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Return of Private Foundation

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

Treated as a Private Foundation

2009

Department of the Treasury
Internal Revenue Service

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

For calendar year 2009, or tax year beginning

, and ending

G Check all that apply:

☐ Initial return☐ Initial return of a former public charity☐ Final return☐ Amended return☐ Address change☐ Name change

Use the IRS label. Otherwise, print or type See Specific Instructions.	Name of foundation THE NELSON D CIVELLO FOUNDATION		A Employer identification number 54-2119141
	Number and street (or P.O. box number if mail is not delivered to street address) Room/suite 221 OCEAN GRAND BLVD., BLDG 2, PH 808		B Telephone number 404-253-7500
	City or town, state, and ZIP code JUPITER, FL 33477		C If exemption application is pending, check here ☐
	H Check type of organization: ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation		D 1. Foreign organizations, check here ☐ 2. Foreign organizations meeting the 85% test, check here and attach computation ☐
I Fair market value of all assets at end of year (from Part II, col (c), line 16) \$ 203,511.		J Accounting method: ☒ Cash ☐ Accrual ☐ Other (specify) _____	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				
	4 Dividends and interest from securities	1,353.	1,353.		STATEMENT 1
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	-92,566.			
	b Gross sales price for all assets on line 6a	222,701.			
	7 Capital gain net income (from Part IV, line 2)		0.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold					
c Gross profit or (loss)					
11 Other income					
12 Total. Add lines 1 through 11	-91,213.	1,353.			
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc.	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees STMT 2	1,750.	1,750.		0.
	c Other professional fees STMT 3	80.	80.		0.
	17 Interest				
	18 Taxes STMT 4	73.	73.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses STMT 5	2,250.	2,250.		0.
	24 Total operating and administrative expenses. Add lines 13 through 23	4,153.	4,153.		0.
	25 Contributions, gifts, grants paid	40,200.			40,200.
26 Total expenses and disbursements. Add lines 24 and 25	44,353.	4,153.		40,200.	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	-135,566.				
b Net investment income (if negative, enter -0-)		0.			
c Adjusted net income (if negative, enter -0-)			N/A		

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only		
		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing	3,381.	1,394.	1,394.
	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			
	b Investments - corporate stock STMT 6	318,482.	184,903.	202,117.
	c Investments - corporate bonds			
Liabilities	11 Investments - land, buildings, and equipment basis ▶			
	Less: accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other			
	14 Land, buildings, and equipment; basis ▶			
	Less: accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 Total assets (to be completed by all filers)	321,863.	186,297.	203,511.
	17 Accounts payable and accrued expenses			
	18 Grants payable			
Net Assets or Fund Balances	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 Total liabilities (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☐			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☒			
	27 Capital stock, trust principal, or current funds	0.	0.	
	28 Paid-in or capital surplus, or land, bldg, and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	321,863.	186,297.	
30 Total net assets or fund balances	321,863.	186,297.		
31 Total liabilities and net assets/fund balances	321,863.	186,297.		

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	321,863.
2 Enter amount from Part I, line 27a	2	-135,566.
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	186,297.
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	186,297.

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 - SEE ATTACHED	P	VARIOUS	VARIOUS
b MERRILL LYNCH - SEE ATTACHED	P	VARIOUS	VARIOUS
c			
d			
e			

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a 77,983.		88,087.	-10,104.
b 144,718.		227,180.	-82,462.
c			
d			
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			-10,104.
b			-82,462.
c			
d			
e			

2 Capital gain net income or (net capital loss)	If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7	2	-92,566.
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	32,900.	284,609.	.115597
2007	27,136.	362,540.	.074850
2006	0.	186,108.	.000000
2005	0.	0.	.000000
2004	0.	0.	.000000

2 Total of line 1, column (d)	2	.190447
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	.038089
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	186,845.
5 Multiply line 4 by line 3	5	7,117.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	0.
7 Add lines 5 and 6	7	7,117.
8 Enter qualifying distributions from Part XII, line 4	8	40,200.

