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

2009

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

For calendar year 2009, or tax year beginning

, and ending

G Check all that apply:

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

Name of foundation

HORNTHAL FAMILY FOUNDATION

A Employer identification number

94-3300777

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

Room/suite

2234 BEACH STREET

B Telephone number

415-563-6336

City or town, state, and ZIP code

SAN FRANCISCO, CA 94123

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 ... ► H Check type of organization:  Section 501(c)(3) exempt private foundation Section 4947(a)(1) nonexempt charitable trust  Other taxable private foundationI Fair market value of all assets at end of year J Accounting method:  Cash  Accrual

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

► \$ 1,832,237. (Part I, column (d) must be on cash basis.)

E If private foundation status was terminated under section 507(b)(1)(A), check here ► F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ► 

## Part I Analysis of Revenue and Expenses

(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))

	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
1 Contributions, gifts, grants, etc., received			N/A	
2 Check ► <input checked="" type="checkbox"/> if the foundation is not required to attach Sch. B				
3 Interest on savings and temporary cash investments				
4 Dividends and interest from securities	21,560.	21,560.		STATEMENT 1
5a Gross rents				
b Net rental income or (loss)				
6a Net gain or (loss) from sale of assets not on line 10	132,569.			
b Gross sales price for all assets on line 6a	2,430,201.			
7 Capital gain net income (from Part IV, line 2)		132,569.		
8 Net short-term capital gain				
9 Income modifications				
10a Gross sales less returns and allowances				
b Less Cost of goods sold	NOV 08 2010			
c Gross profit or (loss)				
11 Other income	-2,734.	-2,734.		STATEMENT 2
12 Total. Add lines 1 through 11	151,395.	151,395.		
13 Compensation of officers, directors, trustees, etc	0.	0.		0.
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16a Legal fees				
b Accounting fees	STMT 3	9,000.	0.	4,700.
c Other professional fees				
17 Interest	8.	0.		0.
18 Taxes	STMT 4	52.	52.	0.
19 Depreciation and depletion				
20 Occupancy				
21 Travel, conferences, and meetings	12,892.	0.		12,892.
22 Printing and publications				
23 Other expenses	STMT 5	447.	300.	0.
24 Total operating and administrative expenses. Add lines 13 through 23		22,399.	352.	17,592.
25 Contributions, gifts, grants paid		108,430.		108,430.
26 Total expenses and disbursements. Add lines 24 and 25		130,829.	352.	126,022.
27 Subtract line 26 from line 12.		20,566.		
a Excess of revenue over expenses and disbursements				
b Net investment income (if negative, enter -0-)		151,043.		
c Adjusted net income (if negative, enter -0-)			N/A	

X

Part II	Balance Sheets	Attached schedules and amounts in the description column should be for end-of-year amounts only	Beginning of year	End of year	
			(a) Book Value	(b) Book Value	(c) Fair Market Value
	1 Cash - non-interest-bearing		586,868.	524,880.	524,880.
	2 Savings and temporary cash investments				
	3 Accounts receivable ► 8,326.		7,126.	8,326.	8,326.
	Less: allowance for doubtful accounts ►				
	4 Pledges receivable ►				
	Less: allowance for doubtful accounts ►				
	5 Grants receivable				
	6 Receivables due from officers, directors, trustees, and other disqualified persons				
	7 Other notes and loans receivable ►				
	Less: allowance for doubtful accounts ►				
	8 Inventories for sale or use				
	9 Prepaid expenses and deferred charges				
	10a Investments - U.S. and state government obligations				
	b Investments - corporate stock ► STMT 6		1,269,840.	1,350,530.	1,299,031.
	c Investments - corporate bonds				
	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)		1,863,834.	1,883,736.	1,832,237.
	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 ► STATEMENT 7 )		37,541.	36,875.	
	23 Total liabilities (add lines 17 through 22)		37,541.	36,875.	
	Foundations that follow SFAS 117, check here ► <input type="checkbox"/> 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 ► <input checked="" type="checkbox"/> and complete lines 27 through 31.				
	27 Capital stock, trust principal, or current funds		0.	0.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund		0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds		1,826,293.	1,846,861.	
	30 Total net assets or fund balances		1,826,293.	1,846,861.	
	31 Total liabilities and net assets/fund balances		1,863,834.	1,883,736.	

## Part II 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	1,826,293.
2 Enter amount from Part I, line 27a	2	20,566.
3 Other increases not included in line 2 (itemize) ► CURRENT YEAR ADJUSTMENT	3	2.
4 Add lines 1, 2, and 3	4	1,846,861.
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	1,846,861.

**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 STATEMENTS				
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	2,430,201.		2,297,585.	132,569.	
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))		
(i) F M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any			
a					
b					
c					
d					
e			132,569.		
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	132,569.	
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	112,352.	1,719,425.	.065343
2007	157,974.	1,997,337.	.079092
2006	163,988.	2,023,276.	.081051
2005	137,383.	2,230,860.	.061583
2004	129,624.	2,104,300.	.061600
2 Total of line 1, column (d)			2 .348669
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 .069734
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5			4 1,586,101.
5 Multiply line 4 by line 3			5 110,605.
6 Enter 1% of net investment income (1% of Part I, line 27b)			6 1,510.
7 Add lines 5 and 6			7 112,115.
8 Enter qualifying distributions from Part XII, line 4			8 126,022.

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 ► <input type="checkbox"/> and enter "N/A" on line 1.	(attach copy of letter if necessary-see instructions)	1	1,510.
b	Date of ruling or determination letter: _____			
c	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ► <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b			
d	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	1,510.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	0.
5	<b>Tax based on Investment Income.</b> Subtract line 4 from line 3. If zero or less, enter -0-		5	1,510.
6	<b>Credits/Payments:</b>			
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	2,075.	
b	Exempt foreign organizations - tax withheld at source	6b		
c	Tax paid with application for extension of time to file (Form 8868)	6c		
d	Backup withholding erroneously withheld	6d		
7	Total credits and payments. Add lines 6a through 6d	7	2,075.	
8	Enter any penalty for underpayment of estimated tax. Check here <input checked="" type="checkbox"/> 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	565.	
11	Enter the amount of line 10 to be: Credited to 2010 estimated tax ►	11	0.	

