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Return of Private Foundation

OMB No 1545-0052

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

2009

Department of the Treasury
Internal Revenue Service

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

For calendar year 2009, or tax year beginning

, and ending

G Check all that apply:

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

Name of foundation

MALANEY FAMILY FOUNDATION

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

2122 MAR EAST STREET

Room/suite

City or town, state, and ZIP code

TIBURON, CA 94920-1922

A Employer identification number

52-2202553

B Telephone number

858-454-0849

H Check type of organization:

☒ Section 501(c)(3) exempt private foundation☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

I Fair market value of all assets at end of year

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

\$ 503,748. (Part I, column (d) must be on cash basis)

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

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			N/A	
	2 Check ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	2,688.	2,688.		STATEMENT 1
	4 Dividends and interest from securities	8,671.	8,671.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	-55,123.			
	b Gross sales price for all assets on line 6a	196,246.			
	7 Capital gain net income (from Part IV, line 2)		0.		
	8 Net short-term capital gain				
Operating and Administrative Expenses	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	-43,764.	11,359.		
	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	5,628.	0.		0.
c Other professional fees					
17 Interest					
18 Taxes	STMT 4	1,193.	0.		0.
19 Depreciation and depletion					
20 Occupancy					
21 Travel, conferences, and meetings					
22 Printing and publications					
23 Other expenses	STMT 5	3,583.	3,583.		0.
24 Total operating and administrative expenses. Add lines 13 through 23		10,404.	3,583.		0.
25 Contributions, gifts, grants paid		12,000.			12,000.
26 Total expenses and disbursements. Add lines 24 and 25		22,404.	3,583.		12,000.
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements		-66,168.			
b Net investment income (if negative, enter -0-)			7,776.		
c Adjusted net income (if negative, enter -0-)				N/A	

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value		
Assets	1	Cash - non-interest-bearing		2,875.	28,023.	28,023.
	2	Savings and temporary cash investments				
	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 STMT 6	59,059.	62,284.	63,056.	
	b	Investments - corporate stock STMT 7	115,829.	98,353.	113,800.	
	c	Investments - corporate bonds STMT 8	0.	1,998.	2,009.	
11	Investments - land, buildings, and equipment basis ▶					
	Less: accumulated depreciation ▶					
12	Investments - mortgage loans					
13	Investments - other STMT 9	351,308.	272,245.	296,860.		
14	Land, buildings, and equipment: basis ▶					
	Less: accumulated depreciation ▶					
15	Other assets (describe ▶)					
16	Total assets (to be completed by all filers)	529,071.	462,903.	503,748.		
Liabilities	17	Accounts payable and accrued expenses	1,532.	1,532.		
	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)	1,532.	1,532.		
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☐					
	and complete lines 24 through 26 and lines 30 and 31.					
	24	Unrestricted				
	25	Temporarily restricted				
	26	Permanently restricted				
	Foundations that do not follow SFAS 117, check here ▶ ☒					
	and complete lines 27 through 31.					
	27	Capital stock, trust principal, or current funds	527,539.	461,371.		
	28	Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.		
29	Retained earnings, accumulated income, endowment, or other funds	0.	0.			
30	Total net assets or fund balances	527,539.	461,371.			
31	Total liabilities and net assets/fund balances	529,071.	462,903.			

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	527,539.
2	Enter amount from Part I, line 27a	2	-66,168.
3	Other increases not included in line 2 (itemize) ▶	3	0.
4	Add lines 1, 2, and 3	4	461,371.
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	461,371.

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 MERRILL LYNCH (J87) SCHEDULE ATTACHED	P	VARIOUS	VARIOUS
b MERRILL LYNCH (J87) SCHEDULE ATTACHED	P	VARIOUS	VARIOUS
c MERRILL LYNCH (J97) SCHEDULE ATTACHED	P	VARIOUS	VARIOUS
d MERRILL LYNCH (J97) SCHEDULE ATTACHED	P	VARIOUS	VARIOUS
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 106,815.		148,419.	-41,604.
b 6,234.		7,022.	-788.
c 36,507.		44,781.	-8,274.
d 46,690.		51,147.	-4,457.
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
(i) 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			-41,604.
b			-788.
c			-8,274.
d			-4,457.
e			

2 Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2	-55,123.
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			
2007			
2006			
2005	0.		.000000
2004			

2 Total of line 1, column (d)

2

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

4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5

4

5 Multiply line 4 by line 3

5

6 Enter 1% of net investment income (1% of Part I, line 27b)

6

7 Add lines 5 and 6

7

8 Enter qualifying distributions from Part XII, line 4

8

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	156.
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	156.
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	156.
6 Credits/Payments:			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	497.	
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	497.	
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	341.	
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax ☐ 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?		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.		X
c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. ☐ \$ 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		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?		X
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ☐ CA		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

N/A

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Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	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 ► SANJEEV MALANEY Telephone no. ► 858-454-0849
 Located at ► 2122 MAR EAST STREET, TIBURON, CA ZIP+4 ► 94920-1922

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here ☐
 and enter the amount of tax-exempt interest received or accrued during the year ► 15 N/A

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

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

	Yes	No
1a During the year did the foundation (either directly or indirectly):		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	☐ 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)? Organizations relying on a current notice regarding disaster assistance check here	<u>N/A</u>	1b
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?		1c
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)	<u>N/A</u>	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.)	<u>N/A</u>	3b
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a
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

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Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)**5a** During the year did the foundation pay or incur any amount to:

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No**b** If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

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

N/A

☐ Yes ☐ No

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

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?☐ Yes ☒ No**b** Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

6b

X

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

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?☐ Yes ☒ No**b** If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?

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
SANJEEV MALANEY 2122 MAR EAST STREET TIBURON, CA 94920-1922	0.00	0.	0.	0.
SHEILA MALANEY A/1 ANANTA MUMBAI, INDIA, INDIA	0.00	0.	0.	0.
EDWARD J. FINLEY II 27 EAST ELEVENTH ST. NEW YORK, NY 10003	0.00	0.	0.	0.

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

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

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

0

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Part 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	435,570.
b	Average of monthly cash balances	1b	24,541.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	460,111.
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	460,111.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	6,902.
5	Net value of noncharitable-use assets Subtract line 4 from line 3. Enter here and on Part V, line 4	5	453,209.
6	Minimum investment return. Enter 5% of line 5	6	22,660.