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)		1	0.
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b		2	0.
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col (b)		3	0.
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	0.
3 Add lines 1 and 2		5	0.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)			
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-			
6 Credits/Payments:			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	31.	
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	31.	
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	31.	
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax ☒ 31. Refunded ☐ 0.	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) ☒ FL		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

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 ► NELSON D. CIVELLO Telephone no ► 404-253-7500
 Located at ► 321 OCEAN GRAND BLVD. , BLDG 2, PENTHOUSE 808, JU ZIP+4 ► 33477

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	N/A	1b
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?		1c X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)):		
a At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009?	☐ Yes ☒ No	
If "Yes," list the years: _____		
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions)	N/A	2b
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. ► _____		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes ☒ No	
b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009)	N/A	3b
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?		4b X

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

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

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

☒

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

N/A

☐ Yes ☐ No

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

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

☐ Yes ☒ No

6b

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

If "Yes" to 6b, file Form 8870

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
NELSON D. CIVELLO 221 OCEAN GRAND BLVD, BLDG 2, PH 808 JUPITER, FL 33477	TRUSTEE 1.00	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	187,290.
b	Average of monthly cash balances	1b	2,400.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	189,690.
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	189,690.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	2,845.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	186,845.
6	Minimum investment return. Enter 5% of line 5	6	9,342.

Part XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6	1	9,342.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	
b	Income tax for 2009 (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	0.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	9,342.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	9,342.
6	Deduction from distributable amount (see instructions)	6	0.
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	9,342.

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	40,200.
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	40,200.
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	40,200.

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				9,342.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004				
b From 2005				
c From 2006				
d From 2007				3,269.
e From 2008				18,670.
f Total of lines 3a through e	21,939.			
4 Qualifying distributions for 2009 from Part XII, line 4: ► \$ 40,200.				
a Applied to 2008, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2009 distributable amount				9,342.
e Remaining amount distributed out of corpus	30,858.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a))	0.			0.
6 Enter the net total of each column as indicated below:	52,797.			
a Corpus Add lines 3f, 4c, and 4e Subtract line 5				
b Prior years' undistributed income Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b Taxable amount - see instructions		0.		
e Undistributed income for 2008 Subtract line 4a from line 2a. Taxable amount - see instr			0.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	52,797.			
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				3,269.
d Excess from 2008				18,670.
e Excess from 2009				30,858.

Part XV Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment				
Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
CANISIUS COLLEGE 2001 MAIN ST BUFFALO, NY 14208		PUBLIC CHARITY	GENERAL PURPOSE	30,000.
MEDICINES FOR HUMANITY, INC. 800 HINGHAM STREET, SUITE 1800 ROCKLAND, MA 02370		PUBLIC CHARITY	GENERAL PURPOSE	200.
CANISIUS HIGHSCHOOL 1180 DELAWARE AVENUE BUFFALO, NY 14209		PUBLIC CHARITY	GENERAL PURPOSE	10,000.
Total			► 3a	40,200.
b Approved for future payment				
NONE				
Total			► 3b	0.

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

- | | | Yes | No |
|---|---|-------|----|
| 1 | Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations? | | |
| a | Transfers from the reporting foundation to a noncharitable exempt organization of: | | |
| | (1) Cash | 1a(1) | X |
| | (2) Other assets | 1a(2) | X |
| b | Other transactions: | | |
| | (1) Sales of assets to a noncharitable exempt organization | 1b(1) | X |
| | (2) Purchases of assets from a noncharitable exempt organization | 1b(2) | X |
| | (3) Rental of facilities, equipment, or other assets | 1b(3) | X |
| | (4) Reimbursement arrangements | 1b(4) | X |
| | (5) Loans or loan guarantees | 1b(5) | X |
| | (6) Performance of services or membership or fundraising solicitations | 1b(6) | X |
| c | Sharing of facilities, equipment, mailing lists, other assets, or paid employees | 1c | X |
| d | If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received | | |

[illegible]

