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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 , **and ending**

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

Use the IRS label. Otherwise, print or type. See Specific Instructions.

Name of foundation
THE MTB CHARITABLE FOUNDATION, INC.

A Employer identification number
31-1484922

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
P.O. BOX 8

B Telephone number
678-352-1115

City or town, state, and ZIP code
ROSWELL, GA 30077-0008

C If exemption application is pending, check here ▶ ☐

D 1. Foreign organizations, check here ▶ ☐
2. Foreign organizations meeting the 85% test, check here and attach computation ▶ ☐

H Check type of organization. ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ ☐

I Fair market value of all assets at end of year (from Part II, col. (c), line 16) ▶$ 212,977.

J Accounting method ☒ Cash ☐ Accrual ☐ Other (specify) (Part I, column (d) must be on cash basis.)

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ▶ ☐

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

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc , received	2,310.		N/A	
	2 Check ▶ ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	2.	2.		STATEMENT 1
	4 Dividends and interest from securities	4,786.	4,786.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	<70,870.>			
	b Gross sales price for all assets on line 6a 217,485.				
	7 Capital gain net income (from Part IV, line 2)		0.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss)				
	11 Other income				
	12 Total. Add lines 1 through 11	<63,772.>	4,788.		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees STMT 3	2,310.	1,155.		0.
	c Other professional fees STMT 4	2,024.	2,024.		0.
	17 Interest				
	18 Taxes STMT 5	125.	125.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses				
	24 **Total operating and administrative expenses.** Add lines 13 through 23	4,459.	3,304.		0.
	25 Contributions, gifts, grants paid	11,000.			11,000.
	26 **Total expenses and disbursements.** Add lines 24 and 25	15,459.	3,304.		11,000.
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	<79,231.>			
	b **Net investment income** (if negative, enter -0-)		1,484.		
	c **Adjusted net income** (if negative, enter -0-)			N/A	

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

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing	<1.>		
	2 Savings and temporary cash investments	3,093.	4,264.	4,264.
	3 Accounts receivable ▶			
	Less: allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less. allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U S and state government obligations			
	b Investments - corporate stock STMT 6	253,812.	173,409.	208,713.
	c Investments - corporate bonds			
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other			
	14 Land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 **Total assets** (to be completed by all filers)	256,904.	177,673.	212,977.
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 **Total liabilities** (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.**			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ [X] and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	0.	0.	
	28 Paid-in or capital surplus, or land, bldg , and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	256,904.	177,673.	
	30 **Total net assets or fund balances**	256,904.	177,673.	
	31 **Total liabilities and net assets/fund balances**	256,904.	177,673.	

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	256,904.
2	Enter amount from Part I, line 27a	2	<79,231.>
3	Other increases not included in line 2 (itemize) ▶	3	0.
4	Add lines 1, 2, and 3	4	177,673.
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	177,673.

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	217,485.		288,355.	<70,870.>

	Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
	(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				
b				
c				
d				
e				<70,870.>

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	<70,870.>
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	9,975.	12,787.	.780089
2007	14,000.	336,455.	.041610
2006	18,176.	328,300.	.055364
2005	19,212.	320,733.	.059900
2004	13,060.	327,269.	.039906

2	Total of line 1, column (d)	2	.976869
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	.195374
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	180,672.
5	Multiply line 4 by line 3	5	35,299.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	15.
7	Add lines 5 and 6	7	35,314.
8	Enter qualifying distributions from Part XII, line 4	8	11,000.

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 instructions)

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ ☐ and enter 1% of Part I, line 27b	1	30.
c	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	2	0.
3	Add lines 1 and 2	3	30.
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	30.
6	Credits/Payments		
a	2009 estimated tax payments and 2008 overpayment credited to 2009 — 6a: 255.		
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	255.
8	Enter any **penalty** for underpayment of estimated tax Check here ☐ if Form 2220 is attached	8	
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶	9	
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶	10	225.
11	Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶ 225. **Refunded** ▶	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?	1a		X
b	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.*	1b		X
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? N/A	4b		
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T*	5		X
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7	Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col. (c), and Part XV.*	7	X	
8a	Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ GA			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation*	8b	X	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? *If "Yes," complete Part XIV*	9		X
10	Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	10		X

Part VII-A Statements Regarding Activities *(continued)*

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

Website address ▶ N/A

14 The books are in care of ▶ STEVEN P. BOWLES Telephone no. ▶678-352-1115

Located at ▶ P.O. BOX 8, ROSWELL, GA ZIP+4 ▶30075-0008

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here ▶ ☐

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

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

		Yes	No
	File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.		
1a	During the year did the foundation (either directly or indirectly)		
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ Yes ☒ No		
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? ☐ Yes ☒ No		
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No		
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☐ Yes ☒ No		
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? ☐ Yes ☒ No		
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days) ☐ Yes ☒ No		
b	If any answer is "Yes" to 1a(1)-(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53 4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? N/A	1b		
	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 ▶ _____, _____, _____, _____			
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement - see instructions) N/A	2b		
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ▶ _____, _____, _____, _____			
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? ☐ Yes ☒ No			
b	If "Yes," did it have excess business holdings in 2009 as a result of **(1)** any purchase by the foundation or disqualified persons after May 26, 1969, **(2)** the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or **(3)** the lapse of the 10-, 15-, or 20-year first phase holding period? *(Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)* N/A	3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?	4b		X

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

5a	During the year did the foundation pay or incur any amount to:			
	(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?	☐ Yes ☒ No		
	(2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?	☐ Yes ☒ No		
	(3) Provide a grant to an individual for travel, study, or other similar purposes?	☐ Yes ☒ No		
	(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?	☐ Yes ☒ No		
	(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?	☐ Yes ☒ No		
b	If any answer is "Yes" to 5a(1)-(5), did **any** of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see instructions)? N/A Organizations relying on a current notice regarding disaster assistance check here ▶ ☐		5b	
c	If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? N/A ☐ Yes ☐ No *If "Yes," attach the statement required by Regulations section 53.4945-5(d).*			
6a	Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?	☐ Yes ☒ No		
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? *If "Yes" to 6b, file Form 8870.*		6b	X
7a	At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?	☐ Yes ☒ No		
b	If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? N/A		7b	

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

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

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
STEVEN P. BOWLES P.O. BOX 8 ROSWELL, GA 300750008	PRESIDENT/SECRETARY 0.00	0.	0.	0.
TRIPP KAY 15 PIEDMONT CENTER, SUITE 200 ATLANTA, GA 30305	TREASURER 0.00	0.	0.	0.

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

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

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

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

3 Five highest-paid independent contractors for professional services. If none, enter "NONE."

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

Total number of others receiving over $50,000 for professional services ▶ 0

Part IX-A **Summary of Direct Charitable Activities**

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

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

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

Form **990-PF** (2009)

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	170,040.
b	Average of monthly cash balances	1b	13,383.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	183,423.
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	183,423.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	2,751.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3. Enter here and on Part V, line 4	5	180,672.
6	**Minimum investment return.** Enter 5% of line 5	6	9,034.

