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Form **990-EZ**

# Short Form Return of Organization Exempt From Income Tax

OMB No 1545-1150

**2009****Open to Public  
Inspection**Department of the Treasury  
Internal Revenue Service

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code  
(except black lung benefit trust or private foundation)  
▶ Sponsoring organizations of donor advised funds and controlling organizations as defined in section 512(b)(13) must file Form 990. All other organizations with gross receipts less than \$500,000 and total assets less than \$1,250,000 at the end of the year may use this form.  
▶ The organization may have to use a copy of this return to satisfy state reporting requirements.

**A For the 2009 calendar year, or tax year beginning , 2009, and ending**

<b>B</b> Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Termination <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	<b>Please use IRS label or print or type. See Specific Instructions.</b>	<b>C Name of organization</b>		<b>D Employer identification number</b>
		HESSTON CORP WORKERS ASSN/UNITED STEELWORKERS LOCAL		48-6114105
		Number and street (or P.O. box, if mail is not delivered to street address) Room/suite		<b>E Telephone number</b>
		P.O. BOX 251		(620) 327-2642
		City or town, state or country, and ZIP + 4		<b>F Group Exemption Number</b>
		HESSTON, KS 67062-0251		▶ 0260

• Section 501(c)(3) organizations and 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A (Form 990 or 990-EZ).

**G Accounting method** ☒ Cash ☐ Accrual  
Other (specify) ▶

**I Website:** ▶ N/A

**J Tax-exempt status** (check only one) - ☒ 501(c) ( 5 ) ◀ (insert no) ☐ 4947(a)(1) or ☐ 527

**H Check** ▶ ☒ if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF)

**K Check** ▶ ☐ if the organization is not a section 509(a)(3) supporting organization and its gross receipts are normally not more than \$25,000. A Form 990-EZ or Form 990 return is not required, but if the organization chooses to file a return, be sure to file a complete return.

**L Add lines 5b, 6b, and 7b, to line 9 to determine gross receipts, if \$500,000 or more, file Form 990 instead of Form 990-EZ** . . . ▶ \$ 357,920

**Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances** (See the instructions for Part I)

<b>Revenue</b>	<b>1</b> Contributions, gifts, grants, and similar amounts received . . . . .	<b>1</b>	
	<b>2</b> Program service revenue including government fees and contracts . . . . .	<b>2</b>	
	<b>3</b> Membership dues and assessments . . . . .	<b>3</b>	345,833
	<b>4</b> Investment income . . . . .	<b>4</b>	4,101
	<b>5 a</b> Gross amount from sale of assets other than inventory . . . . . <b>5a</b>		
	<b>b</b> Less cost or other basis and sales expenses . . . . . <b>5b</b>		
	<b>c</b> Gain or (loss) from sale of assets other than inventory (Subtract line 5b from line 5a) . . . . . <b>5c</b>		0
	<b>6</b> Special events and activities (complete applicable parts of Schedule G). If any amount is from gaming, check here . . . . . <input type="checkbox"/>		
	<b>a</b> Gross revenue (not including \$ of contributions reported on line 1) . . . . . <b>6a</b>		960
	<b>b</b> Less direct expenses other than fundraising expenses . . . . . <b>6b</b>		
<b>c</b> Net income or (loss) from special events and activities (Subtract line 6b from line 6a) . . . . . <b>6c</b>		960	
<b>7 a</b> Gross sales of inventory, less returns and allowances . . . . . <b>7a</b>			
<b>b</b> Less cost of goods sold . . . . . <b>7b</b>			
<b>c</b> Gross profit or (loss) from sales of inventory (Subtract line 7b from line 7a) . . . . . <b>7c</b>		0	
<b>8</b> Other revenue (describe ▶ SEE ATTACHED SCHEDULE ) . . . . . <b>8</b>		7,026	
<b>9 Total revenue.</b> Add lines 1, 2, 3, 4, 5c, 6c, 7c, and 8 . . . . . <b>9</b>		357,920	
<b>Expenses</b>	<b>10</b> Grants and similar amounts paid (attach schedule) . . . . . <b>10</b>		175,684
	<b>11</b> Benefits paid to or for members . . . . . <b>11</b>		
	<b>12</b> Salaries, other compensation, and employee benefits . . . . . <b>12</b>		82,306
	<b>13</b> Professional fees and other payments to independent contractors . . . . . <b>13</b>		3,260
	<b>14</b> Occupancy, rent, utilities, and maintenance . . . . . <b>14</b>		19,580
	<b>15</b> Printing, publications, postage, and shipping . . . . . <b>15</b>		3,120
	<b>16</b> Other expenses (describe ▶ SEE ATTACHED SCHEDULE ) . . . . . <b>16</b>		12,441
	<b>17 Total expenses.</b> Add lines 10 through 16 . . . . . <b>17</b>		296,391
<b>Net Assets</b>	<b>18</b> Excess or (deficit) for the year (Subtract line 17 from line 9) . . . . . <b>18</b>		61,529
	<b>19</b> Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return) . . . . . <b>19</b>		245,519
	<b>20</b> Other changes in net assets or fund balances (attach explanation) . . . . . <b>20</b>		
	<b>21</b> Net assets or fund balances at end of year. Combine lines 18 through 20 . . . . . <b>21</b>		307,048

**Part II Balance Sheets.** If Total assets on line 25, column (B) are \$1,250,000 or more, file Form 990 instead of Form 990-EZ

(See the instructions for Part II)

	(A) Beginning of year	(B) End of year
<b>22</b> Cash, savings, and investments . . . . .	212,065	<b>22</b> 260,004
<b>23</b> Land and buildings . . . . .	48,941	<b>23</b> 46,894
<b>24</b> Other assets (describe ▶ UTILITY DEPOSIT ) . . . . .	150	<b>24</b> 150
<b>25 Total assets</b> . . . . .	261,156	<b>25</b> 307,048
<b>26 Total liabilities</b> (describe ▶ SEE ATTACHED SCHEDULE ) . . . . .	15,637	<b>26</b> 0
<b>27 Net assets or fund balances</b> (line 27 of column (B) must agree with line 21) . . . . .	245,519	<b>27</b> 307,048

For Privacy Act and Paperwork Reduction Act Notice, see the separate instructions.