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

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

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

Sign Here	Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge.			
	 Signature of officer or trustee		6/10/2010 Date	
Paid Preparer's Use Only	Preparer's signature 		Date 5/24/15	Check if self-employed ☐
	Firm's name (or yours if self-employed), address, and ZIP code FRAZIER & DEETER, L.L.C. 600 PEACHTREE STREET, SUITE 1900 ATLANTA, GA 30308		Preparer's identifying number EIN Phone no. (404) 253-7500	

FORM 990-PF	DIVIDENDS AND INTEREST FROM SECURITIES	STATEMENT	1
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SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
MERRILL LYNCH	1,353.	0.	1,353.
TOTAL TO FM 990-PF, PART I, LN 4	1,353.	0.	1,353.

FORM 990-PF	ACCOUNTING FEES	STATEMENT	2
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	1,750.	1,750.		0.
TO FORM 990-PF, PG 1, LN 16B	1,750.	1,750.		0.

FORM 990-PF	OTHER PROFESSIONAL FEES	STATEMENT	3
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
MANAGEMENT FEES -- MERRIL LYNCH	80.	80.		0.
TO FORM 990-PF, PG 1, LN 16C	80.	80.		0.

FORM 990-PF	TAXES	STATEMENT	4
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES	73.	73.		0.
TO FORM 990-PF, PG 1, LN 18	73.	73.		0.

FORM 990-PF	OTHER EXPENSES	STATEMENT	5
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
MFA QUARTERLY FEE	2,250.	2,250.		0.
TO FORM 990-PF, PG 1, LN 23	2,250.	2,250.		0.

FORM 990-PF	CORPORATE STOCK	STATEMENT	6
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DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
MERRILL LYNCH ACCOUNT #81C-02099	184,903.	202,117.
TOTAL TO FORM 990-PF, PART II, LINE 10B	184,903.	202,117.



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THE NELSON D CIVELLO FDN

2009 ANNUAL STATEMENT SUMMARY

Your Tax Reporting Statement information that follows is a personal summary of your account activity and is not reported to the IRS.

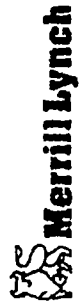
The Capital Gain and Loss Transaction section is provided to facilitate your review and may not include return of capital, sales load deferral, or wash sales adjustments. RICs (which may include mutual funds and unit investment trusts) may recalculate their cost basis for these securities may not have been adjusted on your statement to reflect such recalculation. Please refer to information provided by the RIC and discuss with your tax advisor. Securities distributed from a retirement account collect the tax basis on the date of distribution. Other methods for calculating gain (loss) are available. The cost basis for most Original Issue Discount ("OID") obligations includes the accretion of OID. For purposes of allocating original purchase price to the components of an equity unit consisting of a purchase contract and a debt security subject to a remarketing event, we assumed the fair market value of the debt security on purchase date was equal to its adjusted issue price. The difference between your original cost and the amount allocable to the debt component was allocated to the purchase contract. In making adjustments to the cost basis of the purchase contract, it was assumed that the unit holder included contract adjustment payments in income received. In calculating gain (loss), unless otherwise noted, it was assumed that the oldest position was liquidated first, and that an election was in effect to amortize premium paid on the purchase of taxable bonds.

Dividend and Interest details are repeated in the following pages for your convenience. Additionally, we have included items such as margin interest and select account fees if applicable. Please discuss the deductibility of these items with your tax advisor. For select clients, we have also included a summary of Visa charges and checking activity.

Merrill Lynch is neither a tax return preparer or tax advisor. Please see your tax advisor for more information.