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	9,034.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	30.		
b	Income tax for 2009 (This does not include the tax from Part VI)	2b			
c	Add lines 2a and 2b			2c	30.
3	Distributable amount before adjustments Subtract line 2c from line 1			3	9,004.
4	Recoveries of amounts treated as qualifying distributions			4	0.
5	Add lines 3 and 4			5	9,004.
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	9,004.

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	11,000.
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	11,000.
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	5	0.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	11,000.

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				9,004.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years _____, _____, _____		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004				
b From 2005 916.				
c From 2006 2,359.				
d From 2007				
e From 2008 9,386.				
f **Total** of lines 3a through e	12,661.			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ $ 11,000.				
a Applied to 2008, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2009 distributable amount				9,004.
e Remaining amount distributed out of corpus	1,996.			
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	14,657.			
b Prior years' undistributed income Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b Taxable amount - see instructions		0.		
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount - see instr			0.	
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	0.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	14,657.			
10 Analysis of line 9				
a Excess from 2005 916.				
b Excess from 2006 2,359.				
c Excess from 2007				
d Excess from 2008 9,386.				
e Excess from 2009 1,996.				

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

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

1 **Information Regarding Foundation Managers:**

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

STEVEN P. BOWLES

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 ▶ [X] 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 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*				
HOLY INNOCENTS EPISCOPAL SCHOOL 805 MOUNT VERNON HWY NW ATLANTA, GA 303274321	N/A	501(C)(3) EDUCATION	TO FURTHER EDUCATIONAL GOALS	7,500.
MAYO FOUNDATION 14TH AVE. SW ROCHESTER, MN 55902	N/A	501(C)(3) MEDICAL	TO PROVIDE SUPPORT FOR MEDICAL RESEARCH & TRAINING	3,500.
Total			▶ 3a	11,000.
b *Approved for future payment*				
NONE				
Total			▶ 3b	0.

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income (a) Business code	Unrelated business income (b) Amount	Excluded by section 512, 513, or 514 (c) Exclusion code	Excluded by section 512, 513, or 514 (d) Amount	(e) Related or exempt function income
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			14	2.	
4 Dividends and interest from securities			14	4,786.	
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			14	13.	<70,883.>
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue					
a					
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)		0.		4,801.	<70,883.>
13 Total. Add line 12, columns (b), (d), and (e)				13	<66,082.>

(See worksheet in line 13 instructions 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)
	N/A

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 11/14/10 — Title

Paid Preparer's Use Only

Preparer's signature — Date — Check if self-employed ☐ — Preparer's identifying number

Firm's name (or yours if self-employed), address, and ZIP code: DUGGAN & MASSEY, P.C. FIFTEEN PIEDMONT CENTER, STE 200 ATLANTA, GA 30305-1733

EIN

Phone no 404.262.3300

Form **990-PF** (2009)

923622
02-02-10

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	FIDELITY-SEE ATTACHED	P	VARIOUS	VARIOUS
b	FIDELITY-SEE ATTACHED	P	VARIOUS	VARIOUS
c	MORGAN STANLEY SMITHBARNEY - SEE ATTACHED	P	VARIOUS	VARIOUS
d	MORGAN STANLEY SMITHBARNEY - SEE ATTACHED	P	VARIOUS	VARIOUS
e	NORTHWESTERN MUTUAL - SEE ATTACHED	P	VARIOUS	12/14/09
f	CAPITAL GAINS DIVIDENDS			
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	64,651.		64,329.	322.
b	21,503.		35,130.	<13,627.>
c	4,049.		4,054.	<5.>
d	115,861.		175,810.	<59,949.>
e	11,408.		9,032.	2,376.
f	13.			13.
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				322.
b				<13,627.>
c				<5.>
d				<59,949.>
e				2,376.
f				13.
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	<70,870.>
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

MTB CHARITABLE FOUNDATION, INC.
EIN: 31-1484922
PART II, LINE 10B - CORPORATE STOCK
TAX YEAR: 2009

DESCRIPTION	12/31/2008 BOOK VALUE	12/31/2009 BOOK VALUE	12/31/2009 FAIR MARKET VALUE
AMCAP FUND CLASS F-1	-	17,351	21,541
AMERICAN HIGH INCOME TRUST CLASS	-	8,382	9,639
ANALOGIC CORPORATION	614	-	-
ANSYS INC	974	-	-
ANWORTH MTG ASSET	1,242	-	-
ASSURED GUARANTY LTD	1,178	-	-
ATC TECHNOLOGY CORP	1,124	-	-
BANCO-LATINO AMERCANO DE EXPORT	1,645	-	-
BELDEN INC	1,794	-	-
BLACK HILLS CORP	629	-	-
CAPITAL INCOME BUILDER FUND	30,131	-	-
CAPITAL WORLD GROWTH & INCOME	29,131	-	-
CARDIOME PHARMA CORP	1,235	-	-
CARRIZO OIL & GAS INC	705	-	-
CASTLEPOINT HOLDINGS	1,065	-	-
CENTENE CORP	763	-	-
CENTRAL EUROPEAN DISTR CORP	1,484	-	-
CENTURY ALUMINUM CO	2,032	-	-
CHATTEM INC	783	-	-
COMMERCIAL METALS CO	2,093	-	-
CONCUR TECHNOLOGIES	667	-	-
CREE INC	870	-	-
CYNOSURE INC	1,941	-	-
EARTHLINK INC	867	-	-
EAST WEST BANCORP INC	553	-	-
ESTERLINE TECH CORP	1,602	-	-
FACET BIOTECH CORP	251	-	-
FELCOR LODGING TRUST	1,763	-	-
FIRST HORIZON NATL CORP	738	-	-
FUNDAMENTAL INVESTORS CLASS F-1	-	19,395	23,539
FUNDAMENTAL INVESTORS FUND	29,197	-	-
GSI COMMERCE INC	1,838	-	-
GUESS? INC	832	-	-
HARMONIC INC	1,402	-	-
HIGHWOODS PPTYS INC	1,472	-	-
INFORMATICA CORP	1,114	-	-
INVENTIV HEALTH INC	2,288	-	-
INVERNESS MED INNOVATIONS INC	1,070	-	-
JAKKS PACIFIC INC	868	-	-
KFORCE INC.	2,079	-	-
LEGG MASON OPPORTUNITY TRUST	28,954	-	-
LUNDIN MNG CORP	2,375	-	-