**Part VII-A Statements Regarding Activities**

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?	Yes	No
1b	Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)?	X	
	<i>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.</i>		
1c	Did the foundation file Form 1120-POL for this year?	X	
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year:		
(1)	On the foundation. ► \$ 0. (2) On foundation managers. ► \$ 0.		
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ► \$ 0.		
2	Has the foundation engaged in any activities that have not previously been reported to the IRS?	X	
	<i>If "Yes," attach a detailed description of the activities.</i>		
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? <i>If "Yes," attach a conformed copy of the changes</i>	X	
4a	Did the foundation have unrelated business gross income of \$1,000 or more during the year?	X	
b	If "Yes," has it filed a tax return on Form 990-T for this year?		
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year?	X	
	<i>If "Yes," attach the statement required by General Instruction T.</i>		
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?		
7	Did the foundation have at least \$5,000 in assets at any time during the year?		
	<i>If "Yes," complete Part II, col. (c), and Part XIV.</i>		
8a	Enter the states to which the foundation reports or with which it is registered (see instructions) ►		
CA			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation		
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		
10	Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		

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

11 At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)  Yes  No

11  Yes  No

12 Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?  Yes  No

12  Yes  No

13 Did the foundation comply with the public inspection requirements for its annual returns and exemption application?  Yes  No

13  Yes  NoWebsite address ► N/A14 The books are in care of ► JAMES J. HORNTHALTelephone no. ► 415-563-6336Located at ► 2234 BEACH STREET, SAN FRANCISCO, CAZIP+4 ► 94123

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  Yes  No  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.

1a During the year did the foundation (either directly or indirectly):

(1) Engage in the sale or exchange, or leasing of property with a disqualified person?  Yes  No(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?  Yes  No(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?  Yes  No(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?  Yes  No(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?  Yes  No(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)  Yes  No

b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)?

Organizations relying on a current notice regarding disaster assistance check here  Yes  NoN/A  Yes  Noc 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?  Yes  No2 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)):  Yes  Noa 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  NoIf "Yes," list the years ►  Yes  Nob 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)  Yes  NoN/A  Yes  Noc If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here.  Yes  No►  Yes  No3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?  Yes  No3b  Yes  Nob 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.)  Yes  No4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?  Yes  No4b  Yes  Nob 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?  Yes  No

**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:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(3) Provide a grant to an individual for travel, study, or other similar purposes?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No		N/A	
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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			6b
6b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			7b
b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		N/A	

**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
JAMES J. HORNTHAL 2234 BEACH STREET SAN FRANCISCO, CA 94123	PRESIDENT, CHAIR 0.00	0.	0.	0.
BETHANY S. HORNTHAL 2234 BEACH STREET SAN FRANCISCO, CA 94123	VP, TREASURER 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	N/A	
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	
2		0.
3		
	All other program-related investments. See instructions.	
3	NONE	
		0.
	<b>Total. Add lines 1 through 3</b>	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	1,120,928.
b Average of monthly cash balances	1b	489,327.
c Fair market value of all other assets	1c	0.
d Total (add lines 1a, b, and c)	1d	1,610,255.
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	1,610,255.
4 Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	24,154.
5 Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	1,586,101.
6 Minimum investment return. Enter 5% of line 5	6	79,305.

**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	79,305.
2a Tax on investment income for 2009 from Part VI, line 5	2a	1,510.
b Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c Add lines 2a and 2b	2c	1,510.
3 Distributable amount before adjustments. Subtract line 2c from line 1	3	77,795.
4 Recoveries of amounts treated as qualifying distributions	4	0.
5 Add lines 3 and 4	5	77,795.
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	77,795.

**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	126,022.
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	126,022.
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	1,510.
6 Adjusted qualifying distributions. Subtract line 5 from line 4	6	124,512.

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				77,795.
2 Undistributed income, if any, as of the end of 2009:			0.	
a Enter amount for 2008 only			0.	
b Total for prior years.				
3 Excess distributions carryover, if any, to 2009:				
a From 2004	24,701.			
b From 2005	27,718.			
c From 2006	63,504.			
d From 2007	62,931.			
e From 2008	27,819.			
f Total of lines 3a through e	206,673.			
4 Qualifying distributions for 2009 from Part XII, line 4: ► \$ 126,022.			0.	
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			77,795.	
e Remaining amount distributed out of corpus	48,227.			
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:	254,900.			
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5		0.		
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	24,701.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	230,199.			
10 Analysis of line 9:				
a Excess from 2005	27,718.			
b Excess from 2006	63,504.			
c Excess from 2007	62,931.			
d Excess from 2008	27,819.			
e Excess from 2009	48,227.			

**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)**

- 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

**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:**

1. 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	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
<i>a Paid during the year</i> SEE ATTACHMENT A				
<b>Total</b>				► 3a <b>108,430.</b>
<i>b Approved for future payment</i>				
NONE				
<b>Total</b>				► 3b <b>0.</b>

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

**Enter gross amounts unless otherwise indicated.**

	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income
	(a) Business code	(b) Amount	(c) Exclu- sion 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					
4 Dividends and interest from securities			14	21,560.	
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	900000	-2,794.	14	-2,734.	
8 Gain or (loss) from sales of assets other than inventory			14	132,569.	
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)		-2,794.		151,395.	0.
13 Total. Add line 12, columns (b), (d), and (e). (See worksheet in line 13 Instructions to verify calculations.)			13		148,601.

## **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).
N/A	

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

- 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
  - (2) Other assets

**b Other transactions:**

- (1) Sales of assets to a noncharitable exempt organization
  - (2) Purchases of assets from a noncharitable exempt organization
  - (3) Rental of facilities, equipment, or other assets
  - (4) Reimbursement arrangements
  - (5) Loans or loan guarantees
  - (6) Performance of services or membership or fundraising solicitation

c Sharing of facilities, equipment, mailing lists, other assets, or paid employees

d If the answer to any of the above is "Yes," complete the following section

c Sharing of facilities, equipment, mailing lists, other assets, or paid employees

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.

