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Return of Private Foundation

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

Treated as a Private Foundation

2009

Department of the Treasury
Internal Revenue Service

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

For calendar year 2009, or tax year beginning

, and ending

G Check all that apply

☐ Initial return☐ Initial return of a former public charity☐ Final return☐ Amended return☐ Address change☐ Name changeUse the IRS
label.
Otherwise,
print
or type.
See Specific
Instructions.

Name of foundation

WALTER AND LUCILLE RUBIN FOUNDATION INC

Number and street (or P O box number if mail is not delivered to street address)

Room/suite

16395 MIRASOL WAY

City or town, state, and ZIP code

DELRAY BEACH, FL 33446

A Employer identification number

26-0369836

B Telephone number

561-999-5990

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

☒ 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

J Accounting method

☒ Cash☐ Accrual☐ Other (specify)

(from Part II, col (c), line 16)

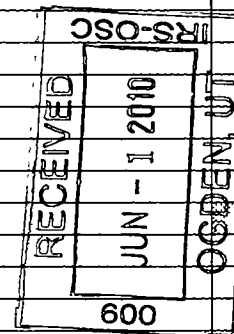
\$ 12,444,165. (Part I, column (d) must be on cash basis)

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))(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	2,823,385.		N/A	
2	Check <input type="checkbox"/> if the foundation is not required to attach Sch B				
3	Interest on savings and temporary cash investments	25,543.	25,543.		STATEMENT 1
4	Dividends and interest from securities	122,228.	122,228.		STATEMENT 2
5a	Gross rents	300,292.	300,292.		STATEMENT 3
b	Net rental income or (loss) 122,798.				STATEMENT 4
6a	Net gain or (loss) from sale of assets not on line 10	138,895.			
b	Gross sales price for all assets on line 6a 4,400,542.				
7	Capital gain net income (from Part IV, line 2)		138,895.		
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	653.	653.		STATEMENT 5
12	Total. Add lines 1 through 11	3,410,996.	587,611.		
13	Compensation of officers, directors, trustees, etc.	0.	0.		0.
14	Other employee salaries and wages				
15	Pension plans, employee benefits				
16a	Legal fees				
b	Accounting fees				
c	Other professional fees STMT 6	4,061.	1,918.		0.
17	Interest	35,751.	35,751.		0.
18	Taxes STMT 7	44,840.	44,840.		0.
19	Depreciation and depletion	43,367.	43,367.		
20	Occupancy				
21	Travel, conferences, and meetings				
22	Printing and publications				
23	Other expenses STMT 8	80,262.	79,916.		0.
24	Total operating and administrative expenses. Add lines 13 through 23	208,281.	205,792.		0.
25	Contributions, gifts, grants paid	26,250.			26,250.
26	Total expenses and disbursements. Add lines 24 and 25	234,531.	205,792.		26,250.
27	Subtract line 26 from line 12				
a	Excess of revenue over expenses and disbursements	3,176,465.			
b	Net investment income (if negative, enter -0-)		381,819.		
c	Adjusted net income (if negative, enter -0-)			N/A	



Part II Balance Sheets Attached schedules and amounts in the description column should be for end-of-year amounts only

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing	3,426,723.		
	2 Savings and temporary cash investments		1,999,264.	1,999,264.
	3 Accounts receivable ▶ 22,485.		22,485.	22,485.
	Less allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U.S. and state government obligations			
	b Investments - corporate stock STMT 10	3,329,890.	7,954,696.	8,216,174.
	c Investments - corporate bonds			
Liabilities	11 Investments - land, buildings, and equipment basis ▶ 2,206,044.			
	Less accumulated depreciation STMT 9 ▶ 43,367.		2,162,677.	2,206,242.
	12 Investments - mortgage loans			
	13 Investments - other			
	14 Land, buildings, and equipment basis ▶			
	Less accumulated depreciation			
	15 Other assets (describe ▶ STATEMENT 11)	2,206,044.	0.	0.
	16 Total assets (to be completed by all filers)	8,962,657.	12,139,122.	12,444,165.
	17 Accounts payable and accrued expenses			
	18 Grants payable			
Net Assets or Fund Balances	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
23 Total liabilities (add lines 17 through 22)	0.	0.		
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ <input type="checkbox"/>			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ <input checked="" type="checkbox"/>			
	27 Capital stock, trust principal, or current funds	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	8,962,657.	12,139,122.	
30 Total net assets or fund balances	8,962,657.	12,139,122.		
31 Total liabilities and net assets/fund balances	8,962,657.	12,139,122.		

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	8,962,657.
2 Enter amount from Part I, line 27a	2	3,176,465.
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	12,139,122.
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	12,139,122.

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 SEE ATTACHED STATEMENT			
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 4,400,542.		4,261,647.	138,895.

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

(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	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
a			
b			
c			
d			
e			138,895.

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	138,895.
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter -0- in Part I, line 8	{ }	3	N/A

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

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

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

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

☐ Yes ☒ No

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

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

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2008	9,942.	9,500,037.	.001047
2007	13,865.	9,550,068.	.001452
2006	0.	0.	.000000
2005			
2004			

2 Total of line 1, column (d)	2	.002499
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	.000833
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	11,506,048.
5 Multiply line 4 by line 3	5	9,585.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	3,818.
7 Add lines 5 and 6	7	13,403.
8 Enter qualifying distributions from Part XII, line 4	8	26,250.

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

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

1a	Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary-see instructions)	1	3,818.
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		
c	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col (b)	2	0.
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	3	3,818.
3	Add lines 1 and 2	4	0.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	5	3,818.
5	Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		
6	Credits/Payments		
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	
b	Exempt foreign organizations - tax withheld at source	6b	
c	Tax paid with application for extension of time to file (Form 8868)	6c	6,000.
d	Backup withholding erroneously withheld	6d	
7	Total credits and payments. Add lines 6a through 6d	7	6,000.
8	Enter any penalty for underpayment of estimated tax. Check here <input checked="" type="checkbox"/> if Form 2220 is attached	8	
9	Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9	
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	2,182.
11	Enter the amount of line 10 to be Credited to 2010 estimated tax <input checked="" type="checkbox"/> 2,182. Refunded <input checked="" 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"/> FL		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	X	

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Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	X	

Website address **N/A**

The books are in care of **WALTER AND LUCILLE RUBIN** Telephone no **561-999-5990**

Located at **16395 MIRASOL WAY, DELRAY BEACH, FL** ZIP+4 **33446**

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

5b

Organizations relying on a current notice regarding disaster assistance check here

☒

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

N/A

☐ Yes ☐ No

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

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

☐ Yes ☒ No

6b

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

If "Yes" to 6b, file Form 8870.