MTB CHARITABLE FOUNDATION, INC.
EIN: 31-1484922
PART II, LINE 10B - CORPORATE STOCK
TAX YEAR: 2009

DESCRIPTION	12/31/2008 BOOK VALUE	12/31/2009 BOOK VALUE	12/31/2009 FAIR MARKET VALUE
MASSEY ENERGY CO	844	-	-
MATRIX SVC CO	1,938	-	-
MEDAREX INC	1,443	-	-
MEDICINES INC	1,034	-	-
MONOLITHIC PWR SYS INC	1,124	-	-
NEW PERSPECTIVE FUND CLASS F-1	-	16,531	20,328
NUANCE COMMUNICATIONS	941	-	-
PARAGON SHIPPING INC	1,436	-	-
PDL BIOPHARMA INC	678	-	-
PETROHAWK ENERGY CORP	994	-	-
PLATINUM UNDERWRITER HOLDING	1,085	-	-
PROGENICS PHARMACEUTICALS	826	-	-
QLOGIC CORP	823	-	-
REGAL BELOIT CORP	1,317	-	-
ROYCE FD PREMIER FD CONSULTAN	31,275	-	-
RUSSELL EMERGING MARKETS FUND CL S	-	6,783	8,657
RUSSELL INT'L DEVELOPED MARKETS	-	17,344	20,199
RUSSELL REAL ESTATE SECURITIES FUND	-	9,470	13,376
RUSSELL STRATEGIC BOND FUND CLASS S	-	16,733	18,136
RUSSELL U.S QUANTITATIVE EQUITY	-	13,184	16,013
RUSSELL U.S. CORE EQUITY FUND CLASS S	-	13,160	16,098
RUSSELL U.S. SMALL & MID CAP FUND	-	8,807	11,001
SOTHEBYS HLDGS INC	2,305	-	-
STEINER LEISURE LTD	1,338	-	-
SYNTEL INC	570	-	-
T 3 ENERGY SVCS INC	1,857	-	-
TESSERA TECHNOLOGIES INC	895	-	-
THE BOND FUND OF AMERICA CLASS F-1	-	8,313	8,774
THE GROWTH FUND OF AMERICA CLASS F-1	-	17,956	21,412
THORNBURG INVESTMENT INCOME BUILDER	30,155	-	-
TRINITY INDS	1,383	-	-
TRIUMPH GROUP	1,219	-	-
TRUE RELIGION APPAREL INC	1,086	-	-
UCBH HLDGS INC	979	-	-
UNITED THERAPEUTICS	806	-	-
VIASAT INC	674	-	-
WEBSENSE INC	571	-	-
WESCO INTERNATIONAL INC	1,964	-	-
WORLD ACCEP CORP	896	-	-
		-	-
	253,813	173,409	208,713

The MTB Charitable Foundation
Average Securities and Cash - Form 990-PF Part X
12/31/09

Equities:

Month	Beginning Balance	Northwestern Mutual 305129 Ending Balance	CitiGroup Smith Barney 5652 Ending Balance	Fidelity Ending Balance		Total Ending Balance	Average Balance
Dec, Prior Yr			109,807 47	54,544 94		164,352 41	82,176 21
January	164,352 41		101,649 28	48,225 86		149,875 14	157,113 78
February	149,875 14		92,826 27	42,408 92		135,235 19	142,555 17
March	135,235 19		99,636 26	46,423 44		146,059 70	140,647 45
April	146,059 70		110,511 46	56,141 26		166,652 72	156,356 21
May	166,652 72		120,174 50	59,067 83		179,242 33	172,947 53
June	179,242 33	59,980 21				59,980 21	119,611 27
July	59,980 21	193,725 78				193,725 78	126,853 00
August	193,725 78	200,194 75				200,194 75	196,960 27
September	200,194 75	209,222 45	4 05			209,226 50	204,710 63
October	209,226 50	205,044 05				205,044 05	207,135 28
November	205,044 05	208,712 99				208,712 99	206,878 52
December	208,712 99	208,712 99	0 02			208,713 01	208,713 00

Total Average Monthly Balances	2,040,482 07
No of Months	12
Average Monthly Balance	170,040 17

Cash Equivalents:

Month	Beginning Balance	ash Legg Maso	Northwestern Mutual 305129 Ending Balance	CitiGroup Smith Barney 5652 Ending Balance	Fidelity Ending Balance		Total Ending Balance	Average Balance
Dec, Prior Yr				1,141.14	1,335.96		2,477 10	1,238 55
January	2,477 10			141 43	1,297 01		1,438 44	1,957 77
February	1,438 44			141 47	1,155.87		1,297 34	1,367 89
March	1,297 34			141.51	935.50		1,077 01	1,187 18
April	1,077.01			141.55	1,174.49		1,316 04	1,196 53
May	1,316 04			141 57	1,651 35		1,792 92	1,554 48
June	1,792 92		1,254 12	120,368 58	37.51		121,660 21	61,726 57
July	121,660 21		3,458 81		65.36		3,524 17	62,592 19
August	3,524 17		3,276.91		65.36		3,342 27	3,433 22
September	3,342 27		3,277.04		65.36		3,342 40	3,342 34
October	3,342 40		2,789.47		65.36		2,854 83	3,098 62
November	2,854 83		11,763.69		65 36		11,829 05	7,341 94
December	11,829 05		11,763.69				11,763 69	11,796 37

Total Average Monthly Balances	160,595 08
No of Months	12
Average Monthly Balance	13,382 92

Recipient's Name and Address: [redacted]

MTB CHARITABLE FOUNDATION, INC
PO BOX 8

Account Number: A40-305129

Recipient's Identification
Number 31-1484922

2009 TAX and YEAR-END STATEMENT

TRANSACTIONS WE DO NOT REPORT TO THE IRS

(Continued)

SECURITIES PURCHASED

(Continued)

Description	CUSIP	Trade/Process Date	Quantity	Net Cost	Accrued Interest Purchased Amount	Security Type
RUSSELL U.S QUANTITATIVE EQUITY	782494553	06/11/2009	214.17900	4,701.24		
		07/02/2009	432.33300	9,027.11		
				13,728.35		
RUSSELL U S CORE EQUITY FUND CLASS S	782494587	06/11/2009	226.23900	4,701.24		
		07/02/2009	466.14700	9,099.19		
				13,800.43		
Total				**179,411.31**	**0.00**	

Securities Purchased. Securities purchased through your account during 2009 are displayed in this section. We provide this information to you because you will need it to calculate a gain or loss upon disposition of the securities. The net cost displayed includes commissions and fees. If the security purchased is a debt instrument, the net cost does not include accrued interest purchased. Accrued interest purchased is reported separately in this section of your Tax Information Statement. The cost of securities purchased during 2009 should be reported on your tax return in the year in which the securities are sold or redeemed on IRS Form 1040, Schedule D.