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## Expenses

(Required for section 501(c)(3) and 501(c)(4) organizations and section 4947(a)(1) trusts, optional for others )

28 REPRESENTS EMPLOYEES IN NEGOTIATING AND CONTRACTING WITH MANAGEMENT  
REGARDING WAGES, HOURS, JOB SECURITY, GRIEVANCES, AND PROMOTES  
BEST INTEREST AND WELFARE OF EMPLOYEES.

28a

**29a**

30a

31a

32

(e) Expense account and other allowances

0

---

0

10

0

01

01

**Part V Other Information** (Note the statement requirements in the instructions for Part V)

		Yes	No
<b>33</b>	Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity . . . . .	<b>33</b>	X
<b>34</b>	Were any changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the changes . . . . .	<b>34</b>	X
<b>35</b>	If the organization had income from business activities, such as those reported on lines 2, 6a, and 7a (among others), but not reported on Form 990-T, attach a statement explaining why the organization did not report the income on Form 990-T		
<b>a</b>	Did the organization have unrelated business gross income of \$1,000 or more or was it subject to section 6033(e) notice, reporting, and proxy tax requirements? . . . . .	<b>35a</b>	X
<b>b</b>	If "Yes," has it filed a tax return on <b>Form 990-T</b> for this year? . . . . .	<b>35b</b>	N / A
<b>36</b>	Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N. . . . .	<b>36</b>	X
<b>37a</b>	Enter amount of political expenditures, direct or indirect, as described in the instructions ▶ <b>37a</b> 0		
<b>b</b>	Did the organization file <b>Form 1120-POL</b> for this year? . . . . .	<b>37b</b>	X
<b>38a</b>	Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee or were any such loans made in a prior year and still outstanding at the end of the period covered by this return? . . . .	<b>38a</b>	X
<b>b</b>	If "Yes," complete Schedule L, Part II and enter the total amount involved . . . . . <b>38b</b>		
<b>39</b>	Section 501(c)(7) organizations Enter		
<b>a</b>	Initiation fees and capital contributions included on line 9 . . . . . <b>39a</b>		
<b>b</b>	Gross receipts, included on line 9, for public use of club facilities . . . . . <b>39b</b>		
<b>40a</b>	Section 501(c)(3) organizations Enter amount of tax imposed on the organization during the year under section 4911 ▶ , section 4912 ▶ , section 4955 ▶		
<b>b</b>	Section 501(c)(3) and 501(c)(4) organizations Did the organization engage in any section 4958 excess benefit transaction during the year or is it aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I . . . . .	<b>40b</b>	N / A
<b>c</b>	Section 501(c)(3) and 501(c)(4) organizations Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 . . . . . ▶		
<b>d</b>	Section 501(c)(3) and 501(c)(4) organizations Enter amount of tax on line 40c reimbursed by the organization . . . . . ▶		
<b>e</b>	All organizations At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T . . . . .	<b>40e</b>	X
<b>41</b>	List the states with which a copy of this return is filed ▶ N/A		
<b>42a</b>	The organization's books are in care of ▶ WILLIAM TANNER Telephone no ▶ (620) 327-2642 Located at ▶ 116 WEST SMITH, HESSTON, KANSAS ZIP + 4 ▶ 67062-0251		
<b>b</b>	At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? . . . . .	<b>42b</b>	X
	If "Yes," enter the name of the foreign country ▶		
	See the instructions for exceptions and filing requirements for <b>Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts</b> .		
<b>c</b>	At any time during the calendar year, did the organization maintain an office outside of the U S ? . . . . .	<b>42c</b>	X
	If "Yes," enter the name of the foreign country ▶		
<b>43</b>	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of <b>Form 1041</b> - Check here. . . . . ▶ <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the tax year . . . . . ▶ <b>43</b>		
<b>44</b>	Did the organization maintain any donor advised funds? If "Yes," Form 990 must be completed instead of Form 990-EZ . . . . .	<b>44</b>	X
<b>45</b>	Is any related organization a controlled entity of the organization within the meaning of section 512(b)(13)? If "Yes," Form 990 must be completed instead of Form 990-EZ . . . . .	<b>45</b>	X

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**Part VI Section 501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts only.** All section 501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts must answer questions 46-49b and complete the tables for lines 50 and 51

- 46** Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I . . . . . **46** ☐ **Yes** ☐ **No**
- 47** Did the organization engage in lobbying activities? If "Yes," complete Schedule C, Part II . . . . . **47** ☐ **Yes** ☐ **No**
- 48** Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E . . . . . **48** ☐ **Yes** ☐ **No**
- 49a** Did the organization make any transfers to an exempt non-charitable related organization? . . . . . **49a** ☐ **Yes** ☐ **No**
- b** If "Yes," was the related organization a section 527 organization? . . . . . **49b** ☐ **Yes** ☐ **No**
- 50** Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter "None"

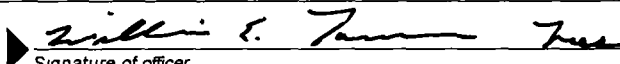
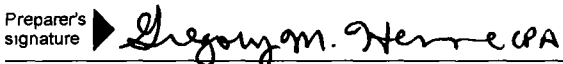
(a) Name and address of each employee paid more than \$100,000	(b) Title and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans & deferred compensation	(e) Expense account and other allowances

