
| @ 63.79                            | 31    | 1,976.20    | 1,780.02-   | 196.18         |                |               |
| 07/30/09 10/16/09                  | 231*  | 14,725.87 * | 12,945.36-* | 1,780.51 *     |                |               |
| 10/05/09 10/16/09                  |       |             |             |                |                |               |
| TOTAL                              |       |             |             |                |                |               |
| KROGER CO COM                      |       |             |             |                |                |               |
| SOLD 10/16/09 232 SHS              | 232   | 5,673.18    | 5,081.64-   | 591.54         |                |               |
| @ 24.474                           |       |             |             |                |                |               |
| 07/16/09 10/16/09                  |       |             |             |                |                |               |
| MYLAN LABS INC                     |       |             |             |                |                |               |
| SOLD 11/03/09 500 SHS              | 500   | 8,242.69    | 5,806.40-   | 2,436.29       |                |               |
| @ 16.5258                          |       |             |             |                |                |               |
| 02/19/09 11/03/09                  |       |             |             |                |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

ADM - CB1  
INV - 052

## SCHEDULE OF CAPITAL GAINS &amp; LOSSES

PERIOD 01/01/09 THRU 12/31/09

TAX PERIOD FREQ 1299

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS  | PROCEEDS    | COST         | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|--------|-------------|--------------|----------------|----------------|---------------|
| -----                              | -----  | -----       | -----        | -----          | -----          | -----         |
| <b>BARRICK GOLD CORP COM</b>       |        |             |              |                |                |               |
| SOLD 11/10/09 462 SHS              |        |             |              |                |                |               |
| @ 43.0379                          |        |             |              |                |                |               |
| 02/20/09 11/10/09                  | 75     | 3,226.26    | 2,727.53-    | 498.73         |                |               |
| 11/10/09 11/10/09                  | 387    | 16,647.50   | 16,528.77-   | 118.73         |                |               |
| TOTAL                              | 462*   | 19,873.76 * | 19,256.30--* | 617.46 *       |                |               |
| <b>TIME WARNER INC</b>             |        |             |              |                |                |               |
| SOLD 11/10/09 200 SHS              |        |             |              |                |                |               |
| @ 31.8906                          |        |             |              |                |                |               |
| 04/13/09 11/10/09                  | 200    | 6,373.96    | 4,344.18-    | 2,029.78       |                |               |
| <b>OMNICARE INC</b>                |        |             |              |                |                |               |
| SOLD 11/30/09 234 SHS              |        |             |              |                |                |               |
| @ 23.2046                          |        |             |              |                |                |               |
| 02/26/09 11/30/09                  | 178    | 4,126.76    | 4,466.86-    | 340.10-        |                |               |
| 04/09/09 11/30/09                  | 56     | 1,298.30    | 1,419.58-    | 121.28-        |                |               |
| TOTAL                              | 234*   | 5,425.06 *  | 5,886.44--*  | 461.38--*      |                |               |
| <b>CVS CORP COM</b>                |        |             |              |                |                |               |
| SOLD 12/07/09 232 SHS              |        |             |              |                |                |               |
| @ 30.852                           |        |             |              |                |                |               |
| 11/05/09 12/07/09                  | 232    | 7,148.19    | 6,636.75-    | 511.44         |                |               |
| <b>CISCO SYSTEM INC COM</b>        |        |             |              |                |                |               |
| SOLD 12/08/09 235 SHS              |        |             |              |                |                |               |
| @ 23.95                            |        |             |              |                |                |               |
| 02/26/09 12/08/09                  | 235    | 5,623.41    | 3,511.75-    | 2,111.66       |                |               |
| <b>AMERICAN ELEC PWR INC COM</b>   |        |             |              |                |                |               |
| SOLD 12/11/09 440 SHS              |        |             |              |                |                |               |
| @ 35.3736                          |        |             |              |                |                |               |
| 04/01/09 12/11/09                  | 440    | 15,555.18   | 10,780.00-   | 4,775.18       |                |               |
| <b>AOL INC</b>                     |        |             |              |                |                |               |
| SOLD 12/14/09 42 SHS               |        |             |              |                |                |               |
| @ 25.9051                          |        |             |              |                |                |               |
| 04/13/09 12/14/09                  | 14.727 | 381.20      | 230.85-      | 150.35         |                |               |
| 03/26/09 12/14/09                  | 27.273 | 705.95      | 388.26-      | 317.69         |                |               |
| TOTAL                              | 42*    | 1,087.15 *  | 619.11--*    | 468.04 *       |                |               |