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	22,660.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	156.
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	156.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	22,504.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	22,504.
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	22,504.

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	12,000.
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	12,000.
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	12,000.

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.

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Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				22,504.
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	12,810.			
b From 2005				
c From 2006				
d From 2007				
e From 2008	5,527.			
f Total of lines 3a through e	18,337.			
4 Qualifying distributions for 2009 from Part XII, line 4: ► \$	12,000.			
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				12,000.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a))	10,504.			10,504.
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	7,833.			
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	2,306.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	5,527.			
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008	5,527.			
e Excess from 2009				

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 <i>Paid during the year</i>				
SHARE A SMILE 5151 CORPORATE DRIVE TROY, MI 48098	NONE	PUBLIC CHARITY	CHARITABLE WORKS	1,300.
ROSS VALLEY WOMEN'S LEAGUE FOR ADOPT A FAMILY OF MARIN - P.O. BOX 343 ROSS, CA 94957	NONE	PUBLIC CHARITY	CHARITABLE WORKS	10,700.
Total				▶ 3a 12,000.
b <i>Approved for future payment</i>				
NONE				
Total				▶ 3b 0.

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

SOURCE	AMOUNT
MERRILL LYNCH	2,688.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	2,688.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
MERRILL LYNCH	8,644.	0.	8,644.
MERRILL LYNCH - CASH IN LIEU	27.	0.	27.
TOTAL TO FM 990-PF, PART I, LN 4	8,671.	0.	8,671.

FORM 990-PF ACCOUNTING FEES STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	5,628.	0.		0.
TO FORM 990-PF, PG 1, LN 16B	5,628.	0.		0.

FORM 990-PF TAXES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FEDERAL TAXES	1,134.	0.		0.
FOREIGN TAXES	9.	0.		0.
STATE TAXES	25.	0.		0.
LICENSE	25.	0.		0.
TO FORM 990-PF, PG 1, LN 18	1,193.	0.		0.

FORM 990-PF	OTHER EXPENSES			STATEMENT	5
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
BANK CHARGES/TRANSFER FEES	153.	153.		0.	
INVESTMENT MANAGEMENT FEES	3,430.	3,430.		0.	
TO FORM 990-PF, PG 1, LN 23	3,583.	3,583.		0.	

FORM 990-PF	U.S. AND STATE/CITY GOVERNMENT OBLIGATIONS			STATEMENT	6
DESCRIPTION	U.S. GOV'T	OTHER GOV'T	BOOK VALUE	FAIR MARKET VALUE	
GOVERNMENT BONDS	X		62,284.	63,056.	
TOTAL U.S. GOVERNMENT OBLIGATIONS			62,284.	63,056.	
TOTAL STATE AND MUNICIPAL GOVERNMENT OBLIGATIONS					
TOTAL TO FORM 990-PF, PART II, LINE 10A			62,284.	63,056.	

FORM 990-PF	CORPORATE STOCK		STATEMENT	7
DESCRIPTION			BOOK VALUE	FAIR MARKET VALUE
EQUITIES			98,353.	113,800.
TOTAL TO FORM 990-PF, PART II, LINE 10B			98,353.	113,800.

FORM 990-PF	CORPORATE BONDS		STATEMENT	8
DESCRIPTION			BOOK VALUE	FAIR MARKET VALUE
CORPORATE BONDS			1,998.	2,009.
TOTAL TO FORM 990-PF, PART II, LINE 10C			1,998.	2,009.

FORM 990-PF	OTHER INVESTMENTS	STATEMENT	9
DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
MUTUAL FUNDS	COST	272,245.	296,860.
TOTAL TO FORM 990-PF, PART II, LINE 13		272,245.	296,860.

Malaney Family Foundation
Gain & Loss Summary J-87

12/31/09

EMA Fiscal Statement

MALANEY FAMILY FOUNDATION

SUMMARY OF CHECKING ACTIVITY

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
2,025.4940	EATON VANCE FLTGT RT CLC	06/14/07	01/16/09	13,010.08	20,001.49	(6,991.41) LT
4.0000	EATON VANCE FLTGT RT CLC	06/29/07	01/16/09	25.67	39.40	(13.73) LT
10.0000	EATON VANCE FLTGT RT CLC	07/31/07	01/16/09	64.20	95.30	(31.10) LT
10.0000	EATON VANCE FLTGT RT CLC	08/31/07	01/16/09	64.20	94.70	(30.50) LT
1.0000	EATON VANCE FLTGT RT CLC	09/04/07	01/16/09	6.42	9.46	(3.04) LT
10.0000	EATON VANCE FLTGT RT CLC	09/28/07	01/16/09	64.20	95.50	(31.30) LT
10.0000	EATON VANCE FLTGT RT CLC	10/31/07	01/16/09	64.20	95.90	(31.70) LT
10.0000	EATON VANCE FLTGT RT CLC	11/30/07	01/16/09	64.20	94.10	(29.90) LT
10.0000	EATON VANCE FLTGT RT CLC	12/31/07	01/16/09	64.20	93.70	(29.50) LT
1.0000	EATON VANCE FLTGT RT CLC	01/02/08	01/16/09	6.42	9.37	(2.95) LT
1.0000	EATON VANCE FLTGT RT CLC	01/31/08	01/16/09	64.20	90.40	(26.20) ST
1.0000	EATON VANCE FLTGT RT CLC	02/01/08	01/16/09	6.42	8.97	(2.55) ST
10.0000	EATON VANCE FLTGT RT CLC	02/29/08	01/16/09	64.20	86.90	(22.70) ST
10.0000	EATON VANCE FLTGT RT CLC	03/31/08	01/16/09	64.20	86.40	(22.20) ST
7.0000	EATON VANCE FLTGT RT CLC	04/30/08	01/16/09	44.94	62.23	(17.29) ST
1.0000	EATON VANCE FLTGT RT CLC	05/01/08	01/16/09	6.42	8.91	(2.49) ST
7.0000	EATON VANCE FLTGT RT CLC	05/30/08	01/16/09	44.94	62.86	(17.92) ST
7.0000	EATON VANCE FLTGT RT CLC	06/30/08	01/16/09	44.94	62.86	(17.92) ST
1.0000	EATON VANCE FLTGT RT CLC	07/01/08	01/16/09	6.42	8.96	(2.54) ST
7.0000	EATON VANCE FLTGT RT CLC	07/31/08	01/16/09	44.94	61.88	(16.94) ST
1.0000	EATON VANCE FLTGT RT CLC	08/01/08	01/16/09	6.42	8.83	(2.41) ST
7.0000	EATON VANCE FLTGT RT CLC	08/29/08	01/16/09	44.94	61.53	(16.59) ST
8.0000	EATON VANCE FLTGT RT CLC	09/30/08	01/16/09	51.36	66.08	(14.72) ST
12.0000	EATON VANCE FLTGT RT CLC	10/31/08	01/16/09	77.04	83.88	(6.84) ST
1.0000	EATON VANCE FLTGT RT CLC	11/03/08	01/16/09	6.42	6.99	(0.57) ST

