Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

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

OMB No 1545-0052

2009

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

THE HOROWITCH FAMILY FOUNDATION
C/O S.J. HOROWITCH 6709 BROOKLAWN
SYRACUSE, NY 13211

A Employer identification number
23-7046081

B Telephone number (see the instructions)
(315) 463-5505

C If exemption application is pending, check here ► ☐
D 1 Foreign organizations, check here ► ☐
2 Foreign organizations meeting the 85% test, check here and attach computation ► ☐
E If private foundation status was terminated under section 507(b)(1)(A), check here ► ☐
F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ► ☐

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

I Fair market value of all assets at end of year (from Part II, column (c), line 16) ► $ 1,858,953.

J Accounting method [X] Cash ☐ Accrual
☐ Other (specify) ______________
(Part I, column (d) must be on cash basis)

Part I Analysis of Revenue and Expenses *(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see the instructions))*

	Line	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
REVENUE	1 Contributions, gifts, grants, etc, received (att sch)	39,000.			
	2 Ck ► ☐ if the foundn is not req to att Sch B				
	3 Interest on savings and temporary cash investments	2,766.	2,766.	N/A	
	4 Dividends and interest from securities	32,626.	32,626.		
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain/(loss) from sale of assets not on line 10	19,881.			
	b Gross sales price for all assets on line 6a 165,829.				
	7 Capital gain net income (from Part IV, line 2)		19,881.		
	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/(loss) (att sch)				
	11 Other income (attach schedule) See Statement 1	-410.	-410.		
	12 **Total.** Add lines 1 through 11	93,863.	54,863.		
OPERATING AND ADMINISTRATIVE EXPENSES	13 Compensation of officers, directors, trustees, etc	0.			
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)				
	b Accounting fees (attach sch) See St 2	2,200.	2,200.		
	c Other prof fees (attach sch)				
	17 Interest				
	18 Taxes (attach schedule)(see instr) See Stm 3	-2,759.	-2,759.		
	19 Depreciation (attach sch) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule) See Statement 4	257.	257.		
	24 **Total operating and administrative expenses.** Add lines 13 through 23	-302.	-302.		
	25 Contributions, gifts, grants paid Part XV	97,000.			97,000.
	26 **Total expenses and disbursements.** Add lines 24 and 25	96,698.	-302.		97,000.
	27 Subtract line 26 from line 12:				
	a **Excess of revenue over expenses and disbursements**	-2,835.			
	b **Net investment income** (if negative, enter -0-)		55,165.		
	c **Adjusted net income** (if negative, enter -0-)				

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Part II Balance Sheets

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

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
ASSETS	1 Cash – non-interest-bearing	1,577.	13,129.	13,129.
	2 Savings and temporary cash investments	666,808.	360,956.	360,956.
	3 Accounts receivable ►			
	Less allowance for doubtful accounts ►			
	4 Pledges receivable ►			
	Less allowance for doubtful accounts ►			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see the instructions)			
	7 Other notes and loans receivable (attach sch) ►			
	Less: allowance for doubtful accounts ►			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments – U S and state government obligations (attach schedule)			
	b Investments – corporate stock (attach schedule) Statement 5	950,295.	1,238,769.	1,477,977.
	c Investments – corporate bonds (attach schedule)			
	11 Investments – land, buildings, and equipment basis ►			
	Less accumulated depreciation (attach schedule) ►			
	12 Investments – mortgage loans			
	13 Investments – other (attach schedule) Statement 6	3,655.	6,646.	6,891.
	14 Land, buildings, and equipment basis ►			
	Less accumulated depreciation (attach schedule) ►			
	15 Other assets (describe ►)			
	16 Total assets (to be completed by all filers – see instructions Also, see page 1, item I)	1,622,335.	1,619,500.	1,858,953.
LIABILITIES	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, & other disqualified persons			
	21 Mortgages and other notes payable (attach schedule)			
	22 Other liabilities (describe ►)			
	23 Total liabilities (add lines 17 through 22)	0.	0.	
NET ASSETS OR FUND BALANCES	Foundations that follow SFAS 117, check here ► ☐ 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 ► ☒ and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	20,187.	20,187.	
	28 Paid-in or capital surplus, or land, building, and equipment fund	332,648.	332,648.	
	29 Retained earnings, accumulated income, endowment, or other funds	1,269,500.	1,266,665.	
	30 Total net assets or fund balances (see the instructions)	1,622,335.	1,619,500.	
	31 Total liabilities and net assets/fund balances (see the instructions)	1,622,335.	1,619,500.	