**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	PRESIDENT		
		11/4/2010			
			Title		
<b>Paid Preparer's Use Only</b>		<b>Preparer's signature</b>	<b>Date</b> <b>11/4/2010</b>	<b>Check if self- employed</b> <input type="checkbox"/>	<b>Preparer's identifying number</b>
<b>Firm's name (or yours if self-employed), address, and ZIP code</b>		<b>WTAS LLC</b> <b>100 FIRST STREET, SUITE 1600</b> <b>SAN FRANCISCO, CA 94105</b>	<b>EIN</b> <input type="checkbox"/>	<b>Phone no.</b> <b>(415) 764-2700</b>	

## 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 SEE STATEMENT D-1 (ML #240-04A28)			P	VARIOUS	VARIOUS		
b 10,000 UNITS AIG PPN ASIAN CURR			P	02/05/08	06/08/09		
c K-1 FLOW-THRU: SUBURBAN PROPANE PARTNERS (LONG TE)			P	VARIOUS	VARIOUS		
d K-1 FLOW-THRU: ENTERPRISE PRODUCTS PARTNERS (SECT)			P	VARIOUS	VARIOUS		
e K-1 FLOW-THRU: TC PIPELINES (SECTION 1231 LOSS)			P	VARIOUS	VARIOUS		
f K-1 FLOW-THRU: KINDER MORGAN ENERGY PARTNERS (SEC)			P	VARIOUS	VARIOUS		
g K-1 FLOW-THRU: K-SEA TRANSPORTATION PARTNERS (SEC)			P	VARIOUS	VARIOUS		
h 1,000 UNITS ENTERPRISE PRODUCTS PARTNERS			P	09/25/09	10/21/09		
i 2,700 UNITS ENCORE ENERGY PARTNERS			P	07/06/09	08/07/09		
j 1,200 UNITS PLAINS ALL-AMERICAN PIPELINE			P	VARIOUS	VARIOUS		
k 200 UNITS SUBURBAN PROPANE PARTNERS			P	08/14/09	10/21/09		
l 1,000 UNITS ENERGY TRANSFER PARTNERS			P	VARIOUS	VARIOUS		
m 1,000 UNITS ONEOK PARTNERS			P	06/22/09	07/16/09		
n 1,000 UNITS K-SEA TRANSPORTATION PARTNERS			P	08/12/09	10/21/09		
o 1,500 UNITS KINDER MORGAN ENERGY PARTNERS			P	VARIOUS	VARIOUS		
(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	2,013,535.		1,898,018.	115,517.			
b	100,000.		102,586.	-2,586.			
c				-7.			
d				-18.			
e				-19.			
f				-5.			
g				2.			
h	29,493.		27,508.	1,985.			
i	43,342.		38,895.	4,447.			
j	51,416.		48,230.	3,186.			
k	8,803.		8,102.	701.			
l	41,304.		39,410.	1,894.			
m	46,487.		45,253.	1,234.			
n	21,923.		18,793.	3,130.			
o	73,898.		70,790.	3,108.			
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(I) 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			115,517.				
b			-2,586.				
c			-7.				
d			-18.				
e			-19.				
f			-5.				
g			2.				
h			1,985.				
i			4,447.				
j			3,186.				
k			701.				
l			1,894.				
m			1,234.				
n			3,130.				
o			3,108.				
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	132,569.			
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			

**2009 Cash Contributions, Gifts, Grants, and Similar Amounts**

Date	Donees Name	Contribution	Status of Recipient
25-Feb	TED	\$ 6,000.00	501(c)(3)
25-Feb	Brown Paper Tickets	\$ 103.00	501(c)(3)
20-Mar	CGI	\$ 20,000.00	501(c)(3)
24-Mar	Sundance	\$ 150.00	501(c)(3)
24-Mar	Skoli	\$ 729.00	501(c)(3)
9-Apr	Foundation Fighting Blindness	\$ 500.00	501(c)(3)
23-Apr	JVS	\$ 125.00	501(c)(3)
23-Apr	Tufts	\$ 17.00	501(c)(3)
13-May	P E F Israel Endowment Fund	\$ 500.00	501(c)(3)
26-May	Congregation Emanu-El	\$ 36.00	501(c)(3)
26-May	Stern Grove Festival	\$ 1,300.00	501(c)(3)
26-May	Breast Cancer Fund	\$ 100.00	501(c)(3)
22-Jun	Foundation Fighting Blindness	\$ 100.00	501(c)(3)
22-Jun	Mann Academy	\$ 50.00	501(c)(3)
22-Jun	JCRC	\$ 5,000.00	501(c)(3)
22-Jun	JCC	\$ 20,000.00	501(c)(3)
22-Jun	Contemporary Jewish Museum	\$ 1,800.00	501(c)(3)
27-Jun	JCEF - Mt. Zion Health	\$ 100.00	501(c)(3)
28-Aug	Congregation Emanu-El	\$ 3,000.00	501(c)(3)
26-Aug	Council on Foreign Relations	\$ 380.00	501(c)(3)
26-Aug	TED India	\$ 4,800.00	501(c)(3)
26-Aug	YPO SEN Summit	\$ 300.00	501(c)(3)
28-Oct	Contemporary Jewish Museum	\$ 150.00	501(c)(3)
21-Nov	Breast Cancer Fund	\$ 2,000.00	501(c)(3)
22-Dec	Sager Foundation	\$ 1,015.00	501(c)(3)
22-Dec	AJWS	\$ 1,800.00	501(c)(3)
22-Dec	NARAL Foundation	\$ 1,500.00	501(c)(3)
30-Dec	UCSF - CFBBCC	\$ 2,500.00	501(c)(3)
30-Dec	IMC	\$ 1,000.00	501(c)(3)
30-Dec	JVS	\$ 1,000.00	501(c)(3)
30-Dec	Upstart Bay Area	\$ 500.00	501(c)(3)
30-Dec	Amazon Conservation Team	\$ 500.00	501(c)(3)
30-Dec	Cnssy Field Dog Group	\$ 250.00	501(c)(3)
30-Dec	SF Jewish Film Festival	\$ 250.00	501(c)(3)
30-Dec	Huckleberry Youth Program	\$ 100.00	501(c)(3)
30-Dec	Meals on Wheels	\$ 120.00	501(c)(3)
30-Dec	SF Food Bank	\$ 100.00	501(c)(3)
30-Dec	Bones Pet Rescue	\$ 50.00	501(c)(3)
30-Dec	Tufts Hillel	\$ 100.00	501(c)(3)
30-Dec	Penn Hillel	\$ 100.00	501(c)(3)
30-Dec	Penn Parents	\$ 100.00	501(c)(3)
30-Dec	Tufts Parents	\$ 100.00	501(c)(3)
30-Dec	SFMOMA	\$ 105.00	501(c)(3)
30-Dec	Harvard Business School	\$ 250.00	501(c)(3)
30-Dec	Princeton '78	\$ 250.00	501(c)(3)
30-Dec	Princeton AG	\$ 250.00	501(c)(3)
30-Dec	Friends of Princeton Track	\$ 100.00	501(c)(3)
30-Dec	Council on Foreign Relations	\$ 500.00	501(c)(3)
30-Dec	CLAL	\$ 10,000.00	501(c)(3)
30-Dec	Peaceworks Fondation	\$ 10,000.00	501(c)(3)
30-Dec	Just Vision	\$ 500.00	501(c)(3)
30-Dec	JPEF	\$ 180.00	501(c)(3)
30-Dec	ASPCA	\$ 140.00	501(c)(3)
30-Dec	SFSPCA	\$ 100.00	501(c)(3)
30-Dec	Leukemia & Lymphoma Society	\$ 100.00	501(c)(3)
30-Dec	SF AIDS Foundation	\$ 70.00	501(c)(3)
30-Dec	Glide Memorial	\$ 500.00	501(c)(3)
30-Dec	Magen David	\$ 180.00	501(c)(3)
30-Dec	Alzheimers	\$ 180.00	501(c)(3)
30-Dec	American Cancer Society	\$ 300.00	501(c)(3)
30-Dec	American Heart Association	\$ 200.00	501(c)(3)
30-Dec	Brain Tumor Society	\$ 500.00	501(c)(3)
30-Dec	Project Homeless Connect	\$ 100.00	501(c)(3)
30-Dec	JDC (Agahozo Shalom Youth Village)	\$ 500.00	501(c)(3)
30-Dec	Breakthrough Collaborative	\$ 100.00	501(c)(3)
30-Dec	SF JCF	\$ 5,000.00	501(c)(3)