**f** Total number of other employees paid over \$100,000 . . . . . **f** \_\_\_\_\_

- 51** Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter "None"

(a) Name and address of each independent contractor paid more than \$100,000	(b) Type of service	(c) Compensation

**d** Total number of other independent contractors receiving over \$100,000 . . . . . **d** \_\_\_\_\_

<b>Sign Here</b>	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 officer) is based on all information of which preparer has any knowledge.			
	 Signature of officer		7-12-2010 Date	
WILLIAM E. TANNER, TREASURER Type or print name and title				
<b>Paid Preparer's Use Only</b>	Preparer's signature 	Date 7-9-2010	Check if self-employed <input type="checkbox"/>	Preparer's identifying number (See instructions)
	Firm's name (or yours if self-employed), address, and ZIP + 4 STEELY & SCHIMMING, LLC P.O. BOX 608, NEWTON, KS 67114		EIN	Phone no (316) 283-4810

May the IRS discuss this return with the preparer shown above? See instructions . . . . . ☐ **Yes** ☒ **No**

**HESSTON CORPORATION WORKERS ASSOCIATION/  
UNITED STEELWORKERS LOCAL 11228  
EIN 48-6114105  
FORM 990-EZ SUPPORTING SCHEDULE  
FOR 2009**

**PART I LINE 6 SPECIAL ACTIVITIES**

Women of Steel Committee fund-raising activities  
to raise funds to send women to training,  
WOS conferences, and Union support activities

\$ 960

**PART I LINE 8 OTHER REVENUE**

Insurance Proceeds-roof damages  
Miscellaneous

\$ 6,925  
101  
\$ 7,026

**PART I LINE 10 PAYMENTS TO AFFILIATES**

United Steelworkers International Union Dues

\$ 175,684

**PART I LINE 16 OTHER EXPENSES:**

Union Promotional Expenses  
Women of Steel Expenses  
Travel  
Office Supplies/Admin Expenses  
Conference Registrations/Fees  
Bank Service Charges  
Dues Refund  
State Annual Report Fees

\$ 2,957  
3,035  
1,119  
2,686  
2,400  
34  
145  
65  
\$ 12,441

**PART II LINE 26 TOTAL LIABILITIES:**

Payroll Taxes Withheld  
Building Mortgage Payable

	Beg of Year	End of Year
\$ 2,475	\$ -	
13,162	-	
<u>\$ 15,637</u>	<u>\$ -</u>	

## DECLARATION CERTIFICATE

I, the undersigned, do hereby certify.

(1) That I am the duly elected and acting treasurer of the Hesston Corporation Workers Association/United Steelworkers Local 11228, a Kansas nonprofit Corporation and

(2) That the attached document is the articles of incorporation and bylaws, as duly adopted at the first meeting of the board of directors thereof duly held November, 1957, and as subsequently restated and amended by the board of directors throughout the years, and last amended April, 2009

IN TESTIMONY WHEREOF, I have hereunto subscribed my name this 12th day of July, 2010

A handwritten signature in cursive script, appearing to read "William E. Tanner".

William E. Tanner, Treasurer

Hesston Corporation Workers Association/United Steelworkers Local 11228

**HESSTON CORPORATION WORKERS ASSOCIATION  
UNITED STEELWORKERS LOCAL 11228**

**ARTICLES OF  
INCORPORATION**

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**BY-LAWS**

ORIGINAL 11-57  
REVISED 1-66  
REVISED 1-67  
REVISED 6-68  
REVISED 6-71  
REVISED 4-73  
REVISED 5-76  
REVISED 3-80  
REVISED 2-84  
REVISED 1-87  
REVISED 3-89  
REVISED 3-91  
REVISED 1-02  
REVISED 1-03  
REVISED 1-04  
REVISED 1-05  
REVISED 1-07  
REVISED 4-08  
REVISED 4-09

This Book the Property of

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## **Articles of Incorporation**

### **HESSTON CORPORATION WORKERS ASSOCIATION UNITED STEELWORKERS LOCAL 11228**

#### **A.**

NAME. The name of this corporation is Hesston Corporation Workers Association / United Steelworkers Local 11228 (HCWA/USW Local 11228).

#### **B.**

OBJECT AND POWERS. This corporation is not organized for profit, and the nature of the business, objects and purposes to be transacted, promoted or carried on are as follows:

- (a) To represent employees at all AGCO Corporation, Hesston plants, offices, subsidiaries, facilities, branches and associated or affiliated organizations and operations as well as other manufacturing operations in the area which meet the qualifications and requirements established from time to time by the Board of Directors in negotiating and contracting with management regarding wages, hours, safety, job security, grievances, and other conditions of employment, and to do any and all things necessary or required to be designated as the collective bargaining agent for said employees as provided by applicable state and federal laws, all in order to advance and safeguard their economic and social welfare.
- (b) To cooperate with any person, firm or corporation in such manner as may from time to time be deemed necessary or expedient in order to promote the best interests and welfare of such workers and to carry out the various objects or purposes herein specified or in anywise appertaining.
- (c) To erect, lease, buy, sell, own, occupy and/or operate all necessary buildings, offices or rooms with any other structures, or equipment that may be necessary or useful to accomplish the purposes herein set forth.
- (d) To make, enter into, perform and carry out contracts and agreements of any kind, for any lawful purpose, without limit as to amount, with any person, firm, association or corporation.
- (e) To purchase, or otherwise acquire, take, own, hold, mortgage, pledge, create liens upon, convey, sell, transfer and invest in real and personal property, and to exercise any and all powers connected with or relating to each and all of the foregoing purposes; the foregoing clause to be construed both as objects and powers.
- (f) To have one or more officers carry on any or all of its operations and business, and, without restriction or limit as to amount, to purchase or otherwise acquire, hold, own, mortgage, sell, convey or otherwise dispose of, real or personal property, or any interest therein, of every class and description in any of the states or districts of the United States; the foregoing enumeration of specifics powers shall not be held to limit or restrict in any manner the powers of this corporation.
- (g) To do all and everything necessary, suitable and proper for the accomplishment of any of the purposes, or attainment of any of the objectives, or in the exercise of any of the powers herein set forth, whether specified herein or not, either alone or in connection with other firms, individuals, corporations, or partnerships, both in this state and

throughout the United States, and elsewhere, and to do any other act or acts, thing or things, incidental or appurtenant to, or growing out of, or in connection with said business or powers or purposes, or any part thereof, if not inconsistent with the law under which this corporation is organized.

