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

2009

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

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

G Check all that apply ☐ Initial return ☐ Initial return of a former public charity ☐ Final return
☐ Amended return ☐ Address change ☐ Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.	Name of foundation DARYL & STEVEN ROTH FOUNDATION		A Employer identification number 22-3339611	
	Number and street (or P.O. box number if mail is not delivered to street address) Room/suite C/O INTERSTATE PROP 210 ROUTE 4 EAST		B Telephone number 201-587-1000	
	City or town, state, and ZIP code PARAMUS, NJ 07652		C If exemption application is pending, check here <input type="checkbox"/>	
			D 1. Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>	
H Check type of organization <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation				
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 506,084		J Accounting method <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____		
E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>				
F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>				

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a).)		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
1	Contributions, gifts, grants, etc., received	850,000.			
2	Check <input 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	24,762.	24,762.		STATEMENT 1
5a	Gross rents				
b	Net rental income or (loss)				
6a	Net gain or (loss) from sale of assets not on line 10				
b	Gross sales price for all assets on line 6a				
7	Capital gain net income (from Part IV, line 2)		0.		
8	Net short-term capital gain				
9	Income modifications				
10a	Gross sales less returns and allowances				
b	Less: Cost of goods sold				
c	Gross profit or (loss)				
11	Other income				
12	Total. Add lines 1 through 11	874,762.	24,762.	0.	
13	Compensation of officers, directors, trustees, etc.	0.	0.	0.	0.
14	Other employee salaries and wages				
15	Pension plans, employee benefits				
16a	Legal fees				
b	Accounting fees				
c	Other professional fees				
17	Interest	22.	22.	0.	0.
18	Taxes STMT 2	247.	0.	0.	0.
19	Depreciation and depletion				
20	Occupancy				
21	Travel, conferences, and meetings				
22	Printing and publications				
23	Other expenses				
24	Total operating and administrative expenses. Add lines 13 through 23	269.	22.	0.	0.
25	Contributions, gifts, grants paid	924,200.			924,200.
26	Total expenses and disbursements. Add lines 24 and 25	924,469.	22.	0.	924,200.
27	Subtract line 26 from line 12	<49,707.>			
a	Excess of revenue over expenses and disbursements				
b	Net investment income (if negative, enter -0-)		24,740.		
c	Adjusted net income (if negative, enter -0-)			0.	

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Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only		
		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments	27,994.		
	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	1,933.	12,873.	
	10a Investments - U S and state government obligations			
	b Investments - corporate stock	781,888.	749,235.	506,084.
	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)	811,815.	762,108.	506,084.
	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 Total liabilities (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here <input type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31.			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here <input checked="" type="checkbox"/> and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	0.	0.	
	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	811,815.	762,108.	
	31 Total liabilities and net assets/fund balances	811,815.	762,108.	

Part III Analysis of Changes in Net Assets or Fund Balances

1 Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	811,815.
2 Enter amount from Part I, line 27a	2	<49,707.>
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	762,108.
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	762,108.

Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.)		(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a				
b		NONE		
c				
d				
e				

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
(i) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	
a			
b			
c			
d			
e			

2 Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7	2	
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter -0- in Part I, line 8		3	

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

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

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

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes ☒ No

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

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

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008	1,918,593.	771,664.	2.486306
2007	1,454,240.	880,871.	1.650911
2006	1,834,613.	988,730.	1.855525
2005	2,071,036.	2,380,223.	.870102
2004	1,691,668.	2,746,660.	.615900

2 Total of line 1, column (d)	2	7.478744
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	1.495749
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	475,136.
5 Multiply line 4 by line 3	5	710,684.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	247.
7 Add lines 5 and 6	7	710,931.
8 Enter qualifying distributions from Part XII, line 4 If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions	8	924,200.