SCHEDULE of REALIZED GAINS and LOSSES

Disposition Date	Acquisition Date	Closing Transaction	Description	Security Identifier	Quantity	Cost Basis	Proceeds	Realized Gain/Loss	Term
12/14/09	Multiple	SELL	AMCAP FUND CLASS F-1	AMPFX	78.978	1,052.20	1,296.82	244.62	Short Term
12/14/09	Multiple	SELL	AMERICAN HIGH INCOME TRUST CLASS	AHTFX	19.085	175.85	200.97	25.12	Short Term
12/14/09	Multiple	SELL	FUNDAMENTAL INVESTORS CLASS F-1	AFIFX	39.196	1,055.86	1,282.87	227.01	Short Term
12/14/09	Multiple	SELL	THE GROWTH FUND OF AMERICA CLASS F-1	GFAFX	25.493	579.53	693.15	113.62	Short Term
12/14/09	Multiple	SELL	NEW PERSPECTIVE FUND CLASS F-1	NPFFX	53.870	1,115.40	1,387.16	271.76	Short Term
12/14/09	Multiple	SELL	RUSSELL EMERGING MARKETS FUND CL S	REMSX	55.168	760.26	993.57	233.31	Short Term
12/14/09	Multiple	SELL	RUSSELL REAL ESTATE SECURITIES FUND	RRESX	81.700	1,730.76	2,435.47	704.71	Short Term
12/14/09	Multiple	SELL	RUSSELL INT'L DEVELOPED MARKETS	RINTX	30.487	774.09	938.71	164.62	Short Term

Recipient's Name and Address:

MTB CHARITABLE FOUNDATION, INC
PO BOX 8

Account Number: A40-305129

Recipient's Identification Number: 31-1484922

2009 TAX and YEAR-END STATEMENT

TRANSACTIONS WE DO NOT REPORT TO THE IRS

(Continued)

SCHEDULE of REALIZED GAINS and LOSSES

(Continued)

Disposition Date	Acquisition Date	Closing Transaction	Description	Security Identifier	Quantity	Cost Basis	Proceeds	Realized Gain/Loss	Term
(continued)									
12/14/09	Multiple	SELL	RUSSELL U.S. SMALL & MID CAP FUND	RLESX	28 379	411.68	504.29	92.61	Short Term
12/14/09	Multiple	SELL	RUSSELL U S QUANTITATIVE EQUITY	REQTX	30 964	657 66	799 49	141 83	Short Term
12/14/09	Multiple	SELL	RUSSELL U S. CORE EQUITY FUND CLASS S	RLISX	36 031	718 29	875.92	157 63	Short Term
Total Short Term						**9,031.58**	**11,408.42**	**2,376.84**	
Total Short Term and Long Term						**9,031.58**	**11,408.42**	**2,376.84**	

The Schedule of Realized Gains and Losses is not reported to the IRS. This Schedule may not reflect all cost basis adjustments necessary for tax reporting purposes; for example, it does not reflect disallowed losses from wash sale events. Adjustments to cost basis may have been made for prior income received and subsequently reclassified by the issuer as a return of capital. Typically these adjustments are received after year-end and there may be differences in cost basis reflected on your monthly client brokerage statement at year end versus any subsequent reports or online displays you may have available to you. Return of capital information has been obtained from sources we believe to be reliable.

When you report your cost basis on your tax return, it should be verified with your own records. In particular, there may be other adjustments which you need to make and you should consult with your tax advisor in order to properly report your gain or loss for tax purposes. Pershing shall not be responsible for and makes no representations or warranties with respect to the accuracy of any information that you report to the IRS or other taxing authorities, and, accordingly, disclaims any and all liability that may arise with respect to your use and reliance on the information provided herein for such reporting.

There may be differences between the Schedule of Realized Gains and Losses and 1099 reporting. Below are some of the reasons for these differences:

- **Account Number Changes** - If your account number changed during the year, the Schedule of Realized Gains and Losses may have been transferred from the original account to the new account. The new account will provide you with the complete Schedule of Realized Gains and Losses. However, you will receive a complete 1099 for each account open during the year.
- **Corporate Actions** - For corporate actions, especially cash and stock mergers, the Schedule of Realized Gains and Losses may report the economic gain or loss resulting from the transaction, including the value of any stock or securities received. Thus, the Schedule of Realized Gains and Losses may report no capital gain, a capital gain equal to the difference between the original cost basis versus the fair market value of the new security, or a capital gain equal to the cash received, depending on the terms of the corporate action. In all events, however, the 1099 will only report the cash portion of the corporate action.
- **Cost Basis Service Enrollment** - The Schedule of Realized Gains and Losses will only be displayed for closing transactions during the period the account was enrolled in the cost basis service. However, proceeds will be reported on the 1099 for the full year.
- **Cost Basis Service Reenrollment** - The Schedule of Realized Gains and Losses provides you with the activity after your account was reactivated in the cost basis service. However, proceeds will be reported on the 1099 for the full year.
- **Fixed Income** - Maturities and Redemptions for short-term instruments (maturities of less than one year) are included in the Schedule of Realized Gains and Losses. However, this income is reported to the IRS on Form 1099-INT.

THE MTB CHARITABLE FOUNDATION
Account Number 27J-05652-16 990

Details of Earnings 2009 - *continued*

Dividends and Distributions, Section 2

Amounts displayed for dividends include dividend reinvestments, money fund earnings, accrued dividends received and dividends exempt from Federal income tax.

Reference number	Description	Nondividend distributions	Foreign tax paid	Cash liquidation distributions	Non cash liquidation distributions	Investment expense	NRA Withholding
160000200	CAPITAL WORLD GROWTH AND INCOME FUND CLASS C THIS AMOUNT INCLUDES TAXES PAID TO A FOREIGN GOVERNMENT A PORTION OF THIS INCOME HAS BEEN RECLASSIFIED		$ 33.44				
Totals			**$ 33.44**				

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	4.337	CAPITAL INCOME BUILDER FUND	09/26/08	06/25/09	$ 181.85	$ 226.74	($ 44.89)	
	5.506	CLASS C	12/29/08		230.87	224.04		6.83
	6.007	CONFIRM #500091760229124	12/30/08		251.87	244.42		7.45
	4.732		03/23/09		198.41	175.98		22.43
	4.592		06/23/09		192.55	191.58		.97
125000020	6.816	CAPITAL WORLD GROWTH AND	06/30/08	06/25/09	187.44	272.02	(84.58)	
	4.045	INCOME FUND CLASS C	09/25/08		111.24	138.30	(27.06)	
	6.772	CONFIRM #500091760229280	12/18/08		186.23	178.92		7.31
	3.264		03/23/09		89.76	75.40		14.36
	9.322		06/23/09		256.36	256.26		.10
125000030	.945	FUNDAMENTAL INVESTORS FUND	08/20/08	06/25/09	25.41	35.07	(9.66)	
	5.485	CLASS C	12/17/08		147.49	138.44		9.05
	2.411	CONFIRM #500091760229397	02/23/09		64.83	52.97		11.86
	2.021		05/27/09		54.35	54.26		.09

THE MTB CHARITABLE FOUNDATION

Account Number 27J-05652-16 990

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	.551	ROYCE FD	12/09/08	06/25/09	$ 6.95	$ 5.96		$ .99
	35.305	PREMIER FD CONSULTANT CL	12/09/08		445.20	381.65		63.55
		CONFIRM #500091760229678						
125000060	14.433	THORNBURG INVESTMENT INCOME	07/03/08	06/25/09	220.82	278.12	(57 30)	
	20.039	BUILDER FD CL C	09/29/08		306.60	352.29	(45.69)	
	39.466	CONFIRM #500091760229876	12/29/08		603.83	531.61		72.22
	18.475		03/27/09		282.67	235.93		46.74
125000070	.233	THORNBURG INVESTMENT INCOME	09/28/09	10/12/09	4.08	4.02		.06
		BUILDER FD CL C						
		CONFIRM #500092850148810						
Total					**$ 4,048.81**	**$ 4,053.98**	**($ 269.18)**	**$ 264.01**

