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Form **990-PF**

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

OMB No 1545-0052

**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 <b>Billian Family Charitable Foundation</b>		A Employer identification number <b>58-6338666</b>
	Number and street (or P O box number if mail is not delivered to street address) <b>5795 Winterthur Lane</b>	Room/suite	B Telephone number (see page 10 of the instructions) <b>770-955-7777</b>
	City or town, state, and ZIP code <b>Atlanta GA 30328</b>		C If exemption application is pending, check here <input type="checkbox"/> D 1. Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/> E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/> F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>
H Check type of organization. <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation			
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) <b>\$ 2,283,495</b>		J Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	

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) (see page 11 of the instructions))		(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 (attach schedule)	<b>146,142</b>			
	2 Check <input type="checkbox"/> if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	<b>68,876</b>	<b>53,523</b>	<b>68,876</b>	
	4 Dividends and interest from securities	<b>59,593</b>	<b>56,550</b>	<b>59,593</b>	
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10 <b>Stmt 1</b>	<b>102,227</b>			
	b Gross sales price for all assets on line 6a <b>1,384,847</b>				
	7 Capital gain net income (from Part IV, line 2)		<b>0</b>		
	8 Net short-term capital gain			<b>0</b>	
	9 Income modifications				
	10a Gross sales less returns & allowances				
b Less: Cost of goods sold					
c Gross profit or (loss) (attach schedule)					
11 Other income (attach schedule) <b>Stmt 2</b>	<b>173,416</b>	<b>172,151</b>	<b>173,416</b>		
12 Total. Add lines 1 through 11	<b>550,254</b>	<b>282,224</b>	<b>301,885</b>		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc.				
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule) <b>See Stmt 3</b>	<b>4,170</b>		<b>4,170</b>	
	b Accounting fees (attach schedule) <b>Stmt 4</b>	<b>3,845</b>		<b>3,845</b>	
	c Other professional fees (attach schedule) <b>Stmt 5</b>	<b>175</b>	<b>175</b>		
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions) <b>Stmt 6</b>	<b>1,460</b>	<b>795</b>	<b>665</b>	
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (att sch) <b>Stmt 7</b>				
	24 Total operating and administrative expenses. Add lines 13 through 23	<b>9,650</b>	<b>970</b>	<b>8,680</b>	<b>0</b>
	25 Contributions, gifts, grants paid	<b>106,452</b>			<b>106,452</b>
26 Total expenses and disbursements. Add lines 24 and 25	<b>116,102</b>	<b>970</b>	<b>8,680</b>	<b>106,452</b>	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	<b>434,152</b>				
b Net investment income (if negative, enter -0-)		<b>281,254</b>			
c Adjusted net income (if negative, enter -0-)			<b>293,205</b>		

For Privacy Act and Paperwork Reduction Act Notice, see page 30 of the instructions.

Form 990-PF (2009)

**Part II Balance Sheets**

Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions.)

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
<b>Assets</b>	1 Cash—non-interest-bearing	7,291	1,488	1,488
	2 Savings and temporary cash investments	200,780	219,316	219,316
	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 (attach schedule) (see page 16 of the instructions)			
	7 Other notes and loans receivable (att. schedule) ▶			
	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 (attach schedule) <b>Stmt 8</b>	308,671		
	b Investments—corporate stock (attach schedule) <b>See Stmt 9</b>	998,420	1,535,448	1,442,660
	c Investments—corporate bonds (attach schedule) <b>See Stmt 10</b>	258,680	450,871	450,896
	11 Investments—land, buildings, and equipment basis ▶			
Less: accumulated depreciation (attach sch.) ▶				
12 Investments—mortgage loans				
13 Investments—other (attach schedule) <b>See Statement 11</b>	105,500	106,371	169,135	
14 Land, buildings, and equipment basis ▶				
Less: accumulated depreciation (attach sch.) ▶				
15 Other assets (describe ▶)				
16 <b>Total assets</b> (to be completed by all filers—see the instructions. Also, see page 1, item I)	1,879,342	2,313,494	2,283,495	
<b>Liabilities</b>	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 (attach schedule)			
	22 Other liabilities (describe ▶)			
	23 <b>Total liabilities</b> (add lines 17 through 22)	0	0	
<b>Net Assets or Fund Balances</b>	<b>Foundations that follow SFAS 117, check here ▶ <input checked="" type="checkbox"/></b> <b>and complete lines 24 through 26 and lines 30 and 31.</b>			
	24 Unrestricted	1,879,342	2,313,494	
	25 Temporarily restricted			
	26 Permanently restricted			
	<b>Foundations that do not follow SFAS 117, check here ▶ <input type="checkbox"/></b> <b>and complete lines 27 through 31.</b>			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg., and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 <b>Total net assets or fund balances</b> (see page 17 of the instructions)	1,879,342	2,313,494	
	31 <b>Total liabilities and net assets/fund balances</b> (see page 17 of the instructions)	1,879,342	2,313,494	

**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	1,879,342
2 Enter amount from Part I, line 27a	2	434,152
3 Other increases not included in line 2 (itemize) ▶	3	
4 Add lines 1, 2, and 3	4	2,313,494
5 Decreases not included in line 2 (itemize) ▶	5	
6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	2,313,494

**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.)
<b>1a N/A</b>				
<b>b</b>				
<b>c</b>				
<b>d</b>				
<b>e</b>				

(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)
<b>a</b>			
<b>b</b>			
<b>c</b>			
<b>d</b>			
<b>e</b>			