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see instructions)

1a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1 Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b		1	247.
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	247.
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	247.
6 Credits/Payments			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	13,120.	
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	13,120.	
8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached	8		
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9		
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	12,873.	
11 Enter the amount of line 10 to be Credited to 2010 estimated tax <input checked="" type="checkbox"/> Refunded <input type="checkbox"/>	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
1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.		X
1c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation <input checked="" type="checkbox"/> \$ 0. (2) On foundation managers <input checked="" type="checkbox"/> \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input checked="" type="checkbox"/> \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV.	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) <input checked="" type="checkbox"/> NJ		
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	

N/A

STMT 4

Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► NONE	13	X	
14	The books are in care of ► STEVEN ROTH Located at ► 210 ROUTE 4 E, PARAMUS, NJ	Telephone no	► 201-587-1000	
		ZIP+4	► 07652	
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year	15	N/A	

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

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

	Yes	No
1a During the year did the foundation (either directly or indirectly):		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here	N/A	1b
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?		1c X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)).		
a At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes," list the years ►		
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions)	N/A	2b
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)	N/A	3b
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?		4b X

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

5a During the year did the foundation pay or incur any amount to:

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?

☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

Organizations relying on a current notice regarding disaster assistance check here

☒

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?

N/A

☐ Yes ☐ No

If "Yes," attach the statement required by Regulations section 53.4945-5(d).

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

☐ Yes ☒ No

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

If "Yes" to 6b, file Form 8870

6b

X

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

☐ Yes ☒ No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

7b

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

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
STEVEN ROTH 107 APAQUOGUE RD E HAMPTON, NY 11937	TRUSTEE 0.00	0.	0.	0.

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

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

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

0

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

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

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

0

Part IX-A Summary of Direct Charitable Activities

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

1 CONTRIBUTIONS TO RECOGNIZED CHARITIES

	Expenses
	924,200.
2	
3	
4	

Part IX-B Summary of Program-Related Investments

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

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

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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	482,372.
b	Average of monthly cash balances	1b	0.
c	Fair market value of all other assets	1c	0.
d	Total (add lines 1a, b, and c)	1d	482,372.
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	482,372.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	7,236.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	475,136.
6	Minimum investment return. Enter 5% of line 5	6	23,757.

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	23,757.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	247.
b	Income tax for 2009 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	247.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	23,510.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	23,510.
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	23,510.

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	924,200.
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	924,200.
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	247.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	923,953.

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

Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				23,510.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004	1,585,765.			
b From 2005	2,000,195.			
c From 2006	1,825,700.			
d From 2007	1,440,200.			
e From 2008	1,906,224.			
f Total of lines 3a through e	8,758,084.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 924,200.				
a Applied to 2008, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2009 distributable amount				23,510.
e Remaining amount distributed out of corpus	900,690.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	9,658,774.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see instr.			0.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	1,585,765.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	8,073,009.			
10 Analysis of line 9				
a Excess from 2005	2,000,195.			
b Excess from 2006	1,825,700.			
c Excess from 2007	1,440,200.			
d Excess from 2008	1,906,224.			
e Excess from 2009	900,690.			

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

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

OMB No 1545-0047

2009

Name of the organization

DARYL & STEVEN ROTH FOUNDATION

Employer identification number

22-3339611

Organization type (check one):

Filers of:

Section:

Form 990 or 990-EZ

☐ 501(c)() (enter number) organization☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation☐ 501(c)(3) taxable private foundationCheck if your organization is covered by the **General Rule** or a **Special Rule**.**Note.** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.**General Rule**

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

Special Rules

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year. ▶ \$ _____

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

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

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

Name of organization

Employer identification number

DARYL & STEVEN ROTH FOUNDATION

22-3339611

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	STEVEN ROTH 107 APAQUOGUE RD E. HAMPTON, NY 11937	\$ 850,000.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)

FORM 990-PF	DIVIDENDS AND INTEREST FROM SECURITIES	STATEMENT	1
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SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
MORGAN STANLEY	24,762.	0.	24,762.
TOTAL TO FM 990-PF, PART I, LN 4	24,762.	0.	24,762.

FORM 990-PF	TAXES	STATEMENT	2
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FEDERAL INCOME TAXES	247.	0.	0.	0.
TO FORM 990-PF, PG 1, LN 18	247.	0.	0.	0.

FORM 990-PF	CORPORATE STOCK	STATEMENT	3
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DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
CORPORATE STOCK	749,235.	506,084.
TOTAL TO FORM 990-PF, PART II, LINE 10B	749,235.	506,084.

