Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

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

OMB No 1545-0052

**2009**

For calendar year 2009, or tax year beginning , and ending

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

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

Name of foundation
ATTICUS TRUST
MARTIN S. BROWN, JR., TRUSTEE

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
424 CHURCH STREET

City or town, state, and ZIP code
NASHVILLE, TN 37219

A Employer identification number
58-1796390

B Telephone number
615 259-1450

C If exemption application is pending, check here ▶ [ ]
D 1. Foreign organizations, check here ▶ [ ]
2. Foreign organizations meeting the 85% test, check here and attach computation ▶ [ ]
E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ [ ]
F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ▶ [ ]

H Check type of organization [X] 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) ▶$ 12,707,790.

J Accounting method: [X] Cash [ ] Accrual [ ] Other (specify) (Part I, column (d) must be on cash basis.)

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

| | | (a) Revenue and expenses per books | (b) Net investment income | (c) Adjusted net income | (d) Disbursements for charitable purposes (cash basis only) |
|---|---|---|---|---|---|
| Revenue | 1 Contributions, gifts, grants, etc , received | | | N/A | |
| | 2 Check ▶ [X] if the foundation is not required to attach Sch B | | | | |
| | 3 Interest on savings and temporary cash investments | | | | |
| | 4 Dividends and interest from securities | 193,280. | 193,280. | | STATEMENT 1 |
| | 5a Gross rents | | | | |
| | b Net rental income or (loss) | | | | |
| | 6a Net gain or (loss) from sale of assets not on line 10 | <156,376.> | | | |
| | b Gross sales price for all assets on line 6a 1,050,671. | | | | |
| | 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 | 50. | 50. | | STATEMENT 2 |
| | 12 **Total.** Add lines 1 through 11 | 36,954. | 193,330. | | |
| 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 STMT 3 | 36,836. | 0. | | 36,836. |
| | b Accounting fees STMT 4 | 7,150. | 0. | | 7,150. |
| | c Other professional fees STMT 5 | 37,844. | 18,922. | | 18,922. |
| | 17 Interest | | | | |
| | 18 Taxes STMT 6 | <15,207.> | 0. | | 144. |
| | 19 Depreciation and depletion | | | | |
| | 20 Occupancy | | | | |
| | 21 Travel, conferences, and meetings | | | | |
| | 22 Printing and publications | | | | |
| | 23 Other expenses STMT 7 | 8,308. | 540. | | 7,768. |
| | 24 **Total operating and administrative expenses.** Add lines 13 through 23 | 74,931. | 19,462. | | 70,820. |
| | 25 Contributions, gifts, grants paid | 728,000. | | | 728,000. |
| | 26 **Total expenses and disbursements.** Add lines 24 and 25 | 802,931. | 19,462. | | 798,820. |
| | 27 Subtract line 26 from line 12 | | | | |
| | a Excess of revenue over expenses and disbursements | <765,977.> | | | |
| | b **Net investment income** (if negative, enter -0-) | | 173,868. | | |
| | c **Adjusted net income** (if negative, enter -0-) | | | N/A | |

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

| | | Beginning of year (a) Book Value | End of year (b) Book Value | (c) Fair Market Value |
|---|---|---|---|---|
| **Assets** | 1 Cash - non-interest-bearing | 5,661,465. | 3,851,853. | 3,851,853. |
| | 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 8 | 6,838,192. | 8,026,573. | 7,998,089. |
| | c Investments - corporate bonds STMT 9 | 1,053,693. | 908,947. | 857,848. |
| | 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) | 13,553,350. | 12,787,373. | 12,707,790. |
| **Liabilities** | 17 Accounts payable and accrued expenses | | | |
| | 18 Grants payable | | | |
| | 19 Deferred revenue | | | |
| | 20 Loans from officers, directors, trustees, and other disqualified persons | | | |
| | 21 Mortgages and other notes payable | | | |
| | 22 Other liabilities (describe ▶ ) | | | |
| | 23 **Total liabilities** (add lines 17 through 22) | 0. | 0. | |
| **Net Assets or Fund Balances** | **Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.** | | | |
| | 24 Unrestricted | | | |
| | 25 Temporarily restricted | | | |
| | 26 Permanently restricted | | | |
| | **Foundations that do not follow SFAS 117, check here ▶ [X] and complete lines 27 through 31.** | | | |
| | 27 Capital stock, trust principal, or current funds | 13,251,281. | 12,787,373. | |
| | 28 Paid-in or capital surplus, or land, bldg , and equipment fund | 302,069. | 0. | |
| | 29 Retained earnings, accumulated income, endowment, or other funds | 0. | 0. | |
| | 30 **Total net assets or fund balances** | 13,553,350. | 12,787,373. | |
| | 31 **Total liabilities and net assets/fund balances** | 13,553,350. | 12,787,373. | |

**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 | 13,553,350. |
| 2 | Enter amount from Part I, line 27a | 2 | <765,977.> |
| 3 | Other increases not included in line 2 (itemize) ▶ | 3 | 0. |
| 4 | Add lines 1, 2, and 3 | 4 | 12,787,373. |
| 5 | Decreases not included in line 2 (itemize) ▶ | 5 | 0. |
| 6 | Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30 | 6 | 12,787,373. |

**Part IV Capital Gains and Losses for Tax on Investment Income**

| | (a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse; or common stock, 200 shs MLC Co ) | (b) How acquired P - Purchase D - Donation | (c) Date acquired (mo , day, yr.) | (d) Date sold (mo , day, yr ) |
|---|---|---|---|---|
| 1a | | | | |
| b | SEE ATTACHED STATEMENT | | | |
| c | | | | |
| d | | | | |
| e | | | | |

| | (e) Gross sales price | (f) Depreciation allowed (or allowable) | (g) Cost or other basis plus expense of sale | (h) Gain or (loss) (e) plus (f) minus (g) |
|---|---|---|---|---|
| a | | | | |
| b | | | | |
| c | | | | |
| d | | | | |
| e | 1,050,671. | | 1,207,047. | <156,376.> |

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

| | (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 | (l) Gains (Col (h) gain minus col. (k), but not less than -0-) or Losses (from col (h)) |
|---|---|---|---|---|
| a | | | | |
| b | | | | |
| c | | | | |
| d | | | | |
| e | | | | <156,376.> |

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 <156,376.>

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 | 774,815. | 12,932,170. | .059914 |
| 2007 | 884,401. | 14,279,794. | .061934 |
| 2006 | 796,488. | 13,534,029. | .058851 |
| 2005 | 700,430. | 13,958,400. | .050180 |
| 2004 | 818,551. | 12,910,960. | .063400 |

| | | | |
|---|---|---|---|
| 2 | Total of line 1, column (d) | 2 | .294279 |
| 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 | .058856 |
| 4 | Enter the net value of noncharitable-use assets for 2009 from Part X, line 5 | 4 | 12,266,666. |
| 5 | Multiply line 4 by line 3 | 5 | 721,967. |
| 6 | Enter 1% of net investment income (1% of Part I, line 27b) | 6 | 1,739. |
| 7 | Add lines 5 and 6 | 7 | 723,706. |
| 8 | Enter qualifying distributions from Part XII, line 4 | 8 | 798,820. |

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 | 1,739. |
| 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 | 1,739. |
| 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 | 1,739. |
| 6 | Credits/Payments | | | |
| a | 2009 estimated tax payments and 2008 overpayment credited to 2009 | 6a 2,320. | | |
| b | Exempt foreign organizations - tax withheld at source | 6b | | |
| c | Tax paid with application for extension of time to file (Form 8868) | 6c 2,500. | | |
| d | Backup withholding erroneously withheld | 6d | | |
| 7 | Total credits and payments Add lines 6a through 6d | | 7 | 4,820. |
| 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 | 3,081. |
| 11 | Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶ | 3,081. Refunded ▶ | 11 | 0. |

## Part VII-A Statements Regarding Activities

| | | | Yes | No |
|---|---|---|---|---|
| 1a | During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign? | 1a | | X |
| b | Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? *If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.* | 1b | | X |
| c | Did the foundation file **Form 1120-POL** for this year? | 1c | | X |
| d | Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ▶ $ 0. (2) On foundation managers ▶ $ 0. | | | |
| e | Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ 0. | | | |
| 2 | Has the foundation engaged in any activities that have not previously been reported to the IRS? *If "Yes," attach a detailed description of the activities.* | 2 | | X |
| 3 | Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes* | 3 | | X |
| 4a | Did the foundation have unrelated business gross income of $1,000 or more during the year? | 4a | | X |
| b | If "Yes," has it filed a tax return on **Form 990-T** for this year? N/A | 4b | | |
| 5 | Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T.* | 5 | | X |
| 6 | Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument? | 6 | X | |
| 7 | Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col. (c), and Part XV.* | 7 | X | |
| 8a | Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ TN | | | |
| b | If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation* | 8b | X | |
| 9 | Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? *If "Yes," complete Part XIV* | 9 | | X |
| 10 | Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses | 10 | | X |