☐ Yes ☒ No

7b

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

N/A

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

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
WALTER RUBIN 16395 MIRASOL WAY DELRAY BEACH, FL 33446	DIRECTOR 2.00	0.	0.	0.
LUCILLE RUBIN 16395 MIRASOL WAY DELRAY BEACH, FL 33446	DIRECTOR 2.00	0.	0.	0.

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

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

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

0

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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."

[illegible]

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

C

Total number of others receiving over \$50,000 for professional services:	
Part IX-A	Summary of Direct Charitable Activities

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

Expenses

1	N/A	
2		
3		
4		

Part IX-B	Summary of Program-Related Investments
------------------	---

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

Amount

1	N/A	
2		
3	All other program-related investments See instructions	

Total. Add lines 1 through 3

0.

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
a	Average monthly fair market value of securities	1a	5,772,437.
b	Average of monthly cash balances	1b	3,702,588.
c	Fair market value of all other assets	1c	2,206,242.
d	Total (add lines 1a, b, and c)	1d	11,681,267.
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	11,681,267.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	175,219.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	11,506,048.
6	Minimum investment return. Enter 5% of line 5	6	575,302.

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	575,302.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	3,818.
b	Income tax for 2009 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	3,818.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	571,484.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	571,484.
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	571,484.

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	26,250.
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	26,250.
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	3,818.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	22,432.

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


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Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				571,484.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			13,860.	
b Total for prior years		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 26,250.				
a Applied to 2008, but not more than line 2a			13,860.	
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				12,390.
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 instr			0.	
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				559,094.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008				
e Excess from 2009				

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

N/A

- 1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling .  4942(i)(3) or 4942(i)(5)

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

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

1 Information Regarding Foundation Managers:

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

NONE

- 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 |
| b | The form in which applications should be submitted and information and materials they should include |
| c | Any submission deadlines |
| d | Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors |

Part XV Supplementary Information (continued)**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

Recipient		If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)					
a Paid during the year SEE STATEMENT ATTACHED		NONE			26,250.
Total					▶ 3a 26,250.
b Approved for future payment					
NONE					
Total					▶ 3b 0.

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.		

[illegible]

- 2a** Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No
- b** If "Yes," complete the following schedule

(a) Name of organization	(b) Type of organization	(c) Description of relationship
N/A		

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge.

Sign Here	Signature of officer or trustee <i>Lucille Rubin</i>		Date 5/25/10		Title DIRECTOR	
	Preparer's signature 		Date 8/22/2010		Check if self-employed <input type="checkbox"/>	
Paid Preparer's Use Only	Firm's name (or yours if self-employed), address, and ZIP code TUBBS & BARTNICK, P.L. 2300 GLADES ROAD SUITE 415 EAST BOCA RATON, FL 33431				Preparer's identifying number EIN <input type="checkbox"/>	
					Phone no 561-361-0330	

Form **990-PF** (2009)

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

WALTER AND LUCILLE RUBIN FOUNDATION INC

26-0369836

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) 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

WALTER AND LUCILLE RUBIN FOUNDATION INC

26-0369836

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	ROBERTA RUBIN TRUST U/A/D 12/12/68 16395 MIRASOL WAY DELRAY BEACH, FL 33446	\$ 499,220.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
2	RICHARD RUBIN TRUST U/A/D 12/12/68 16395 MIRASOL WAY DELRAY BEACH, FL 33446	\$ 499,220.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
3	RONALD RUBIN TRUST U/A/D 12/12/68 16395 MIRASOL WAY DELRAY BEACH, FL 33446	\$ 499,220.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
4	RANDI RUBIN TRUST U/A/D 12/12/68 16395 MIRASOL WAY DELRAY BEACH, FL 33446	\$ 499,220.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
5	ROBERTA RUBIN TRUST U/A/D 12/12/69 16395 MIRASOL WAY DELRAY BEACH, FL 33446	\$ 206,626.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
6	RICHARD RUBIN TRUST U/A/D 12/12/69 16395 MIRASOL WAY DELRAY BEACH, FL 33446	\$ 206,626.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)

Name of organization

Employer identification number

WALTER AND LUCILLE RUBIN FOUNDATION INC

26-0369836

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
7	RONALD RUBIN TRUST U/A/D 12/12/69 16395 MIRASOL WAY DELRAY BEACH, FL 33446	\$ 206,626.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
8	RANDI RUBIN TRUST U/A/D 12/12/69 16395 MIRASOL WAY DELRAY BEACH, FL 33446	\$ 206,627.	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.)

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	SEE STATEMENT -A/C 5700D SMITHBARNEY	P	VARIOUS	VARIOUS
b	SEE STATEMENT - A/C 5701D SMITHBARNEY	P	VARIOUS	VARIOUS
c	FIRST AMERICAN A/C	P	VARIOUS	VARIOUS
d	SMITH BARNEY A/C 5701D S/T CAP GAIN DISTRIBUTION	P	VARIOUS	VARIOUS
e	SMITH BARNEY A/C 5701D CAP GAIN DISTRIBUTION	P	VARIOUS	VARIOUS
f				
g				
h				
i				
j				
k				
l				
m				
n				
o				

(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 256,988.		271,839.	-14,851.
b 4,141,165.		3,989,808.	151,357.
c 11.			11.
d 2,167.			2,167.
e 211.			211.
f			
g			
h			
i			
j			
k			
l			
m			
n			
o			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Losses (from col (h)) Gains (excess of col (h) gain over col (k), but not less than "-0-")
(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	
a			-14,851.
b			151,357.
c			11.
d			2,167.
e			211.
f			
g			
h			
i			
j			
k			
l			
m			
n			
o			

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	138,895.
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c). If (loss), enter "-0-" in Part I, line 8	3	N/A

Ref: 00000562 00017490

WALTER AND LUCILLE RUBIN
Account Number 232-5700D-14 444

Details of Additional Summary Information 2009

Other Income

This amount represents distributions with respect to investments such as limited partnerships, and certain trusts, which are subject to IRS Schedules K-1 reporting. Schedules K-1 are issued directly by the partnership or trust.