A/C 56-5917-51 RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - MAYO CAPITAL  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

ADM - CB1  
INV - 052

PERIOD 01/01/09 THRU 12/31/09  
TAX PERIOD FREQ 1299

## -- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE    | UNITS | PROCEEDS        | COST             | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L  |
|---------------------------------------|-------|-----------------|------------------|----------------|----------------|----------------|
| MYLAN LABS INC                        |       |                 |                  |                |                |                |
| SOLD 12/16/09 500 SHS                 |       |                 |                  |                |                |                |
| @ 19.1078                             |       |                 |                  |                |                |                |
| 02/19/09 12/16/09                     | 500   | 9,533.65        | 5,806.40-        | 3,727.25       |                |                |
| --TOTAL CAPITAL GAIN/LOSSES--         |       | 2,429,431.45 ** | 2,752,397.38--** | 110,837.66--** |                | 212,128.27--** |
| **GRAND TOTAL GAIN/LOSS FOR ACCOUNT** |       | 2,429,431.45 ** | 2,752,397.38--** | 110,837.66--** |                | 212,128.27--** |
| SUMMARY OF GAINS AND LOSSES           |       |                 | NET G/L          | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L  |
| GAIN/LOSS FROM PARTNERSHIPS           |       |                 |                  |                |                |                |
| CAPITAL GAIN DISTRIBUTIONS            |       |                 |                  |                |                |                |
| OTHER CAPITAL GAINS                   |       |                 | 171,966.50       | 141,370.78     |                | 30,595.72      |
| OTHER CAPITAL LOSSES                  |       |                 | 494,932.43-      | 252,208.44-    |                | 242,723.99-    |
| LOSS CARRYOVER                        |       |                 | 322,965.93-      | 110,837.66-    |                | 212,128.27-    |
| -- NET GAIN/LOSS --                   |       |                 |                  |                |                |                |

A/C 56-5917-5P RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - HANSBERGER  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

PERIOD 01/01/09 THRU 12/31/09

ADM - CLO  
INV - 052

## -- CAPITAL GAINS/LOSSES --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE | UNITS      | PROCEEDS    | COST        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|------------------------------------|------------|-------------|-------------|----------------|----------------|---------------|
| HANSBERGER INSTITUTIONAL SERVICES  |            |             |             |                |                |               |
| INTERNATIONAL GROWTH FUND          |            |             |             |                |                |               |
| SOLD 03/04/09 2,411.261 SHS        |            |             |             |                |                |               |
| @ 8.13                             |            |             |             |                |                |               |
| 08/02/07 03/04/09                  | .472       | 3.84        | 9.79-       |                |                | 5.95-         |
| 08/02/07 03/04/09                  | 5.301      | 43.10       | 109.84-     |                |                | 66.74-        |
| 08/02/07 03/04/09                  | 10.078     | 81.93       | 208.81-     |                |                | 126.88-       |
| 12/27/07 03/04/09                  | 76.481     | 621.79      | 1,577.04-   |                |                | 955.25-       |
| 12/27/07 03/04/09                  | 53.509     | 435.03      | 1,103.36-   |                |                | 668.33-       |
| 12/27/07 03/04/09                  | 11.125     | 90.45       | 229.39-     |                |                | 138.94-       |
| 12/28/06 03/04/09                  | 24.363     | 198.07      | 452.91-     |                |                | 254.84-       |
| 12/27/06 03/04/09                  | 1.017.619  | 8,273.24    | 18,917.54-  |                |                | 10,644.30-    |
| 12/28/06 03/04/09                  | 21.685     | 176.30      | 403.12-     | 155.49-        |                | 226.82-       |
| 05/13/08 03/04/09                  | 14.866     | 120.86      | 276.35-     | 101.69-        |                |               |
| 05/13/08 03/04/09                  | 9.722      | 79.04       | 180.73-     |                |                |               |
| 07/20/06 03/04/09                  | .074       | .60         | 1.22-       |                |                | .62-          |
| 07/20/06 03/04/09                  | 3.924      | 31.90       | 64.28-      |                |                | 32.38-        |
| 07/20/06 03/04/09                  | 1.135      | 9.23        | 18.59-      |                |                | 9.36-         |
| 12/29/05 03/04/09                  | 1.106.297  | 8,994.19    | 17,634.37-  | 77.55-         |                | 8,640.18-     |
| 12/22/08 03/04/09                  | 54.610     | 443.98      | 521.53-     | 334.73-*       |                |               |
| TOTAL                              | 2,411.261* | 19,603.55 * | 41,708.87** |                |                | 21,770.59-*   |