Details of Long 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	487.662	CAPITAL INCOME BUILDER FUND	02/04/08	06/25/09	$ 20,447.67	$ 29,098.79	($ 8,651.12)	
	2.101	CLASS C	03/28/08		88.09	120.07	(31.98)	
	3.797	CONFIRM #500091760229124	06/23/08		159.21	216.69	(57.48)	
125000020	709.991	CAPITAL WORLD GROWTH AND	02/05/08	06/25/09	19,524.75	28,449.35	(8,924.60)	
	2.323	INCOME FUND CLASS C	03/25/08		63.88	92.22	(28.34)	
		CONFIRM #500091760229280						
125000030	716.447	FUNDAMENTAL INVESTORS FUND	02/04/08	06/25/09	19,265.25	28,751.03	(9,485.78)	
	.82	CLASS C	02/21/08		22.05	31.99	(9.94)	
	5.354	CONFIRM #500091760229397	02/21/08		143.97	208.91	(64.94)	
	.763		05/29/08		20.52	31.59	(11.07)	
125000040	1,034.571	LEGG MASON OPPORTUNITY TRUST	01/28/04	06/25/09	6,704.02	14,773.67	(8,069.65)	
	275.179	FD CL C	05/01/06		1,783.16	5,000.00	(3,216.84)	
	1.384	CONFIRM #500091760229561	06/27/06		8.97	22.61	(13.64)	
	2.728		12/11/06		17.68	51.80	(34.12)	
	13.408		06/25/07		86.88	293.91	(207.03)	
	349.641		12/24/07		2,265.67	5,852.99	(3,587.32)	
	237.832		06/24/08		1,541.15	2,958.63	(1,417.48)	

THE MTB CHARITABLE FOUNDATION

Account Number 27J-05652-16 990

Details of Long Term Gain (Loss) 2009 - *continued*

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000050	1,027.438	ROYCE FD	01/09/06	06/25/09	$ 12,955.99	$ 17,332.89	($ 4,376.90)	
	278.242	PREMIER FD CONSULTANT CL	05/01/06		3,508.63	5,000.00	(1,491.37)	
	.816	CONFIRM #500091760229678	12/07/06		10.29	14.14	(3.85)	
	105.667		12/07/06		1,332.46	1,830.16	(497.70)	
	15.095		12/11/07		190.35	253.45	(63.10)	
	54.422		12/11/07		686.26	913.75	(227.49)	
	330.166		12/11/07		4,163.39	5,543.49	(1,380.10)	
125000060	1,357.267	THORNBURG INVESTMENT INCOME	02/04/08	06/25/09	20,766.19	28,828.36	(8,062.17)	
	6.804	BUILDER FD CL C	03/27/08		104.10	139.34	(35.24)	
		CONFIRM #500091760229876						
Total					**$ 115,860.58**	**$ 175,809.83**	**($ 59,949.25)**	

Details of Deposits and Withdrawals 2009

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

Withdrawals

Reference number	Date	Description	Referral number	Amount
220000100	07/01/09	MONEY TRANSFER 07/01/09MH THRU PERSHING, LLC MTB CHARITABLE FOUNDATION, PO BOX 8, ROSWELL GA 30077 REFERENCE # 31487382		$ 120,368.58
Total				**$ 120,372.66**

Reference number	Date	Description	Referral number	Amount
220000200	10/15/09	CHECK 6710256455 BY NAPLES FL FOR SALE OF TIBCX		$ 4.08

Summary of Expenses 2009

Checks Written

Summary of check expense codes

This chart shows the total amount of the checks you wrote for each of the following codes. Optional categories, defined by you, are available up to the letter Z.

Code	Type of expense	Total
Uncoded		**$ 1,000.00**

Code	Type of expense	Total
Total		**$ 1,000.00**

2009 YEAR END SUMMARY

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THE MTB CHARITABLE FOUNDATION
PO BOX 8
ROSWELL GA 30077-0008

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Additional Information

Amount

This detail information is not reported to the IRS. It may assist you in tax return preparation.

Short-Term Realized Gain/Loss.....322.23
Long-Term Realized Gain/Loss.....13,626 51-

Detail Information — Short-Term Realized Gain/Loss

Description/CUSIP Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
ASSURED GUARANTY LTD COM USD0.01 / G0585R106						
08/08/08	04/16/09	35.000	307 29	474.11	f	166.82-
08/08/08	05/18/09	12.000	168.83	162.55	f	6.28
various	06/01/09	89.000	1,288.70	907.86	f	380.84
		USD Subtotal	**1,764.82**	**1,544.52**		
CASTLEPOINT HOLDINGS LTD ISIN / G19522112						
various	02/06/09	106.000	193.98	0.00	f g	193.98
PLATINUM UNDERWRITERS HLDGS INC COM / G7127P100						
10/14/08	03/13/09	11.000	302.93	305.97	f	3.04-
various	06/01/09	37.000	1,071.12	1,034.44	f	36.68
		USD Subtotal	**1,374.05**	**1,340.41**		
STEINER LEISURE COM STK USD0.01 / P8744Y102						
01/16/09	06/01/09	5.000	152.94	120.60	f	32.34
ATC TECHNOLOGY CORP COM / 00211W104						
06/19/08	05/18/09	43.000	791.64	1,123.98	f	332.34-
ACUITY BRANDS INC / 00508Y102						
03/13/09	05/18/09	8.000	228.07	181.84	f	46.23
various	06/01/09	29.000	807.91	679.57	f	128.34
		USD Subtotal	**1,035.98**	**861.41**		
AEROPOSTALE / 007865108						
05/18/09	06/01/09	39.000	1,397.72	1,260 28	f	137.44
AMTRUST FINL SVCS INC COM / 032359309						
02/20/09	04/16/09	33.000	335.13	264.73	f	70.40
various	06/01/09	134.000	1,333.31	1,140.64	f	192.67
		USD Subtotal	**1,668.44**	**1,405.37**		
ANALOGIC CORPORATION / 032657207						
various	06/01/09	29.000	1,077.32	849.50	f	227.82
ANSYS INC / 03662Q105						
various	06/01/09	15.000	476.69	538.01	f	61.32-
ANWORTH MTG ASSET CORP / 037347101						
various	06/01/09	61.000	408.85	367.39	f	41.46
ARRIS GROUP INC / 04269Q100						
05/18/09	06/01/09	87.000	1,077.95	938.73	f	139 22
BELDEN INC / 077454106						
various	03/13/09	50.000	496.99	1,794.32	f	1,297.33-

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THE MTB CHARITABLE FOUNDATION
PO BOX 8
ROSWELL GA 30077-0008

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Detail Information — Short-Term Realized Gain/Loss