Reference number	Description	Amount	Federal income tax withheld	NRA tax withheld	Foreign tax withheld
170000100	ENTERPRISE PRODS PARTNERS L P	\$ 552.50			
170000200	PLAINS ALL AMERN PIPELINE L P	92.00			
Totals		\$ 644.50			

Details of Short Term Gain (Loss) 2009

This section shows your sales of securities during the year. The "Sale Proceeds" column excludes any accrued income you may have received. In addition, although cash in lieu less than \$20 is not included on Form 1099-B (if applicable), it is included in this section. Please note, this material is being prepared for informational purposes only and should not be used for tax preparation without the assistance of your tax advisor.

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000010	500	NAVIOS MARITIME PARTNERS LP	09/18/09	10/30/09	\$ 6,713.82	\$ 6,105.00		\$ 608.82
125000020	900	AMR CORP	09/22/09	10/12/09	6,871.17	7,425.00	(553.83)	
125000030	300	AGA MEDICAL HOLDINGS INC CGMI AND/OR ITS AFFILIATES	10/20/09	11/17/09	3,777.20	4,350.00	(572.80)	
125000040	5,000	APOLLO COMMERCIAL REAL ESTATE FIN INC	09/23/09	09/30/09	91,294.15	100,000.00	(8,705.85)	
125000050	600	CEMEX S.A.B DE C.V SPONS ADR NEW	09/22/09	10/14/09	8,243.78	7,500.00		743.78
125000060	100	CENTERPOINT ENERGY INC	09/10/09	11/10/09	1,283.19	1,200.00		83.19
125000070	100	DCP MIDSTREAM PARTNERS LP COM UNITS LTD PARTNER INT	11/19/09	12/18/09	2,787.92	2,540.00		247.92
125000080	100	DANA HOLDING CORP	09/23/09	10/05/09	628.14	675.00	(46.86)	
125000090	300	DOLLAR GENERAL CORP	11/12/09	11/23/09	7,152.86	6,300.00		852.86
125000100	100	ENTEGRIIS INC CGMI AND/OR ITS AFFILIATES	09/10/09	09/14/09	411.98	380.00		31.98
125000110	1,000	ENTERPRISE PRODS PARTNERS L P	09/22/09	11/27/09	29,493.24	28,000.00		1,493.24
125000120	400	GAFISA S A SPON ADR-USD	11/24/09	12/18/09	12,210.88	13,420.00	(1,209.12)	
125000130	700	LINN ENERGY LLC COMMON UNITS CGMI AND/OR ITS AFFILIATES	10/07/09	10/15/09	16,863.56	15,330.00		1,533.56
125000140	100	PLAINS ALL AMERN PIPELINE L P	09/09/09	11/10/09	4,923.45	4,670.00		253.45



Ref: 00000562 00017491

WALTER AND LUCILLE RUBIN
Account Number 232-5700D-14 444

Details of Short Term Gain (Loss) 2009 - continued

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000150	600	RAILAMERICA INC	10/12/09	11/17/09	\$ 7,380.53	\$ 9,000.00	(\$ 1,619.47)	
125000160	100	SENIOR HOUSING PPTYS TR SBI	09/10/09	11/10/09	1,882.40	1,944.00	(61.60)	
125000170	100	7 DAYS GROUP HLDGS LTD ADR	11/19/09	11/23/09	1,243.96	1,100.00		143.96
125000180	300	TC PIPELINES LP UNITS CGMI AND/OR ITS AFFILIATES	11/13/09	12/03/09	10,488.03	11,400.00	(911.97)	
125000190	100	TALECRIS BIOTHEAPEUTICS HLDGS CORP CGMI AND/OR ITS AFFILIATES	09/30/09	10/02/09	2,144.94	1,900.00		244.94
125000200	10,000	U S AIRWAYS GROUP INC	09/23/09	10/02/09	41,192.94	48,600.00	(7,407.06)	
Total					\$ 258,988.14	\$ 271,839.00	(\$ 21,088.56)	\$ 6,237.70

Details of Deposits and Withdrawals 2009

This section reflects any deposits or withdrawals made to your account during the year.

Deposits

Reference number	Date	Description	Amount
210000100	05/28/09	FROM 232-5701D-01 TO 232-5700D-01	\$ 500,000.00
Total			\$ 500,000.00

As you requested, copies of this document have also been sent to: TUBBS & BARTNICK



2 0 0 9 Y E A R E N D S U M M A R Y

Corrected Copy as of 03/11/10
Ref: 00008712 00092635

WALTER AND LUCILLE RUBIN
Account Number 232-5707D-12 444

Details of Additional Summary Information 2009

12-B1

Rebate Payments

The following details show how we derived 12-B1 rebate payments.

Reference number	Description	Amount	Federal income tax withheld	NRA tax withheld
246000100	IVY ASSET STRATEGY FUND CLASS A A PORTION OF THIS INCOME HAS BEEN RECLASSIFIED	\$ 635.43		
246000200	VIRTUS MULTI-SECTOR SHORT TERM FUND CLASS A	247.14		
Totals		\$ 882.57		

Details of Short Term Gain (Loss) 2009

This section shows your sales of securities during the year. The "Sale Proceeds" column excludes any accrued income you may have received. In addition, although cash in lieu less than \$20 is not included on Form 1099-B (if applicable), it is included in this section. Please note, this material is being prepared for informational purposes only and should not be used for tax preparation without the assistance of your tax advisor.