## HANSBERGER INSTITUTIONAL SERVICES

## INTERNATIONAL GROWTH FUND

SOLD 03/04/09 216,274.054 SHS

@ 8.13

|                   |              |                |                |              |  |                |
|-------------------|--------------|----------------|----------------|--------------|--|----------------|
| 11/07/05 03/04/09 | 144,396.653  | 1,173,944.79   | 2,176,057.55-  |              |  | 1,002,112.76-  |
| 09/26/08 03/04/09 | 66,979.236   | 544,541.19     | 1,000,000.00-  | 455,458.81-  |  |                |
| 12/22/08 03/04/09 | 4,898.165    | 39,822.08      | 46,777.48-     | 6,955.40-    |  |                |
| TOTAL             | 216,274.054* | 1,758,308.06 * | 3,222,835.03** | 462,414.21-* |  | 1,002,112.76-* |

A/C 56-5917-5P RICHARD AND SUSAN SMITH 1990  
 CHARITABLE TRUST - HANSBERGER  
 RICHARD AND SUSAN SMITH TRUSTEES

SCHEDULE OF CAPITAL GAINS & LOSSES  
 PERIOD 01/01/09 THRU 12/31/09  
 TAX PERIOD FREQ 1299

TAX I D NO 22-3048829

ADM - CLO  
 INV - 052

-- CAPITAL GAINS/LOSSES (CONTINUED) --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE    | UNITS | PROCEEDS        | COST             | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L    |
|---------------------------------------|-------|-----------------|------------------|----------------|----------------|------------------|
| ----                                  | ----  | -----           | -----            | -----          | -----          | -----            |
| --TOTAL CAPITAL GAIN/LOSSES--         |       | 1,777,911.61 ** | 3,264,543.90--** | 462,748.94--** |                | 1,023,883.35--** |
| **GRAND TOTAL GAIN/LOSS FOR ACCOUNT** |       |                 |                  |                |                |                  |
|                                       |       | 1,777,911.61 ** | 3,264,543.90--** | 462,748.94--** |                | 1,023,883.35--** |
| SUMMARY OF GAINS AND LOSSES           |       |                 | NET G/L          | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L    |
| -----                                 |       |                 | -----            | -----          | -----          | -----            |
| GAIN/LOSS FROM PARTNERSHIPS           |       |                 |                  |                |                |                  |
| CAPITAL GAIN DISTRIBUTIONS            |       |                 |                  |                |                |                  |
| OTHER CAPITAL GAINS                   |       |                 |                  |                |                |                  |
| OTHER CAPITAL LOSSES                  |       | 1,486,632.29-   |                  | 462,748.94-    |                | 1,023,883.35-    |
| LOSS CARRYOVER                        |       | 1,486,632.29-   |                  | 462,748.94-    |                | 1,023,883.35-    |
| -- NET GAIN/LOSS --                   |       |                 |                  |                |                |                  |