**C.**

**LOCATION OF REGISTERED OFFICE.** The location of its registered office in this state is 116 West Smith Street, Hesston Kansas 67062.

**D.**

**RESIDENT AGENT.** The name of the resident agent in this state for this corporation shall be the corporation itself, Hesston Corporation Workers Association / United Steelworkers Local 11228.

**E.**

**DURATION OF EXISTENCE.** The duration of its corporate existence is perpetual.

**F.**

**DIRECTORS.** The number of directors shall not be less than three (3) nor more than eleven (11). The officers of the corporation also shall be its Board of Directors.

All contracts executed by or on behalf of the corporation shall be signed by the President and/or Vice President and attested by the Secretary.

This corporation may, in its by-laws, confer powers upon its directors in addition to the powers and authority expressly conferred upon them by statute.

The directors and officers of this corporation may be directors and officers of other corporations, and transactions or contracts of this corporation with such other corporations shall not be affected by the fact that the officers hereof are interested in or directors or officers of such other corporation or corporations.

**G.**

**DIRECTORS LIABILITY.** The directors shall not be personally liable to this corporation for monetary damages for breach of fiduciary duty as a director, excepting that such liability is not eliminated or limited (a) for any breach of the director's duty of loyalty to this corporation, (b) for acts or omissions knowingly not in good faith or which involve intentional misconduct or a knowing violation of law, (c) as provided in K.S.A. 17 - 6424 and amendments thereto, or (d) for any transaction from which the director derived an improper personal benefit.

**H.**

**STOCK.** This corporation shall not have authority to issue capital stock.

**I.**

**AMENDMENT.** The corporation reserves the right to amend or repeal any provision contained in the Articles of Incorporation. Any such amendment or repeal shall

be made in accordance with Kansas law and shall be approved by a majority of those members present and voting at an annual or special meeting at which such amendment is submitted before such change is effective. The by-laws shall be amended in the manner provided in the by-laws.

J.

**MEMBERSHIP.** The conditions and requirements for membership shall be fixed by the by-laws of the corporation.

## **By - Laws**

### **HESSTON CORPORATION WORKERS ASSOCIATION UNITED STEELWORKER LOCAL 11228**

#### **ARTICLE I Name and Location**

**Section 1.** The name of this corporation shall be Hesston Corporation Workers Association / United Steelworkers Local 11228 ("Association").

**Section 2.** The Association's principal office shall be located at 116 West Smith Street, Hesston Kansas 67062.

**Section 3.** Other offices for the transaction of business shall be located at such places as the Board of Directors ("Board") may from time to time determine.

#### **ARTICLE II Membership and Meetings**

**Section 1. QUALIFICATIONS.** Any person who is an hourly paid employee of AGCO Corporation, Hesston at one of its plants, offices, subsidiaries, facilities, branches, accretions, and/or associated or affiliated organizations, its successors or assigns, or any hourly paid employee of any other manufacturer operating at the plant facility formerly owned by Hesston Corporation at Hesston, Kansas, and who agrees to comply with all the provisions of the by-laws and other rules and regulations, may become a member of the Association by meeting such conditions as may be prescribed by the Board and paying the monthly dues prescribed by the membership.

**Section 2. ANNUAL MEETING.** The annual meeting of the members shall be held in April of each year, at such time and place as the Board may determine. At such meeting the members entitled to vote shall elect by secret ballot the officers of the association, hereinafter mentioned, who shall also serve as the Board. The term of all officers shall be three (3) years, with the President elected in 2003, the Second Vice President and Treasurer to be elected in 2004, and the First Vice President and Secretary to be elected in 2005. All current officers shall serve out their present terms of office, and, assuming all other qualifications are met, shall be eligible for re - election.

**Section 3. SPECIAL MEETINGS.** Special meetings of the members may be called and held at any time and place, within the State of Kansas, by the President or by the Board and shall be so called and held upon the written request of not less than 25 percent of the members entitled to vote or of not less than 60 percent of all stewards, stating the time, place and purpose of the meeting.

**Section 4. NOTICE OF MEETINGS.** Notice of all annual meetings of the members together with a statement of the purposes thereof, shall be mailed to each member, at the member's last known address, by the Secretary at least 15 days prior to the meeting. Notice of special meetings setting forth the purpose shall be mailed as provided for annual meetings 5 days prior thereto, or, in the alternate, posted on all plant bulletin boards at least 5 days prior to such meeting, but no notice of adjourned meetings shall be required.

**Section 5. Presiding Officer.** The President, or, in the President's absence, the First Vice-President, shall preside at all such meetings.

**Section 6. VOTING.** Any employee from the Bargaining Unit may join the Association at any time.

A new employee that joins the Association at the time his/her employment begins or during the initial period of probation, must be a member in good standing for a minimum of sixty (60) calendar days before he/she shall have the right to vote at any meeting or special election.