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	1,622,335.
2	Enter amount from Part I, line 27a	2	-2,835.
3	Other increases not included in line 2 (itemize) ►	3	
4	Add lines 1, 2, and 3	4	1,619,500.
5	Decreases not included in line 2 (itemize) ►	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5) – Part II, column (b), line 30	6	1,619,500.

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 shares MLC Company)	(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1a See Statement 7			
b			
c			
d			
e			

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

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

	(i) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	(l) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h))
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	19,881.
3	Net short-term capital gain or (loss) as defined in sections 1222(5) and (6). If gain, also enter in Part I, line 8, column (c) (see the instructions). If (loss), enter -0- in Part I, line 8	3	-10,660.

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 the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (column (b) divided by column (c))
2008	103,286.	1,949,247.	0.052988
2007	91,800.	2,207,399.	0.041587
2006	88,218.	1,976,111.	0.044642
2005	87,502.	1,839,690.	0.047563
2004	78,153.	1,682,227.	0.046458

2	Total of line 1, column (d)	2	0.233238
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	0.046648
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	1,712,469.
5	Multiply line 4 by line 3	5	79,883.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	552.
7	Add lines 5 and 6	7	80,435.
8	Enter qualifying distributions from Part XII, line 4	8	97,000.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions

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

1 a Exempt operating foundations described in section 4940(d)(2), check here ► ☐ and enter 'N/A' on line 1 Date of ruling or determination letter ________ (attach copy of letter if necessary - see instr.) **b** Domestic foundations that meet the section 4940(e) requirements in Part V, check here ► [X] and enter 1% of Part I, line 27b **c** All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, column (b)		1	552.
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	552.
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	552.
6 Credits/Payments.			
a 2009 estimated tax pmts and 2008 overpayment credited to 2009	6a 1,000.		
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	1,000.
8 Enter any **penalty** for underpayment of estimated tax. Check here ☐ if Form 2220 is attached		8	
9 **Tax due** If the total of lines 5 and 8 is more than line 7, enter amount owed ►		9	0.
10 **Overpayment** If line 7 is more than the total of lines 5 and 8, enter the amount overpaid ►		10	448.
11 Enter the amount of line 10 to be Credited to 2010 estimated tax ► 448.	**Refunded** ►	11	0.

Part VII-A Statements Regarding Activities

		Yes	No
1 a 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?	1a		X
b Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see the instructions for definition)?	1b		X
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			
c Did the foundation file **Form 1120-POL** for this year?	1c		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: **(1)** On the foundation ► $ 0. **(2)** On foundation managers ► $ 0.			
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ► $ 0.			
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? *If 'Yes,' attach a detailed description of the activities*	2		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If 'Yes,' attach a conformed copy of the changes*	3		X
4a Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b If 'Yes,' has it filed a tax return on **Form 990-T** for this year?	4b	N/A	
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If 'Yes,' attach the statement required by General Instruction T*	5		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either. • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7 Did the foundation have at least $5,000 in assets at any time during the year? *If 'Yes,' complete Part II, column (c), and Part XV*	7	X	
8a Enter the states to which the foundation reports or with which it is registered (see the instructions) ► NY			
b If the answer is 'Yes' to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If 'No,' attach explanation*	8b	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? *If 'Yes,' complete Part XIV*	9		X
10 Did any persons become substantial contributors during the tax year? *If 'Yes,' attach a schedule listing their names and addresses*	10		X

Part VII-A Statements Regarding Activities *Continued*

			Yes	No
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?	13	X	

Website address ► N/A

14 The books are in care of ► SHELDON J. HOROWITCH Telephone no. ► 315/463-5505

Located at ► 6709 BROOKLAWN PARKWAY SYRACUSE NY ZIP + 4 ► 13211

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of **Form 1041** – Check here N/A ► ☐

and enter the amount of tax-exempt interest received or accrued during the year ► 15 N/A