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired	Date Liquidated	Year-to-Date	Amortization/Accretion	Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
SHORT TERM CAPITAL GAINS									
NUVEEN TRDWD INTL VAL A	105.6930	05/07/09	05/27/09				2,195.24	2,090.59	104.65
	107.6040	05/07/09	06/25/09				2,141.81	2,009.72	132.09
	26.3010	05/07/09	08/04/09				588.62	520.23	68.39
	1.9270	05/07/09	08/27/09				43.69	38.11	5.58
Security Subtotal							4,969.36	4,658.65	310.71
JENNISON MDCAP GWTH Z	79.2430	05/07/09	05/27/09				1,476.30	1,472.32	3.98
	23.4480	05/07/09	08/04/09				494.05	435.65	58.40
	1.7370	05/07/09	08/27/09				36.67	32.27	4.40
Security Subtotal							2,007.02	1,940.24	66.78
HENDERSON INTL OPP CL A	125.8480	05/07/09	05/27/09				2,208.63	2,094.09	114.54
	41.6010	05/07/09	08/04/09				796.24	692.24	104.00
	3.0640	05/07/09	08/27/09				59.23	50.98	8.25
Security Subtotal							3,064.10	2,837.31	226.79
MFS VALUE FD CL I	6.1260	05/07/09	08/27/09				120.38	107.45	12.93
	193.7110	05/07/09	11/05/09				3,889.72	3,397.69	492.03
Security Subtotal							4,010.10	3,505.14	504.96



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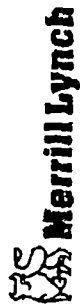
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THE NELSON D CIVELLO FDN

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Year-to-Date Amortization/Accretion	Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
DWS CAPITAL GRWTH INST	4.0000	12/19/08	06/25/09			161.08	149.12	11.96
	1.0000	12/22/08	06/25/09			40.29	36.75	3.54
		Security Subtotal				201.37	185.87	15.50
JAN ADV FORTY FD CL A	163.6520	05/07/09	05/27/09			4,202.58	4,186.21	16.37
	51.9370	05/07/09	08/04/09			1,540.45	1,328.54	211.91
	3.8530	05/07/09	08/27/09			113.97	98.54	15.43
	129.9710	05/07/09	09/15/09			3,968.01	3,324.65	643.36
		Security Subtotal				9,825.01	8,937.94	887.07
MAINSTAY LG CP GRTH CL A	260.4480	06/25/09	08/04/09			1,411.53	1,291.81	119.72
	19.2510	06/25/09	08/27/09			105.55	95.53	10.02
	684.7370	06/25/09	09/15/09			3,882.46	3,396.29	486.17
	337.9580	06/25/09	11/05/09			1,943.32	1,676.32	267.00
		Security Subtotal				7,342.86	6,459.95	883.01
ALLIAN NFJ INTL VL CL A	1.0000	12/11/08	05/07/09			14.62	13.00	1.62
	34.0000	12/11/08	05/07/09			497.08	442.00	55.08
	1.0000	12/12/08	05/07/09			14.62	13.07	1.55
	6.0000	03/19/09	05/07/09			87.74	72.66	15.08
		Security Subtotal				674.06	540.73	73.33
JANUS FORTY FUND CL I	63.5510	05/07/09	11/05/09			1,926.87	1,632.00	294.87
HARTFORD CAPITAL APP I	3.5960	06/25/09	08/27/09			100.11	88.70	11.41
	72.6870	06/25/09	09/15/09			2,080.30	1,793.01	287.29
	67.4740	06/25/09	11/05/09			1,945.28	1,664.42	280.86
		Security Subtotal				4,125.69	3,546.13	579.56
AMERICAN GROWTH FUND	15.0000	12/23/08	06/25/09			344.25	295.35	48.90
	1.0000	12/24/08	06/25/09			22.97	19.66	3.31
		Security Subtotal				367.22	315.01	52.21
TOUCHSTONE LG CP GRWTH A	1.0000	12/31/08	06/25/09			16.60	15.96	0.64