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))
<b>a</b>			
<b>b</b>			
<b>c</b>			
<b>d</b>			
<b>e</b>			

<b>2</b> Capital gain net income or (net capital loss)	<div style="border-left: 1px solid black; border-right: 1px solid black; padding: 5px;">           If gain, also enter in Part I, line 7            If (loss), enter -0- in Part I, line 7         </div>	<b>2</b>	
<b>3</b> 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) (see pages 13 and 17 of the instructions). If (loss), enter -0- in Part I, line 8		<b>3</b>	

**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.

**N/A**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 page 18 of the instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008			
2007			
2006			
2005			
2004			

<b>2</b> Total of line 1, column (d)	<b>2</b>	
<b>3</b> 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	<b>3</b>	
<b>4</b> Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	<b>4</b>	
<b>5</b> Multiply line 4 by line 3	<b>5</b>	
<b>6</b> Enter 1% of net investment income (1% of Part I, line 27b)	<b>6</b>	
<b>7</b> Add lines 5 and 6	<b>7</b>	
<b>8</b> Enter qualifying distributions from Part XII, line 4	<b>8</b>	

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 on page 18.

**Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)**

<b>1a</b>	Exempt operating foundations described in section 4940(d)(2), check here <input checked="" type="checkbox"/> and enter "N/A" on line 1 Date of ruling or determination letter: <b>10/10/97</b> (attach copy of letter if necessary—see instructions)		
<b>b</b>	Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b	<b>N/A</b>	<b>1</b>
<b>c</b>	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b)		
<b>2</b>	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		<b>0</b>
<b>3</b>	Add lines 1 and 2		
<b>4</b>	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		<b>0</b>
<b>5</b>	<b>Tax based on investment income.</b> Subtract line 4 from line 3. If zero or less, enter -0-		<b>0</b>
<b>6</b>	Credits/Payments.		
<b>a</b>	2009 estimated tax payments and 2008 overpayment credited to 2009	<b>6a</b>	
<b>b</b>	Exempt foreign organizations—tax withheld at source	<b>6b</b>	
<b>c</b>	Tax paid with application for extension of time to file (Form 8868)	<b>6c</b>	
<b>d</b>	Backup withholding erroneously withheld	<b>6d</b>	
<b>7</b>	Total credits and payments. Add lines 6a through 6d		<b>7</b>
<b>8</b>	Enter any <b>penalty</b> for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached		<b>8</b>
<b>9</b>	<b>Tax due.</b> If the total of lines 5 and 8 is more than line 7, enter <b>amount owed</b>		<b>9</b>
<b>10</b>	<b>Overpayment.</b> If line 7 is more than the total of lines 5 and 8, enter the <b>amount overpaid</b>		<b>10</b>
<b>11</b>	Enter the amount of line 10 to be <b>Credited to 2010 estimated tax</b> <input type="checkbox"/> <b>Refunded</b> <input type="checkbox"/>		<b>11</b>

**Part VII-A Statements Regarding Activities**

	Yes	No
<b>1a</b> 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?		<b>X</b>
<b>b</b> Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)? If the answer is "Yes" to <b>1a</b> or <b>1b</b> , attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.		<b>X</b>
<b>c</b> Did the foundation file <b>Form 1120-POL</b> for this year?		<b>X</b>
<b>d</b> Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. <b>\$</b> _____ (2) On foundation managers. <b>\$</b> _____		
<b>e</b> Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <b>\$</b> _____		
<b>2</b> 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.		<b>X</b>
<b>3</b> 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		<b>X</b>
<b>4a</b> Did the foundation have unrelated business gross income of \$1,000 or more during the year?		<b>X</b>
<b>b</b> If "Yes," has it filed a tax return on <b>Form 990-T</b> for this year?	<b>N/A</b>	
<b>5</b> Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		<b>X</b>
<b>6</b> 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?	<b>X</b>	
<b>7</b> 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	<b>X</b>	
<b>8a</b> Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) <b>NJ</b>		
<b>b</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	<b>X</b>	
<b>9</b> 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 on page 27)? If "Yes," complete Part XIV	<b>X</b>	
<b>10</b> Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	<b>X</b>	

**Stmnt 12**

**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 page 20 of the instructions)	11		<b>X</b>
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		<b>X</b>
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ▶ <b>N/A</b>	13		
14	The books are in care of ▶ <b>Billian</b> <b>5795 Winterthur Lane</b> Located at ▶ <b>Atlanta, GA</b> Telephone no. ▶ ZIP+4 ▶ <b>30328</b>			
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 ▶ <b>15</b>			

**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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 ▶ <input type="checkbox"/> <b>N/A</b>	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? <b>N/A</b>	1c	
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)):		
a	At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," list the years ▶ 20 , 20 , 20 , 20		
b	Are there any years listed in 2a for which the foundation is <b>not</b> 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 page 20 of the instructions.) <b>N/A</b>	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. ▶ 20 , 20 , 20 , 20		
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.) <b>N/A</b>	3b	
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes? <b>N/A</b>	4a	
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009? <b>N/A</b>	4b	

**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)? (see page 22 of the instructions) ☐ 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 page 22 of the 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** ☒

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 (see page 22 of the instructions).**