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

| | | | Yes | No |
|---|---|---|---|---|
| 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 ▶ MARTIN S. BROWN, JR. Telephone no ▶(615) 259-1479

Located at ▶424 CHURCH STREET SUITE 2800, NASHVILLE, TN ZIP+4 ▶37219

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

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

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

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? ☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

**b** If any answer is "Yes" to 5a(1)-(5), did **any** of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)? N/A **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** No: 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 |
|---|---|---|---|---|
| SEE ATTACHED LIST | 0.00 | 0. | 0. | 0. |
| | | | | |
| | | | | |
| | | | | |

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

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

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

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

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

| (a) Name and address of each person paid more than $50,000 | (b) Type of service | (c) Compensation |
|---|---|---|
| NONE | | |
| | | |
| | | |
| | | |
| | | |
| **Total** number of others receiving over $50,000 for professional services ▶ | | 0 |

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

| List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc | Expenses |
|---|---|
| 1 NONE | 0. |
| 2 | |
| 3 | |
| 4 | |

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

| Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2 | Amount |
|---|---|
| 1 NONE | 0. |
| 2 | |
| All other program-related investments. See instructions<br>3 NONE | 0. |
| **Total.** Add lines 1 through 3 ▶ | 0. |

## 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 | 7,343,685. |
| b | Average of monthly cash balances | 1b | 5,109,783. |
| c | Fair market value of all other assets | 1c | |
| d | **Total** (add lines 1a, b, and c) | 1d | 12,453,468. |
| 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 | 12,453,468. |
| 4 | Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see instructions) | 4 | 186,802. |
| 5 | **Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4 | 5 | 12,266,666. |
| 6 | **Minimum investment return.** Enter 5% of line 5 | 6 | 613,333. |

## 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 | 613,333. |
| 2a | Tax on investment income for 2009 from Part VI, line 5 2a 1,739. | | |
| b | Income tax for 2009. (This does not include the tax from Part VI ) 2b | | |
| c | Add lines 2a and 2b | 2c | 1,739. |
| 3 | Distributable amount before adjustments Subtract line 2c from line 1 | 3 | 611,594. |
| 4 | Recoveries of amounts treated as qualifying distributions | 4 | 0. |
| 5 | Add lines 3 and 4 | 5 | 611,594. |
| 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 | 611,594. |

## 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 | 798,820. |
| 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 | 798,820. |
| 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 | 1,739. |
| 6 | **Adjusted qualifying distributions.** Subtract line 5 from line 4 | 6 | 797,081. |

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

**Part XIII Undistributed Income** (see instructions)

| | (a) Corpus | (b) Years prior to 2008 | (c) 2008 | (d) 2009 |
|---|---|---|---|---|
| 1 Distributable amount for 2009 from Part XI, line 7 | | | | 611,594. |
| 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 184,251. | | | | |
| b From 2005 24,487. | | | | |
| c From 2006 137,367. | | | | |
| d From 2007 210,315. | | | | |
| e From 2008 132,784. | | | | |
| f Total of lines 3a through e | 689,204. | | | |
| 4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 798,820. | | | | |
| 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 | | | | 611,594. |
| e Remaining amount distributed out of corpus | 187,226. | | | |
| 5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).) | 0. | | | 0. |
| 6 Enter the net total of each column as indicated below: | | | | |
| a Corpus Add lines 3f, 4c, and 4e. Subtract line 5 | 876,430. | | | |
| 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 | 184,251. | | | |
| 9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a | 692,179. | | | |
| 10 Analysis of line 9: | | | | |
| a Excess from 2005 24,487. | | | | |
| b Excess from 2006 137,367. | | | | |
| c Excess from 2007 210,315. | | | | |
| d Excess from 2008 132,784. | | | | |
| e Excess from 2009 187,226. | | | | |

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

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling . . . . . . . . . . ▶

b Check box to indicate whether the foundation is a private operating foundation described in section . . . ☐ 4942(j)(3) or ☐ 4942(j)(5)

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

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

1 **Information Regarding Foundation Managers:**

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

NONE

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest

NONE

2 **Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:**

Check here ▶ ☒ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc (see instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

a The name, address, and telephone number of the person to whom applications should be addressed:

b The form in which applications should be submitted and information and materials they should include

c Any submission deadlines:

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors

**Part XV Supplementary Information** (continued)

**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

| Recipient<br>Name and address (home or business) | If recipient is an individual, show any relationship to any foundation manager or substantial contributor | Foundation status of recipient | Purpose of grant or contribution | Amount |
|---|---|---|---|---|
| *a Paid during the year* | | | | |
| SEE ATTACHED STATEMENT | NONE | N/A | GENERAL CHARITABLE PURPOSES | 728,000. |
| **Total** ▶ 3a | | | | 728,000. |
| *b Approved for future payment* | | | | |
| NONE | | | | |
| **Total** ▶ 3b | | | | 0. |

## Part XVI-A Analysis of Income-Producing Activities

| Enter gross amounts unless otherwise indicated. | Unrelated business income (a) Business code | Unrelated business income (b) Amount | Excluded by section 512, 513, or 514 (c) Exclusion code | Excluded by section 512, 513, or 514 (d) Amount | (e) Related or exempt function income |
|---|---|---|---|---|---|
| 1 Program service revenue: | | | | | |
| a N/A | | | | | |
| b | | | | | |
| c | | | | | |
| d | | | | | |
| e | | | | | |
| f | | | | | |
| g Fees and contracts from government agencies | | | | | |
| 2 Membership dues and assessments | | | | | |
| 3 Interest on savings and temporary cash investments | | | | | |
| 4 Dividends and interest from securities | | | 14 | 193,280. | |
| 5 Net rental income or (loss) from real estate | | | | | |
| a Debt-financed property | | | | | |
| b Not debt-financed property | | | | | |
| 6 Net rental income or (loss) from personal property | | | | | |
| 7 Other investment income | | | 14 | 50. | |
| 8 Gain or (loss) from sales of assets other than inventory | | | 18 | <156,376.> | |
| 9 Net income or (loss) from special events | | | | | |
| 10 Gross profit or (loss) from sales of inventory | | | | | |
| 11 Other revenue: | | | | | |
| a | | | | | |
| b | | | | | |
| c | | | | | |
| d | | | | | |
| e | | | | | |
| 12 Subtotal. Add columns (b), (d), and (e) | | 0. | | 36,954. | 0. |

13 Total. Add line 12, columns (b), (d), and (e) 13 36,954.

(See worksheet in line 13 instructions to verify calculations.)

## Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

| Line No. ▼ | Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes). |
|---|---|
| | |

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

| | | Yes | No |
|---|---|---|---|
| 1 Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations? | | | |
| a Transfers from the reporting foundation to a noncharitable exempt organization of | | | |
| (1) Cash | 1a(1) | | X |
| (2) Other assets | 1a(2) | | X |
| b Other transactions | | | |
| (1) Sales of assets to a noncharitable exempt organization | 1b(1) | | X |
| (2) Purchases of assets from a noncharitable exempt organization | 1b(2) | | X |
| (3) Rental of facilities, equipment, or other assets | 1b(3) | | X |
| (4) Reimbursement arrangements | 1b(4) | | X |
| (5) Loans or loan guarantees | 1b(5) | | X |
| (6) Performance of services or membership or fundraising solicitations | 1b(6) | | X |
| c Sharing of facilities, equipment, mailing lists, other assets, or paid employees | 1c | | X |

d If the answer to any of the above is "Yes," complete the following schedule Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.

| (a) Line no | (b) Amount involved | (c) Name of noncharitable exempt organization | (d) Description of transfers, transactions, and sharing arrangements |
|---|---|---|---|
| | | N/A | |

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

b If "Yes," complete the following schedule

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

**Sign Here**

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

Signature of officer or trustee — Date 7/22/2010 — Title Trustee

**Paid Preparer's Use Only**

| | | | |
|---|---|---|---|
| Preparer's signature | Sandra L. King | Date 07/21/10 | Check if self-employed ▶ ☒ — Preparer's identifying number |
| Firm's name (or yours if self-employed), address, and ZIP code | KRAFTCPAS PLLC<br>555 GREAT CIRCLE ROAD<br>NASHVILLE, TN 37228 | EIN ▶ | Phone no (615)242-7351 |