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

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

				Yes	No
1a	During the year did the foundation (either directly or indirectly):				
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes ☒ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check 'No' if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)	☐ Yes ☒ No			
b	If any answer is 'Yes' to 1a(1)-(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53 4941(d)-3 or in a current notice regarding disaster assistance (see the instructions)?		1b	N/A	
	Organizations relying on a current notice regarding disaster assistance check here	► ☐			
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?	☐ Yes ☒ No			
	If 'Yes,' list the years ► 20__ , 20__ , 20__ , 20__				
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer 'No' and attach statement – see the instructions)		2b	N/A	
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ► 20__ , 20__ , 20__ , 20__				
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes ☒ No			
b	If 'Yes,' did it have excess business holdings in 2009 as a result of **(1)** any purchase by the foundation or disqualified persons after May 26, 1969; **(2)** the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or **(3)** the lapse of the 10-, 15-, or 20-year first phase holding period? *(Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)*		3b	N/A	
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

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

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

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc, organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see instructions) ☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

b If any answer is 'Yes' to 5a(1)-(5), did **any** of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see instructions)? **5b** 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? **6b** X (No)

If 'Yes' to 6b, file Form 8870

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? ☐ Yes ☒ No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? **7b** N/A

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

1 List all officers, directors, trustees, foundation managers and their compensation (see instructions).

(a) Name and address	**(b)** Title and average hours per week devoted to position	**(c)** Compensation **(If not paid, enter -0-)**	**(d)** Contributions to employee benefit plans and deferred compensation	**(e)** Expense account, other allowances
See Statement 8		0.	0.	0.

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

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

Total number of other employees paid over $50,000 ► 0

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

3 Five highest-paid independent contractors for professional services – (see instructions). If none, enter 'NONE.'

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
None		
Total number of others receiving over $50,000 for professional services ►		0

Part IX-A Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc	Expenses
1 N/A	
2	
3	
4	

Part IX-B Summary of Program-Related Investments (see instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1 N/A	
2	
All other program-related investments See instructions 3	
Total. Add lines 1 through 3 ►	0.

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

1 Fair market value of assets not used (or held for use) directly in carrying out charitable, etc, purposes a Average monthly fair market value of securities		1a	
b Average of monthly cash balances		1b	521,352.
c Fair market value of all other assets (see instructions)		1c	1,217,195.
d **Total** (add lines 1a, b, and c)		1d	1,738,547.
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	1,738,547.
4 Cash deemed held for charitable activities. Enter 1-1/2% of line 3 (for greater amount, see instructions)		4	26,078.
5 **Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4		5	1,712,469.
6 **Minimum investment return.** Enter 5% of line 5		6	85,623.

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	85,623.
2a Tax on investment income for 2009 from Part VI, line 5	2a 552.		
b Income tax for 2009 (This does not include the tax from Part VI)	2b		
c Add lines 2a and 2b		2c	552.
3 Distributable amount before adjustments Subtract line 2c from line 1		3	85,071.
4 Recoveries of amounts treated as qualifying distributions		4	
5 Add lines 3 and 4		5	85,071.
6 Deduction from distributable amount (see instructions)		6	
7 **Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1		7	85,071.

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	97,000.
b Program-related investments – total from Part IX-B	1b	
2 Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc, purposes	2	
3 Amounts set aside for specific charitable projects that satisfy the: a Suitability test (prior IRS approval required)	3a	
b Cash distribution test (attach the required schedule)	3b	
4 **Qualifying distributions** Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	97,000.
5 Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see instructions)	5	552.
6 **Adjusted qualifying distributions.** Subtract line 5 from line 4	6	96,448.

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				85,071.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			96,691.	
b Total for prior years 20___, 20___, 20___		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f **Total** of lines 3a through e	0.			
4 Qualifying distributions for 2009 from Part XII, line 4: ► $ 97,000.				
a Applied to 2008, but not more than line 2a			96,691.	
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				309.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2009 (*If an amount appears in column (d), the same amount must be shown in column (a).*)	0.			0.
6 **Enter the net total of each column as indicated below:**				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	0.			
b Prior years' undistributed income Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount — see instructions		0.		
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount — see instructions			0.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				84,762.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see instructions)	0.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008				
e Excess from 2009				

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

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

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

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

Part XV | Supplementary Information (Complete this part only if the organization had $5,000 or more in assets at any time during the year – see instructions.)