FORM 990-PF

LIST OF SUBSTANTIAL CONTRIBUTORS
PART VII-A, LINE 10

STATEMENT 4

NAME OF CONTRIBUTOR

ADDRESS

DARYL AND STEVEN ROTH

PO BOX 669
EAST HAMPTON, NY 1937

MorganStanley SmithBarney

CLIENT STATEMENT | For the Period December 1-31, 2009

THE DARYL & STEVEN ROTH FOUNDATION
ATTENTION: STEVEN ROTH

2009 Annual Review

DEBITS

CHECKS

CHECKS WITH NO CODE

Date	Activity Type	Check Number	Payee	Expense Category	Amount
12/19	Check	1127	THE DUBOIS INST		\$ (15,000.00)
1/6	Check	1128	SOMERSET HILLS LEARNING INSTIT		(1,000.00)
1/6	Check	1129	POLICEMEN'S BENEVOLENT ASSN IN		(200.00)
1/30	Check	1130	INTREPID RELIEF FUND		(2,500.00)
1/30	Check	1561	PRIMARY STAGES		(20,000.00)
2/2	Check	1132	INTREPID FALLEN HEROES FUND		(25,000.00)
2/2	Check	1562	CANCER RESEARCH INST		(1,000.00)
2/5	Check	4563	LABYRINTH THEATER CO		(10,000.00)
2/9	Check	4564	CROHNS & COLITIS FOUNDATION		(1,000.00)
2/10	Check	1565	GUILD HALL		(1,400.00)
3/2	Check	1566	JEWISH BD OF FAITH & CHILDREN'S		(1,000.00)
3/4	Check	1567	NY CITY CENTER		(2,500.00)
3/12	Check	1133	THE CITY COLLEGE OF NY		(2,000.00)
3/16	Check	1134	ALBERT EINSTEIN COLLEGE OF MED		(10,000.00)
3/25	Check	4568	THE BARROW GROUP		(2,000.00)
3/25	Check	4569	JUMPSTART		(1,000.00)
3/30	Check	1570	ALBERT EINSTEIN COLLEGE OF MED		(1,000.00)
4/6	Check	4571	NEW DRAMATISTS		(10,000.00)
4/13	Check	4572	UJA FEDERATION OF NY		(750.00)
4/13	Check	1573	ART EDUCATION FOR THE BLIND		(1,000.00)
4/13	Check	4574	LIVE OUT LOUD		(5,000.00)
4/15	Check	1135	MGA FDN		(1,000.00)
4/15	Check	1136	CF FDN		(1,000.00)
4/15	Check	1137	CITY MEALS ON WHEELS		(1,000.00)
4/23	Check	1138	DARTMOUTH COLLEGE		(20,000.00)
4/30	Check	4576	NISKALA AROSE INC		(10,000.00)
5/1	Check	4577	BIG APPLE CIRCUS		(10,000.00)

CONTINUED

MorganStanley SmithBarney

CLIENT STATEMENT | For the Period December 1-31, 2009

2009 Annual Review

THE DARYL & STEVEN ROTH FOUNDATION
ATTENTION: STEVEN ROTH

DEBITS

CHECKS

CHECKS WITH NO CODE (CONTINUED)

Date Written	Date Paid	Activity Type	Check Number	Payee	Expense Category	Amount
5/16	5/19	Check	1139	NEW YORK CITY OUTWARD BOUND		(10,000.00)
5/16	5/13	Check	1140	TEMPLE ISRAEL OF THE CITY OF N		(40,000.00)
5/11	5/26	Check	4578	AIRT NEW YORK		(500.00)
5/21	6/1	Check	4579	WOMEN'S EXPRESSIVE THEATER INC		(2,500.00)
5/26	5/29	Check	4580	THE 52ND STREET PROJECT		(2,500.00)
5/27	6/9	Check	1142	YM YWHA		(3,500.00)
5/27	6/9	Check	1143	GUILD HALL		(50,000.00)
5/29	6/9	Check	1144	LINCOLN CENTER THEATER		(50,000.00)
6/1	6/29	Check	4581	NIMISTA FUND		(1,000.00)
6/11	6/22	Check	1115	UJA FEDERATION OF NY		(100,000.00)
6/15	6/29	Check	4582	SKATHSONIAN ARCHIVES OF AMERIC		(1,500.00)
6/15	7/22	Check	4584	HOLE IN THE WALL CAMPS FDN		(1,000.00)
6/22	6/26	Check	4585	SECOND STAGE THEATER		(1,800.00)
6/22	6/29	Check	4586	CLASSIC STAGE CO		(1,500.00)
6/24	6/30	Check	1147	INTREPID FALLEN HEROES FUND		(25,000.00)
6/26	7/9	Check	1118	DAUGHTERS OF MIRIAM FDN		(1,500.00)
6/29	7/7	Check	1149	UJA FEDERATION OF NORTHERN NJ		(1,800.00)
6/29	7/9	Check	1150	YM YWHA OF NORTH JERSEY		(200.00)
6/29	7/8	Check	1151	THE STUDIO MUSEUM IN HARLEM		(1,000.00)
6/29	7/6	Check	4587	THEATER J		(2,500.00)
7/7	7/31	Check	1152	THE UCLA FDN		(5,000.00)
7/21	7/27	Check	4588	ROUNDABOUT THEATRE CO		(15,000.00)
7/27	8/5	Check	4589	ALL FORMY CENTER		(1,000.00)
7/29	8/20	Check	1153	JOHN JAY COLLEGE OF CRIMINAL J		(1,000.00)
8/19	9/4	Check	1154	PMC		(5,000.00)
8/20	8/31	Check	4590	THE HARTFORD STAGE		(25,000.00)