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02-02-10

**Part IV** Capital Gains and Losses for Tax on Investment Income

| | (a) List and describe the kind(s) of property sold, e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co | (b) How acquired P - Purchase D - Donation | (c) Date acquired (mo., day, yr.) | (d) Date sold (mo., day, yr.) |
|---|---|---|---|---|
| 1a | BAIRD (SEE ATTACHED) | P | VARIOUS | VARIOUS |
| b | BAIRD (SEE ATTACHED) | P | VARIOUS | VARIOUS |
| c | GOLDMAN SACHS (SEE ATTACHED) | P | VARIOUS | VARIOUS |
| d | GOLDMAN SACHS (SEE ATTACHED) | P | VARIOUS | VARIOUS |
| e | GOLDMAN SACHS (SEE ATTACHED) | P | VARIOUS | VARIOUS |
| f | CHICKASAW (SEE ATTACHED) | P | VARIOUS | VARIOUS |
| g | | | | |
| h | | | | |
| i | | | | |
| j | | | | |
| k | | | | |
| l | | | | |
| m | | | | |
| n | | | | |
| o | | | | |

| | (e) Gross sales price | (f) Depreciation allowed (or allowable) | (g) Cost or other basis plus expense of sale | (h) Gain or (loss) (e) plus (f) minus (g) |
|---|---|---|---|---|
| a | 320. | | 301. | 19. |
| b | 60,591. | | 93,340. | <32,749.> |
| c | 105,465. | | 109,807. | <4,342.> |
| d | 557,746. | | 662,525. | <104,779.> |
| e | 250,000. | | 250,000. | 0. |
| f | 76,549. | | 91,074. | <14,525.> |
| g | | | | |
| h | | | | |
| i | | | | |
| j | | | | |
| k | | | | |
| l | | | | |
| m | | | | |
| n | | | | |
| o | | | | |

| | Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69 | | | (l) Losses (from col. (h)) Gains (excess of col. (h) gain over col. (k), but not less than "-0-") |
|---|---|---|---|---|
| | (i) F.M.V. as of 12/31/69 | (j) Adjusted basis as of 12/31/69 | (k) Excess of col. (i) over col. (j), if any | |
| a | | | | 19. |
| b | | | | <32,749.> |
| c | | | | <4,342.> |
| d | | | | <104,779.> |
| e | | | | 0. |
| f | | | | <14,525.> |
| g | | | | |
| h | | | | |
| i | | | | |
| j | | | | |
| k | | | | |
| l | | | | |
| m | | | | |
| n | | | | |
| o | | | | |

| | | | |
|---|---|---|---|
| 2 | Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 / If (loss), enter "-0-" in Part I, line 7 } | 2 | <156,376.> |
| 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 |

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04-24-09

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 1

| SOURCE | GROSS AMOUNT | CAPITAL GAINS DIVIDENDS | COLUMN (A) AMOUNT |
|---|---|---|---|
| DIVIDENDS | 86,595. | 0. | 86,595. |
| INTEREST | 106,685. | 0. | 106,685. |
| TOTAL TO FM 990-PF, PART I, LN 4 | 193,280. | 0. | 193,280. |

FORM 990-PF OTHER INCOME STATEMENT 2

| DESCRIPTION | (A) REVENUE PER BOOKS | (B) NET INVEST-MENT INCOME | (C) ADJUSTED NET INCOME |
|---|---|---|---|
| OTHER INCOME | 50. | 50. | |
| TOTAL TO FORM 990-PF, PART I, LINE 11 | 50. | 50. | |

FORM 990-PF LEGAL FEES STATEMENT 3

| DESCRIPTION | (A) EXPENSES PER BOOKS | (B) NET INVEST-MENT INCOME | (C) ADJUSTED NET INCOME | (D) CHARITABLE PURPOSES |
|---|---|---|---|---|
| LEGAL FEES | 36,836. | 0. | | 36,836. |
| TO FM 990-PF, PG 1, LN 16A | 36,836. | 0. | | 36,836. |

FORM 990-PF ACCOUNTING FEES STATEMENT 4

| DESCRIPTION | (A) EXPENSES PER BOOKS | (B) NET INVEST-MENT INCOME | (C) ADJUSTED NET INCOME | (D) CHARITABLE PURPOSES |
|---|---|---|---|---|
| ACCOUNTING FEE | 7,150. | 0. | | 7,150. |
| TO FORM 990-PF, PG 1, LN 16B | 7,150. | 0. | | 7,150. |

FORM 990-PF — OTHER PROFESSIONAL FEES — STATEMENT 5

| DESCRIPTION | (A) EXPENSES PER BOOKS | (B) NET INVEST-MENT INCOME | (C) ADJUSTED NET INCOME | (D) CHARITABLE PURPOSES |
|---|---|---|---|---|
| TRUSTEE FEE | 37,844. | 18,922. | | 18,922. |
| TO FORM 990-PF, PG 1, LN 16C | 37,844. | 18,922. | | 18,922. |

FORM 990-PF — TAXES — STATEMENT 6

| DESCRIPTION | (A) EXPENSES PER BOOKS | (B) NET INVEST-MENT INCOME | (C) ADJUSTED NET INCOME | (D) CHARITABLE PURPOSES |
|---|---|---|---|---|
| FOREIGN TAXES | 144. | 0. | | 144. |
| IRS TAX REFUND | <15,351.> | 0. | | 0. |
| TO FORM 990-PF, PG 1, LN 18 | <15,207.> | 0. | | 144. |

FORM 990-PF — OTHER EXPENSES — STATEMENT 7

| DESCRIPTION | (A) EXPENSES PER BOOKS | (B) NET INVEST-MENT INCOME | (C) ADJUSTED NET INCOME | (D) CHARITABLE PURPOSES |
|---|---|---|---|---|
| BANK FEE | 168. | 0. | | 168. |
| ADMIN EXPENSE | 7,600. | 0. | | 7,600. |
| AMORTIZATION | 540. | 540. | | 0. |
| TO FORM 990-PF, PG 1, LN 23 | 8,308. | 540. | | 7,768. |

FORM 990-PF — CORPORATE STOCK — STATEMENT 8

| DESCRIPTION | BOOK VALUE | FAIR MARKET VALUE |
|---|---|---|
| GOLDMAN SACHS EQUITY ACCOUNT | 1,390,213. | 1,550,006. |
| BAIRD ACCOUNT | 586,027. | 608,261. |
| PROTHERICS PLC | 0. | 0. |
| CHICKASAW CAPITAL | 803,648. | 938,526. |
| CHARLES SCHWAB | 2,278,251. | 3,342,660. |

| | | |
|---|---|---|
| MERRILL LYNCH | 988,239. | 1,032,721. |
| SMITH BARNEY | 1,980,195. | 525,915. |
| TOTAL TO FORM 990-PF, PART II, LINE 10B | 8,026,573. | 7,998,089. |

FORM 990-PF CORPORATE BONDS STATEMENT 9

| DESCRIPTION | BOOK VALUE | FAIR MARKET VALUE |
|---|---|---|
| GOLDMAN SACHS FIXED INCOME ACCOUNT | 908,947. | 857,848. |
| TOTAL TO FORM 990-PF, PART II, LINE 10C | 908,947. | 857,848. |

**Atticus Trust**
**Schedule of Contributions**
**12/31/2009**

| Name | Amount |
|---|---|
| Acumen Foundation | 10,000.00 |
| Adventure Science Center | 1,000.00 |
| Alive Hospice | 1,000.00 |
| American Farmland Trust | 5,000.00 |
| American Rivers | 2,000.00 |
| Audulon Society | 1,000.00 |
| Bay Area Video Coalition | 5,000.00 |
| Belle Meade Plantation | 1,000.00 |
| Bethlehem Center of Nashville | 1,000.00 |
| Blair School of Music | 1,000.00 |
| Boys & Girls Clubs of Middle TN | 2,000.00 |
| Brown University | 1,000.00 |
| Brown University | 15,000.00 |
| Calver Education Foundation | 3,000.00 |
| Campus for Human Development | 5,000.00 |
| Campus for Human Development | 10,000.00 |
| Center for Contemplative Justice | 5,000.00 |
| Center for Environmental Health | 2,500.00 |
| Centerstone | 3,000.00 |
| Centerstone | 1,000.00 |
| Cheekwood | 2,500.00 |
| Cheekwood Botanical Garden & Musuem of Art | 1,000.00 |
| Christ Church Cathedral | 10,000.00 |
| Christ Church Cathedral | 4,000.00 |
| Collegiate School | 500.00 |
| Common Sense Media | 3,000.00 |
| Community Child Care Center Foundation-Delray | 2,500.00 |
| Community Nashville | 1,500.00 |
| Conservation International | 4,000.00 |
| Council on Aging of Greater Nashville | 5,000.00 |
| Cumberland Region Tomorrow | 7,500.00 |
| Cumberland River Compact | 5,000.00 |
| Cumberland Trail Conference | 1,000.00 |
| Delray Beach Historical Society | 1,000.00 |
| Denison University | 1,000.00 |
| Ensworth School | 1,000.00 |
| Environmental Defense | 5,000.00 |
| Exchange Club Family Center Inc. | 2,000.00 |
| Family & Children's Service | 1,000.00 |
| Fisk University | 5,000.00 |
| Foxcroft School | 1,000.00 |
| Foxcroft School | 20,000.00 |
| Foxcroft School | 15,000.00 |
| Friends of Grace Cathedral | 10,000.00 |
| Friends of Radnor Lake | 1,000.00 |
| Friends of Urban Forest | 2,000.00 |
| Friends of Warner Park | 10,000.00 |