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THE NELSON D CIVELLO FDN

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
WF ADV LG COMP CORE N	2.0000	12/19/08	05/07/09			32.56	29.18	3.38
	1.0000	12/22/08	05/07/09			16.28	14.24	2.04
	1.0000	03/26/09	05/07/09			48.84	40.71	8.13
	1.0000	03/27/09	05/07/09			15.30	13.66	1.64
Security Subtotal						113.98	97.79	16.19
HTFD CAP APPR A	48.6030	06/25/09	08/04/09			1,343.39	1,202.92	140.47
MFS VALUE FD CL A	83.0990	05/07/09	09/04/09			1,591.35	1,450.90	140.45
V K GR & INC CL A	6.0000	03/11/09	05/07/09			82.56	66.36	16.20
	1.0000	03/12/09	05/07/09			13.78	11.47	2.31
Security Subtotal						96.34	77.83	18.51
Short Term Capital Gains Subtotal						41,615.42	37,404.37	4,211.05
SHORT TERM CAPITAL LOSSES								
ALLIAN NFJ INTL VL CL A	7.0000	06/19/08	05/07/09			102.34	178.85	(76.51)
	9.0000	09/18/08	05/07/09			131.58	181.26	(49.68)
Security Subtotal						233.92	360.11	(126.19)
TOUCHSTONE LG CP GRWTH A	571.5800	08/19/08	05/07/09			9,165.29	13,637.88	(4,472.59)
	168.2770	08/19/08	05/27/09			2,704.21	4,015.07	(1,310.86)
	972.0920	08/19/08	08/25/09			16,117.27	23,194.12	(7,076.85)
Security Subtotal						28,006.77	40,847.07	(12,840.30)
WF ADV LG COMP CORE N	1.0000	06/19/08	05/07/09			16.28	23.01	(6.73)
	1.0000	05/20/08	05/07/09			15.28	22.76	(7.48)
	43.0000	08/19/08	05/07/09			700.04	952.02	(251.98)
	2.0000	09/25/08	05/07/09			32.56	40.54	(7.98)
Security Subtotal						765.16	1,038.33	(273.17)
ALLIANZ CCM CAP APP CL A	61.0000	08/19/08	05/07/09			715.55	1,056.51	(340.96)



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2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Year-to-Date Annuization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
MFS VALUE FD CL A	243 8240	05/07/09	05/27/09		4,232.78	4,257.16	(24.38)
MFS RESEARCH INTL A	69 0000	08/19/08	05/07/09		743.13	1,090.20	(347.07)
	24 0000	12/18/08	05/07/09		258.48	252.56	(4.08)
	23 0000	12/18/08	05/07/09		247.71	251.62	(3.91)
	1 0000	12/17/08	05/07/09		10.77	10.86	(0.09)
	1 0000	12/17/08	05/07/09		10.79	10.86	(0.07)
Security Subtotal					1,270.88	7,626.10	(355.22)
V K GR & INC CL A	5 0000	06/11/08	05/07/09		68.80	95.25	(26.45)
	67 0000	08/19/08	05/07/09		921.92	7,220.78	(306.86)
	4 0000	09/10/08	05/07/09		55.04	72.52	(17.48)
	1 0000	09/11/08	05/07/09		13.76	18.29	(4.53)
	6 0000	12/10/08	05/07/09		82.56	82.68	(0.12)
Security Subtotal					1,142.08	1,497.52	(355.44)
Short Term Capital Losses Subtotal					36,367.14	50,682.80	(14,315.66)

NET SHORT TERM CAPITAL GAIN (LOSS)

(10,104.61)

LONG TERM CAPITAL LOSSES

AMER GR FD OF AMER CL F	66 2030	11/02/06	05/07/09		1,465.73	2,182.05	(716.32)
	177 9580	11/02/06	05/27/09		3,957.29	5,865.49	(1,907.70)
Security Subtotal					5,423.52	8,047.54	(2,624.02)
AM CENTY NEWJ OPP II INVS	358 2430	06/26/07	05/27/09		1,784.05	3,027.15	(1,243.10)
	110 1660	06/26/07	08/04/09		629.05	930.90	(301.85)
	8 2380	06/26/07	08/27/09		47.70	69.61	(21.91)
	119 8110	06/26/07	09/15/09		728.45	1,012.40	(283.95)
Security Subtotal					3,189.25	5,040.06	(1,850.81)