PLEASE SEE REVERSE SIDE

EMASM Fiscal Statement

MALANEY FAMILY FOUNDATION

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
12 0000	EATON VANCE FLTG RT CL C	11/28/08	01/16/09	77.04	77.40	(0.36) ST
13 0000	EATON VANCE FLTG RT CL C	12/31/08	01/16/09	83.46	79.69	3.77 ST
1 0000	EATON VANCE FLTG RT CL C	01/02/09	01/16/09	6.44	6.15	0.29 ST
8,427.3110	SUNAMER STRAT BND CL C	09/10/07	02/17/09	23,343.64	30,001.22	(6,657.58) LT
14 0000	SUNAMER STRAT BND CL C	09/28/07	02/17/09	38.78	50.54	(11.76) LT
37 0000	SUNAMER STRAT BND CL C	10/31/07	02/17/09	102.49	135.05	(32.56) LT
33 0000	SUNAMER STRAT BND CL C	11/30/07	02/17/09	91.41	118.47	(27.06) LT
100 0000	SUNAMER STRAT BND CL C	12/31/07	02/17/09	277.00	356.00	(79.00) LT
1 0000	SUNAMER STRAT BND CL C	01/02/08	02/17/09	2.77	3.57	(0.80) LT
33 0000	SUNAMER STRAT BND CL C	01/31/08	02/17/09	91.40	116.82	(25.42) LT
33 0000	SUNAMER STRAT BND CL C	02/29/08	02/17/09	91.41	116.49	(25.08) ST
1 0000	SUNAMER STRAT BND CL C	03/03/08	02/17/09	2.77	3.52	(0.75) ST
31 0000	SUNAMER STRAT BND CL C	03/31/08	02/17/09	85.87	108.81	(22.94) ST
1 0000	SUNAMER STRAT BND CL C	04/01/08	02/17/09	2.77	3.50	(0.73) ST
34 0000	SUNAMER STRAT BND CL C	04/30/08	02/17/09	94.18	120.70	(26.52) ST
36 0000	SUNAMER STRAT BND CL C	05/30/08	02/17/09	99.72	127.08	(27.36) ST
1 0000	SUNAMER STRAT BND CL C	06/02/08	02/17/09	2.77	3.53	(0.76) ST
35 0000	SUNAMER STRAT BND CL C	06/30/08	02/17/09	96.95	121.45	(24.50) ST
39 0000	SUNAMER STRAT BND CL C	07/31/08	02/17/09	108.03	133.38	(25.35) ST
1 0000	SUNAMER STRAT BND CL C	08/01/08	02/17/09	2.77	3.42	(0.65) ST
43 0000	SUNAMER STRAT BND CL C	08/29/08	02/17/09	119.11	146.20	(27.09) ST
39 0000	SUNAMER STRAT BND CL C	09/30/08	02/17/09	108.03	124.80	(16.77) ST
1 0000	SUNAMER STRAT BND CL C	10/01/08	02/17/09	2.77	3.19	(0.42) ST
48 0000	SUNAMER STRAT BND CL C	10/31/08	02/17/09	132.96	134.88	(1.92) ST
45 0000	SUNAMER STRAT BND CL C	11/28/08	02/17/09	124.65	123.30	1.35 ST
285 0000	SUNAMER STRAT BND CL C	12/31/08	02/17/09	789.45	786.60	2.85 ST
1 0000	SUNAMER STRAT BND CL C	01/02/09	02/17/09	2.77	2.76	0.01 ST
52 0000	SUNAMER STRAT BND CL C	01/30/09	02/17/09	144.06	144.04	0.02 ST
3,153 1360	GLDMN GRW & INC STR C	07/28/06	02/17/09	23,333.19	39,981.76	(16,648.57) LT
2,738 0000	GLDMN GRW & INC STR C	08/23/06	02/17/09	20,261.20	34,991.64	(14,730.44) LT
1 0000	GLDMN GRW & INC STR C	08/28/06	02/17/09	7.40	12.80	(5.40) LT
11 0000	GLDMN GRW & INC STR C	09/29/06	02/17/09	81.40	142.45	(61.05) LT
10 0000	GLDMN GRW & INC STR C	12/19/06	02/17/09	74.00	128.40	(54.40) LT
254 0000	GLDMN GRW & INC STR C	12/19/06	02/17/09	1,879.60	3,261.36	(1,381.76) LT
65 0000	GLDMN GRW & INC STR C	12/19/06	02/17/09	481.00	834.60	(353.60) LT
1 0000	GLDMN GRW & INC STR C	12/20/06	02/17/09	7.40	12.87	(5.47) LT
1 0000	GLDMN GRW & INC STR C	12/20/06	02/17/09	7.39	12.87	(5.48) LT
8 0000	GLDMN GRW & INC STR C	03/30/07	02/17/09	59.20	104.72	(45.52) LT
2 0000	GLDMN GRW & INC STR C	06/29/07	02/17/09	14.80	26.98	(12.18) LT
1 0000	GLDMN GRW & INC STR C	07/02/07	02/17/09	7.40	13.52	(6.12) LT