A/C 56-5917-5X RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - CONVEXITY  
RICHARD AND SUSAN SMITH TRUSTEES

TAX I D NO 22-3048829

ADM - CB1  
INV - 052

-- CAPITAL GAINS/LOSSES --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE                                       | UNITS | PROCEEDS        | COST           | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L   |
|--------------------------------------------------------------------------|-------|-----------------|----------------|----------------|----------------|-----------------|
| CONVEXITY CAPITAL OFFSHORE LP<br>PARTIAL WITHDRAWAL<br>02/10/06 04/09/09 |       | 4,156,526.76    | 3,153,320.00-  |                |                | 1,003,206.76    |
| CONVEXITY CAPITAL OFFSHORE LP<br>PARTIAL WITHDRAWAL<br>02/10/06 04/23/09 |       | 218,764.57      | 165,964.00-    |                |                | 52,800.57       |
| --TOTAL CAPITAL GAIN/LOSSES--                                            |       | 4,375,291.33 ** | 3,319,284.00-* |                |                | 1,056,007.33 ** |
| **GRAND TOTAL GAIN/LOSS FOR ACCOUNT**                                    |       | 4,375,291.33 ** | 3,319,284.00-* |                |                | 1,056,007.33 ** |
| SUMMARY OF GAINS AND LOSSES                                              |       |                 | NET G/L        | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L   |
| GAIN/LOSS FROM PARTNERSHIPS                                              |       |                 |                |                |                |                 |
| CAPITAL GAIN DISTRIBUTIONS                                               |       |                 |                |                |                |                 |
| OTHER CAPITAL GAINS                                                      |       |                 | 1,056,007.33   |                |                | 1,056,007.33    |
| OTHER CAPITAL LOSSES                                                     |       |                 |                |                |                |                 |
| LOSS CARRYOVER                                                           |       |                 |                |                |                |                 |
| -- NET GAIN/LOSS --                                                      |       |                 | 1,056,007.33   |                |                | 1,056,007.33    |

A/C 56-5917-6C RICHARD AND SUSAN SMITH 1990  
CHARITABLE TRUST - ARCHIPELAGO  
RICHARD AND SUSAN SMITH TRUSTEE

TAX I D NO 22-3048829

ADM - CB1  
INV - 052

## -- CAPITAL GAINS/LOSSES --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE                                  | UNITS | PROCEEDS        | COST             | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L  |
|---------------------------------------------------------------------|-------|-----------------|------------------|----------------|----------------|----------------|
| ARCHIPELAGO HOLDINGS LTD<br>PARTIAL WITHDRAWAL<br>10/31/05 04/03/09 |       | 5,894,989.74    | 6,371,826.00-    |                |                | 476,836.26-    |
| ARCHIPELAGO HOLDINGS LTD<br>PARTIAL WITHDRAWAL<br>10/31/05 05/01/09 |       | 348,942.40      | 349,176.00-      |                |                | 233.60-        |
| --TOTAL CAPITAL GAIN/LOSSES--                                       |       | 6,243,932.14 ** | 6,721,002.00--** |                |                | 477,069.86--** |
| **GRAND TOTAL GAIN/LOSS FOR ACCOUNT**                               |       | 6,243,932.14 ** | 6,721,002.00--** |                |                | 477,069.86--** |
| SUMMARY OF GAINS AND LOSSES                                         |       |                 | NET G/L          | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L  |
| GAIN/LOSS FROM PARTNERSHIPS                                         |       |                 |                  |                |                |                |
| CAPITAL GAIN DISTRIBUTIONS                                          |       |                 |                  |                |                |                |
| OTHER CAPITAL GAINS                                                 |       |                 | 477,069.86-      |                |                | 477,069.86-    |
| OTHER CAPITAL LOSSES                                                |       |                 |                  |                |                |                |
| LOSS CARRYOVER                                                      |       |                 | 477,069.86-      |                |                | 477,069.86-    |
| -- NET GAIN/LOSS --                                                 |       |                 |                  |                |                |                |