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000010	598	ALCON INC MorganStanley SmithBarney LLC acted as your agent in this transaction.	05/29/09	09/30/09	\$ 82,729.38	\$ 63,960.11		\$ 18,769.27
125000020	3,765	AMERICAN WTR WKS CO INC NEW Morgan Stanley Sml th Barney LLC acted as your agent in this transaction.	05/29/09	06/04/09	66,860.92	64,722.61		2,138.31
125000030	1,073 67	ANGLOGOLD ASHANTI LTD Morgan Stanley Sml th Barney LLC acted as your agent in this transaction.	05/29/09 06/12/09	07/08/09	35,813.78 2,236.27	45,438.51 2,468.80	(9,622.73) (232.53)	
125000040	1,328 1,200	ANGLOGOLD ASHANTI LTD ADR MorganStanley SmithBarney LLC acted as your agent	06/12/09 09/02/09	09/30/09	53,894.30 48,699.66	48,933.74 44,021.28		4,960.56 4,678.38

2 0 0 9 Y E A R E N D S U M M A R Y



Corrected Copy as of 03/11/10
Ref: 00008712 00092636

WALTER AND LUCILLE RUBIN
Account Number 232-5701D-12 444

Details of Short Term Gain (Loss) 2009 - continued

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000050	3,000	BEST BUY INC MorganStanley SmithBarney LLC acted as your agent In this transaction.	11/17/09	11/23/09	\$ 131,748.51	\$ 126,591.30		\$ 5,157.21
125000060	3,294	BRISTOL MYERS SQUIBB CO MorganStanley SmithBarney LLC acted as your agent In this transaction.	05/29/09	09/30/09	74,015.26	64,807.47		9,207.79
125000070	3,277	CISCO SYS INC MorganStanley SmithBarney LLC acted as your agent In this transaction.	05/29/09	09/30/09	77,040.29	60,393.47		16,646.82
125000080	1,444	COCA-COLA CO MorganStanley SmithBarney LLC acted as your agent In this transaction.	05/29/09	09/30/09	77,414.75	68,852.23		8,562.52
125000090	1,304	CURRENCYSHARES CDN DLR TR CDN DOLLAR SHS Morgan Stanley Sml th Barney LLC acted as yo ur agent In this transa	05/29/09	08/26/09	118,581.98	118,867.95	(285.97)	
125000100	2,006	GLAXOSMITHKLINE PLC SP ADR Morgan Stanley Sml th Barney LLC acted as yo ur agent In this transa	05/29/09	06/22/09	71,484.32	67,551.65		3,932.67
125000110	3,641	INTEL CORP MorganStanley SmithBarney LLC acted as your agent In this transaction.	05/29/09	09/30/09	71,034.08	56,718.04		14,316.04
125000120	3,965 395 4,285	ISHARES INC MSCI TAIWAN INDEX FD Morgan Stanley Sml th Barney LLC acted as yo ur agent In this transa	06/01/09 06/11/09 06/11/09	06/17/09	37,814.42 3,767.14 40,866.28	45,295.37 4,134.27 44,848.95	(7,480.95) (367.13) (3,982.67)	
125000130	12,132	ISHARES MSCI JAPAN INDEX FUND Morgan Stanley Sml th Barney LLC acted as yo ur agent In this transa	05/29/09	08/12/09	121,456.39	113,010.79		8,445.60



Corrected Copy as of 03/11/10
Ref: 00008712 00092637

WALTER AND LUCILLE RUBIN
Account Number 232-5701D-12 444

Details of Short Term Gain (Loss) 2009 continued

2 0 0 9 Y E A R E N D S U M M A R Y

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000140	1,175	ISHARES TRFSE XINHUA HK CHINA 25 INDEX Morgan Stanley Sml th Barney LLC acted as yo	05/29/09	07/08/09	\$ 42,381.98	\$ 43,733.85	(\$ 1,351.87)	
125000150	1,838 1,035	ISHARES TRFSE XINHUA HK CHINA 25 INDEX Morgan Stanley Sml th Barney LLC acted as yo	05/29/09 08/21/09	08/31/09	71,897.97 40,486.61	68,410.91 42,133.50	(1,646.89)	3,487.06
125000160	540	ISHARES MSCI EMERGING MKTS INDEX FD MorganStanley SmithBarney LLC acted as your agent	08/12/09	09/29/09	20,918.41	19,360.73		1,557.68
125000170	2,895 475	ISHARES MSCI EMERGING MKTS INDEX FD MorganStanley SmithBarney LLC acted as your agent	08/12/09 08/19/09	10/29/09	104,211.62 18,367.54	96,824.37 16,683.47		7,587.25 1,684.07
125000180	2,885 235	ISHARES MSCI EMERGING MKTS INDEX FD MorganStanley SmithBarney LLC acted as your agent	08/19/09 08/21/09	12/08/09	118,020.00 9,613.41	101,330.15 8,531.70		16,689.85 1,081.71
125000190	960	ISHARES S&P LATIN AMERICA 40 INDEX FUND MorganStanley SmithBarney LLC acted as your agent	06/04/09	10/29/09	42,240.25	34,660.32		7,579.93
125000200	788 690 57	ISHARES TRUST US FIN SVC MorganStanley SmithBarney LLC acted as your agent in this transaction.	05/29/09 07/27/09 08/03/09	10/21/09	43,981.23 39,514.39 3,264.23	35,161.19 32,867.74 2,874.89		8,820.04 6,646.65 389.34
125000210	318 405 1,407	ISHARES TRUST US FIN SVC MorganStanley SmithBarney LLC acted as your agent in this transaction.	08/03/09 08/05/09 08/19/09	11/09/09	17,451.23 22,225.63 77,213.47	16,038.87 21,218.27 73,600.03		1,412.36 1,007.36 3,613.44
125000220	778 1,455	ISHARES TRUST US FIN SVC MorganStanley SmithBarney LLC acted as your agent in this transaction.	08/19/09 10/07/09	12/08/09	41,457.15 77,532.34	40,697.10 81,647.62	(4,115.28)	760.05