| | |
|---|---|
| Friends of Warner Park | 40,000.00 |
| Friends of Warner Park | 5,000.00 |
| Friends of Warner Park | 2,000.00 |
| Frist Center for Visual Arts | 10,000.00 |
| Frist Center for Visual Arts | 2,000.00 |
| Garden Club of Nashville | 1,000.00 |
| Garden Conservency | 1,500.00 |
| Girl Scouts of Middle Tennessee | 1,000.00 |
| Grace Cathederal | 10,000.00 |
| Grace M Eaton Childcare & Early Learning Center | 1,000.00 |
| Greenways for Nashville | 1,000.00 |
| Harding Academy | 1,000.00 |
| Harpeth Hall School | 1,000.00 |
| Harpeth Hall School | 2,000.00 |
| Harpeth River Watershed Association | 2,000.00 |
| Historic Center Plantation Assocation Inc. | 3,000.00 |
| Hope for Healing Hands, Inc. | 4,000.00 |
| Interfaith Dental Clinic | 1,000.00 |
| Kent School | 1,000.00 |
| Kentucky Educational Fund for Handicapped Children | 1,000.00 |
| Land Trust for Tennessee | 1,000.00 |
| Land Trust for Tennessee | 5,000.00 |
| Land Trust for Tennessee | 10,000.00 |
| Land Trust for Tennessee | 4,000.00 |
| Leadership Nashville | 500.00 |
| Legal Aid Society of Middle Tennessee | 1,000.00 |
| Madeira School | 500.00 |
| Magdeline Inc. | 1,000.00 |
| Magdeline Inc. | 1,000.00 |
| Mathew 25 | 1,000.00 |
| Meharry Medical College | 1,000.00 |
| Montgomery Bell Academy | 1,000.00 |
| Montgomery Bell Academy | 2,000.00 |
| Muhammed Ali Center | 5,000.00 |
| Nashville Alliance for Public Education | 2,000.00 |
| Nashville Alliance for Public Education | 4,000.00 |
| Nashville Alliance for Public Education | 2,000.00 |
| Nashville Ballet | 1,000.00 |
| Nashville Ballet | 1,000.00 |
| Nashville Civic Design Center | 10,000.00 |
| Nashville Humane Assocation | 1,000.00 |
| Nashville Opera | 1,500.00 |
| Nashville Opportunities Industrialization Center | 5,000.00 |
| Nashville Public Library Foundation | 2,000.00 |
| Nashville Public Radio | 1,000.00 |
| Nashville Public Television | 2,000.00 |
| Nashville Public Television | 1,000.00 |
| Nashville Public Television | 20,000.00 |
| Nashville Tree Foundation | 30,000.00 |
| Nashville Youth Opportunity Center | 10,000.00 |
| Nashville Zoo | 2,000.00 |
| National Parks Conservation Association | 25,000.00 |

| | |
|---|---|
| National Trust for Historic Preservation | 12,500.00 |
| National Wildlife Foundation | 1,000.00 |
| Natural Reserves Defense Council | 15,000.00 |
| NRDC | 5,000.00 |
| NRDC | 5,000.00 |
| Oasis Center | 2,000.00 |
| One Kid One World | 5,000.00 |
| One Kid One World | 5,000.00 |
| Owen Graduate School of Management | 1,000.00 |
| Owl's Hill Nature Sanctuary | 1,000.00 |
| Park Center | 1,000.00 |
| Parthenon Partners | 250.00 |
| Planned parenthood of Middle Tennessee | 2,000.00 |
| Renewal House | 1,000.00 |
| Rooftop | 2,000.00 |
| Saddle Up! | 3,000.00 |
| Saddle Up! | 1,000.00 |
| San Francisco Ballet | 10,000.00 |
| Second Harvest Food Bank | 1,000.00 |
| SELC | 5,000.00 |
| Sexual Assault Center | 3,000.00 |
| Shakertown at South Union | 5,000.00 |
| Slow Food USA | 1,500.00 |
| Smith College | 1,000.00 |
| Southern Alliance for Clean Energy | 2,000.00 |
| Southern Environmental Law Center | 10,000.00 |
| Southern Environmental Law Center | 25,000.00 |
| Southern Environmental Law Center | 5,000.00 |
| Southern Foundways Alliance | 2,500.00 |
| St. Augustine's Episcopal Chapel | 5,000.00 |
| St. Luke's Community House | 3,000.00 |
| St. Paul's Episcopol Church | 1,000.00 |
| Stroud Water Research | 10,000.00 |
| Tennessee Clean Water Network | 3,000.00 |
| Tennessee Coalition to Abolish State Killing | 2,000.00 |
| Tennessee Conservation Voters Ed Fund | 2,500.00 |
| Tennessee Parks & Greenways Foundation | 1,000.00 |
| Tennessee Performing Arts Center | 3,000.00 |
| Tennessee Urban Forestry Council | 500.00 |
| Tennessee Women's Theater Project | 1,000.00 |
| The Aloha Foundation, Inc. | 500.00 |
| The Community Foundation | 1,000.00 |
| The Garden Conservancy | 1,000.00 |
| The Hermitage | 3,000.00 |
| The Land Trust for Tennessee | 20,000.00 |
| The Land Trust for Tennessee | 1,000.00 |
| The Living Well Ministries | 5,000.00 |
| The Nashville Children's Alliance | 500.00 |
| The Nashville Symphony | 10,000.00 |
| The Nature Conservancy- Tennessee Chapter | 10,000.00 |
| Tides Foundation | 10,000.00 |
| Time to Rise | 1,000.00 |

| | |
|---|---|
| Time to Rise | 1,000.00 |
| Travellers Rest | 1,000.00 |
| Trust for the Future | 1,000.00 |
| United Neighborhood Health Services | 5,000.00 |
| United Way of Metro Nashville | 10,000.00 |
| University of Virginia | 1,000.00 |
| Vanderbilt Children's Hospital | 1,000.00 |
| Vanderbilt Kennedy Center | 1,000.00 |
| Vanderbilt Kennedy Center | 1,000.00 |
| Vanderbilt School of Law | 1,000.00 |
| Vanderbilt University | 5,000.00 |
| Veridita's Inc. | 1,000.00 |
| VIPPS | 5,000.00 |
| Water 1st International | 3,000.00 |
| West End Home for Ladies | 250.00 |
| Yale University | 1,000.00 |
| Yale University | 10,000.00 |
| You Have the Power | 1,000.00 |
| Youth Village, Inc. | 1,000.00 |
| YW of Nashville & Middle Tennessee | 6,000.00 |
| | |
| **TOTAL** | **728,000.00** |

Robert W. Baird & Co. Incorporated
777 East Wisconsin Avenue, Milwaukee, WI 53202-5391
Tax ID Number: 39-6037917

BAIRD

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Account Number:
Taxpayer ID Number: 58-1796390

## SUPPLEMENTAL INFORMATION - 2009 SCHEDULE OF GAINS/LOSSES

**The Schedule of Gains/Losses is provided for informational purposes only and is not furnished to the IRS.**

**Please read the following information regarding the Schedule of Gains/Losses:**

- Do not rely solely on this schedule without independent verification by yourself or a qualified tax preparer and a review of your tax records (including the buy/sell trade confirmations, previous year's tax statements, client statements and tax returns).
- This schedule may not contain all the information needed and may require additional adjustment to calculate your actual gains/losses. It is not meant to replace Schedule D (Form 1040). Any liability is specifically disclaimed that may arise out of your use or reliance upon this information.
- Cost basis information may have come from transactions we processed. In addition, cost basis information may have come from other financial institutions if your account was transferred to us or it may have been provided directly by you. We have not verified the accuracy of such information.
- Transactions on the Schedule of Gains/Losses have **not** been adjusted for bond accretion, bond amortization, original issue discount, returns of capital, liquidating distributions, wash sales and/or similar items.
- Long-term capital gain distributions, principal payments, certain short sales and cash-in-lieu transactions are **not** reflected on the Schedule of Gains/Losses. You must account for these items on Schedule D (Form 1040).
- To calculate gains/losses, the position with the highest purchase price has been liquidated first unless you have instructed us otherwise. Please consult a qualified tax preparer.