(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
Billian D.C. . . . . Atlanta . . . . .	Trustee			
5795 Winterthur Lane . . . . . GA 30328	8.00	0	0	0
Billian, A.A. . . . . Ft Wayne . . . . .	Trustee			
3301 Maxim Drive . . . . . IN 46815	2.00	0	0	0
Billian, W R . . . . . Villanova . . . . .	Trustee			
1246 Page Terrace . . . . . PA 19085	2.00	0	0	0

**2 Compensation of five highest-paid employees (other than those included on line 1—see page 23 of the instructions).**

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**

Form 990-PF (2009) **Billian Family Charitable****58-6338666**Page **7****Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)****3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). 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	City of Bound Brook NJ Parks Department. Improvements to City Park	77,862
2	Contributions to City of Bound Brook Police and Rescue Squards	28,590
3	Boy Scouts of America and related activities	6,050
4	Gift to Deborah Hospital Foundation	5,000

**Part IX-B Summary of Program-Related Investments (see page 24 of the instructions)**

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2

Amount

1	N/A	
2		
All other program-related investments. See page 24 of the instructions		
3		

Total. Add lines 1 through 3

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**Part X** Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see page 24 of the instructions.)

<b>1</b>	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
<b>a</b>	Average monthly fair market value of securities	<b>1a</b>	<b>0</b>
<b>b</b>	Average of monthly cash balances	<b>1b</b>	<b>0</b>
<b>c</b>	Fair market value of all other assets (see page 24 of the instructions)	<b>1c</b>	<b>0</b>
<b>d</b>	<b>Total</b> (add lines 1a, b, and c)	<b>1d</b>	<b>0</b>
<b>e</b>	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	<b>1e</b>	<b>0</b>
<b>2</b>	Acquisition indebtedness applicable to line 1 assets	<b>2</b>	<b>0</b>
<b>3</b>	Subtract line 2 from line 1d	<b>3</b>	<b>0</b>
<b>4</b>	Cash deemed held for charitable activities. Enter 1½ % of line 3 (for greater amount, see page 25 of the instructions)	<b>4</b>	<b>0</b>
<b>5</b>	<b>Net value of noncharitable-use assets.</b> Subtract line 4 from line 3. Enter here and on Part V, line 4	<b>5</b>	<b>0</b>
<b>6</b>	<b>Minimum investment return.</b> Enter 5% of line 5	<b>6</b>	<b>0</b>

**Part XI** Distributable Amount (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☒ and do not complete this part.)

<b>1</b>	Minimum investment return from Part X, line 6	<b>1</b>	
<b>2a</b>	Tax on investment income for 2009 from Part VI, line 5	<b>2a</b>	
<b>b</b>	Income tax for 2009. (This does not include the tax from Part VI)	<b>2b</b>	
<b>c</b>	Add lines 2a and 2b	<b>2c</b>	
<b>3</b>	Distributable amount before adjustments. Subtract line 2c from line 1	<b>3</b>	
<b>4</b>	Recoveries of amounts treated as qualifying distributions	<b>4</b>	
<b>5</b>	Add lines 3 and 4	<b>5</b>	
<b>6</b>	Deduction from distributable amount (see page 25 of the instructions)	<b>6</b>	
<b>7</b>	<b>Distributable amount as adjusted.</b> Subtract line 6 from line 5. Enter here and on Part XIII, line 1	<b>7</b>	

**Part XII** Qualifying Distributions (see page 25 of the instructions)

<b>1</b>	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
<b>a</b>	Expenses, contributions, gifts, etc.—total from Part I, column (d), line 26	<b>1a</b>	<b>106,452</b>
<b>b</b>	Program-related investments—total from Part IX-B	<b>1b</b>	
<b>2</b>	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	<b>2</b>	
<b>3</b>	Amounts set aside for specific charitable projects that satisfy the:		
<b>a</b>	Suitability test (prior IRS approval required)	<b>3a</b>	
<b>b</b>	Cash distribution test (attach the required schedule)	<b>3b</b>	
<b>4</b>	<b>Qualifying distributions.</b> Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	<b>4</b>	<b>106,452</b>
<b>5</b>	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see page 26 of the instructions)	<b>5</b>	<b>0</b>
<b>6</b>	<b>Adjusted qualifying distributions.</b> Subtract line 5 from line 4	<b>6</b>	<b>106,452</b>

**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 page 26 of the instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				
2 Undistributed income, if any, as of the end of 2009.				
a Enter amount for 2008 only				
b Total for prior years: 20____, 20____, 20____				
3 Excess distributions carryover, if any, to 2009.				
a From 2004				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f Total of lines 3a through e				
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$_____				
a Applied to 2008, but not more than line 2a				
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)				
c Treated as distributions out of corpus (Election required—see page 26 of the instructions)				
d Applied to 2009 distributable amount				
e Remaining amount distributed out of corpus				
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)				
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5				
b Prior years' undistributed income. Subtract line 4b from line 2b				
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				
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions				
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount—see page 27 of the instructions				
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)				
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)				
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a				
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008				
e Excess from 2009				

**Part XIV Private Operating Foundations** (see page 27 of the instructions and Part VII-A, question 9)

<b>1a</b> 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>10/10/97</b>
<b>b</b> Check box to indicate whether the foundation is a private operating foundation described in section 4942(j)(3) or 4942(j)(5)	<input checked="" type="checkbox"/> 4942(j)(3) or				<input type="checkbox"/> 4942(j)(5)
<b>2a</b> Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed	<b>Tax year</b>	<b>Prior 3 years</b>			<b>(e) Total</b>
	<b>(a) 2009</b>	<b>(b) 2008</b>	<b>(c) 2007</b>	<b>(d) 2006</b>	
	0				0
<b>b</b> 85% of line 2a					
<b>c</b> Qualifying distributions from Part XII, line 4 for each year listed	106,452	172,920	37,022	32,010	348,404
<b>d</b> Amounts included in line 2c not used directly for active conduct of exempt activities					
<b>e</b> Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c	106,452	172,920	37,022	32,010	348,404
<b>3</b> Complete 3a, b, or c for the alternative test relied upon:					
<b>a</b> "Assets" alternative test—enter:					
(1) Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
<b>b</b> "Endowment" alternative test—enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					0
<b>c</b> "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 page 28 of the instructions.)