**TOTAL \$ 108,430.00**



**Merrill Lynch**

THE HORNTHAL FAMILY FOUNDATION

## **EMA Fiscal Statement**

### **REALIZED CAPITAL GAIN AND LOSS SUMMARY**

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
3,500.0000	ML&CO ARN XAU	10/30/07	01/16/09	21,689.92	35,000.00	(13,310.08) L]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,255.99	1,300.00	(44.01) S]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,257.99	1,299.99	(42.00) S]
300.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	3,773.97	3,900.00	(126.03) S]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,257.99	1,300.00	(42.01) S]
200.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	2,515.98	2,600.00	(84.02) S]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,257.99	1,300.00	(42.01) S]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,258.99	1,300.00	(41.02) S]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,258.99	1,300.00	(41.01) S]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,258.99	1,299.99	(41.00) S]
400.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	5,035.97	5,200.00	(164.03) S]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,259.99	1,300.00	(40.01) S]
200.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	2,521.98	2,600.00	(78.02) S]
100.0000	INSTITUFORM TECHNLGS CL A	02/10/09	02/24/09	1,260.99	1,300.01	(39.02) S]
678.0000	SPECTRA ENERGY CORP	02/10/09	02/24/09	8,698.69	9,729.30	(1,030.61) S]
322.0000	SPECTRA ENERGY CORP	02/10/09	02/24/09	4,134.45	4,620.70	(486.25) S]
300.0000	WHITING PETROLEUM CORP	01/29/09	02/24/09	6,349.28	8,700.00	(2,350.72) S]
1.0000	C&S SELECT UTILITY	01/22/08	03/26/09	25,000.00	25,000.00	0.00
1.0000	C&S SELECT UTILITY	03/25/09	03/26/09	25,000.00	25,000.00	0.00
3,500.0000	ML&CO STR ACC REDEMP CLD	08/27/08	03/17/09	37,590.00	35,000.00	2,590.00 S]
400.0000	ALEXANDRIA REAL EST EQTS	03/19/09	04/02/09	15,303.91	15,299.99	3.92 S]
100.0000	ALEXANDRIA REAL EST EQTS	03/19/09	04/02/09	3,826.97	3,825.00	1.97 S]
200.0000	ALEXANDRIA REAL EST EQTS	03/19/09	04/02/09	7,655.85	7,650.01	5.94 S]
1.500.0000	DUKE REALTY CORP NEW	04/16/09	04/16/09	13,139.66	11,475.00	1,664.86 S]
328.0000	DUKE REALTY CORP NEW	04/16/09	04/16/09	2,876.48	2,509.20	367.28 S]
2,250.0000	ML&CO ARN SPX	01/30/08	04/06/09	13,426.48	22,500.00	(9,073.52) L]
500.0000	VENTAS INC	04/07/09	04/16/09	13,724.64	11,949.99	1,774.65 S]
900.0000	VENTAS INC	04/07/09	04/16/09	24,713.36	21,510.00	3,203.36 S]
100.0000	VENTAS INC	04/07/09	04/16/09	2,746.92	2,390.01	356.91 S]
256.0000	ACADIA REALTY TRUST	04/14/09	04/28/09	3,481.51	3,059.19	422.32 S]
44.0000	ACADIA REALTY TRUST	04/14/09	04/28/09	598.38	525.81	72.57 S]
1,000.0000	BANK OF AMERICA CORP	05/19/09	05/20/09	11,779.69	9,999.99	1,779.70 S]
3,400.0000	CHIMERA INVESTMENT CORP	04/15/09	05/14/09	12,032.29	10,200.00	1,832.29 S]
100.0000	CHIMERA INVESTMENT CORP	04/15/09	05/14/09	354.39	300.00	54.39 S]
6,500.0000	CHIMERA INVESTMENT CORP	04/15/09	05/28/09	21,383.80	19,500.00	1,883.80 S]