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THE NELSON D CIVELLO FDN

2009 ANNUAL STATEMENT SUMMARY

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
DWS CAPITAL GRWTH INST	21,2950	10/06/06	05/07/09			822.41	1,040.04	(217.63)
	85,9810	10/06/06	05/27/09			3,311.89	4,199.31	(887.32)
	275,9670	10/06/06	06/25/09			11,153.45	13,527.09	(2,373.64)
	2,0000	12/20/06	06/25/09			80.53	102.58	(22.05)
	147,0000	05/30/07	06/25/09			5,919.69	8,043.83	(2,124.14)
	1,0000	05/31/07	06/25/09			40.27	54.85	(14.58)
	61,0000	06/26/07	06/25/09			2,455.47	3,291.56	(835.09)
	4,0000	12/19/07	06/25/09			161.08	223.64	(62.56)
	1,0000	12/20/07	06/25/09			40.27	56.41	(16.14)
		Security Subtotal				23,986.16	30,538.31	(6,553.15)
EV LG CAP VAL I	119,9310	10/06/06	11/05/09			1,942.88	2,442.75	(499.87)
ALLIAN NFJ INTL VL CL A	815,9700	06/26/07	05/07/09			11,944.09	21,510.84	(9,566.75)
	1,0000	09/20/07	05/07/09			14.62	27.60	(12.98)
	19,0000	12/13/07	05/07/09			277.77	514.71	(236.94)
	17,0000	12/13/07	05/07/09			248.54	460.53	(211.99)
	1,0000	12/14/07	05/07/09			14.62	26.61	(11.99)
	20,0000	12/20/07	05/07/09			292.40	515.20	(222.80)
	1,0000	12/21/07	05/07/09			14.62	26.28	(11.66)
	1,0000	03/20/08	05/07/09			14.62	23.76	(9.14)
		Security Subtotal				12,821.28	23,105.53	(10,284.25)
AMERICAN GROWTH FUND	562,2060	11/02/06	06/25/09			12,902.67	18,662.21	(5,759.60)
	34,0000	12/19/06	06/25/09			780.30	1,116.90	(336.60)
	9,0000	12/19/06	06/25/09			206.55	295.65	(89.10)
	1,0000	12/20/06	06/25/09			22.95	32.78	(9.83)
	112,0000	05/30/07	06/25/09			2,570.40	4,031.84	(1,461.44)
	195,0000	06/26/07	06/25/09			4,475.25	6,946.24	(2,470.99)
	1,0000	06/27/07	06/25/09			22.95	35.68	(12.73)
	80,0000	12/19/07	06/25/09			1,836.00	2,688.39	(852.39)
	14,0000	12/19/07	06/25/09			321.30	464.66	(143.36)
	1,0000	12/20/07	06/25/09			22.95	33.40	(10.45)
		Security Subtotal				23,161.26	34,307.75	(11,146.49)