1 **Information Regarding Foundation Managers:**

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

SHELDON J. HOROWITCH MD

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

None

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

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

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

See Statement 9

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

See Statement for Line 2a

c Any submission deadlines

See Statement for Line 2a

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors

See Statement for Line 2a

Part XV Supplementary Information (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
VARIOUS SEE ATTACHED SCHEDULE	None	VAR.	GENERAL	97,000.
Total			► **3a**	97,000.
b *Approved for future payment*				
Total			► **3b**	

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	(e) Related or exempt function income (see the instructions)
1 Program service revenue					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments					2,766.
4 Dividends and interest from securities					32,626.
5 Net rental income or (loss) from real estate					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					
8 Gain or (loss) from sales of assets other than inventory					19,881.
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue					
a NUSTAR					-410.
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)					54,863.
13 Total. Add line 12, columns (b), (d), and (e)				13	54,863.

(See worksheet in the instructions for line 13 to verify calculations)

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes) (See the instructions)
3,4,8	PROVIDES ADDITIONAL CASH FOR CHARITABLE PURPOSES.

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

		Yes	No
1 Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?			
a Transfers from the reporting foundation to a noncharitable exempt organization of:			
(1) Cash	1a(1)		X
(2) Other assets	1a(2)		X
b Other transactions			
(1) Sales of assets to a noncharitable exempt organization	1b(1)		X
(2) Purchases of assets from a noncharitable exempt organization	1b(2)		X
(3) Rental of facilities, equipment, or other assets	1b(3)		X
(4) Reimbursement arrangements	1b(4)		X
(5) Loans or loan guarantees	1b(5)		X
(6) Performance of services or membership or fundraising solicitations	1b(6)		X
c Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		X

d If the answer to any of the above is 'Yes,' complete the following schedule. Column **(b)** should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column **(d)** the value of the goods, other assets, or services received.

(a) Line no	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements
N/A			

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		

SIGN HERE

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

Signature of officer or trustee — Date 5/12/10 — Title Trustee

Paid Preparer's Use Only

Preparer's signature	Sheldon Kruth	Date 5/5/10	Check if self-employed ☐ Preparer's Identifying number (See **Signature** in the instrs) P00129761
Firm's name (or yours if self employed), address, and ZIP code	Kruth Stein Squadrito Liberman & Silverman		EIN 71-0893405
	401 N. Salina St PO Box 6545		
	Syracuse, NY 13217-6545		Phone no (315) 475-7213

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	Employer identification number
THE HOROWITCH FAMILY FOUNDATION	23-7046081

Organization type (check one).

Filers of:	**Section:**
Form 990 or 990-EZ	☐ 501(c)(____) (enter number) organization
	☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
	☐ 527 political organization
Form 990-PF	☒ 501(c)(3) exempt private foundation
	☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation
	☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**
Note: Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

General Rule –

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

Special Rules –

☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ, that met the 33-1/3% support test of the regulations under sections 509(a)(1)/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 their 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)

Name of organization: THE HOROWITCH FAMILY FOUNDATION

Employer identification number: 23-7046081

Part I Contributors (see instructions.)

(a) Number	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	DR. SHELDON J. HOROWITCH 6709 BROOKLAWN PKWY SYRACUSE, NY 13211	$ 27,500.	Person [X] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
2	SHELMAR CO, INC. 6709 BROOKLAWN PKWY SYRACUSE, NY 13211	$ 10,000.	Person [X] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)

Name of organization	Employer identification number
THE HOROWITCH FAMILY FOUNDATION	23-7046081

Part II Noncash Property (see instructions.)

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
	N/A	$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

Name of organization

THE HOROWITCH FAMILY FOUNDATION

Employer identification number

23-7046081

Part III *Exclusively* **religious, charitable, etc, individual contributions to section 501(c)(7), (8), or (10) organizations aggregating more than $1,000 for the year.** (Complete cols **(a)** through **(e)** and the following line entry.)

For organizations completing Part III, enter total of *exclusively* religious, charitable, etc, contributions of **$1,000 or less** for the year. (Enter this information once – see instructions) ► $ N/A

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	N/A		

(e) Transfer of gift	
Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift	
Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift	
Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift	
Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

THE HOROWITCH FAMILY FOUNDATION 23-7046081

Statement 1
Form 990-PF, Part I, Line 11
Other Income

	(a) Revenue per Books	(b) Net Investment Income	(c) Adjusted Net Income
NUSTAR	$ -410.		
Total	$ -410.	$ 0.	$ 0.