### SCHEDULE OF GAINS/LOSSES SUMMARY

| | Gross Proceeds | Cost Basis | Gain/(Loss) |
|---|---|---|---|
| Short-Term | $319.69 | $301 44 | $18.25 |
| Long-Term | $60,590 56 | $93,339 84 | $(32,749 28) |
| Summary Totals | $60,910.25 | $93,641.28 | $(32,731 03) |

**Note: the Gross Proceeds summary total above matches the IRS Form 1099-B.**

### SHORT-TERM CAPITAL GAINS/LOSSES: ASSETS HELD ONE YEAR OR LESS

| Description | Quantity | Date Acquired | Date Sold | Gross Proceeds | Cost Basis | Gain/(Loss) |
|---|---|---|---|---|---|---|
| BIO REF LABS NEW $0.01<br>CUSIP: 09057G602 | 10 | 07/17/09 | 11/11/09 | $319.69 | $301 44 | $18.25 |
| **Short-Term Totals** | | | | **$319.69** | **$301.44** | **$18.25** |

### LONG-TERM CAPITAL GAINS/LOSSES: ASSETS HELD MORE THAN ONE YEAR

| Description | Quantity | Date Acquired | Date Sold | Gross Proceeds | Cost Basis | Gain/(Loss) |
|---|---|---|---|---|---|---|
| ALLSCRIPTS MISYS HC<br>CUSIP· 01988P108 | 20 | 10/04/07 | 11/11/09 | $428 07 | $526 88 | $(98 81) |
| ANGIODYNAMICS INC<br>CUSIP 03475V101 | 15 | 01/26/06 | 11/11/09 | $218.24 | $439.08 | $(220.84) |
| BEACON ROOFING SUPPLY<br>CUSIP 073685109 | 15 | 08/22/08 | 11/11/09 | $217 61 | $239 40 | $(21 79) |
| CABOT MICROELECTRONICS | 5 | 10/31/08 | 11/11/09 | $160 04 | $147 90 | $12 14 |

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Account Number:
Taxpayer ID Number: 58-1796390

## LONG-TERM CAPITAL GAINS/LOSSES: ASSETS HELD MORE THAN ONE YEAR (Continued)

| Description | Quantity | Date Acquired | Date Sold | Gross Proceeds | Cost Basis | Gain/(Loss) |
|---|---|---|---|---|---|---|
| CUSIP: 12709P103 | | | | | | |
| CASS INFORMATION SYS INC CUSIP: 14808P109 | 5 | 08/26/08 | 11/11/09 | $152.09 | $182.50 | $(30 41) |
| CEPHEID INC CUSIP: 15670R107 | 15 | 07/25/08 | 11/11/09 | $218.24 | $259.48 | $(41 24) |
| CHEESECAKE FACTORY INC CUSIP: 163072101 | 10 | 12/27/07 | 11/11/09 | $187.83 | $237 14 | $(49 31) |
| CHEMED CORP NEW CUSIP: 16359R103 | 5 | 12/28/07 | 11/11/09 | $227 09 | $281.89 | $(54 80) |
| DEALERTRACK HLDGS INC CUSIP· 242309102 | 10 | 05/23/08 | 11/11/09 | $188 59 | $210 52 | $(21 93) |
| ENTEGRIS INC CUSIP: 29362U104 | 480 | 07/02/03 | 01/14/09 | $936 28 | $6,452.51 | $(5,516 23) |
| ENTEGRIS INC CUSIP· 29362U104 | 70 | 07/02/03 | 05/01/09 | $131 49 | $940 99 | $(809 50) |
| | 500 | 10/25/04 | 05/01/09 | $939.29 | $4,626 90 | $(3,687 61) |
| | 430 | 04/11/06 | 05/01/09 | $807 77 | $4,219.99 | $(3,412 22) |
| | 1,000 | | | $1,878 55 | $9,787.88 | $(7,909 33) |
| F5 NETWORKS INC CUSIP. 315616102 | 10 | 12/27/07 | 11/11/09 | $479 54 | $291 70 | $187 84 |
| G&K SERVICES INC CLASS A CUSIP. 361268105 | 180 | 11/10/04 | 10/16/09 | $3,778 33 | $7,363 16 | $(3,584 83) |
| | 140 | 05/27/05 | 10/16/09 | $2,938 71 | $5,649 82 | $(2,711 11) |
| | 320 | | | $6,717.04 | $13,012 98 | $(6,295 94) |
| GENTEX CORP CUSIP 371901109 | 15 | 05/27/05 | 11/11/09 | $260 18 | $278 31 | $(18 13) |
| HAIN CELESTIAL GROUP INC CUSIP: 405217100 | 395 | 07/24/07 | 12/08/09 | $6,377 18 | $10,964 29 | $(4,587 11) |
| IPC THE HOSPITALIST CUSIP 44984A105 | 5 | 07/09/08 | 11/11/09 | $162.74 | $94 20 | $68 54 |
| INNERWORKINGS INC CUSIP. 45773Y105 | 50 | 09/12/07 | 11/11/09 | $272 33 | $772 72 | $(500 39) |
| LKQ CORP CUSIP. 501889208 | 15 | 03/26/07 | 11/11/09 | $271 36 | $166 48 | $104 88 |

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Account Number:
Taxpayer ID Number: 58-1796390

## LONG-TERM CAPITAL GAINS/LOSSES: ASSETS HELD MORE THAN ONE YEAR (Continued)

| Description | Quantity | Date Acquired | Date Sold | Gross Proceeds | Cost Basis | Gain/(Loss) |
|---|---|---|---|---|---|---|
| MANHATTAN ASSOCS INC CUSIP: 562750109 | 400 | 03/27/08 | 10/07/09 | $8,109.79 | $9,398 40 | $(1,288 61) |
| MAXIMUS INC CUSIP. 577933104 | 10 | 01/09/02 | 03/13/09 | $342.05 | $408 90 | $(66 85) |
| | 66 | 01/22/02 | 03/13/09 | $2,257 55 | $2,501 40 | $(243.85) |
| | 33 | 01/31/02 | 03/13/09 | $1,128.79 | $1,131.90 | $(3 11) |
| | 100 | 06/01/04 | 03/13/09 | $3,420 53 | $3,594 76 | $(174 23) |
| | 209 | | | $7,148.92 | $7,636 96 | $(488 04) |
| MEDICIS PHARM CORP A NEW CUSIP: 584690309 | 50 | 06/03/02 | 07/16/09 | $775 02 | $1,152 75 | $(377.73) |
| | 26 | 09/05/02 | 07/16/09 | $403.02 | $548 47 | $(145 45) |
| | 184 | 07/02/03 | 07/16/09 | $2,852 09 | $5,155 68 | $(2,303 59) |
| | 265 | 08/28/07 | 07/16/09 | $4,107.63 | $7,794.39 | $(3,686.76) |
| | 525 | | | $8,137.76 | $14,651 29 | $(6,513.53) |
| MEDNAX INC CUSIP. 58502B106 | 5 | 07/02/03 | 11/11/09 | $279 29 | $92.19 | $187.10 |
| MOBILE MINI INC CUSIP 60740F105 | 15 | 12/19/05 | 11/11/09 | $228 04 | $351 64 | $(123 60) |
| NATIONAL INSTRS CORP CUSIP 636518102 | 10 | 05/15/07 | 11/11/09 | $280.99 | $300 45 | $(19 46) |
| NEOGEN CORP CUSIP. 640491106 | 84 | 12/23/03 | 10/08/09 | $2,596 76 | $1,135.59 | $1,461.17 |
| NEOGEN CORP CUSIP: 640491106 | 111 | 12/23/03 | 10/09/09 | $3,434 94 | $1,500 61 | $1,934 33 |
| PORTFOLIO RECOVERY ASSOC CUSIP 73640Q105 | 10 | 05/14/07 | 11/11/09 | $473 28 | $533.53 | $(60 25) |
| RESOURCES CONNECTION INC CUSIP: 76122Q105 | 10 | 08/21/07 | 11/11/09 | $182 19 | $304 72 | $(122.53) |
| SEMTECH CORP CUSIP· 816850101 | 20 | 02/25/04 | 11/11/09 | $322.79 | $499 91 | $(177 12) |
| SOMANETICS CORP NEW CUSIP: 834445405 | 410 | 03/14/08 | 08/05/09 | $5,436 09 | $7,641 17 | $(2,205 08) |
| SURMODICS INC CUSIP 868873100 | 5 | 12/22/03 | 01/14/09 | $129.99 | $105 05 | $24 94 |