-- CAPITAL GAINS/LOSSES --

| DESCRIPTION/<br>ACQUIRED/SOLD DATE    | UNITS | PROCEEDS        | COST            | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
|---------------------------------------|-------|-----------------|-----------------|----------------|----------------|---------------|
| SEMPER VIC PARTNERS (QP) LP           |       |                 |                 |                |                |               |
| PARTIAL WITHDRAWAL                    |       |                 |                 |                |                |               |
| 12/31/05 04/02/09                     |       | 1,000,000.00    | 1,388,018.00-   |                |                | 388,018.00-   |
| --TOTAL CAPITAL GAIN/LOSSES--         |       | 1,000,000.00 ** | 1,388,018.00-** |                |                | 388,018.00-** |
| **GRAND TOTAL GAIN/LOSS FOR ACCOUNT** |       |                 |                 |                |                |               |
|                                       |       | 1,000,000.00 ** | 1,388,018.00-** |                |                | 388,018.00-** |
| SUMMARY OF GAINS AND LOSSES           |       |                 | NET G/L         | SHORT-TERM G/L | QUAL 5 YR GAIN | LONG-TERM G/L |
| GAIN/LOSS FROM PARTNERSHIPS           |       |                 |                 |                |                |               |
| CAPITAL GAIN DISTRIBUTIONS            |       |                 |                 |                |                |               |
| OTHER CAPITAL GAINS                   |       |                 |                 |                |                |               |
| OTHER CAPITAL LOSSES                  |       |                 | 388,018.00-     |                |                | 388,018.00-   |
| LOSS CARRYOVER                        |       |                 | 388,018.00-     |                |                | 388,018.00-   |
| -- NET GAIN/LOSS --                   |       |                 |                 |                |                |               |

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|             |                                        |           |   |
|-------------|----------------------------------------|-----------|---|
| FORM 990-PF | DIVIDENDS AND INTEREST FROM SECURITIES | STATEMENT | 1 |
|-------------|----------------------------------------|-----------|---|

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| SOURCE                           | GROSS AMOUNT | CAPITAL GAINS<br>DIVIDENDS | COLUMN (A)<br>AMOUNT |
|----------------------------------|--------------|----------------------------|----------------------|
| CHESTNUT HILL VENTURES           | 83.          | 0.                         | 83.                  |
| GOULSTON & STORRS                | 14,802.      | 0.                         | 14,802.              |
| HANSBERGER                       | 47,371.      | 0.                         | 47,371.              |
| IRM                              | 188,591.     | 0.                         | 188,591.             |
| MAYO                             | 33,865.      | 0.                         | 33,865.              |
| SEMPER VIC                       | 35,412.      | 0.                         | 35,412.              |
| STATE STREET                     | 4,593.       | 0.                         | 4,593.               |
| TOTAL TO FM 990-PF, PART I, LN 4 | 324,717.     | 0.                         | 324,717.             |

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|             |              |           |   |
|-------------|--------------|-----------|---|
| FORM 990-PF | OTHER INCOME | STATEMENT | 2 |
|-------------|--------------|-----------|---|

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| DESCRIPTION                           | (A)<br>REVENUE<br>PER BOOKS | (B)<br>NET INVEST-<br>MENT INCOME | (C)<br>ADJUSTED<br>NET INCOME |
|---------------------------------------|-----------------------------|-----------------------------------|-------------------------------|
| CHESTNUT HILL VENTURES                | -264.                       | -264.                             |                               |
| STATE STREET                          | 3,224.                      | 3,224.                            |                               |
| TOTAL TO FORM 990-PF, PART I, LINE 11 | 2,960.                      | 2,960.                            |                               |

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|             |                 |           |   |
|-------------|-----------------|-----------|---|
| FORM 990-PF | ACCOUNTING FEES | STATEMENT | 3 |
|-------------|-----------------|-----------|---|