CONTINUED

MorganStanley SmithBarney

CLIENT STATEMENT | For the Period December 1-31, 2009

2009 Annual Review

THE DARYL & STEVEN ROTH FOUNDATION
ATTENTION: STEVEN ROTH

DEBITS

CHECKS

CHECKS WITH NO CODE (CONTINUED)

Date Written	Date Paid	Activity Type	Check Number	Payee	Expense Category	Amount
8/20	8/21	Check	4591	SIGNATURE THEATER CO		(3,000.00)
8/20	8/23	Check	4592	TANENBAUM		(1,000.00)
8/20	8/28	Check	4593	THE MELANOMA RESEARCH ALLIANCE		(25,000.00)
8/25	9/21	Check	4594	THE NEW 42ND STREET INC		(1,000.00)
8/25	9/16	Check	4596	LINCOLN CENTER THEATER		(1,200.00)
9/9	9/18	Check	1155	THE JEWISH THEOLOGICAL SEMINAR		(10,000.00)
9/18	9/25	Check	4597	THE BREAST CANCER RESEARCH FDN		(1,100.00)
9/21	9/30	Check	1156	AMERICAN FRIENDS OF THE ISRAEL		(10,000.00)
10/5	10/14	Check	4598	BAY STREET THEATRE		(2,300.00)
10/5	10/26	Check	4599	NEW YORK RESTORATION PROJECT		(10,000.00)
10/5	10/13	Check	4600	TRANSPORT GP		(300.00)
10/19	10/22	Check	1157	OVERCOMING OBSTACLES		(500.00)
10/19	10/29	Check	1159	JACOBSON CENTER FOR THE PERIOR		(250.00)
10/19	10/23	Check	4601	THE ACTORS FUND		(10,000.00)
10/19	11/5	Check	4602	THE ANIMAL MED CTR		(500.00)
10/21	10/30	Check	1160	HORACE MANN SCH		(100,000.00)
10/21	11/5	Check	4603	NYS TISCH SCHOL OF THE ARTS		(1,000.00)
10/21	10/28	Check	4604	BROADWAY CARES EQUITY FIGHTS A		(1,000.00)
10/27	10/30	Check	1161	THE JEWISH THEOLOGICAL SEMINAR		(15,000.00)
10/30	11/6	Check	4605	MANHATTAN THEATER CLUB		(15,000.00)
11/2	11/6	Check	1162	AMERICAN FRIENDS OF THE ISRAEL		(1,000.00)
11/12	11/19	Check	4606	AMERICAN FRIENDS OF THE ISRAEL		(1,000.00)
11/17	11/25	Check	1165	FRIENDS OF TUCKER FDN		(1,000.00)
11/23	11/25	Check	1164	YM YWHA OF NORTHERN JERSEY		(2,500.00)
12/4	12/22	Check	1166	DARTMOUTH COLLEGE HILLEL		(5,000.00)
12/7	12/10	Check	4608	YESHIVA UNIV		(1,000.00)
12/7	12/22	Check	4609	LIVE OUT LOUD		(5,000.00)