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

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
KRUTH STEIN SQUADRITO	$ 2,200.	$ 2,200.		
Total	$ 2,200.	$ 2,200.		$ 0.

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

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
FOREIGN TAXES	$ 1,472.	$ 1,472.		
US TREASURY	-4,231.	-4,231.		
Total	$ -2,759.	$ -2,759.		$ 0.

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

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Bank Fees	$ 7.	$ 7.		
NYS FILING FEE	250.	250.		
Total	$ 257.	$ 257.		$ 0.

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

Corporate Stocks	Valuation Method	Book Value	Fair Market Value
CORPORATE STOCK SEE SCHEDULE	Mkt Val	$ 1,192,040.	$ 1,441,289.
MEDICAL PROPERTIES TR	Cost	7,450.	2,000.
GENERAL ELECTRIC	Cost	9,075.	4,539.
ING GROUP ADR	Cost	9,565.	2,943.
SYNGENTA AG SPON ADR	Cost	8,645.	16,881.
CHINA COMMUNICATIONS	Cost	2,427.	1,916.
AT&T	Cost	9,567.	8,409.
	Total	$ 1,238,769.	$ 1,477,977.

Statement 6
Form 990-PF, Part II, Line 13
Investments - Other

	Valuation Method	Book Value	Fair Market Value
Other Publicly Traded Securities			
MORGAN STANLEY EMERGING MARKETS	Cost	$ 3,655.	$ 4,155.
DWS Global Commodities	Cost	2,991.	2,736.
	Total	$ 6,646.	$ 6,891.

Statement 7
Form 990-PF, Part IV, Line 1
Capital Gains and Losses for Tax on Investment Income

Item	(a) Description	(b) How Acquired	(c) Date Acquired	(d) Date Sold
1	ING rights	Purchased	Various	12/23/2009
2	500 Bridgepoint Education	Purchased	8/12/2009	12/01/2009
3	400 California Pizza Kitchen	Purchased	8/07/2009	12/01/2009
4	300 China Medical Tech	Purchased	6/01/2009	9/09/2009
5	300 First Tr ISE Rev Nat Gas	Purchased	6/11/2008	2/13/2009
6	200 MET LIFE	Purchased	Various	2/17/2009
7	300 NVE Corp	Purchased	5/11/2009	12/01/2009
8	200 Shanda Interactive	Purchased	4/13/2009	8/12/2009
9	1000 Whiting USA Tr	Purchased	2/13/2009	11/20/2009
10	400 Genetech	Purchased	11/18/2002	3/26/2009
11	200 Halliburton	Purchased	7/23/2007	4/13/2009
12	1000 Manulife	Purchased	2/11/2005	12/01/2009
13	MET LIFE	Purchased	Various	2/17/2009
14	5000 SOHO China	Purchased	5/27/2008	12/01/2009
15	1000 Whiting USA Tr	Purchased	6/18/2008	11/20/2009
16	400 Marathon Oil	Purchased	Various	12/01/2009
17	CABLEVISION SYS NY	Purchased	Various	12/31/2009

Statement 7 (continued)
Form 990-PF, Part IV, Line 1
Capital Gains and Losses for Tax on Investment Income

Item	(e) Gross Sales	(f) Deprec. Allowed	(g) Cost Basis	(h) Gain (Loss)	(i) FMV 12/31/69	(j) Adj. Bas. 12/31/69	(k) Excess (i)-(j)	(l) Gain (Loss)
1	705.		0.	705.				$ 705.
2	7,618.		10,718.	-3,100.				-3,100.
3	4,868.		6,097.	-1,229.				-1,229.
4	4,338.		6,683.	-2,345.				-2,345.
5	3,587.		9,398.	-5,811.				-5,811.
6	2,500.		6,296.	-3,796.				-3,796.
7	11,115.		12,353.	-1,238.				-1,238.
8	9,522.		10,024.	-502.				-502.
9	16,034.		12,469.	3,565.				3,565.
10	38,000.		8,557.	29,443.				29,443.
11	3,267.		7,711.	-4,444.				-4,444.
12	17,630.		22,657.	-5,027.				-5,027.
13	19.		0.	19.				19.
14	2,587.		3,441.	-854.				-854.
15	21,200.		22,074.	-874.				-874.
16	12,988.		7,470.	5,518.				5,518.
17	9,851.		0.	9,851.				9,851.
							Total	$ 19,881.