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2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Year-to-Date	Amortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
WF ADV LG COMP CORE N	865.1100	06/26/07	05/07/09			14,083.98	22,683.18	(8,599.20)
	1.0000	09/25/07	05/07/09			16.27	75.77	(9.50)
	1.0000	12/19/07	05/07/09			16.28	24.21	(7.93)
	2.0000	03/26/08	05/07/09			32.56	46.44	(13.88)
	1.0000	03/27/08	05/07/09			16.28	22.55	(6.27)
Security Subtotal						14,165.37	22,802.15	(8,636.78)
ALLIANZ CCM CAP APP CL A	1513.1680	10/06/06	05/07/09			17,749.45	29,945.62	(12,196.17)
	415.0000	06/26/07	05/07/09			4,867.95	8,636.14	(3,768.19)
	145.0000	12/14/06	05/07/09			1,700.85	2,823.15	(1,122.30)
	1.0000	12/15/06	05/07/09			11.73	19.45	(7.72)
	2.0000	12/21/06	05/07/09			23.45	38.46	(15.01)
	1.0000	12/22/06	05/07/09			11.73	19.12	(7.39)
	67.0000	12/13/07	05/07/09			785.91	1,393.60	(607.69)
	152.0000	12/13/07	05/07/09			1,782.96	3,161.60	(1,378.64)
	1.0000	12/14/07	05/07/09			11.73	20.57	(8.84)
	7.0000	12/20/07	05/07/09			82.11	143.01	(60.90)
	1.0000	12/21/07	05/07/09			11.73	20.76	(9.03)
Security Subtotal						27,039.60	46,221.48	(19,181.88)
MFS RESEARCH INTL A	897.3820	10/06/06	05/07/09			9,664.79	17,651.52	(7,986.73)
	72.0000	12/14/06	05/07/09			775.43	1,372.32	(596.89)
	86.0000	12/14/06	05/07/09			926.22	1,639.16	(712.94)
	19.0000	12/14/06	05/07/09			204.63	362.14	(157.51)
	1.0000	12/15/06	05/07/09			10.77	19.06	(8.29)
	44.0000	12/11/07	05/07/09			473.88	857.68	(383.80)
	76.0000	12/11/07	05/07/09			818.52	1,498.72	(680.20)
	17.0000	12/11/07	05/07/09			183.09	335.24	(152.15)
	1.0000	12/12/07	05/07/09			10.77	20.05	(9.28)
	1.0000	12/12/07	05/07/09			10.77	20.05	(9.28)
Security Subtotal						13,078.87	23,785.94	(10,707.07)



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2009 ANNUAL STATEMENT SUMMARY

Merrill Lynch

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
E V LG CP VL CL A	289 1330 106 0960 7 8760	10/05/06 10/06/06 10/05/06	05/27/09 08/04/09 08/27/09			3,926.43 1,605.23 122.71 5,654.37	5,866.51 2,152.68 159.80 8,178.99	(1,940.08) (547.45) (37.09) (2,524.62)
		Security Subtotal						
V K GR & INC CL A	895.0120 6 0000 52 0000 4 0000 1 0000 1 0000 2 0000 5 0000 1 0000 5 0000 5 0000 9 0000 38 0000 5 0000 1 0000 5 0000 1 0000	10/05/06 12/13/06 12/13/06 12/13/06 12/14/06 12/14/06 03/14/07 03/14/07 03/15/07 06/13/07 09/12/07 12/11/07 12/11/07 12/12/07 03/12/08 03/13/08	05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09 05/07/09			12,315.35 82.56 715.52 55.04 13.76 13.76 27.52 68.80 13.76 68.80 68.80 123.84 522.88 68.80 13.76 68.80 13.76 14,255.51	19,654.48 130.98 1,135.16 87.32 21.98 21.98 42.56 106.40 21.37 117.95 112.10 193.95 818.90 107.75 21.66 94.90 19.04 22,708.48	(7,339.13) (48.42) (419.64) (32.28) (8.22) (8.22) (15.04) (37.60) (7.61) (49.15) (43.30) (70.11) (296.02) (38.95) (7.90) (26.10) (5.28) (8,452.97)
		Security Subtotal						
		Long Term Capital Losses Subtotal				144,718.07	227,179.98	(82,461.91)

NET LONG TERM CAPITAL GAIN (LOSS)
TOTAL CAPITAL GAINS AND LOSSES
TOTAL REPORTABLE GROSS PROCEEDS
DIFFERENCE

222,700.63
222,700.63
0.00*

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

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868

Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed)

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete Part I only ☐

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

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

Type or print File by the due date for filing your return. See instructions	Name of Exempt Organization	Employer identification number
	THE NELSON D CIVELLO FOUNDATION	54-2119141
	Number, street, and room or suite no. If a P O box, see instructions 221 OCEAN GRAND BLVD., BLDG 2, PH 808	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions JUPITER, FL 33477	

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

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

NELSON D. CIVELLO - 321 OCEAN GRAND BLVD. , BLDG 2,

- The books are in the care of ► PENTHOUSE 808 - JUPITER, FL 33477

Telephone No ► 404-253-7500

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

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions	3a	\$	0.
b If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit	3b	\$	31.
c Balance Due. Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions	3c	\$	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.

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

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