PLEASE SEE REVERSE SIDE

EMASM Fiscal Statement

MALANEY FAMILY FOUNDATION

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
7.0000	GLDMN GRW & INC STR C	09/28/07	02/17/09	51.80	95.76	(43.96) LT
3.0000	GLDMN GRW & INC STR C	12/20/07	02/17/09	22.20	37.86	(15.66) LT
152.0000	GLDMN GRW & INC STR C	12/20/07	02/17/09	1,124.80	1,918.24	(793.44) LT
137.0000	GLDMN GRW & INC STR C	12/20/07	02/17/09	1,013.80	1,728.94	(715.14) LT
1.0000	GLDMN GRW & INC STR C	12/21/07	02/17/09	7.40	12.79	(5.39) LT
21.0000	GLDMN GRW & INC STR C	03/31/08	02/17/09	155.40	250.11	(94.71) ST
1.0000	GLDMN GRW & INC STR C	04/01/08	02/17/09	7.40	12.14	(4.74) ST
12.0000	GLDMN GRW & INC STR C	06/30/08	02/17/09	88.80	142.44	(53.64) ST
1.0000	GLDMN GRW & INC STR C	10/01/08	02/17/09	7.40	10.27	(2.87) ST
11.0000	GLDMN GRW & INC STR C	11/18/08	02/17/09	81.40	110.88	(29.48) ST
1.0000	GLDMN GRW & INC STR C	11/18/08	02/17/09	7.40	8.05	(0.65) ST
1.0000	GLDMN GRW & INC STR C	12/22/08	02/17/09	7.40	7.92	(0.52) ST
290.0000	GLDMN GRW & INC STR C	12/22/08	02/17/09	2,146.01	2,296.80	(150.79) ST
130.0000	GLDMN GRW & INC STR C	12/22/08	02/17/09	962.00	1,029.60	(67.60) ST
1.0000	GLDMN GRW & INC STR C	12/23/08	02/17/09	7.40	7.81	(0.41) ST
1.0000	GLDMN GRW & INC STR C	12/23/08	02/17/09	7.42	7.81	(0.39) ST
1,236.7490	BLACKROCK GLOBAL ALLOC C	01/22/03	11/16/09	21,000.00	13,690.80	7,309.20 LT

Sales Cost

Long-Term 106,815 148,419

Short-Term 6,234 7,022

TOTALS: 113,049 155,441

Malaney Family Foundation
Gain + Loss Summary J-97
12/31/09

MALANEY FAMILY FOUNDATION

EMA Fiscal Statement

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
7,000.0000	FNMA P254721 05%/2018	02/24/03	01/08/09	2,194.22	2,171.60	N/C
1,000.0000	FEDERAL HOME LN MTG CORP	12/19/08	12/31/08	1,112.80	1,120.44	(7.64) ST
9.0000	ABBOTT LABS	05/04/07	01/23/09	474.35	523.72	(49.37) LT
14.0000	AON CORP COM	07/17/07	01/08/09	607.43	586.09	21.34 LT
21.0000	BB&T CORPORATION	10/16/07	01/23/09	418.91	813.99	(395.08) LT
11.0000	BB&T CORPORATION	05/01/08	01/23/09	219.43	401.68	(182.25) ST
32.0000	CVS CAREMARK CORP	02/27/07	01/08/09	929.10	1,001.99	(72.89) LT
8.0000	CATERPILLAR INC DEL	09/05/07	01/08/09	346.39	601.20	(254.81) LT
2.0000	FREERT-MCMRAN CPR & GLD	05/23/07	01/23/09	45.53	149.38	(103.85) LT
5.0000	FREERT-MCMRAN CPR & GLD	06/05/07	01/23/09	113.83	388.27	(274.44) LT
12.0000	HARLEY DAVIDSON INC WIS	10/02/08	01/23/09	137.43	427.13	(289.70) ST
2.0000	HARLEY DAVIDSON INC WIS	10/28/08	01/23/09	22.91	38.01	(15.10) ST
7.0000	KRAFT FOODS INC VA CL A	08/14/03	01/08/09	195.64	200.72	(5.08) LT
5.0000	KRAFT FOODS INC VA CL A	10/24/03	01/08/09	139.76	145.00	(5.24) LT
20.0000	BANK OF AMERICA CORP	10/09/08	02/10/09	113.65	434.56	(320.91) ST
32.0000	BANK OF AMERICA CORP	10/23/08	02/10/09	181.85	735.61	(553.76) ST
24.0000	BANK OF AMERICA CORP	10/28/08	02/10/09	136.39	495.91	(359.52) ST
26.0000	US BANCORP (NEW)	07/19/07	02/04/09	368.87	839.94	(471.07) LT
14.0000	US BANCORP (NEW)	09/25/08	02/04/09	198.63	483.93	(285.30) ST
2.0000	US BANCORP (NEW)	10/08/08	02/04/09	28.37	65.17	(36.80) ST
4.0000	US BANCORP (NEW)	11/21/08	02/04/09	56.76	83.79	(27.03) ST
5.0000	WAL-MART STORES INC	09/20/05	02/04/09	231.63	217.88	13.75 LT
7.0000	WAL-MART STORES INC	11/09/05	02/04/09	324.30	335.52	(11.22) LT
2,000.0000	FEDERAL HOME LN MTG CORP	12/19/08	02/27/09	2,197.28	2,233.23	(35.95) ST
2,000.0000	FEDERAL NATL MTG ASSOC	12/18/08	03/03/09	2,206.01	2,268.97	(62.96) ST
2,000.0000	FEDERAL NATL MTG ASSOC	01/05/09	03/03/09	2,206.01	2,219.45	(13.44) ST
1,000.0000	US TSY 4.500% FEB 15 2036	11/28/08	03/03/09	1,114.76	1,158.64	(43.88) ST
1,000.0000	US TSY 4.500% FEB 15 2036	12/31/08	03/03/09	1,114.76	1,339.36	(224.60) ST
14.0000	ABBOTT LABS	05/04/07	03/17/09	684.27	814.67	(130.40) LT
14.0000	AON CORP COM	07/17/07	03/17/09	531.35	586.09	(54.74) LT
62.0000	BANK OF AMERICA CORP	10/28/08	03/17/09	372.71	1,281.13	(908.42) ST
30.0000	BANK OF AMERICA CORP	11/05/08	03/17/09	180.34	695.70	(515.36) ST
4.0000	BANK OF AMERICA CORP	11/21/08	03/17/09	24.05	41.24	(17.19) ST
18.0000	CAPITAL ONE FINL	04/22/08	02/26/09	259.58	850.00	(590.42) ST
13.0000	CAPITAL ONE FINL	09/25/08	02/26/09	187.48	636.40	(448.92) ST
6.0000	CHEVRON CORP	07/19/07	03/17/09	389.56	557.08	(167.52) LT
49.0000	FIFTH THIRD BANCORP	08/06/08	02/26/09	116.01	739.73	(623.72) ST
5.0000	FIFTH THIRD BANCORP	09/30/08	02/26/09	11.83	54.98	(43.15) ST
3.0000	FIFTH THIRD BANCORP	10/28/08	02/26/09	7.10	25.21	(18.11) ST