Description/CUSIP / Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
BIOMARIN PHARMACEUTICAL INC / 09061G101						
various	06/01/09	62.000	873.55	1,155 01	f	281.46-
BLACK HILLS CORP / 092113109						
11/18/08	04/16/09	8.000	149.75	201.28	f	51.53-
various	06/01/09	37.000	836.17	790.52	f	45.65
		USD Subtotal	**985.92**	**991.80**		
CACI INTL INC CL A / 127190304						
05/18/09	06/01/09	22.000	858.19	892.54	f	34.35-
CARDIOME PHARMA CORP COM NPV ISIN / 14159U202						
11/18/08	05/18/09	40.000	170.05	152.00	f	18.05
CARRIZO OIL & GAS INC / 144577103						
various	06/01/09	53.000	1,207.83	855.58	f	352.25
CATALYST HEALTH SOLUTIONS INC COM / 14888B103						
05/18/09	06/01/09	40.000	890.77	814.80	f	75.97
CENTENE CORP DEL / 15135B101						
04/14/08	01/16/09	57.000	1,066.44	763.28	f	303.16
CENTER FINL CORP CALIF / 15146E102						
02/20/09	06/01/09	151.000	478.85	463.57	f	15.28
CENTRAL EUROPEAN DISTR CORP / 153435102						
various	04/16/09	10.000	184.09	489.80	f	305.71-
various	05/18/09	10.000	224.59	305.60	f	81.01-
various	06/01/09	64.000	1,782.35	847.27	f	935.08
		USD Subtotal	**2,191.03**	**1,642.67**		
CENTURY ALUMINUM CO / 156431108						
various	03/13/09	82.000	122.17	2,031.99	f	1,909.82-
CHATTEM INC FORMERLY CHATTEM DRUG & CHEM / 162456107						
various	06/01/09	9.000	554.92	554.23	f	0.69
COMMERCIAL METALS CO / 201723103						
05/20/08	01/16/09	22.000	238 25	774 62	f	536.37-
various	05/18/09	62.000	979.57	1,318.11	f	338.54-
		USD Subtotal	**1,217.82**	**2,092.73**		
COMTECH TELECOMMUNICATIONS CORP COM NEW / 205826209						
various	06/01/09	29.000	869.39	707.52	f	161.87
CONCUR TECHNOLOGIES INC / 206708109						
11/18/08	01/16/09	5.000	146.79	111.15	f	35.64
various	06/01/09	34.000	1,065.87	775.14	f	290.73
		USD Subtotal	**1,212.66**	**886.29**		
CYNOSURE INC CL A / 232577205						
various	06/01/09	26.000	185.13	508.19	f	323.06-
EARTHLINK INC / 270321102						
various	03/13/09	93.000	613.79	867.49	f	253.70-

13,498.51 15379.69

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THE MTB CHARITABLE FOUNDATION
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Detail Information — Short-Term Realized Gain/Loss

Description/CUSIP / Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
EAST WEST BANCORP INC / 27579R104						
various	06/01/09	103.000	812.73	707.87	f	104.86
ESTERLINE TECH CORP / 297425100						
various	06/01/09	31.000	855.57	1,601.76	f	746.19-
FACET BIOTECH CORP COM / 30303Q103						
11/24/08	02/06/09	20.000	128.66	77.01	f	51.65
FELCOR LODGING TRUST INC / 31430F101						
08/08/08	03/13/09	25.000	26.99	183.50	f	156.51-
FIRST HORIZON NATL CORP / 320517105						
01/05/09	01/05/09	0.000	1.59	0.00	f	1.59
04/02/09	04/02/09	0.000	1.94	0.00	f	1.94
07/11/08	06/01/09	122.000	1,517.64	738 02	f	779.62
	USD Subtotal		**1,521.17**	**738.02**		
FLOTEK INDS INC DEL / 343389102						
01/08/09	03/13/09	61.000	102.47	245 83	f	143.36-
GSI COMMERCE INC / 36238G102						
12/12/08	06/01/09	22.000	298.53	185.90	f	112.63
GUESS? INC / 401617105						
12/23/08	02/09/09	11.000	197.44	152 46	f	44.98
various	05/18/09	56.000	1,304.20	789.46	f	514.74
	USD Subtotal		**1,501.64**	**941.92**		
HARMONIC INC / 413160102						
various	05/18/09	33.000	170.93	299.03	f	128.10-
HIGHWOODS PPTYS INC / 431284108						
various	06/01/09	57.000	1,322.39	1,749.13	f	426.74-
INFORMATICA CORP / 45666Q102						
02/14/08	01/16/09	13.000	166.52	241.28	f	74.76-
INTEGRATED DEVICE TECH INC / 458118106						
03/13/09	05/18/09	133.000	682 27	651 70	f	30.57
INVENTIV HEALTH INC COM / 46122E105						
various	06/01/09	68.000	869.19	1,008.85	f	139.66-
INVERNESS MED INNOVATIONS INC / 46126P106						
12/12/08	03/13/09	13.000	340 46	231 92	f	108.54
12/12/08	04/16/09	8.000	223.83	142.72	f	81.11
12/12/08	05/18/09	6.000	190.37	107.04	f	83.33
12/12/08	06/01/09	33.000	1,093.59	588.72	f	504.87
	USD Subtotal		**1,848.25**	**1,070.40**		
JAKKS PACIFIC INC / 47012E106						
04/16/09	06/01/09	8.000	104.32	101.76	f	2.56
KAISER ALUM CORP COM PAR $0.01 / 483007704						
03/13/09	06/01/09	32.000	1,063.97	580.01	f	483.96

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Detail Information — Short-Term Realized Gain/Loss

Description/CUSIP / Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
LIFE TECHNOLOGIES CORP COM / 53217V109						
01/16/09	03/13/09	7.000	205 09	187.95	f	17.14
01/16/09	05/18/09	30.000	1,106.07	805.50	f	300.57
	USD Subtotal		1,311.16	993.45		
LUNDIN MINING CORP COM NPV ISIN / 550372106						
various	01/08/09	52.000	63.44	404.72	f	341.28-
MASSEY ENERGY CO / 576206106						
10/14/08	01/16/09	36.000	504 35	844.27	f	339.92-
MATRIX SVC CO / 576853105						
various	06/01/09	62.000	758.85	799.74	f	40.89-
MEDAREX INC CASH PAYMENT OF $16.00 PER / 583916101						
various	06/01/09	41.000	299.81	307.52	f	7.71-
MONOLITHIC PWR SYS INC COM / 609839105						
08/08/08	06/01/09	10.000	215.19	256.00	f	40.81-
NUANCE COMMUNICATIONS INC COM / 67020Y100						
various	06/01/09	96.000	1,265.24	940.68	f	324.56
ONYX PHARMACEUTICALS INC / 683399109						
various	06/01/09	36.000	859.31	1,002.02	f	142.71-
PDL BIOPHARMA INC COM / 69329Y104						
11/24/08	01/16/09	104.000	692.63	677.71	f	14.92
PAR PHARMACEUTICAL COS INC / 69888P106						
05/18/09	06/01/09	58.000	803.27	687.01	f	116.26
PARAGON SHIPPING INC / 69913R309						
07/11/08	05/18/09	10.000	38.53	158.70	f	120.17-
PERINI CORP (MASS) / 713839108						
04/16/09	05/18/09	8.000	178.23	122.36	f	55.87
PETROHAWK ENERGY CORP / 716495106						
05/20/08	03/13/09	13.000	218.65	361.01	f	142.36-
various	06/01/09	28.000	725.46	518.73	f	206.73
	USD Subtotal		944.11	879.74		
PROGENICS PHARMACEUTICALS / 743187106						
11/18/08	02/06/09	91.000	744.37	826 41	f	82.04-
QLOGIC CORP / 747277101						
various	06/01/09	41.000	573.19	571.28	f	1.91
ROFIN SINAR TECH INC / 775043102						
05/18/09	06/01/09	43.000	994 13	857.42	f	136.71
SOTHEBYS HLDGS INC DELAWARE / 835898107						
various	04/16/09	35.000	341.24	450.84	f	109.60-
SYNTEL INC / 87162H103						
various	03/13/09	28.000	572.87	674.36	f	101.49-