Any employee from the Bargaining Unit that has been employed by the company for over ninety (90) calendar days, or has terminated his/her membership in the Association while still employed by the company, must be a member in good standing for at least one hundred and eighty (180) calendar days before having the right to vote at any meeting or special election.

**Section 7. VOTING BY MAIL.** Voting by proxy shall not be permitted, but absent members may vote on specific questions, other than the removal of directors, by ballots transmitted to the Secretary by mail; provided, that all members shall be notified in writing of the exact wording of the motion or resolution upon which such vote is taken, and a copy of the same is forwarded with the vote.

**Section 8. QUORUM.** Ten (10) percent of the membership shall constitute a quorum for the transaction of business at any meeting of the Association, except for the transaction of business concerning which a different quorum is required by law; but in the event a quorum is not present, such meeting may be adjourned from time to time by those present until a quorum is attained.

**Section 9. ORDER OF BUSINESS.** The order of business at the annual meeting and so far as possible at all other meetings shall be roll call, proof of due notice of meeting, reading and disposal of minutes, reports of officers and committees, election of officers, unfinished business, new business and adjournment.

### **ARTICLE III**

#### **Directors**

**Section 1. DUTIES AND QUALIFICATIONS.** The general supervision, management, and control of the Association shall be vested in the Board of Directors, each of whom shall be a member in good standing of the Association for at least one continuous year immediately preceding the date of election and not a member of any other rival union or labor organization. The Board shall conduct the general business of the Association, but is not authorized to contract with any union or other labor organization. In addition, the Board of Directors shall not execute mortgages or liens upon the real and personal property of the corporation without approval of the membership.

**Section 2. ORGANIZATION MEETING.** The Board shall meet immediately following each annual meeting and establish such rules and procedures as it may deem necessary for the proper conduct of its business.

**Section 3. MEETINGS.** Regular meetings of the Board of Directors shall be held semi - monthly or at such other times and at such places as the Board may determine. Special meetings shall be held whenever called by the President or a majority of the Directors. Notice of all regular and special meetings shall be mailed to each Director at least three days prior to the day of the meeting, or given in person or by telephone at least twenty-four hours prior to the time of the meeting, provided that notice of any meeting may be waived in writing by all of the Directors. A majority of the Directors shall constitute a quorum at any meeting.

**Section 4. COMPENSATION.** The compensation, if any, of the officers, directors and of the executive committee shall be determined by the members of the Association at any annual or special meeting.

**Section 5. BONDS.** The Board shall require the Treasurer and all other officers, agents and employees charged by the Association with responsibility for the custody of any of its funds, to give adequate bonds. The cost of said bonds, if any, shall be paid by the Association.

**Section 6. AUDITS.** At least once a year there will be a careful audit of all the books and accounts of the Association. A written report of the results of such audit shall be submitted to the members of the Association at the Annual Membership Meeting. Such report shall include at least (1) a balance sheet showing the true assets and liabilities of the Association, (2) an operating statement for the fiscal period under review, and (3) an itemized statement of all expenses for the period under review. Beginning with the audit for the fiscal year 2007, (To be presented at the 2008 Annual Meeting), the Association's annual audits shall be conducted by, or under the supervision of, those corporate officers that shall be known as Audit Trustees.

**Section 7. EXECUTIVE COMMITTEE.** The President, Secretary and Treasurer shall constitute the executive committee.

**Section 8. NEGOTIATING COMMITTEE.** At least 6 months and no longer than one year prior to the end of the Collective Bargaining Agreement elections will be held for four members of the Negotiating Committee. The only duty of the committee will be to negotiate the next Collective Bargaining Agreement. The term of the committee will continue through the end of negotiations and will end upon ratification by the membership of the Collective Bargaining Agreement. To be an eligible candidate for the committee individuals must be a member in good standing for a minimum of one year prior to the date of the election, of committee members. The President of the Union will also serve on the committee without needing to be elected to the committee. The other Board members will be eligible to be elected to the committee.

## **ARTICLE IV**

### **Officers**

**Section 1. PRESIDENT.** The President shall (1) preside over all meetings of the Association and of the Board; (2) call special meetings of the Board; (3) perform all acts and duties usually performed by an executive and presiding officer; and (4) perform such duties as may be prescribed by the Board.

**Section 2. FIRST VICE-PRESIDENT.** In the absence, disability, resignation, or recall of the President, the First Vice President shall perform the duties of the President, provided, however, that in case of the death, resignation or disability of the President, the Board may declare the office vacant and such vacancy shall be filled in accordance with these by-laws.

**Section 3. SECOND VICE-PRESIDENT.** The Second Vice-President shall be in charge of membership.

**Section 4. SECRETARY.** The Secretary shall keep a complete record of all meetings of the Association and the Board and shall have general charge and supervision of the records of the Association. The Secretary shall; 1) serve all notices required by law and by these by-laws; 2) shall make a full report of all matters and business pertaining to the Secretary's position to the members at the meeting; 3) shall keep the corporate seal and affix the same to all papers requiring the seal; 4) make all reports required by law; and, 5) perform such other duties as may be required by the Association or the Board. Upon the election of a successor, the Secretary shall give the successor all Association books and other property in the Secretary's possession.

**Section 5. TREASURER.** The Treasurer shall perform such duties with respect to the finances of the Association as may be prescribed by the Board of Directors.

**Section 6. Audit Trustees.** There shall be three Audit Trustee positions (Audit Committee Chairperson, Audit Committee Secretary, and Audit Committee Alternate). Except for the initial length of the terms for Secretary and Alternate described below, Audit Trustees shall serve for terms of three (3) years. As used in this paragraph, a "year" is the period from one annual meeting to the next. Notwithstanding the stated length of his or her term, each trustee will serve until his or her successor takes office, or until the trustee resigns or for any other reason ceases or becomes unable to serve, or is duly recalled from office.