<b>1 Information Regarding Foundation Managers:</b>
<b>a</b> 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).) <b>N/A</b>
<b>b</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. <b>N/A</b>
<b>2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:</b>
Check here <input type="checkbox"/> 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 page 28 of the instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d.
<b>a</b> The name, address, and telephone number of the person to whom applications should be addressed: <b>N/A</b>
<b>b</b> The form in which applications should be submitted and information and materials they should include: <b>N/A</b>
<b>c</b> Any submission deadlines: <b>N/A</b>
<b>d</b> Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors: <b>N/A</b>

**Part XV** Supplementary Information (continued)**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
<b>a</b> Paid during the year				
<b>City of Bound Brook, NJ</b> <b>Bound Brook</b> <b>Bound Brook NJ 08805</b>			<b>Park Improvements</b>	<b>77,862</b>
<b>City of Bound Brook NJ</b> <b>Bound Brook</b> <b>Bound Brook NJ 08805</b>			<b>Equipment</b>	<b>15,000</b>
<b>Boy Scouts of America</b> <b>Bound Brook</b> <b>Bound Brook NJ 08805</b>			<b>Troop projects</b>	<b>6,050</b>
<b>Deberoah Hospital Found</b> <b>Bound Brook</b> <b>Bound Brook NJ 08805</b>			<b>Operations</b>	<b>5,000</b>
<b>All Other</b> <b>Bound Brook</b> <b>Bound Brook NJ 08805</b>			<b>Flags for park, Literacy, etc</b>	<b>2,540</b>
<b>Total</b>			<b>▶ 3a</b>	<b>106,452</b>
<b>b</b> Approved for future payment <b>N/A</b>				
<b>Total</b>			<b>▶ 3b</b>	

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

Enter gross amounts unless otherwise indicated.

Enter gross amounts unless otherwise indicated.		Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions )
		(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1	Program service revenue:					
a	_____					
b	_____					
c	_____					
d	_____					
e	_____					
f	_____					
g	Fees and contracts from government agencies .....					
2	Membership dues and assessments .....					
3	Interest on savings and temporary cash investments ..					68,876
4	Dividends and interest from securities .....					59,593
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 .....					172,151
8	Gain or (loss) from sales of assets other than inventory .....					102,227
9	Net income or (loss) from special events .....					
10	Gross profit or (loss) from sales of inventory ....					
11	Other revenue: a _____					
b	_____					94
c	<b>Penn Growth Energy</b> .....					1,171
d	_____					
e	_____					
12	Subtotal. Add columns (b), (d), and (e) .....		0		0	404,112
13	Total. Add line 12, columns (b), (d), and (e) .....					404,112

(See worksheet in line 13 instructions on page 28 to verify calculations.)

<b>Part XVI-B</b>	<b>Relationship of Activities to the Accomplishment of Exempt Purposes</b>
-------------------	--

[illegible]


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

<b>1</b> 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?		<b>Yes</b>	<b>No</b>
<b>a</b> Transfers from the reporting foundation to a noncharitable exempt organization of:			
<b>(1)</b> Cash	<b>1a(1)</b>		<b>X</b>
<b>(2)</b> Other assets	<b>1a(2)</b>		<b>X</b>
<b>b</b> Other transactions:			
<b>(1)</b> Sales of assets to a noncharitable exempt organization	<b>1b(1)</b>		<b>X</b>
<b>(2)</b> Purchases of assets from a noncharitable exempt organization	<b>1b(2)</b>		<b>X</b>
<b>(3)</b> Rental of facilities, equipment, or other assets	<b>1b(3)</b>		<b>X</b>
<b>(4)</b> Reimbursement arrangements	<b>1b(4)</b>		<b>X</b>
<b>(5)</b> Loans or loan guarantees	<b>1b(5)</b>		<b>X</b>
<b>(6)</b> Performance of services or membership or fundraising solicitations	<b>1b(6)</b>		<b>X</b>
<b>c</b> Sharing of facilities, equipment, mailing lists, other assets, or paid employees	<b>1c</b>		<b>X</b>

[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.			
Signature of officer or trustee 		Date 5/21/10	
Signature of officer or trustee _____		Title Trustee	

**Schedule B**  
(Form 990, 990-EZ,  
or 990-PF)  
Department of the Treasury  
Internal Revenue Service

**Schedule of Contributors**

▶ Attach to Form 990, 990-EZ, or 990-PF.

OMB No 1545-0047

**2009**

Name of the organization

**Billian Family Charitable  
Foundation**

Employer identification number

**58-6338666**

Organization type (check one):

Filers of:

Section:

Form 990 or 990-EZ

☐ 501(c)( ) (enter number) organization

☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation

☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation

☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation

☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**.

**Note.** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions

**General Rule**

- ☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, \$5,000 or more (in money or property) from any one contributor. Complete Parts I and II.