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| DESCRIPTION                  | (A)<br>EXPENSES<br>PER BOOKS | (B)<br>NET INVEST-<br>MENT INCOME | (C)<br>ADJUSTED<br>NET INCOME | (D)<br>CHARITABLE<br>PURPOSES |
|------------------------------|------------------------------|-----------------------------------|-------------------------------|-------------------------------|
| DELOITTE TAX LLP             | 11,250.                      | 0.                                |                               | 11,250.                       |
| TO FORM 990-PF, PG 1, LN 16B | 11,250.                      | 0.                                |                               | 11,250.                       |

| FORM 990-PF                  | OTHER PROFESSIONAL FEES      |                                   |                               | STATEMENT                     | 4  |
|------------------------------|------------------------------|-----------------------------------|-------------------------------|-------------------------------|----|
| DESCRIPTION                  | (A)<br>EXPENSES<br>PER BOOKS | (B)<br>NET INVEST-<br>MENT INCOME | (C)<br>ADJUSTED<br>NET INCOME | (D)<br>CHARITABLE<br>PURPOSES |    |
| MAYO                         | 9,912.                       | 9,912.                            |                               |                               | 0. |
| SEMPER VIC                   | 14,509.                      | 14,509.                           |                               |                               | 0. |
| CAMBRIDGE ASSOCIATES         | 69,615.                      | 69,615.                           |                               |                               | 0. |
| IRM                          | 9,965.                       | 9,965.                            |                               |                               | 0. |
| GOULSTON                     | 34,534.                      | 34,534.                           |                               |                               | 0. |
| STATE STREET RESEARCH        | 3,585.                       | 3,585.                            |                               |                               | 0. |
| CHESTNUT HILL VENTURES       | 109.                         | 109.                              |                               |                               | 0. |
| TO FORM 990-PF, PG 1, LN 16C | 142,229.                     | 142,229.                          |                               |                               | 0. |

| FORM 990-PF                 | TAXES                        |                                   |                               | STATEMENT                     | 5  |
|-----------------------------|------------------------------|-----------------------------------|-------------------------------|-------------------------------|----|
| DESCRIPTION                 | (A)<br>EXPENSES<br>PER BOOKS | (B)<br>NET INVEST-<br>MENT INCOME | (C)<br>ADJUSTED<br>NET INCOME | (D)<br>CHARITABLE<br>PURPOSES |    |
| TAXES PAID                  | 2,851.                       | 2,851.                            |                               |                               | 0. |
| TO FORM 990-PF, PG 1, LN 18 | 2,851.                       | 2,851.                            |                               |                               | 0. |

| FORM 990-PF                 | OTHER EXPENSES               |                                   |                               | STATEMENT                     | 6    |
|-----------------------------|------------------------------|-----------------------------------|-------------------------------|-------------------------------|------|
| DESCRIPTION                 | (A)<br>EXPENSES<br>PER BOOKS | (B)<br>NET INVEST-<br>MENT INCOME | (C)<br>ADJUSTED<br>NET INCOME | (D)<br>CHARITABLE<br>PURPOSES |      |
| MA ANNUAL REPORT            | 250.                         | 0.                                |                               |                               | 250. |
| FROM K-1 - IRM              | 2,957.                       | 2,957.                            |                               |                               | 0.   |
| TO FORM 990-PF, PG 1, LN 23 | 3,207.                       | 2,957.                            |                               |                               | 250. |

FORM 990-PF

CORPORATE STOCK

STATEMENT 7

| DESCRIPTION                             | BOOK VALUE  | FAIR MARKET VALUE |
|-----------------------------------------|-------------|-------------------|
| MAYO                                    | 776,609.    | 958,445.          |
| HANSBERGER                              | 0.          | 0.                |
| BLACKROCK                               | 742,157.    | 1,069,785.        |
| ARCHIPELAGO                             | 6,278,998.  | 8,391,097.        |
| RS INVESTMENTS                          | 1,680,561.  | 1,591,982.        |
| IRM                                     | 3,666,158.  | 3,777,107.        |
| SEMPER VIC                              | 858,379.    | 1,324,385.        |
| CONVEXITY                               | 6,680,716.  | 10,129,745.       |
| CHESTNUT HILL VENTURES                  | 6,280.      | 5,678.            |
| TOTAL TO FORM 990-PF, PART II, LINE 10B | 20,689,858. | 27,248,224.       |