Statement 8
Form 990-PF, Part VIII, Line 1
List of Officers, Directors, Trustees, and Key Employees

Name and Address	Title and Average Hours Per Week Devoted	Compen-sation	Contri-bution to EBP & DC	Expense Account/ Other
SHELDON J. HOROWITCH MD 6709 BROOKLAWN PKY SYRACUSE, NY 13211	Trustee 5.00	$ 0.	$ 0.	$ 0.
JILL B. GREISS, ESQ 372 E MADISON AVE CRESSKILL, NJ	Trustee 0	0.	0.	0.
SAMUAL K, LEVENE, ESQ PO BOX F-1706 BINGHAMTON, NY	Trustee 0	0.	0.	0.
DAVID M. HOROWITCH 6932 KASSONTA DRIVE JAMESVILLE, NY 13078	Trustee 5.00	0.	0.	0.
SHEILA HOROWITCH 6106 WATERFORD WOOD WAY FAYETTEVILLE, NY 13066	Trustee 0	0.	0.	0.
	Total	$ 0.	$ 0.	$ 0.

Statement 9
Form 990-PF, Part XV, Line 2a-d
Application Submission Information

Name of Grant Program:	
Name:	SHELDON J. HOROWITCH
Care Of:	
Street Address:	6709 BROOKLAWYN PARKWAY
City, State, Zip Code:	SYRACUSE, NY 13211
Telephone:	315/463-5505
Form and Content:	N/A
Submission Deadlines:	N/A
Restrictions on Awards:	N/A

THE HOROWITCH FAMILY FOUNDATION - DONATIONS - DECEMBER, 2009

American Cancer Society	$	250 00
American Heart Association	$	100 00
American Lung Association of CNY	$	100 00
American Red Cross	$	250 00
Arthritis Foundation	$	100 00
Boy's & Girl's Club of Syracuse	$	100 00
Care USA	$	100.00
Catholic Charities of Onondaga County	$	500 00
Christian Brothers Academy	$	250 00
Cleveland Clinic Foundation-3000 pledge (now paid)	$	1,800 00
Community General Foundation	$	1,000 00
Crouse Health Foundation	$	1,500 00
Dewitt Fire Dept , Inc	$	100 00
Dewitt Library	$	100 00
East Area Community YMCA	$	75 00
Enable	$	200 00
Everson Museum of Art	$	200 00
The Food Bank of CNY	$	150 00
Foundation at Menorah Park	$	1,000 00
Georgetown University	$	300 00
Trustees of Hamilton College	$	6,000 00
Hamilton College-Maurice Horowitch Career Center Endowment-25,000/4 yrs-2008-2011	$	25,000 00
Heard Museum	$	100 00
Hospice Foundation	$	400 00
Jewish Braille Institute	$	100 00
The Komen Foundation	$	200 00
LeMoyne College	$	500 00
Leukemia & Lymphoma Society	$	100 00
The Loretto Foundation	$	200 00
Make a Wish Foundation	$	250 00
Manlius Library	$	100 00
March of Dimes	$	100 00
Mayo Foundation	$	4,000 00
Meals on Wheels of Syracuse	$	400 00
Onondaga Community College Foundation Inc	$	1,000 00
Parkinson's Disease Foundation	$	100 00
Phoenix Art Museum	$	1,000 00
Project Hope	$	100 00
Rescue Mission	$	1,000 00
Research to Prevent Blindness	$	200 00
Shoah Foundation	$	100 00
Memorial Sloan-Kettering (Major Donor Program)	$	1,000 00
St Camillus Foundation	$	200 00
St Joseph's Hospital--Cardiovascular Surgical Program	$	250 00
Syracuse University--Maxwell School-Community Geographer Project-60,000 (12/yr)(bal 34,000)	$	10,000 00
Syracuse Jewish Federation	$	26,000 00
Syracuse Stage	$	500 00
Syracuse Symphony Orchestra	$	2,500 00
Temple Adath Yeshurun	$	500 00
Temple Society of Concord	$	500 00
United Negro College Fund	$	500 00
United Way of Central New York, Inc	$	1,000 00
US Holocaust Memorial Museum	$	100 00
Upstate Medical University (Alumni Foundation)-Faculty Enhancement Program	$	2,000 00
Vera House	$	2,250 00
WCNY	$	250 00
Total Donations - December, 2009	$	96,675 00