**Special Rules**

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use exclusively for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use exclusively for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an exclusively religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year . . . . . ▶ \$ . . . . .

**Caution.** An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2 of its Form 990, or check the box in the heading of its Form 990-EZ, or on line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF)

For Privacy Act and Paperwork Reduction Act Notice, see the Instructions for Form 990, 990-EZ, or 990-PF.

Schedule B (Form 990, 990-EZ, or 990-PF) (2009)

Name of organization

**Billian Family Charitable**

Employer identification number

**58-6338666****Part I** Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	Estate of Robert Billian Wayne Billian and Lotte Wohlbold, tt 2929 Captain Sam's Rd  Johns Island SC 29455-6226	\$ 146,142	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input checked="" type="checkbox"/> (Complete Part II if there is a noncash contribution.)
..	.. .. .	\$ .. .. .	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
..	.. .. .	\$ .. .. .	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
..	.. .. .	\$ .. .. .	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
..	.. .. .	\$ .. .. .	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
..	.. .. .	\$ .. .. .	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)



Name of organization

**Billian Family Charitable**

Employer identification number

**58-6338666****Part II****Noncash Property (see instructions)**

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
<b>1</b>	<b>US Secuties, Bonds and Stocks</b>	\$ <b>146,142</b>	<b>01/30/09</b>
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	

## Federal Statements

5/18/2010 11:21 AM

### Statement 12 - Form 990-PF, Part VII-A, Line 10 - Substantial Contributors

Name

Address

City, State, Zip

Billian

2929 Captain Sam's Rd.,

Johns Island SC 29455-6226

# Federal Statements

5/18/2010 11:21 AM

## Statement 1 - Form 990-PF, Part I, Line 6a - Sale of Assets

Description		How Received		Cost	Expense	Depreciation	Net Gain / Loss
Whom Sold	Date Acquired	Date Sold	Sale Price				
NJ Econ Dev Auth	7/13/00	1/02/09	Purchase 20,200 \$	18,209 \$	\$	\$	1,991
Schedule Merrill Lynch	Various	Various	Purchase 909,185	803,179			106,006
Schedule Merrill Lynch	Various	Various	Purchase 157,799	184,389			-26,590
Schedule Merrill Lynch	Various	Various	Purchase 118,686	107,543			11,143
Schedule Merrill Lynch	Various	Various	Purchase 106,766	169,300			-62,534
Option premiums	Various	Various	Purchase 72,211				72,211
Total			\$ 1,384,847	\$ 1,282,620	\$ 0	\$ 0	\$ 102,227

## Statement 2 - Form 990-PF, Part I, Line 11 - Other Income

Description	Revenue per Books	Net Investment Income	Adjusted Net Income
Change in unrealized gains	\$ 170,514	\$ 170,514	\$ 170,514
National Financial Services	1,637	1,637	1,637
	94		94
Penn Growth Energy	1,171		1,171
Total	\$ 173,416	\$ 172,151	\$ 173,416

**BILLIAN FAMILY CHARITABLE**

**2009 TAX REPORTING STATEMENT**

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 the preparation of your tax return. 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 the premium paid on the purchase of taxable bonds. The gain (loss) information may not include return of capital, sales load deferral or wash sales adjustments. RICs (which may include mutual funds and unit investment trusts) may reclassify principal distributions as capital gains. The Cost Basis for these securities may not have been adjusted on your statement to reflect such reclassifications. Please refer to information provided by the RIC and discuss with your tax advisor. Securities distributed from a retirement account reflect 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 that 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 when received.

Data from Forms 1099 (reportable Dividend and Interest) is also repeated in this summary 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 Cover of Short	Date Liquidated Short Sale	Amortization/Accretion Year-to-Date	Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
<b>SHORT TERM CAPITAL GAINS</b>								
GOODYEAR TIRE & R 7.00% 2	15000.0000	10/31/08	09/29/09			12,393.75	8,100.00	4,293.75
TIME WARNER COS 6.95% 202	10000.0000	10/31/08	10/07/09			10,227.20	7,724.80	2,502.40
TOYS R US 7.37% OCT15 18	15000.0000	10/31/08	09/29/09			12,708.72	7,800.00	4,908.72
NEW JERSEY ENVIRONMENTAL	25000.0000	10/31/08	03/24/09			24,332.50	23,791.00	541.50
SOUTH JERSEY PORT CORP	20000.0000	10/31/08	03/24/09			18,877.00	18,770.40	106.60
NJ HLTH CRE FFA REV	0000	03/19/09	03/19/09			240.10	240.10	0.00
	.0000	09/09/09	09/09/09			29.24	29.24	0.00
<b>Security Subtotal</b>						<b>269.34</b>	<b>269.34</b>	<b>0.00</b>
NEW JERSEY HLTH CRE FFA	15000.0000	10/31/08	07/01/09			15,000.00	302.00	14,698.00
ESSEX CNTY NJ IMPT AUTH	35000.0000	10/31/08	03/24/09			38,783.15	37,607.00	1,176.15
CLINTON TWP NJ BRD ED	25000.0000	10/31/08	03/24/09			27,041.75	26,653.00	388.75
PARAMUS NJ PENSION	15000.0000	10/31/08	07/23/09			14,461.80	13,269.45	1,192.35