The three Audit Trustees shall be elected by secret ballot at the annual membership meeting or any duly called special meeting. At the first election of Audit Trustees, which shall take place at the 2007 Annual Membership Meeting, the nominee receiving the most votes shall be elected to be the Committee Chairperson and shall serve for a 3-year term, the nominee receiving the second most votes shall be elected to be Committee Secretary and shall serve for a 2-year term, and the nominee receiving the third most votes shall be elected as the committee Alternate and shall be elected for a 1-year term. Thereafter, the Trustees for all Positions shall be elected by a majority of the valid ballots cast for such position.

Any Recalls or Vacancies on the Audit Committee will be disposed of in the manner prescribed for officers within these By-Laws. No one shall serve as an Audit Trustee without meeting the requirements set forth in Article III, Section 1 of the By-Laws. No one who is a director of the Association shall serve as an Audit Trustee, and no one serving as an Audit Trustee shall serve as a director.

- a. The three Trustees together shall constitute the Audit Committee. Subject to the following requirements, the Audit Committee shall establish its own rules.
  1. It shall hold actual meetings at least once every fiscal quarter.
  2. For any valid meeting of the Audit Committee to take place, at least two Trustees must be present.
  3. All Trustees shall receive reasonable notice of, and shall have the right to attend, all Audit Committee meetings, and shall attend all such meetings except when prevented by reasonable cause.
  4. The Alternate Trustee shall not vote except;
    - a. With respect to Audit Committee rules and schedule,
    - b. When one of the other Trustees is absent from a duly called Audit Committee meeting,
    - c. When his or her vote is necessary to break a tie between the other Trustees,

- d. For unanimous consent action of the Audit Committee taken without a meeting of such Committee.
- b. The Audit Committee shall upon request of the Board of Directors report to such Board; however, the Committee shall prepare its audits without the supervision or control of the Board.
- c. The Association shall be responsible for payment of any reasonable expenses incurred by the Audit Committee in the performance of its work including expenses for professional services, but the Association shall have the right, through action taken at any monthly Stewards meeting, or any properly called special Stewards meeting, to establish budgets for such committee.

**Section 7. VACANCY.** Whenever a vacancy occurs among the officers, other than by expiration of a term of office, and such vacancy would result in a vacancy on the Board of more than four months from the date of election of a replacement, the Board shall request that the nominating committee nominate two persons for the vacancy within 30 days. Notice of these nominations shall be posted. Not less than five working days nor more than ten working days following the posting, the steward in his or her area of responsibility shall poll the members within the area of responsibility to determine the members' preference between the nominees. At the next regular scheduled steward's meeting, the stewards shall vote on the nominees, such vote reflecting the majority preference of the members within the steward's area of responsibility. The person elected to the vacancy shall serve until the next annual meeting, at which time an election shall be held for the unexpired term of the office in which the vacancy occurred.

**Section 8. RECALL OF OFFICERS.** The following procedure shall be required to recall an officer of the Association. A petition fully stating the reason or reasons for the proposed recall, signed by 51 percent of the Union membership, shall be presented to the Board of Directors. Upon determination of the validity of the signatures upon the petition, the Board shall call a special meeting at which the reason or reasons for recall will be presented, and the officer shall be given an opportunity to be heard. A two-thirds secret ballot vote in favor of recall of the officer by those present and voting shall be required for recall. In the event that there is not a quorum at the recall meeting, the petition shall be declared null and void.

**Section 9. RECALL OF STEWARDS.** The following procedure shall be required to recall a steward of the Association. A petition fully stating the reason or reasons for the proposed recall, signed by 51 percent of the members within the steward's area of responsibility, shall be presented to the Board of the Association. Upon the determination of the validity of the signatures upon the petition, the Board shall call a meeting of the members within the steward's area of responsibility, such meeting to be conducted by a member of the Board. At the meeting, the reason or reasons for recall will be presented, and the steward shall be given an opportunity to be heard. A two-thirds secret ballot vote in favor of recall of the steward by those present and voting shall be required for recall.

## **ARTICLE V**

### **Indemnification of Directors, Officers and Agents**

**Section 1. ACTION, SUIT OR PROCEEDING OTHER THAN BY OR IN THE RIGHT OF THE CORPORATION.** The corporation shall indemnify any person who was or is a party, or is threatened to be made a party, to any threatened, pending or completed action, suit or proceedings, whether civil, criminal, administrative or investigative (other than an action by or in the right of the corporation) by reason of the fact that said person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the

corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses, judgments, fines and amounts paid in settlement actually and reasonably incurred by said person in connection with such action, suit or proceeding, (including attorney's fees ) if said person acted in good faith, and in a manner said person reasonably believed to be in or not opposed to the best interests of the corporation; and, with respect to any criminal action or proceedings, had no reasonable cause to believe said person's conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that said person did not act in good faith and in a manner which the person reasonably believed to be in or not opposed to the best interests of the corporation, and with respect to any criminal action or proceeding, had reasonable cause to believe that said person's conduct was unlawful.

**Section 2. ACTION OR SUIT BY OR IN THE RIGHT OF THE CORPORATION.** The Corporation shall indemnify any person who was or is a party, or is threatened to be made a party, to any threatened, pending or completed action or suit by or in the right of the corporation to procure a judgment in its favor by reason of the fact that said person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against expenses actually and reasonably incurred by said person in connection with the defense or settlement of such action or suit, including attorneys' fees, if said person acted in good faith and in a manner said person reasonably believed to be in or not opposed to the best interests of the corporation and except that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of his duty to the corporation unless and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which the court shall deem proper.