Additional donations	4/6/09 Temple Society of Concord (Barbara Smith)	$	50.00
	8/11/09 Jewish Home of CNY	$	175 00
	5/27/09 Community Foundation-Greater Kingston (Gini Rosen)	$	100 00
	Total Donations 2009	$	97,000 00

Horowitch Family Foundation
Basis of securities

	Cost at 12/31/2009	Fmv 12/31/2009
AT&T INC	31,117 00	50,313 85
CENOVUS	5,207 87	15,120 00
CONOCOPHILIPS	20,323 00	51,070 00
COVANCE INC	3,404 00	8,185 50
ELI LILLY & CO	2,149 60	7,142 00
CENOVUS FORMERLY ENCANA CORP	5,644 13	19 434 00
EOG RESOURCES	4,208 00	19 460 00
GENERAL ELEC CO	22,379 00	10 591 00
GEN -PROBE INC	4,092 50	12,876 00
ISHARES DJ US UTIL SECTOR	16,645 00	22 437 00
JOHNSON & JOHNSON	8,581 00	12 882 00
MARATHON OIL	37,351 67	62 440 00
MEDTRONIC INC	358 80	13 194 00
METLIFE INC	19,103 28	19,371 80
PEPSICO INC	8,798 00	12,160 00
PETROLEUM & RES CORP	268,917 93	261 070 71
ROCHE HLDG AG BEARER ORD	29,712 00	35 018 13
ROCHE HOLDINGS ADR	72,314 25	84,400 00
TRI CONTINENTAL CORP	20 00	-
UTILITIES SEL SECT SPDR FUND	35,140 00	46 530 00
XTO ENERGY INC	7,170 86	17 448 74
HELIX ENERGY SOLUTIONS GRP INC	9,947 47	3 525 00
DUPONT	9,982 04	6 734 00
NOVARTIS	11,748 99	10,886 00
NOVARTIS	17,357 25	16 329 00
TEVA PHARM ADR	20,644 55	28,090 00
TEVA PHARM ADR	13,671 84	16,854 00
AT&T INC	23,416 47	19,761 15
Fuqı Intl	7,556 22	17,950 00
General Electrıc	10,498 43	4,539 00
JP Morgan Chase	9,374 24	8 334 00
Petroleo Brası	31,248 95	25,434 00
Qualıty System	12,104 85	18 840 00
TEVA PHARM ADR	9,458 36	11,236 00
Verızon	7,882 92	6,626 00
XTO ENERGY INC	8,777 18	5,816 26
CNINDEX INTL	13,317 07	14,130 00
CNINSUR INC	10,193 37	10 040 00
COSTCO WHOLESALE	23,704 11	29 585 00
COVIDIEN	13,744 82	19 156 00
Fuqı Intl	5,342 20	17,950 00
Health Care Svc Group	21,997 32	21,460 00
Human Genome Scıences	7,997 05	15 290 00
ȷohnson & ȷohnson	17,409 01	19,323 00
Lıfe Technologıes Corp	58,387 89	73,108 00
Manulıfe	11,999 48	18 340 00
METLIFE INC	3,120 24	2,050 30
METLIFE INC	9,973 96	13 927 90
NASDAQ OMX Group	10,888 78	9,910 00
Novartıs	12,730 51	16,329 00
Novartıs	22,774 86	21 772 00
Pete and Res CP Maryland	13,080 67	14,979 93
PETROLEUM & RES CORP dıv reınv	15,415 13	
Qualıty System	11,991 46	18 840 00
Quanta Servıces	9,669 84	8 336 00
SEK ETN Elements Rogers Comm	6,220 86	7 840 00
Sıcuedad Quımıca	8,848 89	11,271 00
SPDR S&P Chına	10,298 39	14,370 00
Sterıcycle Inc	29,078 69	33 102 00
Teva Pharmaceutıcals	4,423 58	5,618 00
Teva Pharmaceutıcals	13,260 98	16 854 00
Tıtanıum Metals	4,789 03	6,260 00
Yongye Intl	8,827 45	8,130 00
Nustar	6,246 50	11 218 00
	1,192,039 78	1,441 289 27