# EMA Fiscal Statement

THE HORNTHAL FAMILY FOUNDATION

## REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
350,0000	CLIFFS NATURAL RESOURCES	05/13/09	05/20/09	8,688.77	7,350.00	1,328.77 S
5,000,0000	DHT MARITIME INC	03/27/09	05/04/09	21,794.43	21,750.00	44.43 S
1,500,0000	FORD MOTOR CO NEW	05/14/09	05/14/09	7,889.79	7,125.00	764.79 S
300,0000	LASALLE HOTEL PTY'S BN I	04/23/09	04/28/09	3,272.16	3,030.00	242.16 S
1,300,0000	MGM MIRAGE INC 1 CT COM	05/13/09	05/14/09	10,256.73	9,100.00	1,156.73 S
1,000,0000	MGM MIRAGE INC 1 CT COM	05/13/09	05/26/09	7,159.81	6,999.99	159.82 S
1,700,0000	MGM MIRAGE INC 1 CT COM	05/13/09	05/26/09	12,173.21	11,900.01	273.20 S
250,0000	PRINCIPAL FINANCIAL GRP	05/11/09	05/20/09	5,434.36	4,937.49	497.37 S
100,0000	PRINCIPAL FINANCIAL GRP	05/11/09	05/20/09	2,175.94	1,975.00	200.94 S
300,0000	PRINCIPAL FINANCIAL GRP	05/11/09	05/20/09	6,530.83	5,925.00	605.83 S
100,0000	STATE STREET CORP	05/18/09	05/26/09	4,338.88	3,900.00	438.88 S
50,0000	STATE STREET CORP	05/18/09	05/26/09	2,169.45	1,950.00	219.45 S
250,0000	VORNADO REALTY TRUST COM	04/22/09	04/28/09	11,627.83	10,750.00	877.83 S
600,0000	NAVIOS MARITIME PARTNERS	05/05/09	05/14/09	5,398.86	6,182.00	(792.14) S
400,0000	NAVIOS MARITIME PARTNERS	05/05/09	05/14/09	3,601.90	4,128.00	(526.10) S
2,000,0000	BRANDYWNE RLTY T SBI NEW	05/27/09	06/01/09	15,419.60	12,600.00	2,819.60 S
5,000,0000	ML MITTS'NKY'SV - 15130.50	12/01/05	06/05/09	50,000.00	57,259.00	7,259.00 S
1,200,0000	BROOKDALE SR LIVING INC	06/02/09	06/22/09	11,651.69	12,900.00	(1,248.31) S
300,0000	BROOKDALE SR LIVING INC	06/02/09	06/22/09	3,225.00	3,225.00	(311.33) S
1,0000	C&S SELECT UTILITY COR	01/22/08	03/26/09	25,000.00	25,000.00	0.00
1,0000	C&S SELECT UTILITY CXL	03/25/09	03/26/09	25,000.00	25,000.00	0.00
650,0000	CLIFFS NATURAL RESOURCES	05/13/09	06/01/09	19,080.78	13,650.00	5,440.78 S
100,0000	HIGHWOODS PTY'S INC	05/27/09	06/12/09	2,200.94	2,149.99	50.95 S
200,0000	HIGHWOODS PTY'S INC	05/27/09	06/12/09	4,401.90	4,300.01	101.89 S
100,0000	KILROY REALTY CORP	05/29/09	06/12/09	2,028.94	2,000.00	29.94 S
100,0000	KILROY REALTY CORP	05/29/09	06/12/09	2,030.48	2,000.00	30.46 S
100,0000	PRUDENTIAL FINANCIAL INC	06/02/09	06/12/09	3,791.00	3,900.00	(109.00) S
200,0000	PRUDENTIAL FINANCIAL INC	05/11/09	06/12/09	4,169.89	3,950.00	219.89 S
900,0000	PRUDENTIAL FINANCIAL INC	05/11/09	06/12/09	18,766.22	17,775.01	991.21 S
1,900,0000	STONE ENERGY CORP COM	06/10/09	06/22/09	12,311.68	15,200.00	(2,888.32) S
200,0000	SIMON PROPERTY GROUP DEL	05/07/09	06/01/09	11,175.71	10,000.00	1,175.71 S
1,000,0000	ASSURED GUARANTY LTD	06/18/09	07/22/09	13,943.23	11,000.00	2,943.23 S
452,0000	AMERIPRISE FINL INC	06/11/09	07/08/09	9,948.26	11,299.99	(1,351.73) S
300,0000	AMERIPRISE FINL INC	06/11/09	07/08/09	6,605.83	7,500.00	(894.17) S
748,0000	AMERIPRISE FINL INC	06/11/09	07/08/09	16,478.02	18,700.01	(2,221.99) S
3,0000	C&S SELECT UTILITY	01/22/08	07/22/09	75,000.00	75,000.01	(0.01) L
1,000,0000	BANK OF AMERICA CORP	05/19/09	07/16/09	12,880.96	10,000.00	2,880.96 S
400,0000	CAL DIVE INT'L INC DEL	06/04/09	07/08/09	2,959.32	3,400.00	(440.08) S



THE HORNTHAL FAMILY FOUNDATION  
FIN: 94-3300777

## EMI Fiscal Statement

### REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
1,400.0000	CAL DIVE INTL INC DEL	06/04/09	07/08/09	10,373.73	11,900.00	(1,526.27) ST
100.0000	CAL DIVE INTL INC DEL	06/04/09	07/08/09	741.23	850.00	(108.77) ST
100.0000	CAL DIVE INTL INC DEL	06/04/09	07/08/09	741.48	850.00	(108.52) ST
100.0000	ENERGIZER HLDS INC COM	05/14/09	07/16/09	27,474.74	24,500.00	2,974.74 ST
500.0000	FORD MOTOR CO NEW	05/12/09	07/22/09	6,079.84	4,750.00	1,329.84 ST
1,000.0000	IESI-BFC LTD SHS	06/04/09	07/22/09	6,186.64	4,989.99	1,196.65 ST
1,500.0000	JONES LANG LASALLE INC	06/10/09	07/08/09	20,675.23	24,500.00	(3,824.77) ST
700.0000	STEEL DYNAMICS INC COM	06/03/09	07/22/09	8,030.69	6,749.99	1,280.70 ST
500.0000	STATE STREET CORP	05/18/09	07/16/09	16,400.57	13,660.00	2,750.57 ST
350.0000	SIMON PROPERTY GROUP DEL	06/25/09	07/08/09	47.01	52.88	(5.87) ST
1,0000	VULCAN MATERIALS CO	06/11/09	07/08/09	8,347.79	8,199.98	147.80 ST
200.0000	VULCAN MATERIALS CO	06/11/09	07/08/09	16,898.33	16,400.01	286.32 ST
900.0000	ASSURED GUARANTY LTD	06/18/09	08/10/09	9,290.60	9,900.00	5,390.60 ST
100.0000	ASSURED GUARANTY LTD	06/18/09	08/10/09	1,899.10	1,100.00	589.10 ST
1,000.0000	BANK OF AMERICA CORP	05/19/09	08/04/09	15,180.10	10,000.01	5,180.09 ST
1,800.0000	DEAN FOODS CO NEW	05/05/09	08/04/09	17,037.08	14,600.00	2,437.08 ST
1,600.0000	DISCOVER FINL SVCS	07/07/09	08/10/09	19,650.52	14,800.00	4,850.52 ST
2,200.0000	EMPRESAS ICA SA DE CV	07/10/09	08/17/09	1,485.96	1,180.00	305.96 ST
500.0000	EMPRESAS ICA SA DE CV	07/10/09	08/17/09	3,719.90	2,949.99	769.91 ST
2,500.0000	FORD MOTOR CO NEW	05/12/09	08/04/09	20,649.71	11,875.00	8,774.71 ST
1,0000	GREEN MOUNTN COFFEE ROS	08/06/09	08/17/09	5,859.85	6,724.99	(885.14) ST
100.0000	GREEN MOUNTN COFFEE ROS	08/08/09	08/17/09	5,859.85	6,725.00	(865.15) ST
100.0000	GREEN MOUNTN COFFEE ROS	08/06/09	08/17/09	5,859.85	6,725.01	(865.16) ST
200.0000	GENESEE & WYOM CL A	06/16/09	08/04/09	5,418.86	4,900.00	518.86 ST
100.0000	GENESEE & WYOM CL A	06/16/09	08/04/09	2,711.93	2,450.00	261.93 ST
500.0000	LINCOLN NTL CORP IND NPV	06/16/09	08/04/09	10,969.96	7,499.99	3,469.97 ST
300.0000	OSHKOSH CORPORATION	08/06/09	08/17/09	7,440.65	7,499.99	(59.34) ST
350.0000	PETROHAWK ENERGY CORP	08/05/09	08/17/09	7,409.31	8,001.00	(581.69) ST
100.0000	RANDGOLD RESOURCES ADR	07/30/09	08/10/09	5,757.86	5,950.00	(192.14) ST
600.0000	RUBY TUESDAY INC PV\$0.01	07/22/09	08/10/09	4,355.89	4,050.00	305.89 ST
100.0000	RUBY TUESDAY INC PV\$0.01	07/22/09	08/10/09	726.98	674.98	51.99 ST
1,300.0000	RUBY TUESDAY INC PV\$0.01	07/22/09	08/10/09	9,463.76	8,775.01	688.75 ST
100.0000	SIGNATURE BANK	06/02/09	08/17/09	2,841.43	2,600.00	241.43 ST
50.0000	SIGNATURE BANK	06/02/09	08/17/09	1,420.71	1,300.00	120.71 ST
100.0000	SIGNATURE BANK	06/02/09	08/17/09	2,843.43	2,539.99	243.44 ST
100.0000	SIGNATURE BANK	06/02/09	08/17/09	2,843.43	2,600.00	243.43 ST
50.0000	SIGNATURE BANK	06/02/09	08/17/09	1,422.71	1,300.00	122.71 ST