PLEASE SEE REVERSE SIDE

Fiscal Statement
REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
5.0000	FIFTH THIRD BANCORP	11/21/08	02/26/09	11.85	33.96	(22.11) ST
5.0000	GOLDMAN SACHS GROUP INC	10/02/08	03/17/09	485.69	656.45	(170.76) ST
1.0000	GOLDMAN SACHS GROUP INC	11/05/08	03/17/09	97.14	91.74	5.40 ST
5.0000	GOLDMAN SACHS GROUP INC	11/05/08	03/26/09	553.78	458.73	95.05 ST
1.0000	GOLDMAN SACHS GROUP INC	12/03/08	03/26/09	110.76	68.99	41.77 ST
11.0000	KROGER CO	04/27/05	03/26/09	242.18	170.57	71.61 LT
11.0000	KROGER CO	07/14/06	03/26/09	242.19	241.30	0.89 LT
3.0000	KROGER CO	02/07/07	03/26/09	66.06	78.18	(12.12) LT
6.0000	MICROSOFT CORP	12/21/07	03/06/09	92.45	215.37	(122.92) LT
24.0000	MICROSOFT CORP	02/21/08	03/06/09	369.80	678.23	(308.43) LT
8.0000	MICROSOFT CORP	02/21/08	03/17/09	133.35	226.08	(92.73) LT
6.0000	MICROSOFT CORP	09/30/08	03/17/09	100.01	154.82	(54.81) ST
3.0000	MICROSOFT CORP	10/08/08	03/17/09	50.01	69.83	(19.82) ST
12.0000	MICROSOFT CORP	10/20/08	03/17/09	200.04	288.60	(88.56) ST
3.0000	MICROSOFT CORP	10/28/08	03/17/09	50.01	64.64	(14.63) ST
4.0000	MICROSOFT CORP	11/21/08	03/17/09	66.69	74.54	(7.85) ST
5.0000	PRAXAIR INC	08/01/02	03/26/09	348.77	131.71	217.06 LT
10.0000	SUNTRUST BKS INC COM	08/24/07	02/26/09	133.84	815.40	(681.56) LT
2.0000	SUNTRUST BKS INC COM	09/30/08	02/26/09	26.76	87.00	(60.24) ST
10.0000	SUNTRUST BKS INC COM	10/20/08	02/26/09	133.85	412.01	(278.16) ST
2.0000	SUNTRUST BKS INC COM	11/21/08	02/26/09	26.78	41.00	(14.22) ST
9.0000	TEVA PHARMACTCL INDS ADR	06/27/06	03/17/09	409.35	287.44	121.91 LT
7.0000	TICKETMASTER ENTERTINMNT	05/17/07	03/26/09	28.40	297.56	(269.16) LT
3.0000	TICKETMASTER ENTERTINMNT	06/01/07	03/26/09	12.18	148.66	(136.48) LT
4.0000	WAL-MART STORES INC	11/09/05	03/06/09	195.56	191.74	3.82 LT
3.0000	WAL-MART STORES INC	07/11/07	03/06/09	146.68	142.42	4.26 LT
1.000.0000	FNMA P725424 05 50%2034	06/17/05	04/27/09	428.36	416.95	N/C
2,000.0000	FNMA P937906 05 50%2037	08/31/07	04/27/09	1,659.65	1,563.10	N/C
5,000.0000	FNMA P962491 05 50%2038	03/10/08	04/27/09	4,528.42	4,307.58	N/C
24.0000	BANK NEW YORK MELLON	07/22/02	04/06/09	672.07	751.01	(78.94) LT
2.0000	BANK NEW YORK MELLON	10/08/02	04/06/09	56.01	46.63	9.38 LT
8.0000	BANK NEW YORK MELLON	10/08/02	04/17/09	242.01	186.54	55.47 LT
5.0000	CAPITAL ONE FINL	09/25/08	04/06/09	65.41	244.78	(179.37) ST
2.0000	CAPITAL ONE FINL	09/30/08	04/06/09	26.16	94.17	(68.01) ST
2.0000	CAPITAL ONE FINL	10/28/08	04/06/09	26.16	71.02	(44.86) ST
2.0000	CAPITAL ONE FINL	11/21/08	04/06/09	26.16	49.41	(23.25) ST
15.0000	CAPITAL ONE FINL	12/10/08	04/06/09	196.24	476.24	(280.00) ST
6.0000	CAPITAL ONE FINL	03/03/09	04/06/09	78.51	62.91	15.60 ST
11.0000	GENERAL ELECTRIC	03/15/04	04/17/09	133.70	334.72	(201.02) LT
20.0000	GENERAL ELECTRIC	06/29/04	04/17/09	243.09	647.94	(404.85) LT