BILLIAN FAMILY CHARITABLE

2009 TAX REPORTING STATEMENT

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)
*PUT CXJ NOV 0038	20.0000	11/23/09	08/26/09(S)		2,499.93	0.00	2,499.93
*PUT KFT MAY 0022 1/2	20.0000	05/18/09	04/16/09(S)		1,599.99	0.00	1,599.99
*CALL KFT MAY 0025	20.0000	05/18/09	04/16/09(S)		899.99	0.00	899.99
*CALL SO MAR 0035	20.0000	03/23/09	02/04/09(S)		996.79	0.00	996.79
*PUT BPT OCT 0070	10.0000	10/19/09	08/27/09(S)		2,434.94	0.00	2,434.94
*PUT MO SEP 0017	40.0000	05/06/09	04/16/09(S)		6,599.96	6,280.00	319.96
*PUT MO JAN 0017 1/2	20.0000	12/22/09	08/10/09(S)		2,499.93	90.00	2,409.93
*CALL BPT SEP 0080	20.0000	09/21/09	06/11/09(S)		2,119.94	0.00	2,119.94
*PUT BPT DEC 0070	5.0000	12/21/09	08/25/09(S)		1,784.95	0.00	1,784.95
	5.0000	12/21/09	08/27/09(S)		1,834.95	0.00	1,834.95
<b>Security Subtotal</b>					<b>3,619.90</b>	<b>0.00</b>	<b>3,619.90</b>
*CALL KFT DEC 0029	40.0000	12/21/09	06/25/09(S)		1,794.94	0.00	1,794.94
*PUT BYO MAY 0007 1/2	50.0000	05/18/09	04/16/09(S)		7,449.95	0.00	7,449.95
BP PLC SPON ADR	2000.0000	07/01/09	08/21/09		102,197.37(P)	97,337.20	4,860.17
CATERPILLAR INC DEL	2000.0000	07/01/09	08/21/09		72,638.13(P)	67,898.20	4,739.93
	2000.0000	10/06/09	10/19/09		106,151.24(P)	103,016.40	3,134.84
	2000.0000	10/16/09	11/23/09		113,957.04(P)	108,891.80	5,065.24
<b>Security Subtotal</b>					<b>292,746.41</b>	<b>279,806.40</b>	<b>12,940.01</b>
NUVEEN NJ INV QUAL MUNI	1200.0000	10/31/08	07/22/09		14,729.14	12,372.00	2,357.14
	700.0000	10/31/08	07/22/09		8,592.00	7,217.00	1,375.00
	500.0000	10/31/08	07/22/09		6,137.14	5,155.00	982.14
<b>Security Subtotal</b>					<b>29,458.28</b>	<b>24,744.00</b>	<b>4,714.28</b>



Account No.  
706-02026

Taxpayer No.  
58-6338666

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BILLIAN FAMILY CHARITABLE

2009 TAX REPORTING STATEMENT

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)
VAN KMPN TR INV GRDE NY	600.0000	10/31/08	07/22/09		7,405.79	6,480.00	925.79
	300.0000	10/31/08	07/22/09		3,702.89	3,240.00	462.89
Security Subtotal					11,108.68	9,720.00	1,388.68
EATON VANCE NJ MUNI INC	1586.0000	10/31/08	07/22/09		18,666.90	14,749.80	3,917.10
NUVEEN NJ DIV ADV MUNI 2	1100.0000	10/31/08	07/22/09		13,702.24	11,880.00	1,822.24
	500.0000	10/31/08	07/22/09		6,228.29	5,400.00	828.29
Security Subtotal					19,930.53	17,280.00	2,650.53
BLACKROCK MUNIYLD NJ INS	1200.0000	10/31/08	07/22/09		15,044.97	12,684.00	2,360.97
	600.0000	10/31/08	07/22/09		7,522.48	6,342.00	1,180.48
	1900.0000	10/31/08	07/22/09		23,821.21	20,083.00	3,738.21
Security Subtotal					46,388.66	39,109.00	7,279.66
JOY GLOBAL INC DEL COM	1000.0000	05/22/09	06/22/09		32,019.16(P)	29,724.90	2,294.26
	1000.0000	05/22/09	06/22/09		33,269.13(P)	29,724.90	3,544.23
Security Subtotal					65,288.29	59,449.80	5,838.49
ARCH CAPITAL GROUP LTD	400.0000	10/31/08	10/07/09		9,368.87	7,120.00	2,248.87
NORFOLK SOUTHERN CORP	2000.0000	09/30/09	10/19/09		90,757.65(P)	87,717.40	3,040.25
USB CAPITAL VII	800.0000	10/31/08	10/26/09		16,661.56	15,488.00	1,173.56
Short Term Capital Gains Subtotal					909,184.67	803,178.59	106,006.08

SHORT TERM CAPITAL LOSSES

SALEM CNTY NJ INDL PCFA	10000.0000	10/31/08	07/23/09		8,462.50	8,746.50	(284.00)
JERSEY CY NJ MUN UTL AT	25000.0000	10/31/08	07/24/09		22,466.50	23,278.50	(812.00)
NEW JERSEY ST EDL FACS	15000.0000	10/31/08	03/24/09		16,106.25	27,684.00	(11,577.75)