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Account Number:
Taxpayer ID Number: 58-1796390

## LONG-TERM CAPITAL GAINS/LOSSES: ASSETS HELD MORE THAN ONE YEAR (Continued)

| Description | Quantity | Date Acquired | Date Sold | Gross Proceeds | Cost Basis | Gain/(Loss) |
|---|---|---|---|---|---|---|
| SURMODICS INC<br>CUSIP: 868873100 | 170 | 12/22/03 | 06/17/09 | $3,326.32 | $3,571.70 | $(245 38) |
| TECHNE CORP<br>CUSIP 878377100 | 5 | 07/02/03 | 11/11/09 | $330.09 | $158.51 | $171.58 |
| ULTIMATE SFTWARE GRP INC<br>CUSIP: 90385D107 | 10 | 01/08/08 | 11/11/09 | $279.39 | $286.15 | $(6.76) |
| UNITED NATURAL FOODS<br>CUSIP: 911163103 | 15 | 04/11/06 | 11/11/09 | $373.94 | $506 65 | $(132.71) |
| UNIVERSAL TECHNICAL INST<br>CUSIP. 913915104 | 10 | 08/11/05 | 01/14/09 | $166.99 | $319.46 | $(152 47) |
| Long-Term Totals | | | | $60,590.56 | $93,339.84 | $(32,749.28) |

<<<End of the 2009 Tax Statement>>>

## YEAR TO DATE GAINS AND LOSSES

This information is for general guidance and should not be used for tax purposes You should use only your official form 1099's or other tax records for tax reporting This information is not and should not be construed as tax, accounting or legal advice Please consult with your tax advisor regarding the tax consequences of your investment decisions The cost basis and acquisition dates of securities that you acquired elsewhere and that were subsequently delivered into your Goldman Sachs account were provided by you or a third party and Goldman Sachs makes no representation as to the accuracy of such information

| | Date Acquired or Sold Short | Date Sold or Covered | Quantity | Sale Proceeds | Cost Basis | FX Gain (Loss) | Market Gain (Loss) | Total Gain (Loss) | Holding Period |
|---|---|---|---|---|---|---|---|---|---|
| COMCAST CORPORATION CMN CLASS A VOTING | Apr 18 2008 | Feb 11 2009 | 100 00 | 1,341 44 | 2,060 40 | 0 00 | (718 96) | (718 96) | ST |
| GENENTECH INC CMN | Jan 18 2008 | Feb 11 2009 | 100 00 | 8,215 96 | 7,039 70 | 0 00 | 1,176 26 | 1,176 26 | LT |
| MERCK & CO INC CMN | Jul 02 2007 | Feb 11 2009 | 100 00 | 2,895 73 | 4,987 38 | 0 00 | (2,091 65) | (2,091 65) | LT |
| PRAXAIR, INC CMN SERIES | Aug 20 2004 | Feb 11 2009 | 100 00 | 6,736 91 | 4,038 57 | 0 00 | 2,698 35 | 2,698 35 | LT |
| THE TRAVELERS COMPANIES, INC CMN | Sep 25 2006 | Feb 11 2009 | 100 00 | 3,943 14 | 4,657 92 | 0 00 | (714 78) | (714 78) | LT |
| UNILEVER N V NY SHS (NEW) ADR CMN | Jul 24 2008 | Feb 11 2009 | 200 00 | 4,186 49 | 5,848 91 | 0 00 | (1,662 42) | (1,662 42) | ST |
| | Aug 05 2008 | Feb 11 2009 | 300 00 | 6,279 73 | 8,433 70 | 0 00 | (2,153 97) | (2,153 97) | ST |
| BAXTER INTERNATIONAL INC CMN | Jan 04 2007 | Feb 20 2009 | 100 00 | 5,755 82 | 4,695 49 | 0 00 | 1,060 33 | 1,060 33 | LT |
| PEPSICO INC CMN | Dec 03 2004 | Feb 20 2009 | 100 00 | 5,128 17 | 5,164 13 | 0 00 | (35 96) | (35 96) | LT |
| RESEARCH IN MOTION LIMITED CMN | Aug 28 2006 | Feb 20 2009 | 100 00 | 4,005 51 | 2,810 16 | 0 00 | 1,195 36 | 1,195 36 | LT |
| GENENTECH INC CMN | Jan 18 2008 | Mar 10 2009 | 200 00 | 18,213 91 | 14,079 40 | 0 00 | 4,134 51 | 4,134 51 | LT |
| JPMORGAN CHASE & CO CMN | Aug 28 2006 | Mar 10 2009 | 200 00 | 3,668 91 | 9,265 74 | 0 00 | (5,596 83) | (5,596 83) | LT |
| THE TRAVELERS COMPANIES, INC CMN | Sep 25 2006 | Mar 30 2009 | 100 00 | 3,936 21 | 4,657 92 | 0 00 | (721 71) | (721 71) | LT |
| UNITED TECHNOLOGIES CORP CMN | Aug 28 2006 | Mar 30 2009 | 300 00 | 12,646 18 | 18,672 37 | 0 00 | (6,026 19) | (6,026 19) | LT |
| DEVON ENERGY CORPORATION (NEW) CMN | Jun 01 2007 | Apr 06 2009 | 100 00 | 4,802 46 | 7,831 54 | 0 00 | (3,029 08) | (3,029 08) | LT |
| | Feb 13 2008 | Apr 06 2009 | 100 00 | 4,802 46 | 9,393 00 | 0 00 | (4,590 54) | (4,590 54) | LT |
| MERCK & CO INC CMN | Jul 02 2007 | Apr 06 2009 | 100 00 | 2,643 28 | 4,987 38 | 0 00 | (2,344 10) | (2,344 10) | LT |
| MICROSOFT CORPORATION CMN | May 28 2004 | Apr 06 2009 | 300 00 | 5,476 64 | 7,893 15 | 0 00 | (2,416 51) | (2,416 51) | LT |
| | Dec 03 2004 | Apr 06 2009 | 100 00 | 1,825 55 | 2,758 31 | 0 00 | (932 76) | (932 76) | LT |
| RESEARCH IN MOTION LIMITED CMN | Aug 28 2006 | Apr 06 2009 | 300 00 | 18,363 40 | 8,430 47 | 0 00 | 9,932 94 | 9,932 94 | LT |
| CISCO SYSTEMS, INC CMN | Jun 10 2005 | Apr 14 2009 | 100 00 | 1,789 87 | 1,953 34 | 0 00 | (163 47) | (163 47) | LT |
| DEVON ENERGY CORPORATION (NEW) CMN | Mar 13 2008 | Apr 14 2009 | 100 00 | 5,036 99 | 10,459 56 | 0 00 | (5,422 58) | (5,422 58) | LT |
| | Oct 08 2008 | Apr 14 2009 | 100 00 | 5,036 99 | 6,804 37 | 0 00 | (1,767 39) | (1,767 39) | ST |
| EOG RESOURCES INC CMN | Apr 06 2009 | Apr 23 2009 | 100 00 | 5,746 80 | 6,063 03 | 0 00 | (316 23) | (316 23) | ST |
| JPMORGAN CHASE & CO CMN | Nov 02 2007 | Apr 23 2009 | 100 00 | 3,156 03 | 4,264 22 | 0 00 | (1,108 19) | (1,108 19) | LT |