CONTINUED

MorganStanley SmithBarney

CLIENT STATEMENT | For the Period December 1-31, 2009

THE DARYL & STEVEN ROTH FOUNDATION
ATTENTION: STEVEN ROTH

2009 Annual Review

DEBITS

CHECKS

CHECKS WITH NO CODE (CONTINUED)

Date Written	Date Paid	Activity Type	Check Number	Payee	Expense Category	Amount
12/9	12/21	Check	1167	LINCOLN CENTER FOR THE PERFORM		(50,000.00)
12/11	12/18	Check	1168	JINSA		(2,500.00)
12/11	12/16	Check	1169	AMERICAN JEWISH COMM		(2,500.00)
12/11	12/28	Check	1170	SOMERSET HILLS LEARNING INST		(1,000.00)
12/11	12/21	Check	1171	COLD SPRING HARBOR LAB		(1,000.00)
12/16	12/23	Check	1172	ANTI-DEFAMATION LEAGUE		(10,000.00)
12/16	12/23	Check	1173	UNITED STATES HOLOCAUST MEMORI		(1,000.00)
12/17	12/29	Check	1175	THIRTEEN WINET		(100,000.00)
12/18	12/31	Check	1176	PRINCETON UNIVERSITY THE PARENT		(25,000.00)
TOTAL CHECKS WITH NO CODE						924,200

TOTAL CHECKS

INTEREST CHARGED

Transaction	Settlement	Date	Activity Type	Description	Comments	Inflows/(Outflows)
6/30	6/10	Margin Interest Charged	Thru 06/15/09 For 1 Days		\$1,088.36	9 1/2%
9/30	9/30	Margin Interest Charged	Thru 09/15/09 For 1 Days		\$1,345.24	9 1/2%
10/9	10/9	Margin Interest Charged	Margin Interest Adjustment	On 10/09/09		0.48
12/31	12/31	Margin Interest Charged	Thru 12/31/09 For 3 Days		\$27,865.95	9 0/11
TOTAL INTEREST CHARGED						\$(21,59)

OTHER DEBITS

Transaction	Settlement	Date	Activity Type	Description	Comments	Inflows/(Outflows)
1/5	1/5	Account Charge	CFS MONTHLY SERV CHG			\$(25.00)
1/6	1/6	Account Charge-Adj	AAA IET REVERSAL			25.00
2/3	2/3	Account Charge	CFS MONTHLY SERV CHG			(25.00)
						CONTINUED

- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** and check this box ☒ **X**

Note. Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868.

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** (on page 1).

Part II Additional (Not Automatic) 3-Month Extension of Time. Only file the original (no copies needed).

Type or print File by the extended due date for filing the return. See instructions.	Name of Exempt Organization	Employer identification number
	DARYL & STEVEN ROTH FOUNDATION	22-3339611
	Number, street, and room or suite no. If a P.O. box, see instructions. C/O INTERSTATE PROP 210 ROUTE 4 EAST	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. PARAMUS, NJ 07652	

Check type of return to be filed (File a separate application for each return):

- ☐ Form 990 ☐ Form 990-EZ ☐ Form 990-T (sec. 401(a) or 408(a) trust) ☐ Form 1041-A ☐ Form 5227 ☐ Form 8870
☐ Form 990-BL ☒ Form 990-PF ☐ Form 990-T (trust other than above) ☐ Form 4720 ☐ Form 6069

STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.

STEVEN ROTH

- The books are in the care of **210 ROUTE 4 E, PARAMUS, NJ - 07652**

Telephone No. **201-587-1000**

FAX No.

- If the organization does not have an office or place of business in the United States, check this box ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) . If this is for the whole group, check this box ☐. If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension is for.

4 I request an additional 3-month extension of time until **NOVEMBER 15, 2010.**

5 For calendar year **2009**, or other tax year beginning , and ending .

6 If this tax year is for less than 12 months, check reason: ☐ Initial return ☐ Final return ☐ Change in accounting period

7 State in detail why you need the extension

**ADDITIONAL TIME REQUIRED TO OBTAIN INFORMATION NECESSARY TO
FILE A COMPLETE RETURN**

8a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	8a	\$	0.
b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	\$	1,933.
c Balance Due. Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions	8c	\$	0.

Signature and Verification

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form

Signature

Title

Date