Morgan Stanley Smith Barney

Reserved Client Statement 2009 Year End Summary

Page 12 of 15

Corrected Copy as of 03/11/10
Ref: 00008712 00092638

WALTER AND LUCILLE RUBIN
Account Number 232-5701D-12 444

Details of Short Term Gain (Loss) 2009 - continued

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000230	1,135	ISHARES TRUST US BASIC MAT Morgan Stanley Smith Barney LLC acted as your agent In this transaction.	07/27/09	10/29/09	\$ 61,606.55	\$ 55,020.04		\$ 6,586.51
125000240	45,829.491	LEUTHOLD GRIZZLY SHORT FUND CONFIRM #007084025 Morgan Stanley Sml th Barney LLC acted as yo	08/31/09	09/22/09	213,565.43	236,021.88	(22,456.45)	
125000250	32,188.841	LEUTHOLD GRIZZLY SHORT FUND CONFIRM #007086455 Morgan Stanley Smith Barney LLC acted as your agent	09/18/09	10/14/09	149,356.22	150,000.00	(643.78)	
125000280	27,660 27,269.978	LORD ABBETT SHORT DURATION INCOME FUND CLASS A CONFIRM #500093380346486 Morgan Stanley Smith Barney LLC	11/17/09 11/25/09	12/04/09	126,129.60 124,351.10	126,406.20 124,623.80	(276.60) (272.70)	
125000270	3,267	MICROSOFT CORP Morgan Stanley Smith Barney LLC acted as your agent In this transaction.	05/29/09	09/30/09	84,156.73	66,669.67		17,487.06
125000280	1,936	NESTLE S A SPONSORED ADR Morgan Stanley Smith Barney LLC acted as your agent In this transaction.	05/29/09	09/30/09	82,416.50	69,885.92		12,530.58
125000290	924 1,205	NEWMONT MINING CORP Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	05/29/09 06/12/09	06/17/09	38,077.98 49,657.98	45,088.43 51,456.87	(7,010.45) (1,798.89)	
125000300	4,080	NOKIA CORP SPONSORED ADR Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	05/29/09	07/16/09	54,556.33	63,111.56	(8,555.23)	
125000310	975	NUCOR CORP Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	06/01/09	07/20/09	43,680.14	45,242.73	(1,562.59)	



Corrected Copy as of 03/11/10
Ref: 00008712 00092639

WALTER AND LUCILLE RUBIN
Account Number 232-5701D-12 444

Details of Short Term Gain (Loss) 2009 - continued

2 0 0 9 Y E A R E N D S U M M A R Y

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000320	600	OIL SERVICE HOLDERS TR Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	05/29/09	08/18/09	\$ 60,902.34	\$ 63,706.14	(\$ 2,803.80)	
125000330	21,994.33	PIMCO FDS - INVESTMENT GRADE CORP BOND P CONFIRM #500093010216562 MorganStanley SmithBarney LLC	05/29/09	10/28/09	246,556.44	225,002.00		21,554.44
125000340	753	PROSHARES SHORT S&P500 Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	05/29/09	06/01/09	48,399.93	50,268.85	(1,868.92)	
125000350	1,690	PROSHARES SHORT S&P500 Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	06/18/09	07/30/09	101,737.83	111,626.70	(9,888.87)	
125000360	872	PROSHARES SHORT QQQ Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	05/29/09	06/03/09	49,550.29	51,179.77	(1,629.48)	
125000370	861	PROSHARES SHORT RUSSELL2000 Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	05/29/09	06/03/09	48,049.88	50,695.42	(2,645.54)	
125000380	865	RESEARCH IN MOTION LTD-CAD Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	05/29/09	06/22/09	59,253.39	69,349.39	(10,096.00)	
125000390	1,875	SPDR SER TR: S&P OIL & GAS EQUIP & SVCS ETF MorganStanley SmithBarney LLC acted as your agent	09/22/09	10/29/09	53,151.13	52,926.19		224.94
125000400	2,035	SPDR SER TR: S&P OIL & GAS EQUIP & SVCS ETF MorganStanley SmithBarney LLC acted as your agent	09/22/09	12/08/09	54,149.14	57,442.55	(3,293.41)	



Corrected Copy as of 03/11/10
Ref: 00008712 00092640

WALTER AND LUCILLE RUBIN
Account Number 232-5701D-12 444

Details of Short Term Gain (Loss) 2009 - continued

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000410	4,715	SPDR SER TR S&P OIL & GAS EQUIP & SVCS ETF MorganStanley SmithBarney LLC acted as your agent	09/22/09	12/17/09	\$ 132,786.90	\$ 133,091.72	(\$ 302.82)	
125000420	645	UNITED STATES STEEL CORP NEW Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	07/15/09	08/31/09	28,051.82	22,344.42		5,707.40
125000430	645	UNITED STATES STEEL CORP NEW Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	07/15/09	08/31/09	28,051.82	22,344.41		5,707.41
125000440	700	VISA INC COM CL A MorganStanley SmithBarney LLC acted as your agent in this transaction.	07/16/09	09/30/09	48,380.23	45,112.06		3,268.17
125000450	54,348.309	VIRTUS MULTI-SECTOR SHORT TERM FUND CLASS A CONFIRM #500093010208098 MorganStanley SmithBarney LLC	05/29/09	10/28/09	248,371.77	225,002.00		23,369.77
Total					\$ 4,141,164.66	\$ 3,989,807.97	(\$ 104,191.55)	\$ 255,548.24



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FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCE	AMOUNT
NORTHERN FUNDS	638.
NORTHERN TRUST	24,905.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	25,543.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
FIRST AMERICAN	48,343.	0.	48,343.
SCHWAB	53.	0.	53.
SMITH BARNEY 5700D	1,174.	0.	1,174.
SMITH BARNEY 5701D	72,658.	0.	72,658.
TOTAL TO FM 990-PF, PART I, LN 4	122,228.	0.	122,228.

FORM 990-PF RENTAL INCOME STATEMENT 3

KIND AND LOCATION OF PROPERTY	ACTIVITY NUMBER	GROSS RENTAL INCOME
LLC'S	1	300,292.
TOTAL TO FORM 990-PF, PART I, LINE 5A		300,292.

FORM 990-PF RENTAL EXPENSES STATEMENT 4

DESCRIPTION	ACTIVITY NUMBER	AMOUNT	TOTAL
DEPRECIATION		43,367.	
UTILITIES		2,284.	
REPAIRS & MAINTENANCE		8,664.	
INSURANCE		9,729.	
PROPERTY MANAGEMENT FEES		29,086.	
REAL ESTATE TAXES		42,959.	

INTEREST EXPENSE	35,751.	
MISCELLANEOUS	59.	
AMORTIZATION - MORTGAGE COSTS	1,676.	
PROFESSIONAL FEES	1,918.	
LICENSE & FEES	1,752.	
BANK CHARGES	120.	
STATE TAXES - TENN	129.	
- SUBTOTAL -	1	177,494.
TOTAL RENTAL EXPENSES		177,494.
NET RENTAL INCOME TO FORM 990-PF, PART I, LINE 5B		122,798.

FORM 990-PF	OTHER INCOME	STATEMENT	5
DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
NONDIVIDEND DISTRIBUTION - SMITH BARNEY 5700D	9.	9.	
INCOME FROM PARTNERSHIP DISTRIBUTIONS	644.	644.	
TOTAL TO FORM 990-PF, PART I, LINE 11	653.	653.	