**Section 3. SUCCESSFUL DEFENSE.** To the extent that a director, officer, employee or agent of the corporation has been successful on the merits or otherwise in defense of any action suit or proceeding referred to in Sections 1 and 2, or in defense of any claim, issue or matter therein, that person shall be indemnified against expenses actually and reasonably incurred by said person in connection therewith, including attorneys' fees.

**Section 4. MUST BE SPECIFIC DETERMINATION.** Any indemnification under Sections 1 and 2, unless ordered by a court, shall be made by the corporation only as authorized in the specific case upon a determination that indemnification of the director, officer, employee or agent is proper in the circumstances because said person has met the applicable standard of conduct set forth in Sections 1 and 2. Such determination shall be made (1) by the Board by a majority vote of a quorum consisting of directors who were not parties to such action, suit or proceeding, or (2) if such a quorum is not obtainable or even if obtainable, a quorum of disinterested directors so directs, by independent legal counsel in a written opinion.

**Section 5. ADVANCE PAYMENT.** Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the corporation in advance of the final disposition of such action, suit or proceeding as authorized by the Board in the specific case upon receipt of an undertaking by or on behalf of the director, officer, employee or agent to repay such amount unless it shall



ultimately be determined that said person is entitled to be indemnified by the corporation as authorized in this section.

**Section 6. REMEDY NOT EXCLUSIVE.** The indemnification provided by this section shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under any by-law, agreement or disinterested directors or otherwise, both as to action in his official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a director, officer, employee or agent and shall inure to the benefit of the heirs, executors, and administrators of such a person.

**Section 7. INSURANCE.** The corporation shall have power to authorize and direct the purchase and maintenance of insurance on behalf of any person who is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against said person and incurred by said person in any such capacity, or arising out of said person's status as such whether or not the corporation would have the power to indemnify said person against such liability under the provisions of this section.

## **ARTICLE VI Miscellaneous**

**Section 1. AMENDMENT.** These by-laws may be amended or repealed as follows: The Board shall establish a deadline of no less than sixty days (60) prior to the annual meeting by which written proposals for by-law changes shall be submitted to the Board. Such proposed changes shall be reviewed by the Board to determine whether such proposals are consistent with federal and state law and to provide proper wording. The changes shall be submitted to the stewards at a regularly scheduled meeting prior to the annual meeting and the stewards, by majority vote of those attending and voting, shall determine which proposals, if any, shall be submitted to the membership. Only those by-law proposals approved by the stewards shall be submitted to vote at the annual meeting and the by-laws may be amended or repealed by a majority of the eligible members present and voting at any regular or special meeting called for that purpose at which notice of the specific by-law proposals is included in the notice of the meeting.

**Section 2. FISCAL YEAR AND BUDGET.** The fiscal year of the Association shall end on December 31st. of each year. Prior to the end of each fiscal year, the Board of Directors shall prepare an appropriate budget for the next fiscal year which shall be presented to the stewards at the January or February stewards meeting for approval.

**Section 3. TERMINATION OF MEMBERSHIP AND EXPULSION.** Voluntary termination of membership by individual members will be limited to twice (2) a year in the months of January and July, and the member must give a minimum of sixty (60) days but no more than ninety (90) days prior notice, in writing on the proper Union form of their desire to terminate their membership in the Association. Membership shall terminate automatically for any person who is no longer employed by AGCO Corporation, Hesston or who fails to pay dues promptly when due. If the Board receives a report charging a member with violation of any provision of the charter or by-laws or any other properly promulgated regulations of the Association, or with misrepresentation, forceful violence, threats or other misconduct, which in any manner involves the purpose and good name of this Association, the Board shall notify said member in writing to appear before the Board on a day certain and show cause why the member should

not be expelled. Upon proper hearing at which the member may be represented and present evidence on his own behalf, the member may be expelled or the Board may refer the case to the membership at the next membership meeting for further disposition.

**Section 4. ROBERTS' RULES.** All questions not covered herein shall be governed by Roberts' Rules of Order.

**Section 5. ARTICLES OF INCORPORATION AND BY-LAWS.** Each member shall be furnished a copy of the Articles of Incorporation and By-Laws upon becoming a member of the Association. Each member shall be furnished a copy of any Amendments to the charter or by-laws.

**Section 6. DISSOLUTION OF THE ASSOCIATION.** In the event that the members of the Association vote to dissolve, then the last Board, after payment of all indebtedness, shall pay and deliver all of the remaining money and other property to a bank with trust powers that they may select within the State of Kansas, which bank shall hold, invest, manage and reinvest such funds and property for educational scholarships and/or student loans to institutions located within the State of Kansas, with preference being given to children and/or descendants of former Association members.

**Section 7. MEMBERS ON LAYOFF OR LEAVE OF ABSENCE.** A member on layoff or leave of absence in order to continue as a member in good standing must continue to pay monthly dues as prescribed by the membership. The Board shall establish a reasonable time, but not to exceed sixty (60) days from their due date, in which such dues shall be paid to the Treasurer. A member on layoff or leave of absence electing not to pay dues shall become an inactive member, but shall not be terminated from membership for nonpayment of dues. Upon accepting recall or ending the leave of absence and upon commencement of payment of monthly dues, such inactive member shall become a member in good standing with no back dues payment required for the time on layoff or leave of absence. The Board is authorized to formulate and adopt a uniform policy for the persons on sick leave with respect to payment of dues.

**Section 8. COMPENSATION FOR TIME SPENT ON ASSOCIATION BUSINESS.** An Association member working on paid Association business shall receive as reimbursement from the Association only those funds necessary to pay the member for the difference between what the member would have earned from AGCO Corporation, Hesston in a single workday, including scheduled and/or voluntary overtime, and what the member actually earned as a result of working on Association business. If the member works a full workday, including scheduled and/or voluntary overtime, for AGCO Corporation, Hesston the member will not be allowed compensation for time spent on Association business in the same workday.