**Merrill Lynch**

THE HORNTHAL FAMILY FOUNDATION

## EMA Fiscal Statement

### REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
100.0000	SIGNATURE BANK	06/02/09	08/17/09	2,847.43	2,600.00	247.43
100.0000	SIGNATURE BANK	06/02/09	08/17/09	2,847.43	2,600.01	247.42
200.0000	STEEL DYNAMICS INC COM	06/03/09	08/17/09	3,120.92	2,700.00	420.92
300.0000	STEEL DYNAMICS INC COM	06/03/09	08/17/09	4,681.41	4,050.00	631.41
500.0000	STEEL DYNAMICS INC COM	06/03/09	08/17/09	7,802.35	6,750.01	1,052.34
200.0000	TEEKAY OFFSHORE PARTNERS	07/30/08	08/17/09	2,863.99	(361.06)	(361.06)
1,800.0000	ASSURED GUARANTY LTD	06/18/08	09/08/09	32,057.16	19,800.00	12,257.16
200.0000	ASSURED GUARANTY LTD	06/18/09	09/08/09	3,573.91	2,200.00	1,373.91
1,000.0000	AMERICAN WTR WKS CO INC	06/04/09	09/12/09	19,469.49	17,250.00	2,219.49
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	876.98	625.00	251.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	876.98	625.00	251.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	876.98	624.99	251.99
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
500.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	4,389.88	3,125.00	1,264.88
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
400.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	3,511.91	2,500.00	1,011.91
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
400.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	3,511.91	2,500.00	1,011.91
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	BROADPOINT GLEACHER SEC'S	07/28/09	09/12/09	877.98	625.00	252.98
100.0000	CHIMERA INVESTMENT CORP	05/27/08	08/13/09	37,988.02	32,200.00	5,789.02
400.0000	EMPRESAS ICA SA DE CV	07/10/09	09/12/09	3,703.90	2,360.00	1,343.90
1,400.0000	EMPRESAS ICA SA DE CV	07/10/09	09/12/09	12,968.42	8,260.01	4,708.41
500.0000	GOVT PFTYS INCOME TR	06/02/09	09/10/09	10,774.72	10,000.00	774.72
350.0000	HCP INC	08/05/09	09/10/09	9,201.28	8,662.50	538.76
150.0000	HCP INC	08/05/09	09/12/09	4,338.54	3,712.49	624.05
500.0000	HCP INC	08/05/09	09/12/09	14,455.63	12,375.01	2,080.62
1,000.0000	IESI-BFC LTD SHS	06/04/09	09/08/09	12,969.68	10,000.01	2,969.65
600.0000	LINCOLN NTL CORP IND NPV	06/16/09	09/08/09	14,303.63	9,000.00	5,303.63
400.0000	LINCOLN NTL CORP IND NPV	08/16/09	09/08/09	9,539.75	6,000.01	3,539.74
100.0000	OSHKOSH CORPORATION	08/08/09	09/08/09	3,176.92	2,500.00	676.92
100.0000	OSHKOSH CORPORATION	08/06/09	09/08/09	3,175.82	2,500.00	675.92
400.0000	OSHKOSH CORPORATION	08/06/09	09/21/09	12,032.40	10,000.01	2,032.39