FORM 990-PF	OTHER PROFESSIONAL FEES			STATEMENT	6
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
PROFESSIONAL FEES	2,143.	0.			0.
PROFESSIONAL FEES	1,918.	1,918.			0.
TO FORM 990-PF, PG 1, LN 16C	4,061.	1,918.			0.

FORM 990-PF	TAXES			STATEMENT	7
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
REAL ESTATE TAXES	42,959.	42,959.			0.
LICENSE & FEES	1,752.	1,752.			0.
STATE TAXES - TENN	129.	129.			0.
TO FORM 990-PF, PG 1, LN 18	44,840.	44,840.			0.

FORM 990-PF	OTHER EXPENSES			STATEMENT	8
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
BANK/BROKERAGE SERVICE FEES	27,053.	27,053.			0.
FILING FEES	346.	0.			0.
FOREIGN TAX PAID	1,228.	1,228.			0.
INVESTMENT EXPENSE	17.	17.			0.
UTILITIES	2,284.	2,284.			0.
REPAIRS & MAINTENANCE	8,664.	8,664.			0.
INSURANCE	9,729.	9,729.			0.
PROPERTY MANAGEMENT FEES	29,086.	29,086.			0.
MISCELLANEOUS	59.	59.			0.
BANK CHARGES	120.	120.			0.
AMORTIZATION	1,676.	1,676.			0.
TO FORM 990-PF, PG 1, LN 23	80,262.	79,916.			0.

FORM 990-PF	DEPRECIATION OF ASSETS HELD FOR INVESTMENT			STATEMENT	9
DESCRIPTION	COST OR OTHER BASIS	ACCUMULATED DEPRECIATION	BOOK VALUE	FAIR MARKET VALUE	
LAND	49,161.	0.	49,161.	42,695.	
BUILDING	196,645.	4,832.	191,813.	203,113.	
LAND	244,816.	0.	244,816.	450,667.	
BUILDING	979,262.	24,063.	955,199.	773,533.	
LAND	147,232.	0.	147,232.	357,067.	
BUILDING	588,928.	14,472.	574,456.	379,167.	
TO 990-PF, PART II, LN 11	2,206,044.	43,367.	2,162,677.	2,206,242.	

FORM 990-PF	CORPORATE STOCK	STATEMENT 10
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DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
SECURITIES - A/C 5700D SMITH BARNEY	140,894.	145,602.
SECURITIES - A/C 5701D SMITH BARNEY	4,483,912.	4,828,767.
SECURITIES - FIRST AMERICAN	3,329,890.	3,241,805.
TOTAL TO FORM 990-PF, PART II, LINE 10B	7,954,696.	8,216,174.

FORM 990-PF	OTHER ASSETS	STATEMENT 11
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DESCRIPTION	BEGINNING OF YR BOOK VALUE	END OF YEAR BOOK VALUE	FAIR MARKET VALUE
INVESTMENT IN WLR KITTANING, LLC	245,806.	0.	0.
INVESTMENT IN WLR GREEN SKY, LLC	1,224,078.	0.	0.
INVESTMENT IN WLR MORRISTOWN, LLC	736,160.	0.	0.
TO FORM 990-PF, PART II, LINE 15	2,206,044.	0.	0.

Form **4562**Department of the Treasury
Internal Revenue Service (99)
Name(s) shown on return**Depreciation and Amortization RENT 1**
(Including Information on Listed Property)

▶ See separate instructions. ▶ Attach to your tax return.

OMB No 1545-0172

2009Attachment
Sequence No **67**

Business or activity to which this form relates

Identifying number

WALTER AND LUCILLE RUBIN FOUNDATION INC LLC'S**26-0369836****Part I Election To Expense Certain Property Under Section 179** Note: If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount. See the instructions for a higher limit for certain businesses	1	250,000.
2	Total cost of section 179 property placed in service (see instructions)	2	
3	Threshold cost of section 179 property before reduction in limitation	3	800,000.
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	
6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
7	Listed property. Enter the amount from line 29	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	
9	Tentative deduction. Enter the smaller of line 5 or line 8	9	
10	Carryover of disallowed deduction from line 13 of your 2008 Form 4562	10	
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5	11	
12	Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11	12	
13	Carryover of disallowed deduction to 2010. Add lines 9 and 10, less line 12	13	

Note: Do not use Part II or Part III below for listed property. Instead, use Part V.

Part II Special Depreciation Allowance and Other Depreciation (Do not include listed property)

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year	14	
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	

Part III MACRS Depreciation (Do not include listed property.) (See instructions)**Section A**

17	MACRS deductions for assets placed in service in tax years beginning before 2009	17	
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here		

Section B - Assets Placed in Service During 2009 Tax Year Using the General Depreciation System

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only - see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property			25 yrs.		S/L	
h Residential rental property	/		27.5 yrs.	MM	S/L	
	/		27.5 yrs.	MM	S/L	
i Nonresidential real property	/		39 yrs	MM	S/L	
	/	STATEMENT 12		MM	S/L	43,367.

Section C - Assets Placed in Service During 2009 Tax Year Using the Alternative Depreciation System

20a Class life					S/L	
b 12-year			12 yrs		S/L	
c 40-year	/		40 yrs.	MM	S/L	

Part IV Summary (See instructions.)

21	Listed property. Enter amount from line 28	21	
22	Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations - see instr.	22	43,367.
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

Part V Listed Property (Include automobiles, certain other vehicles, cellular telephones, certain computers, and property used for entertainment, recreation, or amusement)**Note:** For any vehicle for which you are using the standard mileage rate or deducting lease expense, complete only 24a, 24b, columns (a) through (c) of Section A, all of Section B, and Section C if applicable.**Section A - Depreciation and Other Information** (Caution: See the instructions for limits for passenger automobiles)**24a** Do you have evidence to support the business/investment use claimed? ☐ Yes ☐ No **24b** If "Yes," is the evidence written? ☐ Yes ☐ No

(a) Type of property (list vehicles first)	(b) Date placed in service	(c) Business/ investment use percentage	(d) Cost or other basis	(e) Basis for depreciation (business/investment use only)	(f) Recovery period	(g) Method/ Convention	(h) Depreciation deduction	(i) Elected section 179 cost
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25 Special depreciation allowance for qualified listed property placed in service during the tax year and used more than 50% in a qualified business use**25****26** Property used more than 50% in a qualified business use:

		%						
		%						
		%						

27 Property used 50% or less in a qualified business use:

		%			S/L -		
		%			S/L -		
		%			S/L -		

28 Add amounts in column (h), lines 25 through 27. Enter here and on line 21, page 1**28****29** Add amounts in column (i), line 26. Enter here and on line 7, page 1**29****Section B - Information on Use of Vehicles**

Complete this section for vehicles used by a sole proprietor, partner, or other "more than 5% owner," or related person.