# ATTICUS TRUST EQUITY
## Realized Gains and Losses (Continued)

Period Ended December 31, 2009

| | Date Acquired or Sold Short | Date Sold or Covered | Quantity | Sale Proceeds | Cost Basis | FX Gain (Loss) | Market Gain (Loss) | Total Gain (Loss) | Holding Period |
|---|---|---|---|---|---|---|---|---|---|
| ORACLE CORPORATION CMN | Apr 06 2009 | Apr 23 2009 | 100 00 | 1,922 53 | 1,897 79 | 0 00 | 24 74 | 24 74 | ST |
| TARGET CORPORATION CMN | Feb 12 2007 | Apr 23 2009 | 50 00 | 1,898 28 | 3,136 55 | 0 00 | (1,238 28) | (1,238 28) | LT |
| | Mar 26 2008 | Apr 23 2009 | 150 00 | 5,694 83 | 8,002 23 | 0 00 | (2,307 41) | (2,307 41) | LT |
| UNILEVER N V NY SHS (NEW) ADR CMN | Aug 05 2008 | Apr 23 2009 | 100 00 | 1,884 91 | 2,811 23 | 0 00 | (926 32) | (926 32) | ST |
| WAL MART STORES INC CMN | Oct 06 2004 | Apr 23 2009 | 100 00 | 4,811 28 | 5,405 52 | 0 00 | (594 25) | (594 25) | LT |
| | Mar 22 2005 | Apr 23 2009 | 100 00 | 4,811 28 | 5,157 06 | 0 00 | (345 79) | (345 79) | LT |
| THE GOLDMAN SACHS GROUP, INC LINKED TO MSCI EMERGING MARKET 0% COUPON DUE 04/24/2009 STRUCTURED NOTE | Apr 17 2006 | Apr 24 2009 | 275 00 | 254,370 27 | 275,000 00 | 0 00 | (20,629 73) | (20,629 73) | LT |
| CISCO SYSTEMS, INC CMN | Jun 10 2005 | Apr 28 2009 | 100 00 | 1,841 35 | 1,953 34 | 0 00 | (111 99) | (111 99) | LT |
| COMCAST CORPORATION CMN CLASS A VOTING | Apr 18 2008 | Apr 28 2009 | 100 00 | 1,398 09 | 2,060 40 | 0 00 | (662 31) | (662 31) | LT |
| THERMO FISHER SCIENTIFIC INC CMN | Feb 01 2007 | Apr 28 2009 | 50 00 | 1,637 91 | 2,446 39 | 0 00 | (808 48) | (808 48) | LT |
| | Mar 05 2007 | Apr 28 2009 | 50 00 | 1,637 91 | 2,233 11 | 0 00 | (595 20) | (595 20) | LT |
| MERCK & CO INC CMN | Oct 11 2007 | May 12 2009 | 300 00 | 7,493 11 | 16,168 08 | 0 00 | (8,674 97) | (8,674 97) | LT |
| | Aug 05 2008 | May 12 2009 | 100 00 | 2,497 70 | 3,440 06 | 0 00 | (942 36) | (942 36) | ST |
| | Dec 03 2008 | May 12 2009 | 100 00 | 2,497 70 | 2,604 79 | 0 00 | (107 09) | (107 09) | ST |
| | Mar 30 2009 | May 12 2009 | 100 00 | 2,497 71 | 2,664 38 | 0 00 | (166 68) | (166 68) | ST |
| | Apr 23 2009 | May 12 2009 | 100 00 | 2,497 70 | 2,309 87 | 0 00 | 187 83 | 187 83 | ST |
| MICROSOFT CORPORATION CMN | Dec 03 2004 | May 12 2009 | 100 00 | 1,953 21 | 2,758 31 | 0 00 | (805 10) | (805 10) | LT |
| COMCAST CORPORATION CMN CLASS A VOTING | Apr 18 2008 | Jun 01 2009 | 100 00 | 1,380 02 | 2,060 40 | 0 00 | (680 38) | (680 38) | LT |
| EOG RESOURCES INC CMN | Apr 06 2009 | Jun 01 2009 | 100 00 | 7,599 04 | 6,063 03 | 0 00 | 1,536 01 | 1,536 01 | ST |
| UNITED PARCEL SERVICE, INC CLASS B COMMON STOCK | Dec 18 2008 | Jun 01 2009 | 200 00 | 10,436 30 | 10,875 68 | 0 00 | (439 38) | (439 38) | ST |
| GOOGLE, INC CMN CLASS A | Apr 29 2008 | Jul 06 2009 | 87 00 | 34,839 54 | 48,715 13 | 0 00 | (13,875 59) | (13,875 59) | LT |
| PRAXAIR, INC CMN SERIES | Aug 20 2004 | Jul 06 2009 | 200 00 | 13,893 29 | 8,077 13 | 0 00 | 5,816 16 | 5,816 16 | LT |
| AT&T INC CMN | Mar 10 2009 | Jul 28 2009 | 100 00 | 2,535 32 | 2,302 80 | 0 00 | 232 52 | 232 52 | ST |
| WAL MART STORES INC CMN | Mar 22 2005 | Jul 28 2009 | 100 00 | 4,844 93 | 5,157 06 | 0 00 | (312 13) | (312 13) | LT |
| FRANKLIN RESOURCES INC CMN | Sep 16 2008 | Aug 05 2009 | 100 00 | 9,054 30 | 9,080 41 | 0 00 | (26 11) | (26 11) | ST |
| JPMORGAN CHASE & CO CMN | Nov 02 2007 | Aug 05 2009 | 100 00 | 4,076 71 | 4,264 22 | 0 00 | (187 51) | (187 51) | LT |
| MICROSOFT CORPORATION CMN | Dec 03 2004 | Aug 05 2009 | 100 00 | 2,382 86 | 2,758 31 | 0 00 | (375 45) | (375 45) | LT |
| AT&T INC CMN | Mar 10 2009 | Aug 25 2009 | 100 00 | 2,609 57 | 2,302 80 | 0 00 | 306 77 | 306 77 | ST |
| COMCAST CORPORATION CMN CLASS A VOTING | Apr 18 2008 | Aug 25 2009 | 100 00 | 1,520 60 | 2,060 40 | 0 00 | (539 80) | (539 80) | LT |

# ATTICUS TRUST EQUITY

## Realized Gains and Losses (Continued)

Period Ended December 31, 2009

| | Date Acquired or Sold Short | Date Sold or Covered | Quantity | Sale Proceeds | Cost Basis | FX Gain (Loss) | Market Gain (Loss) | Total Gain (Loss) | Holding Period |
|---|---|---|---|---|---|---|---|---|---|
| HESS CORPORATION CMN | Feb 26 2008 | Aug 25 2009 | 200 00 | 10,386 81 | 19,464 72 | 0 00 | (9,077 91) | (9,077 91) | LT |
| THE TRAVELERS COMPANIES, INC CMN | Sep 25 2006 | Aug 25 2009 | 200 00 | 9,580 97 | 9,315 84 | 0 00 | 265 13 | 265 13 | LT |
| BECTON DICKINSON & CO CMN | Feb 11 2009 | Dec 22 2009 | 200 00 | 15,500 03 | 14,327 86 | 0 00 | 1,172 17 | 1,172 17 | ST |
| | Feb 20 2009 | Dec 22 2009 | 100 00 | 7,750 01 | 7,091 21 | 0 00 | 658 80 | 658 80 | ST |
| | Mar 10 2009 | Dec 22 2009 | 100 00 | 7,750 01 | 6,358 96 | 0 00 | 1,391 05 | 1,391 05 | ST |
| GANNETT CO INC CMN | Apr 08 2004 | Dec 22 2009 | 100 00 | 1,412 37 | 9,147 57 | 0 00 | (7,735 20) | (7,735 20) | LT |
| | Dec 03 2004 | Dec 22 2009 | 200 00 | 2,824 73 | 16,499 36 | 0 00 | (13,674 63) | (13,674 63) | LT |
| HESS CORPORATION CMN | Mar 13 2008 | Dec 22 2009 | 100 00 | 5,840 35 | 9,948 50 | 0 00 | (4,108 15) | (4,108 15) | LT |
| | May 12 2009 | Dec 22 2009 | 100 00 | 5,840 35 | 6,466 02 | 0 00 | (625 67) | (625 67) | ST |
| LINEAR TECHNOLOGY CORP CMN | Nov 11 2002 | Dec 22 2009 | 100 00 | 2,999 89 | 2,849 68 | 0 00 | 150 21 | 150 21 | LT |
| | Sep 02 2003 | Dec 22 2009 | 300 00 | 8,999 67 | 12,362 40 | 0 00 | (3,362 73) | (3,362 73) | LT |
| | Mar 09 2004 | Dec 22 2009 | 200 00 | 5,999 78 | 7,556 82 | 0 00 | (1,557 04) | (1,557 04) | LT |
| | Aug 20 2004 | Dec 22 2009 | 200 00 | 5,999 78 | 7,474 00 | 0 00 | (1,474 22) | (1,474 22) | LT |
| | Dec 03 2004 | Dec 22 2009 | 300 00 | 8,999 67 | 12,129 09 | 0 00 | (3,129 42) | (3,129 42) | LT |
| WAL MART STORES INC CMN | Mar 22 2005 | Dec 22 2009 | 100 00 | 5,293 39 | 5,157 06 | 0 00 | 136 33 | 136 33 | LT |
| | Mar 05 2007 | Dec 22 2009 | 200 00 | 10,586 79 | 9,655 60 | 0 00 | 931 19 | 931 19 | LT |
| | Apr 04 2008 | Dec 22 2009 | 100 00 | 5,293 39 | 5,510 56 | 0 00 | (217 17) | (217 17) | LT |