PLEASE SEE REVERSE SIDE

EMASM Fiscal Statement

MALANEY FAMILY FOUNDATION

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
7 0000	GENERAL ELECTRIC	12/22/04	04/17/09	85.09	258.06	(172.97) LT
6 0000	SCHWAB CHARLES CORP NEW	11/15/07	04/06/09	94.65	143.43	(48.78) LT
31 0000	SCHWAB CHARLES CORP NEW	02/06/08	04/06/09	489.06	639.49	(150.43) LT
6 0000	SCHWAB CHARLES CORP NEW	10/08/08	04/06/09	94.66	122.10	(27.44) ST
5 0000	SCHWAB CHARLES CORP NEW	10/28/08	04/06/09	78.88	78.75	0.13 ST
5 0000	SCHWAB CHARLES CORP NEW	03/03/09	04/06/09	78.89	61.53	17.36 ST
1 0000	ABBOTT LABS	05/04/07	05/14/09	44.88	58.20	(13.32) LT
8 0000	ABBOTT LABS	02/06/08	05/14/09	359.05	464.33	(105.28) LT
45 0000	ANNALY CAP MGMT INC	07/17/08	05/08/09	655.98	652.16	3.82 ST
16 0000	ARCHER DANIELS MIDLD	05/15/08	05/14/09	401.59	696.50	(294.91) ST
17 0000	BEST BUY CO INC	10/02/08	04/29/09	643.12	604.65	38.47 ST
10 0000	CARDINAL HEALTH INC OHIO	10/20/08	05/21/09	362.44	406.76	(44.32) ST
2 0000	CARDINAL HEALTH INC OHIO	03/03/09	05/21/09	72.50	63.38	9.12 ST
13 0000	CAMPBELL SOUP CO	10/16/07	05/14/09	345.87	468.76	(122.89) LT
2 0000	CAMPBELL SOUP CO	02/06/08	05/14/09	53.22	63.28	(10.06) LT
8 0000	CHEVRON CORP	07/19/07	05/08/09	562.15	742.79	(180.64) LT
27 0000	COCA COLA ENTERPRISES	10/05/06	04/29/09	452.35	560.19	(107.84) LT
5 0000	COCA COLA ENTERPRISES	07/11/07	04/29/09	83.77	120.04	(36.27) LT
4 0000	GOLDMAN SACHS GROUP INC	12/03/08	04/29/09	506.37	275.95	230.42 ST
11 0000	QUALCOMM INC	08/08/07	05/14/09	446.68	437.09	9.59 LT
13 0000	ROCKWELL COLLINS INC	03/17/09	05/08/09	512.22	421.16	102.06 ST
27 0000	WESTERN UN CO	05/09/08	04/29/09	457.79	621.40	(163.61) ST
10 0000	ACE LIMITED	10/09/08	05/14/09	434.52	455.78	(21.26) ST
2 0000	ACE LIMITED	03/03/09	05/14/09	86.91	71.13	15.78 ST
10 0000	WAL-MART STORES INC	07/11/07	05/14/09	490.63	474.74	15.89 LT
1 0000	WAL-MART STORES INC	02/21/08	05/14/09	49.07	49.79	(0.72) LT
15 0000	ANNALY CAP MGMT INC	07/17/08	06/04/09	219.73	217.39	2.34 ST
15 0000	CAMPBELL SOUP CO	02/06/08	06/25/09	442.50	474.67	(32.17) LT
3 0000	CAMPBELL SOUP CO	09/30/08	06/25/09	88.50	114.84	(26.34) ST
2 0000	CAMPBELL SOUP CO	10/08/08	06/25/09	59.00	76.68	(17.68) ST
4 0000	CAMPBELL SOUP CO	11/21/08	06/25/09	118.00	138.16	(20.16) ST
3 0000	CAMPBELL SOUP CO	03/03/09	06/25/09	88.51	80.06	8.45 ST
5 0000	CVS CAREMARK CORP	02/27/07	06/04/09	150.84	156.57	(5.73) LT
3 0000	CVS CAREMARK CORP	10/08/08	06/04/09	90.51	89.29	1.22 ST
6 0000	CVS CAREMARK CORP	10/28/08	06/04/09	181.02	148.78	32.24 ST
2 0000	CVS CAREMARK CORP	03/03/09	06/04/09	60.34	50.87	9.47 ST
6 0000	CVS CAREMARK CORP	04/06/09	06/04/09	181.02	169.35	11.67 ST
17 0000	IAC INTERACTIVECORP	05/17/07	06/17/09	277.33	523.71	(246.38) LT
9 0000	IAC INTERACTIVECORP	06/01/07	06/17/09	146.82	261.65	(114.83) LT
4 0000	IAC INTERACTIVECORP	09/30/08	06/17/09	65.25	64.04	1.21 ST