11,159.92 11454.23

THE MTB CHARITABLE FOUNDATION
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Detail Information — Short-Term Realized Gain/Loss

Description/CUSIP / Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
SYNIVERSE HLDGS INC / 87163F106						
01/16/09	03/13/09	10.000	155.89	130 15	f	25.74
01/16/09	06/01/09	58.000	919.85	754.84	f	165.01
	USD Subtotal	**1,075.74**		**884.99**		
T 3 ENERGY SVCS INC / 87306E107						
various	06/01/09	48.000	730.54	876.08	f	145.54-
TEMPLE INLAND / 879868107						
05/18/09	06/01/09	103.000	1,376.10	1,202.01	f	174.09
TESSERA TECHNOLOGIES INC COM / 88164L100						
various	01/16/09	61.000	658.79	894.91	f	236.12-
TORCHMARK CORP / 891027104						
03/13/09	04/16/09	8.000	250 87	184.16	f	66.71
03/13/09	05/18/09	31.000	1,151.93	713.62	f	438.31
	USD Subtotal	**1,402.80**		**897.78**		
TOWER GROUP INC COM / 891777104						
02/18/09	02/18/09	0.000	19.06	0.00	f	19.06
various	02/20/09	48.998	1,104.27	1,064.85	f	39.42
	USD Subtotal	**1,123.33**		**1,064.85**		
TRINITY INDS INC DEL FRMLY TEXAS / 896522109						
various	06/01/09	16.000	239.99	417.82	f	177.83-
TRIUMPH GROUP INC NEW / 896818101						
07/11/08	03/13/09	7.000	250.52	284 41	f	33.89-
07/11/08	06/01/09	23.000	954.24	934.49	f	19.75
	USD Subtotal	**1,204.76**		**1,218.90**		
TRUE RELIGION APPAREL INC / 89784N104						
various	06/01/09	25.000	607.24	253.17	f	354.07
TUTOR PERINI CORP COM / 901109108						
04/16/09	06/02/09	64.000	1,395.80	978 90	f	416.90
UCBH HLDGS INC / 90262T308						
12/12/08	02/20/09	206.000	339.89	979.41	f	639.52-
UNITED THERAPEUTICS CORP DEL / 91307C102						
11/24/08	03/13/09	4.000	265.27	201.40	f	63.87
various	06/01/09	15.000	1,193.36	796.20	f	397.16
	USD Subtotal	**1,458.63**		**997.60**		
VALUECLICK INC / 92046N102						
05/18/09	06/01/09	90.000	1,004.37	941.91	f	62.46
VIASAT INC / 92552V100						
11/18/08	06/01/09	34.000	876 83	673 78	f	203.05
WMS INDS INC / 929297109						
various	06/01/09	47.000	1,612.52	1,216.56	f	395.96

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Fidelity INVESTMENTS

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THE MTB CHARITABLE FOUNDATION
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Detail Information — Short-Term Realized Gain/Loss

Description/CUSIP / Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
WEBSENSE INC / 947684106						
11/18/08	03/13/09	37.000	409.95	571 26	f	161.31-
WORLD ACCEP CORP S C NEW / 981419104						
11/18/08	06/01/09	55.000	1,082.37	~~896.48~~ 1467.74	f	185 89
			1492.32	Short-Term Realized Gain		11,673.88
				Short-Term Realized Loss		11,351.65-
				Short-Term Realized Disallowed Loss		0.00
				Total Short-Term Realized Gain/Loss		**322.23**
f - FIFO (First-in First-out)			64,651 05	64328.82		322.23

g - Cost basis and gain/loss information for this transaction is provided based on information available from the company or other sources In general, your cost basis transfers to the new shares acquired from the merger If the transaction displays a "Cost Basis Adjustment", the cost basis of your new shares was adjusted by the amount displayed. Consult your tax advisor for information on how to report this transaction on your tax return.

Detail Information — Long-Term Realized Gain/Loss

Description/CUSIP / Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
BANCO LATINOAMERICANO DE COMERCIO CLASS / P16994132						
various	06/01/09	100.000	1,297.96	1,645.10	f	347.14-
STEINER LEISURE COM STK USD0.01 / P8744Y102						
various	06/01/09	35.000	1,070.62	1,338.19	f t	267.57-
ANSYS INC / 03662Q105						
various	06/01/09	22.000	699.13	566.74	f	132.39
ANWORTH MTG ASSET CORP / 037347101						
various	06/01/09	149.000	998.66	923.15	f	75.51
CARDIOME PHARMA CORP COM NPV ISIN / 14159U202						
various	05/18/09	134.000	569.68	1,083.43	f	513.75-
CENTRAL EUROPEAN DISTR CORP / 153435102						
07/18/07	04/16/09	14.000	257.73	537.06	f	279.33-
CHATTEM INC FORMERLY CHATTEM DRUG & CHEM / 162456107						
01/03/07	06/01/09	10.000	616.58	502.87	f	113.71
CREE INC / 225447101						
07/19/06	06/01/09	46.000	1,443.44	870.44	f	573.00
			6953.80	7466.98		