If you provided vehicles to your employees, first answer the questions in Section C to see if you meet an exception to completing this section for those vehicles.

	(a) Vehicle	(b) Vehicle	(c) Vehicle	(d) Vehicle	(e) Vehicle	(f) Vehicle
30 Total business/investment miles driven during the year (do not include commuting miles)						
31 Total commuting miles driven during the year						
32 Total other personal (noncommuting) miles driven						
33 Total miles driven during the year. Add lines 30 through 32						
34 Was the vehicle available for personal use during off-duty hours?	Yes	No	Yes	No	Yes	No
35 Was the vehicle used primarily by a more than 5% owner or related person?						
36 Is another vehicle available for personal use?						

Section C - Questions for Employers Who Provide Vehicles for Use by Their Employees

Answer these questions to determine if you meet an exception to completing Section B for vehicles used by employees who are not more than 5% owners or related persons.

37 Do you maintain a written policy statement that prohibits all personal use of vehicles, including commuting, by your employees?	Yes	No
38 Do you maintain a written policy statement that prohibits personal use of vehicles, except commuting, by your employees? See the instructions for vehicles used by corporate officers, directors, or 1% or more owners		
39 Do you treat all use of vehicles by employees as personal use?		
40 Do you provide more than five vehicles to your employees, obtain information from your employees about the use of the vehicles, and retain the information received?		
41 Do you meet the requirements concerning qualified automobile demonstration use?		

Note: If your answer to 37, 38, 39, 40, or 41 is "Yes," do not complete Section B for the covered vehicles.**Part VI Amortization**

(a) Description of costs	(b) Date amortization begins	(c) Amortizable amount	(d) Code section	(e) Amortization period or percentage	(f) Amortization for this year
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42 Amortization of costs that begins during your 2009 tax year:

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43 Amortization of costs that began before your 2009 tax year**43****44** Total. Add amounts in column (f). See the instructions for where to report**44**

FORM 4562

PART III - NONRESIDENTIAL REAL PROPERTY

STATEMENT 12

(A) DESCRIPTION OF PROPERTY	(B) MO/YR	(C) BASIS	(D) PERIOD	(G) DEDUCTION
BUILDING	01/09	196,645.	39.0 YRS	4,832.
BUILDING	01/09	979,262.	39.0 YRS	24,063.
BUILDING	01/09	588,928.	39.0 YRS	14,472.
TOTAL TO FORM 4562, PART III, LINE 19I		1,764,835.		43,367.

WALTER AND LUCILLE RUBIN FOUNDATION, INC
SCHEDULE OF SECURITIES HELD - FAIR MARKET VALUE
AT DECEMBER 31, 2009

FORM 990PF - PART II, LINE 10b

NAME OF SECURITY	# SHARES HELD/ PAR VALUE	COST BASIS	FAIR MARKET VALUE
NAVIOS MARITIME PARTNER LP	1,300	19,370.00	19,227 00
AMERICAN CAP AGY CORP	800	21,280 00	21,232 00
APOLLO INVESTMENT CORP	800	7,856 00	7,632 00
CITIGROUP	20,000	63,000.00	66,200 00
KINDER MORGAN ENERGY PRTRNS LP	300	17,145 00	18,294 00
KRATON PERFORMANCE POLYMERS	100	1,350.00	1,356 00
MEDIDATA SOLUTIONS INC	100	1,500 00	1,562 00
NUSTAR ENERGY LP	100	5,245 00	5,609 00
PIONEER SW ENERGY UNIT LP	200	4,148.00	4,490 00
SUBTOTAL		140,894 00	145,602 00
FIRST TR ISE REVERSE NAT GAS FUND	6960	124,932 00	122,426 40
ISHARES MSCI EMERGING MKTS INDEX FD	3,075	118,732 61	127,612.50
ISHARES S&P LATIN AMER 40 INDEX FD	5455	210,355 31	260,694 45
S&P N AMER TECH SEMICONDUCTOR FD	2570	125,537 05	126,521 10
ISHARE TRUST - DJ US UTILITIES	1705	125,846 05	127,516 95
ISHARE DJ U S TELECOM SECT INDEX FD	6,410	125,828 30	128,328.20
ISHARES DOW JONES US TECH INDEX FD	7,020	351,596 12	403,930 80
ISHARES TRUST US BASIC MAT	2,210.00	116,833 04	132,401.10
ISHARES TR S&P GLOBAL INDUSTRIES INDEX	4,305.00	175,909.20	191,185.05
ISHARE DOW JONES US HOME CONST FD	10,615.00	126,255 87	127,486.15
ISHARES DOW JONES US PHARM FD	2,280 00	122,840.47	131,464 80
MARKET VECTORS GOLD MINERS ETF TR	2,575 00	121,174.97	118,990.75
SPDR GOLD TR GOLD SHS	1,125.00	125,282 25	120,723 75
WISDOMTREE TR DIVID EX FINANCIAL FD	3,120 00	122,701.80	127,982 40
BLACKROCK GLOBAL ALLOCATION FD	34,691 11	567,314 75	623,052 28
IVY ASSET STRATEGY FUND CLASS A	28,094.59	559,674 50	625,947.51
JP MORGAN STRATEGIC INCOME OPPT FD	42,298.43	450,976.04	490,238 76
LEUTHOLD GRIZZLY SHORT FUND	26,744 34	126,233.28	122,221 63
LORD ABBETT SHORT DURATION INCOME FD	1.02	4.67	4 64
PIONEER STRATEGIC INCOME FD Y	23,730.94	244,428 66	246,089 83
TEMPLETON GLOBAL BOND FUND	37,348.14	441,455 00	473,947.88
SUBTOTAL		4,483,911 94	4,828,766 93
BANK OF AMERICA	3398	45,974 94	51,173 88
BANK OF AMERICA	8496	114,950.88	127,949 76
LIMITED	3472	32,324.32	66,801 28
DRESS BARN INC	116	1,200.32	2,679 60
WALMART	56,000	3,135,440 00	2,993,200.00
SUBTOTAL		3,329,890.46	3,241,804.52
TOTAL INVESTMENT - CORPORATE STOCK		7,954,696 40	8,216,173 45