**Merrill Lynch**

THE HORNTHAL FAMILY FOUNDATION

## **Fiscal Statement**



### **REALIZED CAPITAL GAIN AND LOSS SUMMARY**

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
300.0000	RANDGOLD RESOURCES ADR	07/30/08	09/08/09	21,290.45	17,850.00	3,440.45 ST
100.0000	SENECA FOODS CRP NEW CLA	07/15/09	09/21/09	2,762.93	2,200.00	562.93 ST
280.0000	SENECA FOODS CRP NEW CLA	07/15/09	09/21/09	7,736.20	6,159.89	1,576.21 ST
20.0000	SENECA FOODS CRP NEW CLA	07/15/09	09/21/09	552.90	440.01	112.89 ST
350.0000	TRW AUTOMOTIVE HLDGS CRP	08/11/09	09/08/09	5,949.84	6,125.00	(175.16) ST
650.0000	TRW AUTOMOTIVE HLDGS CRP	08/11/09	09/24/09	10,713.48	11,375.00	(661.52) ST
4,000.0000	U-STORE-IT TR	08/13/09	09/23/09	25,199.34	21,000.00	4,199.34 ST
400.0000	TEEKAY OFFSHORE PARTNERS	07/30/08	09/24/09	6,436.35	5,728.01	708.34 ST
1,220.0000	B & G FOODS INC NEW	09/14/08	10/16/09	9,588.95	9,760.00	(171.05) ST
580.0000	B & G FOODS INC NEW	09/14/08	10/16/09	4,640.00	(80.80) ST	(80.80) ST
500.0000	COLONIAL PPTYS T SBI ALA	09/30/09	10/22/09	5,420.36	4,750.00	670.36 ST
2,600.0000	CEMEX SAB DE CV SPND ADR	09/22/09	10/27/09	29,745.05	32,500.00	(2,754.95) ST
600.0000	CATHAY GENERAL BANCORP	10/13/09	10/27/09	5,598.76	5,550.00	48.76 ST
600.0000	CAL DIVE INTL INC DEL	09/17/09	10/27/09	5,844.93	5,989.99	(155.06) ST
800.0000	COUSINS PROPS INC	09/15/09	10/05/09	6,496.39	5,800.00	696.39 ST
1,700.0000	COUSINS PROPS INC	09/15/09	10/16/09	13,261.19	12,325.00	936.19 ST
100.0000	APOLLO INVESTMENT CORP	08/12/09	10/05/09	925.98	874.99	50.99 ST
200.0000	APOLLO INVESTMENT CORP	08/12/09	10/05/09	1,851.95	1,750.00	101.95 ST
100.0000	APOLLO INVESTMENT CORP	08/12/09	10/05/09	925.98	875.00	50.98 ST
350.0000	APOLLO INVESTMENT CORP	08/12/09	10/05/09	3,240.96	3,062.50	178.46 ST
1,500.0000	APOLLO INVESTMENT CORP	08/12/09	10/18/09	14,415.23	13,125.01	1,290.22 ST
200.0000	GAYLORD ENTMT CO NEW COM	09/24/09	10/05/09	3,579.91	4,359.99	(780.08) ST
700.0000	GAYLORD ENTMT CO NEW COM	09/24/09	10/05/09	12,543.68	15,260.01	(2,716.33) ST
350.0000	GENWORTH FINL INC COM	09/15/09	10/05/09	4,046.43	4,112.50	(66.07) ST
650.0000	GENWORTH FINL INC COM	09/15/09	10/16/09	7,280.72	7,637.50	(356.78) ST
300.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/05/09	1,831.95	1,724.99	206.96 ST
700.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/05/09	4,507.88	4,025.00	482.88 ST
200.0000	GREAT LAKES DREDGE DOCK	03/13/09	10/05/09	1,29.97	1,150.00	141.97 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
100.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	72.98 ST
200.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	647.98	575.00	145.97 ST



**Merrill Lynch**

THE HORNTHAL FAMILY FOUNDATION

## EMA Fiscal Statement

### REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
1,700.0000	GREAT LAKES DREDGE DOCK	08/13/09	10/22/09	11,015.88	9,775.01	1,240.87 S
600.0000	HERCULES OFFSHORE INC	09/24/09	10/16/09	2,999.38	3,000.00	(0.62) S
2,200.0000	MUELLER WTR PRODS INC CO	09/17/09	10/27/09	11,242.59	10,450.00	792.59 S
ML&CO BEAR SPX ARN	08/27/08	10/30/09	41,650.00	35,000.00	6,650.00 L	
3,500.0000	OPENTABLE INC	09/22/09	10/27/09	2,599.93	2,799.89	(200.06) S
100.0000	OPENTABLE INC	09/22/09	10/27/09	2,600.93	2,800.00	(199.07) S
100.0000	PS BUSINESS PARKS INC	08/11/09	10/16/09	4,887.04	4,650.00	237.04 S
100.0000	PETRO-HAWK ENERGY CORP	08/05/09	10/27/09	16,744.68	14,859.00	1,885.68 S
650.0000	TANGER FACTORY OUTLET CEN	08/11/09	10/05/09	3,550.00	3,550.00	0.00 S
100.0000				3,644.21	94.21 S	

675.0000	ARTIO GLOBAL INVS INC	09/23/09	10/29/09	15,860.07	17,550.00	(1,689.93) S
50.0000	AGA MED HLDGS INC	10/20/09	11/16/09	607.98	724.99	(117.01) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,215.97	1,450.00	(234.03) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,215.97	1,450.00	(234.03) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,217.97	1,450.00	(232.03) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,217.97	1,450.00	(232.03) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,217.97	1,450.00	(232.03) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,217.97	1,450.00	(232.03) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,217.97	1,450.00	(232.03) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,243.94	2,900.00	(464.06) S
200.0000	AGA MED HLDGS INC	10/20/09	11/16/09	1,217.97	1,450.00	(232.03) S
100.0000	AGA MED HLDGS INC	10/20/09	11/16/09	2,435.94	2,900.01	(464.07) S
200.0000	AGA MED HLDGS INC	08/13/09	11/16/09	17,407.55	16,362.50	1,045.05 S
850.0000	AMERICAN WTR WKS CO INC	08/13/09	11/16/09	4,098.07	3,850.00	248.07 S
200.0000	AMERICAN WTR WKS CO INC	08/13/09	11/16/09	4,098.89	3,850.00	246.89 S
200.0000	AMERICAN WTR WKS CO INC	10/07/09	11/05/09	12,381.08	13,403.30	(1,022.22) S
1,000.0000	BANCO SANTANDER BRZL SA	10/13/09	11/05/09	783.98	924.99	(141.01) S
100.0000	CATHAY GENERAL BANCORP	10/13/09	11/05/09	10,191.87	12,025.01	(1,833.14) S
1,300.0000	CATHAY GENERAL BANCORP	10/13/09	11/05/09	10,057.78	12,000.01	(1,942.23) S
1,200.0000	CAL DIVE INTL INC DEL	09/17/09	10/28/09	23,979.37	20,000.00	3,979.37 S
500.0000	EMERGENCY MEDICAL SVS-A	08/06/09	10/28/09	7,592.65	8,625.00	(1,032.35) S
1,500.0000	MARSHALL AND ILLSLEY CORP	10/21/09	11/05/09	9,179.76	10,000.00	(820.24) S
500.0000	PENNYMAC MTG INV TR	07/29/09	11/05/09	7,343.81	6,000.00	(656.19) S
400.0000	PENNYMAC MTG INV TR	07/29/09	11/05/09	3,873.91	3,999.99	(326.08) S
200.0000	PENNYMAC MTG INV TR	07/29/09	11/05/09	3,683.91	4,000.00	(316.09) S
200.0000	PENNYMAC MTG INV TR	07/29/09	11/05/09	1,842.95	2,000.00	(157.05) S
100.0000	PENNYMAC MTG INV TR	07/29/09	11/05/09			