BILLIAN FAMILY CHARITABLE

2009 TAX REPORTING STATEMENT

2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Year-to-Date Life-to-Date	Amortization/Accretion	Sales Price	Cost Basis	Gain or (Loss)
HANOVER TWP NJ SCH DIST	15000.0000	10/31/08	03/24/09			14,962.50	16,205.00	(1,242.50)
NEW JERSEY ECONOMIC DEV	15000.0000	10/31/08	05/15/09			15,300.00	15,642.90	(342.90)
NEW JERSEY EDA WTR FCS	10000.0000	10/31/08	03/24/09			9,462.50	17,001.30	(7,538.80)
NEW JERSEY HLTH CRE FFA	10000.0000	10/31/08	07/23/09			8,238.50	9,088.00	(849.50)
BRICK TWP NJ PENSION	35000.0000	10/31/08	07/23/09			32,175.50	32,654.65	(479.15)
*PUT SO MAY 0030	20.0000	05/05/09	04/16/09(S)			2,499.93	2,500.00	(0.07)
*PUT ED MAY 0040	10.0000	05/05/09	02/10/09(S)			2,399.98	3,250.00	(850.02)
*CALL MO JAN 0017 1/2	10.0000	12/22/09	04/14/09(S)			1,066.96	2,480.00	(1,413.04)
BROADCAST INTERNATIONAL	1500.0000	10/31/08	09/18/09			2,624.93	3,600.00	(975.07)
PIMCO MUNI INCOME	1900.0000	10/31/08	07/23/09			22,020.42	22,230.00	(209.58)
NEXTMART INC	1000.0000	10/31/08	09/18/09			12.81	28.00	(15.19)
Short Term Capital Losses Subtotal						157,799.28	184,388.85	(26,589.57)
NET SHORT TERM CAPITAL GAIN (LOSS)								79,416.51

LONG TERM CAPITAL GAINS

CIRCUS CIRCUS ENT 7.62% 1	20000.0000	09/21/07	10/07/09			14,988.88	9,000.00	5,988.88
CD JOHN HANCOCK LIFE INS	10000.0000	08/28/06	08/17/09			10,000.00	10,000.00	0.00
HARTFORD LIFE INSURANCE	25000.0000	10/02/06	10/15/09			25,000.00	25,000.00	0.00
HARTFORD LIFE INSURANCE	20000.0000	02/26/07	03/16/09			20,000.00	20,000.00	0.00



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BILLIAN FAMILY CHARITABLE

## 2009 TAX REPORTING STATEMENT

### 2009 CAPITAL GAIN AND LOSS TRANSACTIONS

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Year-to-Date Anortization/Accretion Life-to-Date	Sales Price	Cost Basis	Gain or (Loss)
NEW JERSEY ECONOMIC DEV	10000.00000	01/24/95	04/01/09	(7,001.30)(A)	(7,001.30)(A)	10,000.00(C)	0.00
NEW JERSEY ECONOMIC DEV	25000.00000	08/25/03	07/23/09		23,289.75	19,766.25	3,523.50
DUKE ENERGY CORP NEW	623.00000	07/20/04	11/10/09		9,598.62(P)	8,231.57	1,367.05
	377.00000	01/14/05	11/10/09		5,808.46(P)	5,544.79	263.67
Security Subtotal					15,407.08	13,776.36	1,630.72
Long Term Capital Gains Subtotal					118,685.71	107,542.61	11,143.10

### LONG TERM CAPITAL LOSSES

CIRCUS CIRCUS ENT 7.62% 1	20000.00000	09/21/07	10/07/09		14,988.88	19,866.00	(4,877.12)
JOHN HANCOCK LIFE INS CO	10000.00000	10/02/06	10/02/09		9,188.86	10,000.00	(811.14)
JOHN HANCOCK LIFE INS CO	10000.00000	08/28/06	10/02/09		9,189.27	10,000.00	(810.73)
DUKE ENERGY CORP NEW	1000.00000	05/16/05	11/10/09		15,407.11(P)	16,179.86	(772.75)
JP MORGAN CHASE CAP X	600.00000	01/28/02	10/07/09		14,766.77	15,000.00	(233.23)
GENERAL ELECTRIC CAPITAL	1000.00000	06/14/02	10/07/09		24,304.95	25,000.00	(695.05)
RITE AID CORPORATION	1100.00000	05/22/97	09/18/09		2,278.81	56,574.10	(54,295.29)
OPPEN STR INCM FD CL A	4300.0280	08/02/00	09/18/09		16,641.11	16,679.99	(38.88)
Long Term Capital Losses Subtotal					106,765.76	169,299.95	(62,534.19)
NET LONG TERM CAPITAL GAIN (LOSS)							(51,391.09)



**BILLIAN FAMILY CHARITABLE**

**2009 TAX REPORTING STATEMENT**

**2009 CAPITAL GAIN AND LOSS TRANSACTIONS**

Security Description	Quantity	Date Acquired Cover of Short	Date Liquidated Short Sale	Year-to-Date Life-to-Date	Amortization/Accretion	Sales Price	Cost Basis	Gain or (Loss)
<b>OTHER TRANSACTIONS</b>								
*CALL ED MAY 0050	10.0000	05/18/09	02/02/09(S)			0.00	N/A	N/A
*CALL DAL MAR 0015	26.0000	03/23/09	02/02/09(S)			0.00	N/A	N/A
*CALL DAL MAR 0012 1/2	20.0000	03/23/09	02/02/09(S)			0.00	N/A	N/A
DELTA AIR LINES INC	.0000	02/25/09	02/25/09			5.14	N/A	N/A
	9.0000	02/03/09	06/25/09			40.08	N/A	N/A
		Security Subtotal				45.22		
		Other Transactions Subtotal				45.22		

**TOTAL CAPITAL GAINS AND LOSSES**  
**TOTAL REPORTABLE GROSS PROCEEDS**  
**DIFFERENCE**

1,292,480.64  
1,235,659.01  
56,821.63 \*

Note: Capital gains and losses in this statement are not reported to the IRS.