PLEASE SEE REVERSE SIDE

EMASM Fiscal Statement

MALANEY FAMILY FOUNDATION

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
2,0000	IAC INTERACTIVECORP	10/28/08	06/17/09	32.62	31.65	0.97 ST
4,0000	IAC INTERACTIVECORP	11/21/08	06/17/09	65.26	56.26	9.00 ST
3,0000	IAC INTERACTIVECORP	03/03/09	06/17/09	44.75	44.75	4.20 ST
4,0000	WASTE MANAGEMENT INC NEW	03/20/02	05/28/09	110.49	110.69	(0.20) LT
3,0000	WASTE MANAGEMENT INC NEW	08/01/02	05/28/09	82.87	73.65	9.22 LT
7,0000	WASTE MANAGEMENT INC NEW	05/04/06	05/28/09	193.36	264.36	(71.00) LT
4,0000	WASTE MANAGEMENT INC NEW	09/30/08	05/28/09	110.49	125.76	(15.27) ST
4,0000	WASTE MANAGEMENT INC NEW	10/28/08	05/28/09	110.49	106.53	3.96 ST
2,0000	WASTE MANAGEMENT INC NEW	11/21/08	05/28/09	55.25	57.59	(2.34) ST
3,0000	WASTE MANAGEMENT INC NEW	03/03/09	05/28/09	82.88	77.97	4.91 ST
21,0000	BB&T CORPORATION	05/01/08	07/10/09	431.32	766.86	(335.54) LT
4,0000	BB&T CORPORATION	07/17/08	07/10/09	82.16	108.84	(26.68) ST
53,0000	COCA COLA ENTERPRISES	07/12/07	07/06/09	873.64	1,285.95	(412.31) LT
20,0000	COCA COLA ENTERPRISES	05/15/08	07/10/09	328.65	429.85	(101.20) LT
4,0000	EXXON MOBIL CORP COM	03/20/02	07/10/09	260.22	173.85	86.37 LT
5,0000	EXXON MOBIL CORP COM	08/01/02	07/10/09	325.29	168.50	156.79 LT
3,0000	MONSANTO CO NEW DEL COM	03/26/09	07/10/09	212.75	262.64	(49.89) ST
14,0000	ORACLE CORP \$0.01 DEL	08/01/07	07/21/09	305.67	271.93	33.74 LT
26,0000	ORACLE CORP \$0.01 DEL	09/28/07	07/21/09	567.70	562.72	4.98 LT
4,0000	WESTERN UN CO	05/09/08	07/10/09	64.46	92.07	(27.61) LT
3,0000	WESTERN UN CO	09/30/08	07/10/09	48.34	71.63	(23.29) ST
4,0000	WESTERN UN CO	10/28/08	07/10/09	64.46	55.23	9.23 ST
5,0000	WESTERN UN CO	03/03/09	07/10/09	80.59	53.96	26.63 ST
4,0000	ARCHER DANIELS MIDLD	05/15/08	08/26/09	110.71	174.13	(63.42) LT
24,0000	ARCHER DANIELS MIDLD	06/26/08	08/26/09	664.33	784.33	(120.00) LT
1,0000	AON CORP COM	07/17/07	07/30/09	39.72	41.87	(2.15) LT
11,0000	AON CORP COM	09/28/07	07/30/09	436.92	492.88	(55.96) LT
1,0000	AON CORP COM	02/06/08	07/30/09	39.73	42.99	(3.26) LT
9,0000	BEST BUY CO INC	10/02/08	08/07/09	354.93	320.11	34.82 ST
2,0000	BEST BUY CO INC	10/28/08	08/07/09	78.87	44.47	34.40 ST
2,0000	BEST BUY CO INC	11/18/08	08/07/09	78.88	42.72	36.16 ST
3,0000	GENERAL ELECTRIC	12/22/04	08/07/09	44.56	110.60	(66.04) LT
5,0000	GENERAL ELECTRIC	08/28/06	08/07/09	74.27	169.71	(95.44) LT
13,0000	GENERAL ELECTRIC	08/29/06	08/07/09	193.12	442.71	(249.59) LT
13,0000	GENERAL ELECTRIC	12/05/06	08/07/09	193.12	457.99	(264.87) LT
15,0000	GENERAL ELECTRIC	01/31/07	08/07/09	222.83	540.00	(317.17) LT
2,0000	GENERAL ELECTRIC	02/16/07	08/07/09	29.72	71.99	(42.27) LT
12,0000	JPMORGAN CHASE & CO	10/08/02	07/30/09	464.56	206.95	257.61 LT
5,0000	JPMORGAN CHASE & CO	03/05/03	07/30/09	193.57	145.15	48.42 LT
14,0000	JPMORGAN CHASE & CO	11/05/03	07/30/09	542.00	471.39	70.61 LT

PLEASE SEE REVERSE SIDE

EMASM Fiscal Statement

MALANEY FAMILY FOUNDATION

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
1 0000	JPMORGAN CHASE & CO	11/19/03	07/30/09	38.72	31.22	7.50 LT
25.0000	KOHL'S CORP WISC PV 1CT	10/09/08	08/07/09	1,334.01	900.71	433.30 ST
4.0000	PRAXAIR INC	08/01/02	08/07/09	313.96	105.37	208.59 LT
5 0000	PRAXAIR INC	11/18/02	08/07/09	392.47	139.82	252.65 LT
14 0000	WAL-MART STORES INC	02/21/08	08/19/09	722.50	697.16	25.34 LT
2,000 0000	US TSY 3.125% SEP 30 2013	07/31/09	08/31/09	2,088.90	2,074.10	14.80 ST
4 0000	BANK NEW YORK MELLON	10/08/02	09/18/09	121.53	93.27	28.26 LT
6 0000	BANK NEW YORK MELLON	11/23/04	09/18/09	182.30	196.80	(14.50) LT
16 0000	BANK NEW YORK MELLON	12/12/06	09/18/09	486.14	661.66	(175.52) LT
6.0000	FRANKLIN RES INC	10/02/08	09/11/09	586.42	544.24	42.18 ST
2 0000	FRANKLIN RES INC	12/03/08	09/11/09	195.48	114.72	80.76 ST
42.0000	HERTZ GLOBAL HOLDINGS IN	08/08/07	09/03/09	384.98	992.98	(608.00) LT
2.0000	BANK NEW YORK MELLON	12/12/06	09/28/09	59.27	82.71	(23.44) LT
18 0000	BANK NEW YORK MELLON	03/30/07	09/28/09	533.51	767.84	(234.33) LT
15.0000	BEST BUY CO INC	11/18/08	10/01/09	553.85	320.44	233.41 ST
1 0000	BEST BUY CO INC	11/21/08	10/01/09	36.93	17.31	19.62 ST
38.0000	EL PASO CORPORATION	01/17/06	10/09/09	393.70	504.06	(110.36) LT
5.0000	FRANKLIN RES INC	12/03/08	09/28/09	506.24	286.82	219.42 ST
8 0000	HESS CORP	05/30/08	10/09/09	454.79	972.52	(517.73) LT
1 0000	HESS CORP	10/28/08	10/09/09	56.85	44.38	12.47 ST
12.0000	HEWLETT PACKARD CO DEL	05/23/07	09/28/09	574.83	550.91	23.92 LT
6 0000	HEWLETT PACKARD CO DEL	09/06/07	09/28/09	287.42	299.53	(12.11) LT
37 0000	ORACLE CORP \$0.01 DEL	09/28/07	10/14/09	784.43	800.80	(16.37) LT
4 0000	ORACLE CORP \$0.01 DEL	09/30/08	10/14/09	84.80	78.80	6.00 LT
5 0000	ORACLE CORP \$0.01 DEL	10/08/08	10/14/09	106.00	85.00	21.00 LT
6 0000	ORACLE CORP \$0.01 DEL	10/28/08	10/14/09	127.21	95.07	32.14 ST
5 0000	ORACLE CORP \$0.01 DEL	11/21/08	10/14/09	106.01	77.08	28.93 ST
9 0000	ORACLE CORP \$0.01 DEL	03/03/09	10/14/09	190.82	137.91	52.91 ST
19 0000	PROGRESS ENERGY INC	07/07/03	10/09/09	711.23	834.43	(123.20) LT
17 0000	J C PENNEY CO COM	10/02/08	10/01/09	559.56	558.72	0.84 ST
6 0000	J C PENNEY CO COM	11/05/08	10/01/09	197.50	137.48	60.02 ST
33 0000	WELLS FARGO & CO NEW DEL	09/20/07	09/28/09	936.76	1,205.52	(268.76) LT
15 0000	WELLS FARGO & CO NEW DEL	10/26/07	09/28/09	425.80	514.05	(88.25) LT
2,000 0000	US TSY 3.125% SEP 30 2013	10/21/09	11/09/09	2,099.21	2,088.47	10.74 ST
1,000 0000	US TSY 3.125% SEP 30 2013	10/30/09	11/09/09	1,049.61	1,047.87	1.74 ST
1,000 0000	US TSY 3.125% SEP 30 2013	10/30/09	11/23/09	1,054.65	1,047.41	7.24 ST
13 0000	AON CORP COM	02/06/08	11/06/09	509.92	558.92	(49.00) LT
1.0000	AON CORP COM	09/30/08	11/06/09	39.23	44.98	(5.75) LT
47 0000	LOWE'S COMPANIES INC	10/02/08	11/19/09	1,010.07	1,089.13	(79.06) LT
3.0000	LOWE'S COMPANIES INC	10/08/08	11/19/09	64.47	58.83	5.64 LT