THE MTB CHARITABLE FOUNDATION
PO BOX 8
ROSWELL GA 30077-0008

Customer Service: 239-261-9810

Detail Information — Long-Term Realized Gain/Loss

Description/CUSIP / Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
CYNOSURE INC CL A / 232577205						
05/20/08	06/01/09	57.000	405.86	1,433 25	f	1,027.39-
FELCOR LODGING TRUST INC / 31430F101						
various	03/13/09	120 000	129.60	1,579.32	f	1,449.72-
GSI COMMERCE INC / 36238G102						
04/27/07	03/13/09	22.000	252.99	513.75	f	260.76-
various	06/01/09	65.000	882.02	1,138.41	f	256.39-
		USD Subtotal	**1,135.01**	**1,652.16**		
HARMONIC INC / 413160102						
11/28/07	01/16/09	26.000	139.09	281.23	f	142.14-
11/28/07	05/18/09	76.000	393.67	822.06	f	428.39-
		USD Subtotal	**532.76**	**1,103.29**		
INFORMATICA CORP / 45666Q102						
02/14/08	05/18/09	47.000	722.09	872.32	f	150.23-
INVENTIV HEALTH INC COM / 46122E105						
various	06/01/09	47.000	600.77	1,651.13	f	1,050.36-
JAKKS PACIFIC INC / 47012E106						
various	06/01/09	47.000	612.86	868.19	f	255.33-
KFORCE INC / 493732101						
05/25/07	04/16/09	19.000	185.62	303.98	f	118.36-
various	06/01/09	121.000	1,150.11	1,775.14	f	625.03-
		USD Subtotal	**1,335.73**	**2,079.12**		
LUNDIN MINING CORP COM NPV ISIN / 550372106						
various	01/08/09	171.000	208.61	1,970.38	f	1,761.77-
MATRIX SVC CO / 576853105						
09/19/07	05/18/09	20.000	187.59	415.88	f	228.29-
various	06/01/09	35 000	428.39	721.95	f	293.56-
		USD Subtotal	**615.98**	**1,137.83**		
MEDAREX INC CASH PAYMENT OF $16.00 PER / 583916101						
various	06/01/09	119.000	870.17	1,135.11	f t	264.94-
MEDICINES CO / 584688105						
various	06/01/09	55.000	416.33	1,034.16	f	617.83-
MONOLITHIC PWR SYS INC COM / 609839105						
05/20/08	06/01/09	36.000	774.70	868.43	f	93.73-
PARAGON SHIPPING INC / 69913R309						
01/15/08	05/18/09	83.000	319.80	1,277 66	f	957.86-
PETROHAWK ENERGY CORP / 716495106						
05/20/08	06/01/09	11.000	285.00	305 47	f	20.47-
QLOGIC CORP / 747277101						
11/28/07	06/01/09	37.000	517.27	513.67	f	3.60

9482.54 19481.49

Fidelity INVESTMENTS

2009 Supplemental Information		
Account No.	Taxpayer ID	Page
671-031917	31-1484922	11 of 12

THE MTB CHARITABLE FOUNDATION
PO BOX 8
ROSWELL GA 30077-0008

Customer Service: 239-261-9810

Detail Information — Long-Term Realized Gain/Loss

Description/CUSIP / Date Acquired	Date Sold	Quantity	Proceeds	Cost Basis		Gain/Loss(-)
Cost basis, realized gain and loss, and holding period information reported may not reflect all adjustments necessary for tax reporting purposes. This information is not reported to the IRS. It may assist you in tax return preparation.						
REGAL BELOIT CORP COM STK USD0.01 / 758750103						
various	06/01/09	30.000	1,234.78	1,316.82	f	82.04-
SOTHEBYS HLDGS INC DELAWARE / 835898107						
various	04/16/09	57.000	555.73	1,854.07	f	1,298.34-
T 3 ENERGY SVCS INC / 87306E107						
03/10/08	04/16/09	19.000	272.42	936 54	f	664.12-
various	06/01/09	3.000	45.66	177.31	f	131.65-
		USD Subtotal	**318.08**	**1,113.85**		
TRINITY INDS INC DEL FRMLY TEXAS / 896522109						
01/15/08	06/01/09	40.000	599.98	964.82	f	364.84-
TRUE RELIGION APPAREL INC / 89784N104						
07/19/06	05/18/09	16.000	317.27	287 16	f	30.11
various	06/01/09	39 000	947 28	680.13	f	267.15
		USD Subtotal	**1,264.55**	**967.29**		
WESCO INTERNATIONAL INC / 95082P105						
various	04/16/09	49.000	1,093.54	1,964.19	f t	870.65-
				8181.04		
			5066.66	Long-Term Realized Gain		1,304.93
				Long-Term Realized Loss		14,931.44-
				Long-Term Realized Disallowed Loss		0.00
				Total Long-Term Realized Gain/Loss		**13,626.51-**
			21503	35129.51		

f - FIFO (First-in First-out)

t - Cost basis information was provided by a third party. We treat it as onginal cost basis, as of the date it is provided, and we assume that for equities, it reflects any prior corporate actions, and for asset-backed fixed-incomes securities, it reflects any prior principal pay downs. We do not apply any wash sale rules to tax lots with third party provided provided cost basis.

Amortization, accretion, and similar adjustments to cost basis are not provided for short-term instruments, unit investment trusts, or securities of foreign issuers

To see the interactive *Helpful hints for Completing Form 1040, Schedule D*, visit **Fidelity.com/ScheduleD**.

Important Tax Return Document Enclosed.

This is for informational use only This does not replace the official tax documents mailed to you

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

SOURCE	AMOUNT
NORTHWESTERN MUTUAL	2.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	2.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
CITIGROUP SMITH BARNEY	1,402.	0.	1,402.
FIDELITY BROKERAGE SERVICES LLC	274.	13.	261.
NORTHWESTERN MUTUAL	3,123.	0.	3,123.
TOTAL TO FM 990-PF, PART I, LN 4	4,799.	13.	4,786.

FORM 990-PF ACCOUNTING FEES STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
TAX PREPARATION	2,310.	1,155.		0.
TO FORM 990-PF, PG 1, LN 16B	2,310.	1,155.		0.

FORM 990-PF OTHER PROFESSIONAL FEES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
INVESTMENT FEES	2,024.	2,024.		0.
TO FORM 990-PF, PG 1, LN 16C	2,024.	2,024.		0.

FORM 990-PF TAXES STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES	125.	125.		0.
TO FORM 990-PF, PG 1, LN 18	125.	125.		0.

FORM 990-PF CORPORATE STOCK STATEMENT 6

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
SEE ATTACHED	173,409.	208,713.
TOTAL TO FORM 990-PF, PART II, LINE 10B	173,409.	208,713.

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

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

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

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

Type or print	Name of Exempt Organization		Employer identification number
File by the extended due date for filing the return See instructions	THE MTB CHARITABLE FOUNDATION, INC.		31-1484922
	Number, street, and room or suite no. If a P.O. box, see instructions. P.O. BOX 8		For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. ROSWELL, GA 30077-0008		

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

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

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

- The books are in the care of ▶ STEVEN P. BOWLES P.O. BOX 8 - ROSWELL, GA 30075-0008
  Telephone No. ▶ 678-352-1115 FAX No. ▶
- If the organization does not have an office or place of business in the United States, check this box ▶ [ ]
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) _____. If this is for the whole group, check this box ▶ [ ]. If it is for part of the group, check this box ▶ [ ] and attach a list with the names and EINs of all members the extension is for

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

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

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

7 State in detail why you need the extension
MORE TIME IS NEEDED TO ACQUIRE ADDITIONAL INFORMATION REQUIRED TO FILE A COMPLETE AND ACCURATE RETURN.

8a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	8a	$	33.
b	If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	$	255.
c	**Balance Due.** Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	8c	$	0.

Signature and Verification

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

Signature ▶ Title ▶ Date ▶

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

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

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Type or print	Name of Exempt Organization		Employer identification number
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Signature and Verification

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Signature ▶ Title ▶ Date ▶