WALTER AND LUCILLE RUBIN FOUNDATION
EIN 26-0369836
FORM 990-PF/DECEMBER 31, 2009

PART XV, 3: CHARITABLE CONTRIBUTIONS PAID DURING THE YEAR

ORGANIZATION	AMOUNT	
BASCOM PALMER EYE INSTITUTE	500 00	CHARITABLE CONTRIBUTION
BROWARD CENTER FOR THE PERF	1,000 00	CHARITABLE CONTRIBUTION
CENTER FOR THE ARTS	500 00	CHARITABLE CONTRIBUTION
FRIENDS OF THE UFFIZI INC	1,000 00	CHARITABLE CONTRIBUTION
JAMES BUCHANAN BRADY UROL	5,000 00	CHARITABLE CONTRIBUTION
JEWISH FEDERATION OF S P. B.	1,500 00	CHARITABLE CONTRIBUTION
KRAVIS CENTER	1,000 00	CHARITABLE CONTRIBUTION
MAYO CLINIC	15,000 00	CHARITABLE CONTRIBUTION
NEW YORK HISTORICAL SOCIETY	500 00	CHARITABLE CONTRIBUTION
SYLVESTER COMPREHENSIVE	250 00	CHARITABLE CONTRIBUTION
TOTAL CONTRIBUTIONS PAID	26,250 00	

SUN-SENTINEL
PUBLISHED DAILY
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
BOCA RATON, PALM BEACH COUNTY, FLORIDA
MIAMI, MIAMI-DADE COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF BROWARD/PALM BEACH/MIAMI-DADE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED LINDA HALL, WHO, ON OATH, SAYS THAT SHE IS A DULY AUTHORIZED REPRESENTATIVE OF THE CLASSIFIED DEPARTMENT OF THE SUN-SENTINEL, DAILY NEWSPAPER PUBLISHED IN BROWARD/PALM BEACH/MIAMI-DADE COUNTY, FLORIDA, THAT THE ATTACHED COPY OF ADVERTISEMENT, BEING A:

NOTICE

THE MATTER OF:

RE: BOOKS OF THE WALTER & LUCILLE RUBIN FOUNDATION, INC.

IN THE CIRCUIT COURT, WAS PUBLISHED IN SAID NEWSPAPER IN THE ISSUES OF:

MAY 8, 2010

13880094

AFFIANT FURTHER SAYS THAT THE SAID SUN-SENTINEL IS A NEWSPAPER PUBLISHED IN SAID BROWARD/PALM BEACH/MIAMI-DADE COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS HERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID BROWARD/PALM BEACH/MIAMI-DADE COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MATTER AT THE POST OFFICE IN FORT LAUDERDALE, IN SAID BROWARD COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF ATTACHED COPY OF ADVERTISEMENT: AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID, NOR PROMISED, ANY PERSON, FIRM. OR CORPORATION, ANY DISCOUNT, REBATE, COMMISSION, OR REFUND, FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN SAID NEWSPAPER

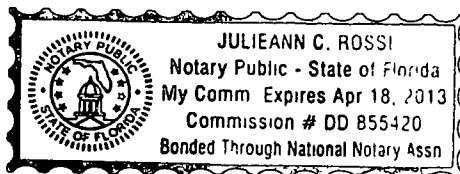


(SIGNATURE OF LINDA HALL, AFFIANT)

SWORN TO AND SUBSCRIBED BEFORE ME
ON 10, MAY 2010, A.D.



(SIGNATURE OF NOTARY PUBLIC)



(NAME OF NOTARY, TYPED, PRINTED, OR STAMPED)

PERSONALLY KNOWN (X) OR PRODUCED IDENTIFICATION ()

Notice

The books of the Walter & Lucille Rubin Foundation, Inc. are available for inspection during regular business hours within 180 days hereof at 1121 Holland Drive, Suite 16, Boca Raton, FL 33487
May 8, 2010

Application for Extension of Time To File an
Exempt Organization Return

OMB No 1545-1709

► File a separate application for each return.

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box ☒ **X**
- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form).

Do not complete **Part II** unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.**Part I** Automatic 3-Month Extension of Time. Only submit original (no copies needed).A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete Part I only ☐

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns

Electronic Filing (e-file). Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T). However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 6069, or 8870, group returns, or a composite or consolidated Form 990-T. Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit www.irs.gov/efile and click on e-file for Charities & Nonprofits.

Type or print File by the due date for filing your return. See instructions.	Name of Exempt Organization	Employer identification number
	WALTER AND LUCILLE RUBIN FOUNDATION INC	26-0369836
	Number, street, and room or suite no. If a P.O. box, see instructions. 16395 MIRASOL WAY	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. DELRAY BEACH, FL 33446	

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

- | | | |
|---|---|------------------------------------|
| <input type="checkbox"/> Form 990 | <input type="checkbox"/> Form 990-T (corporation) | <input type="checkbox"/> Form 4720 |
| <input type="checkbox"/> Form 990-BL | <input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust) | <input type="checkbox"/> Form 5227 |
| <input type="checkbox"/> Form 990-EZ | <input type="checkbox"/> Form 990-T (trust other than above) | <input type="checkbox"/> Form 6069 |
| <input checked="" type="checkbox"/> Form 990-PF | <input type="checkbox"/> Form 1041-A | <input type="checkbox"/> Form 8870 |

WALTER AND LUCILLE RUBIN

- The books are in the care of ► 16395 MIRASOL WAY - DELRAY BEACH, FL 33446

Telephone No. ► 561-999-5990

FAX No ► 561-999-0818

- 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 will cover.

- 1 I request an automatic 3-month (6-months for a corporation required to file Form 990-T) extension of time until AUGUST 15, 2010, to file the exempt organization return for the organization named above. The extension

is for the organization's return for:

► ☒ calendar year 2009 or► ☐ tax year beginning _____, and ending _____

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

3a	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.	3a	\$	6,000.
b	If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	3b	\$	0.
c	Balance Due. Subtract line 3b from line 3a. 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.	3c	\$	6,000.

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

LHA For Privacy Act and Paperwork Reduction Act Notice, see Instructions.

Form 8868 (Rev. 4-2009)