| | Sale Proceeds | Cost Basis | FX Gain (Loss) | Market Gain (Loss) | Total Gain (Loss) |
|---|---|---|---|---|---|
| SHORT TERM GAINS | 48,164 21 | 42,654 32 | 0 00 | 5,509 89 | 5,509 89 |
| SHORT TERM LOSSES | 57,300 42 | 67,152 98 | 0 00 | (9,852 56) | (9,852 56) |
| **NET SHORT TERM GAINS (LOSSES)** | **105,464.63** | **109,807.30** | **0.00** | **(4,342.67)** | **(4,342.67)** |
| LONG TERM GAINS | 103,645 84 | 76,149 08 | 0 00 | 27,496 76 | 27,496 76 |
| LONG TERM LOSSES | 454,100 32 | 586,375 49 | 0 00 | (132,275 17) | (132,275 17) |
| **NET LONG TERM GAINS (LOSSES)** | **557,746.16** | **662,524.57** | **0.00** | **(104,778.41)** | **(104,778.41)** |

Period Ended December 31, 2009

## YEAR TO DATE GAINS AND LOSSES

This information is for general guidance and should not be used for tax purposes You should use only your official form 1099's or other tax records for tax reporting This information is not, and should not be construed as tax, accounting or legal advice Please consult with your tax advisor regarding the tax consequences of your investment decisions The cost basis and acquisition dates of securities that you acquired elsewhere and that were subsequently delivered into your Goldman Sachs account were provided by you or a third party and Goldman Sachs makes no representation as to the accuracy of such information

| | Date Acquired or Sold Short | Date Sold or Covered | Quantity | Sale Proceeds | Cost Basis | FX Gain (Loss) | Market Gain (Loss) | Total Gain (Loss) | Holding Period |
|---|---|---|---|---|---|---|---|---|---|
| CHASE MANHATTAN CORP-NEW TRAUN | Aug 17 1998 | Jan 15 2009 | 50,000 00 | 50,000 00 | 50,000 00 [3] | 0 00 | (1,365 00) | 0 00 | NON |
| 6 500000 01/15/2009 | Nov 03 1998 | Jan 15 2009 | 100,000 00 | 100,000 00 | 100,000 00 [3] | 0 00 | (3,228 00) | 0 00 | NON |
| GTE CALIFORNIA DEBS 6 700000 09/01/2009 | Oct 13 1998 | Sep 01 2009 | 100,000 00 | 100,000 00 | 100,000 00 [3] | 0 00 | (9,287 00) | 0 00 | NON |
| | | | | 250,000 | 250,000 | | | | |

[3] Basis has been adjusted by Accretion or Amortization (using Straight-Line method) and/or Original Issue Discount (using Constant-Yield method)

# Realized Gain/Loss Report - From 01/01/2009 To 12/31/2009

02/04/10 12 53 PM

Including Zero Gain/Loss, Without Outside Holdings, Sorted by Security Type

## CHICKASAW SECURITIES, LLC

IC: IC #:

For All Types

Account: Atticus Trust Equity, The

| Quantity | Description | Maturity Date | Acq Date | Acq Price | Acq Cost | Liq Date | Liq Price | Liq Cost | Short Term Gain/Loss | Long Term Gain/Loss |
|---|---|---|---|---|---|---|---|---|---|---|
| ***LONG*** | | | | | | | | | | |
| ***Stock*** | | | | | | | | | | |
| 2,750 | ***CHINA UNICOM HONG KONG LIMITED SPONSORED ADR (1 ADS RPSTG 10 ORD) | | 09/22/2009 | 14 3919 | 39,976 01 | 11/10/2009 | 14 2991 | 38,926 03 | (1,049 98) | 0 00 |
| 32,767 | FRACTIONAL KINDER MORGAN MGMT 100 000THS SHARES | | 02/13/2008 | 0 | N/A | 03/05/2009 | | 0 00 | N/A | N/A |
| 35,813 | FRACTIONAL KINDER MORGAN MGMT 100 000THS SHARES | | 05/13/2008 | 0 | N/A | 03/05/2009 | | 0 00 | N/A | N/A |
| 8 851 | FRACTIONAL KINDER MORGAN MGMT 100,000THS SHARES | | 08/13/2008 | 0 | N/A | 03/05/2009 | | 0 00 | N/A | N/A |
| 12,606 | FRACTIONAL KINDER MORGAN MGMT 100 000THS SHARES | | 11/24/2008 | 0 | N/A | 03/05/2009 | | 0 00 | N/A | N/A |
| 9,963 | FRACTIONAL KINDER MORGAN MGMT 100 000THS SHARES | | 02/12/2009 | 0 | N/A | 03/05/2009 | | 0 00 | N/A | N/A |
| 83,613 | FRACTIONAL KINDER MORGAN MGMT 100 000THS SHARES | | 02/12/2009 | 0 | N/A | 05/19/2009 | | 0 00 | N/A | N/A |
| 16,387 | FRACTIONAL KINDER MORGAN MGMT 100 000THS SHARES | | 05/14/2009 | 0 | N/A | 05/19/2009 | | 0 00 | N/A | N/A |
| 200 000 | (Total) FRACTIONAL KINDER MORGAN MGMT 100,000THS SHARES | | | | N/A | | | 0 00 | N/A | N/A |
| 1,100 | LOEWS CORPORATION | | 09/18/2007 | 45 9907 | 51,098 16 | 09/22/2009 | 34 5513 | 37,622 89 | 0 00 | (13,475 27) |

This report may be materially inaccurate You should ask an authorized representative of your brokerage firm to verify the acquisition costs for the securities in your account, taking into consideration the effects of corporate actions, journal entries and transactions in certain securities that may cause inaccuracies in this report

In addition, your monthly account statements are the only official records of your activity on the books of J P Morgan Clearing Corp

Tax lots that display as N/A are not included in unrealized gain/loss calculations The market values of these tax lots are included in market value calculations Please provide your account executive with any missing cost basis information to ensure more complete reporting

Account: Atticus Trust Equity, The/75242001

| Quantity | Description | Maturity Date | Acq Date | Acq Price | Acq Cost | Liq Date | Liq Price | Liq Cost | Short Term Gain/Loss | Long Term Gain/Loss |
|---|---|---|---|---|---|---|---|---|---|---|
| ***LONG*** | | | | | | | | | | |
| ***Stock*** | / | | | | | | | | | |
| | | Sub Totals of | *Stock* | | 91,074.17 | | | 76,548 92 | (1,049.98) | (13,475.27) |
| | | Sub Totals of | *LONG* | | 91,074 17 | | | 76,548.92 | (1,049 98) | (13,475 27) |
| | | Grand Total | | | 91,074.17 | | | 76,548 92 | (1,049 98) | (13,475 27) |

This report may be materially inaccurate You should ask an authorized representative of your brokerage firm to verify the acquisition costs for the securities in your account, taking into consideration the effects of corporate actions journal entries and transactions in certain securities that may cause inaccuracies in this report.

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Form **8868** (Rev. April 2009) Department of the Treasury Internal Revenue Service

# Application for Extension of Time To File an Exempt Organization Return

▶ File a separate application for each return.

OMB No. 1545-1709

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

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

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

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

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

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

| Type or print | Name of Exempt Organization | Employer identification number |
|---|---|---|
| File by the due date for filing your return See instructions | ATTICUS TRUST<br>MARTIN S. BROWN, JR., TRUSTEE | 58-1796390 |
| | Number, street, and room or suite no. If a P.O. box, see instructions.<br>424 CHURCH STREET | |
| | City, town or post office, state, and ZIP code. For a foreign address, see instructions.<br>NASHVILLE, TN 37219 | |

**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 |
| [X] Form 990-PF | [ ] Form 1041-A | [ ] Form 8870 |

- The books are in the care of ▶ MARTIN S. BROWN, JR. 424 CHURCH STREET SUITE 2800 - NASHVILLE, TN 37219

  Telephone No. ▶ (615) 259-1479 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:

▶ [X] 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 | $ 4,820. |
| 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 | $ 2,320. |
| 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 | $ 2,500. |

**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.