\* This transaction denotes the gain or loss on the sale of an option. While option sales are not subject to 1099-B reporting, the gain or loss information is relevant for tax return preparation.

\* Difference reflects items that are included in the reportable gross proceeds section of your statement but are not included in the gain/loss section (e.g., liquidation of fractional shares and the proceeds from certain tender offers). It also reflects items that are included in the gain/loss section of your statement but not in the reportable gross proceeds section (e.g., option premium received).

(P) - Indicates that an option premium has been included in the calculation.

(S) - Short Sale

N/A - Results which cannot be calculated because of insufficient data in the Capital Gain or (Loss) Column and are not included in the realized capital gain and loss summary

\$ - Bonds purchased at a premium show amortization

(A) - Year-to-Date and Life-to-Date amortization/accretion figures are net adjustments and may include original issue discount, and/or premium or market discount adjustments, if applicable. These figures assume that the client has made all elections to amortize bond premium and accrete market discount on a current basis. A negative figure indicates a net reduction in cost basis due to such factors as premium amortization.

(C) - The cost basis reflects adjustments for amortized and/or accreted amounts.

# Federal Statements

## Statement 3 - Form 990-PF, Part I, Line 16a - Legal Fees

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
Indirect Legal Fees	\$ 4,170	\$	\$ 4,170	\$
Total	\$ 4,170	\$ 0	\$ 4,170	\$ 0

## Statement 4 - Form 990-PF, Part I, Line 16b - Accounting Fees

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
Indirect Accounting Fees	\$ 3,845	\$	\$ 3,845	\$
Total	\$ 3,845	\$ 0	\$ 3,845	\$ 0

## Statement 5 - Form 990-PF, Part I, Line 16c - Other Professional Fees

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
Custodial fees	\$ 175	\$ 175	\$	\$
Total	\$ 175	\$ 175	\$ 0	\$ 0

## Statement 6 - Form 990-PF, Part I, Line 18 - Taxes

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
Foreign taxes pd	\$ 795	\$ 795	\$	\$
US Treasury	665		665	
Total	\$ 1,460	\$ 795	\$ 665	\$ 0

## Federal Statements

5/18/2010 11:21 AM

### Statement 7 - Form 990-PF, Part I, Line 23 - Other Expenses

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
Expenses				
Custodial fees				
Park improvements				
Contributions				
Other				
Total	\$ 0	\$ 0	\$ 0	\$ 0

**Federal Statements****Statement 8 - Form 990-PF, Part II, Line 10a - US and State Government Investments**

Description	Beginning of Year	End of Year	Basis of Valuation	Fair Market Value
	\$ 308,671	\$		\$
Total	\$ 308,671	\$ 0		\$ 0

**Statement 9 - Form 990-PF, Part II, Line 10b - Corporate Stock Investments**

Description	Beginning of Year	End of Year	Basis of Valuation	Fair Market Value
	\$ 998,420	\$ 1,535,448	Cost	\$ 1,442,660
Total	\$ 998,420	\$ 1,535,448		\$ 1,442,660

**Statement 10 - Form 990-PF, Part II, Line 10c - Corporate Bond Investments**

Description	Beginning of Year	End of Year	Basis of Valuation	Fair Market Value
Accrued interest	\$ 258,680	\$ 450,871	Cost	\$ 447,078
				3,818
Total	\$ 258,680	\$ 450,871		\$ 450,896

**Statement 11 - Form 990-PF, Part II, Line 13 - Other Investments**

Description	Beginning of Year	End of Year	Basis of Valuation	Fair Market Value
	\$ 105,500	\$ 106,371	Cost	\$ 169,135
Total	\$ 105,500	\$ 106,371		\$ 169,135

Form **8868**

(Rev. April 2009)

Department of the Treasury  
Internal Revenue Service**Application for Extension of Time To File an  
Exempt Organization Return**

OMB No. 1545-1709

► **File a separate application for each return.**

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

**Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.****Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed).**A corporation required to file Form 990-T and requesting an automatic 6-month extension—check this box and complete Part I only ☐

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

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

Type or print	Name of Exempt Organization <b>Billian Family Charitable Foundation</b>	Employer identification number <b>58-6338666</b>
File by the due date for filing your return. See instructions.	Number, street, and room or suite no. If a P.O. box, see instructions. <b>5795 Winterthur Lane</b>	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. <b>Atlanta GA 30328</b>	

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

- |   |   |                                    |
|---|---|------------------------------------|
| <input type="checkbox"/> Form 990               | <input type="checkbox"/> Form 990-T (corporation)                 | <input type="checkbox"/> Form 4720 |
| <input type="checkbox"/> Form 990-BL            | <input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust) | <input type="checkbox"/> Form 5227 |
| <input type="checkbox"/> Form 990-EZ            | <input type="checkbox"/> Form 990-T (trust other than above)      | <input type="checkbox"/> Form 6069 |
| <input checked="" type="checkbox"/> Form 990-PF | <input type="checkbox"/> Form 1041-A                              | <input type="checkbox"/> Form 8870 |

- The books are in the care of ►
- Douglas C Billian**

Telephone No. ► 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 **08/15/10** 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	\$	0
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.

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

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