**Section 9. STRIKE FUND POLICY: Statement of Intent.** In order to assist the Hesston Corporation Workers' Association (H.C.W.A.) in negotiating collective bargaining agreements with the Company, and to assist Union members financially in connection with any job action duly called by the Union or any lockout by the company, a strike fund is hereby established for H.C.W.A.

**Sub Section 1: Transfer of Portion of Dues into Strike Fund.** From the dues of each member of the Union in good standing, the Union Board shall transfer a portion of the member's Union dues into the strike fund. The strike fund shall be used solely to aid in-good-standing Union members in good standing during, or in connection with, a) a properly authorized job action or b) a lockout by the Company.

**Sub Section 2: Payments from Strike Fund.** All payments made from the strike fund shall conform to the intent of this Policy.

- a) Except as otherwise provided in this Policy, payments from the strike fund shall be made only to a person who, at the time such payment is made, has continuously been a member in good standing of H.C.W.A. for at least six months and is actively participating in any actions called for by the Union Board in connection with the job action or lockout (for example, walking picket lines).
- b) All persons receiving payments from the strike fund shall receive the same amount of money, without regard to rate of pay, seniority, amount paid into the strike fund, or other considerations.
- c) The amount and timing of payments from the strike fund shall be determined by a) a majority of all the members of the Union Board or b) duly called meeting of the membership of H.C.W.A.

**Sub Section 3: Only One Strike Fund.** There shall be a single strike fund. Separate strike funds shall not be maintained for individual members.

**Sub Section 4: Amount of Monthly Contributions to Strike Fund; Dues Increase.**

The amount contributed from each member's dues to the strike fund shall be three dollars (\$3.00) per month. In order to fund the strike fund, dues are hereby increased by three dollars (\$3.00) per month for each H.C.W.A. member.

**Sub Section 5: Custody and Investment of Strike Fund Monies.** Contributions to this strike fund shall be maintained by the Union Treasurer in one or more bank accounts, or other forms of investment, that are fully guaranteed as to payment of both principal and interest by the full faith and credit of the Government of the United States or of an agency thereof, such as the Federal Deposit Insurance Corporation or similar agency. In view of the purpose of the Strike Fund, the Treasurer shall choose investments that may be liquidated on reasonably short notice without substantial penalty.

**Sub Section 6: Amendments.** This policy may be repealed, amended, or replaced by duly enacted major motion at an annual meeting or a properly called special meeting.

**Sub Section 7: Dissolution of Union.** If the Union is dissolved, any funds remaining in the strike fund shall be disposed of in accordance with Article VI, Section Six of the Union Bylaws.

**Section 10. STRIKE AUTHORIZATION AND TERMINATION PROCEDURE:** A "strike vote" of the membership may be held at any duly called annual or special membership meeting. Except as may be stated otherwise in this section, any such special meeting shall be called in the same manner as any other special meeting. The purpose of such special meeting shall be set forth in a notice to the membership, which shall be posted on all plant bulletin boards no less than five (5) days prior to the meeting. If a "strike vote" may be taken at an annual meeting, notice shall be given in the annual meeting notice specified in Article II, Section 4 of these By-Laws.

- a. The "strike vote" motion shall ask the Board of Directors of the Union receive the discretionary authority to call a strike by majority vote of the Board.
- b. The "strike vote" shall be taken by secret ballot. Any member who is eligible to vote at a regular or special membership meeting, as specified by the By-Laws, shall be eligible to vote on the strike motion.

Passing the motion shall require two-thirds (2/3) affirmative vote among all valid votes cast by those members in attendance at the meeting. Absentee voting and voting by proxy shall not be allowed.

- c. Any duly called strike may be terminated a) by a majority vote of the Board; or b) by a majority vote of the members present at an annual or at a special meeting called for the purpose of determining whether the strike should be terminated. Notice of such meeting must be given to the members in the same manner as is required in paragraph one (a), above.
- d. In the event that a member is charged with violating a strike authorized by the Union, said member shall be accorded due process rights consistent with Article VI, Section 3 of these By-Laws. Any member, who is found guilty of crossing a picket line or performing work in violation of a strike authorized pursuant to this Section, may be subject to discipline, including being fined a reasonable sum of money, by the Union's Board of Directors.

**Section 11. LOGO.** For the purposes of identification of this Local, our representatives may utilize either the HCWA insignia or the USW Logo either separately or in tandem.

As used in the provisions of these by-laws, any words importing the masculine gender shall be interpreted to also include the feminine gender.

**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](http://www.irs.gov/efile) and click on *e-file for Charities & Nonprofits*

<b>Type or print</b>  File by the due date for filing your return. See instructions.	Name of Exempt Organization	Employer identification number
	HESSTON CORP WORKERS ASSN/UNITED STEELWORKERS LOCAL 11228	48-6114105
	Number, street, and room or suite no. If a P.O. box, see instructions.	
	P.O. BOX 251	
City, town or post office, state, and ZIP code. For a foreign address, see instructions.		
HESSTON, KS 67062		

**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 checked="" type="checkbox"/> Form 990-EZ	<input type="checkbox"/> Form 990-T (trust other than above)	<input type="checkbox"/> Form 6069
<input type="checkbox"/> Form 990-PF	<input type="checkbox"/> Form 1041-A	<input type="checkbox"/> Form 8870

- The books are in the care of ► WILLIAM TANNER, TREASURER

Telephone No. ► (620) 327-2642

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 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

<b>3a</b> 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.	<b>3a</b>	\$
<b>b</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.	<b>3b</b>	\$
<b>c Balance Due.</b> 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.	<b>3c</b>	\$ 0

**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.

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

Form **8868** (Rev. 4-2009)