PLEASE SEE REVERSE SIDE

EMASM Fiscal Statement

MALANEY FAMILY FOUNDATION

REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
3 0000	LOWE'S COMPANIES INC	10/28/08	11/19/09	64.47	51.89	12 58 LT
4 0000	LOWE'S COMPANIES INC	11/21/08	11/19/09	85.97	65 20	20 77 ST
4 0000	LOWE'S COMPANIES INC	03/03/09	11/19/09	85.97	57 08	28 89 ST
13 0000	QUALCOMM INC	08/08/07	11/18/09	589.90	516 57	73 33 LT
2 0000	QUALCOMM INC	09/30/08	11/18/09	90 75	83 42	7 33 LT
4 0000	QUALCOMM INC	11/21/08	11/18/09	181 51	117 26	64 25 ST
3 0000	QUALCOMM INC	03/03/09	11/18/09	136 14	99 80	36 34 ST
5,000 0000	FNMA P725424 05 50%2034 COR	06/17/05	12/14/09	1,825 33	1,744 15	N/C
1 0000	AOL INC	01/23/09	12/18/09	23 36	17 92	5 44 ST
3 0000	AON CORP	09/30/08	12/21/09	112 83	134 94	(22 11) LT
3 0000	AON CORP	10/08/08	12/21/09	112 83	118 76	(5 93) LT
7 0000	AON CORP	03/03/09	12/21/09	263 27	261 90	1 37 ST
10 0000	AON CORP	05/08/09	12/21/09	376 12	368 18	7 94 ST
5 0000	AON CORP	05/20/09	12/21/09	188 06	183 04	5 02 ST
129 0000	BOSTON SCIENTIFIC CORP	03/17/08	12/14/09	1,152 80	1,587 42	(434 62) LT
43 0000	BOSTON SCIENTIFIC CORP	08/06/08	12/14/09	384 27	547 97	(163 70) LT
15 0000	BOSTON SCIENTIFIC CORP	09/30/08	12/14/09	134 05	179 95	(45 90) LT
20 0000	BOSTON SCIENTIFIC CORP	03/17/09	12/15/09	580 23	426 93	153 30 ST
11 0000	HOME DEPOT INC	10/24/03	12/18/09	295 94	319 03	(23 09) LT
9 0000	KRAFT FOODS INC VA CL A	04/20/04	12/18/09	242 15	280 93	(38 78) LT
1 0000	KOHL'S CORP WISC PV 1CT	10/09/08	12/18/09	53 13	36 03	17 10 LT
16 0000	KOHL'S CORP WISC PV 1CT	11/05/08	12/18/09	850 10	544 16	305 94 LT
4 0000	KOHL'S CORP WISC PV 1CT	11/21/08	12/18/09	212 52	102 63	109 89 LT
1 0000	KOHL'S CORP WISC PV 1CT	02/04/09	12/18/09	53 14	37 40	15 74 ST
14 0000	MOODY'S CORP	06/26/08	12/15/09	364 38	494 37	(129 99) LT
2 0000	MOODY'S CORP	10/08/08	12/15/09	52 05	55 78	(3 73) LT
3 0000	MOODY'S CORP	10/28/08	12/15/09	78 08	54 62	23 46 LT
13 0000	MOODY'S CORP	02/04/09	12/15/09	338 36	289 42	48 94 ST
3 0000	MOODY'S CORP	03/03/09	12/15/09	78 08	50 36	27 72 ST
26 0000	MOODY'S CORP	03/06/09	12/15/09	676 73	422 87	253 86 ST
27 0000	PETROHAWK ENERGY CORP	11/18/09	12/18/09	661 13	593 04	68 09 ST
22 0000	TEVA PHARMACTCL INDS ADR	06/27/06	12/18/09	1,162 74	702 64	460 10 LT

	<u>Sales</u>	<u>Cost</u>
Long-Term	36,507	44,781
Short-Term	46,690	51,148
TOTALS	83,197	95,929

PLEASE SEE REVERSE SIDE
 Page 101 of 102
 Statement Period Year Ending 12/31/09
 Account No 661-07J97

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

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

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

Part II Additional (Not Automatic) 3-Month Extension of Time. Only file the original (no copies needed)		
Type or print File by the extended due date for filing the return. See instructions	Name of Exempt Organization	Employer identification number
	MALANEY FAMILY FOUNDATION	52-2202553
	Number, street, and room or suite no. If a P.O. box, see instructions. 2122 MAR EAST STREET	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. TIBURON, CA 94920-1922	

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

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

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

SANJEEV MALANEY

- The books are in the care of ☒ **2122 MAR EAST STREET - TIBURON, CA 94920-1922**
 Telephone No. ☒ **858-454-0849** FAX No. ☐ _____
- If the organization does not have an office or place of business in the United States, check this box ☐ **X**
- 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 ☐ **X**. 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

**TAXPAYER NEEDS ADDITIONAL TIME TO GATHER PAPERWORK AND BACKUP
IN ORDER TO FILE AN ACCURATE AND TIMELY 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	\$	497.
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	\$	497.
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 ☐ _____

Form 8868 (Rev. 4-2009)