THE HORNTHAL FAMILY FOUNDATION

## EIA Fiscal Statement

### REALIZED CAPITAL GAIN AND LOSS SUMMARY

Quantity	Security Description	Date of Acquisition	Date of Liquidation	Sale Price	Cost Basis	Gain or (Loss)
100.0000	PENNYMAC MTG INV TR	07/28/09	11/05/09	1,843.95	2,000.01	(158.06) ST
400.0000	SUNSTONE HOTEL INVS INC	10/16/09	11/20/09	2,972.24	92.24 ST	2,880.00
400.0000	STARWOOD PPTY TR INC	08/11/09	11/16/09	8,035.79	35.78 ST	8,000.00
600.0000	STARWOOD PPTY TR INC	08/11/09	11/16/09	12,059.68	59.68 ST	12,000.00
900.0000	STARWOOD PPTY TR INC	08/11/09	11/16/09	18,089.54	89.54 ST	18,000.00
100.0000	STARWOOD PPTY TR INC	08/11/09	11/16/09	2,007.99	2,000.00	7.99 ST
300.0000	STIFEL FINANCIAL CORP	09/09/09	10/29/09	15,889.93	(910.07) ST	16,800.00
25.0000	VERISK ANALYTICS INC	10/08/09	10/28/09	688.98	138.98 ST	550.00
41.0000	VERISK ANALYTICS INC	10/08/09	10/28/09	1,130.34	228.34 ST	902.00
159.0000	VERISK ANALYTICS INC	10/08/09	10/28/09	4,383.52	885.52 ST	3,498.00
100.0000	VERISK ANALYTICS INC	10/08/09	10/28/09	2,756.93	556.93 ST	2,200.00
300.0000	VERISK ANALYTICS INC	10/08/09	10/28/09	8,270.78	1,670.78 ST	6,600.00
100.0000	VERISK ANALYTICS INC	10/08/09	10/28/09	2,756.93	556.93 ST	2,200.00
100.0000	VERISK ANALYTICS INC	10/08/09	10/28/09	2,757.93	557.93 ST	2,200.00
900.0000	AMEREN CORP	09/09/09	12/08/09	24,173.83	22,725.00	1,448.83 ST
300.0000	ARCHIPELAGO LEARNING INC	11/19/09	12/08/09	4,994.87	4,950.00	44.87 ST
100.0000	ARCHIPELAGO LEARNING INC	11/19/09	12/08/09	1,664.96	14.97 ST	1,649.99
100.0000	ARCHIPELAGO LEARNING INC	11/19/09	12/08/09	1,665.96	15.86 ST	1,650.00
100.0000	ARCHIPELAGO LEARNING INC	11/19/09	12/08/09	1,666.96	16.95 ST	1,650.01
2,500.0000	BAC ARN GOLDSLOT	01/29/09	12/03/09	35,704.08	25,000.00	10,704.08 ST
100.0000	CREXUS INV CORP	09/16/09	12/18/09	1,432.96	(67.04) ST	1,500.00
1,200.0000	CREXUS INV CORP	09/16/09	12/18/09	17,219.56	(78.44) ST	18,000.00
125.0000	CREXUS INV CORP	09/16/09	12/18/09	1,784.95	(80.05) ST	1,875.00
175.0000	CREXUS INV CORP	09/16/09	12/18/09	2,512.94	(112.06) ST	2,625.00
400.0000	CREXUS INV CORP	09/16/09	12/18/09	5,751.85	(248.15) ST	6,000.00
200.0000	COLONY FINANCIAL INC	09/23/09	12/18/09	4,121.89	342.22 ST	3,999.99
300.0000	COLONY FINANCIAL INC	09/23/09	12/18/09	6,185.84	127.89 ST	6,000.00
200.0000	COLONY FINANCIAL INC	09/23/09	12/18/09	4,127.89	283.88 ST	4,000.00
600.0000	COLONY FINANCIAL INC	09/23/09	12/18/09	12,395.68	395.68 ST	12,000.00
500.0000	COLONY FINANCIAL INC	09/23/09	12/18/09	10,342.23	10,000.01	121.90 ST
500.0000	EURAND N V	10/22/09	12/01/09	5,979.85	5,625.00	342.22 ST
49.0000	EURAND N V	10/22/09	12/01/09	586.02	551.24	34.78 ST
400.0000	EURAND N V	10/22/09	12/01/09	4,783.88	4,500.00	283.88 ST
100.0000	EURAND N V	10/22/09	12/01/09	1,195.97	1,125.00	70.97 ST
351.0000	EURAND N V	10/22/09	12/01/09	4,197.85	3,948.75	249.10 ST
200.0000	EURAND N V	10/22/09	12/01/09	2,389.94	2,250.01	139.93 ST
200.0000	HEALTH CARE REIT INC COM	09/01/09	12/01/09	8,933.87	8,080.00	853.87 ST
400.0000	SENIOR HSG PPTYS TRSBI	09/10/09	12/03/09	7,776.00	783.78 ST	7,082.00
600.0000	SENIOR HSG PPTYS TRSBI	09/10/09	12/03/09	12,840.21	11,664.00	1,176.21 ST
200.0000	TENNECO INC DEL	11/18/09	12/01/09	2,961.92	3,300.00	(338.08) ST



## **Merrill Lynch**

THE HORNTHAL FAMILY FOUNDATION

## Fiscal Statement

## REALIZED CAPITAL GAIN AND LOSS SUMMARY

**HORNTHAL FAMILY FOUNDATION  
EIN. 94-3300777**

**STATEMENT D-1**

FORM 990-PF	DIVIDENDS AND INTEREST FROM SECURITIES		STATEMENT	1
SOURCE	GROSS AMOUNT		COLUMN (A) AMOUNT	
K-1 FLOW-THRU: ENCORE ENERGY PARTNERS	1.	0.		1.
K-1 FLOW-THRU: ENTERPRISE PRODUCTS PARTNERS	2.	0.		2.
K-1 FLOW-THRU: K-SEA TRANSPORTATION PARTNERS	2.	0.		2.
K-1 FLOW-THRU: KINDER MORGAN ENERGY PARTNERS	28.	0.		28.
K-1 FLOW-THRU: ONEOK PARTNERS	14.	0.		14.
K-1 FLOW-THRU: PLAINS ALL AMERICAN PIPELINE	1.	0.		1.
K-1 FLOW-THRU: SUBURBAN PROPANE PARTNERS	2.	0.		2.
MERRILL LYNCH 270-04A28	20,967.	0.	20,967.	
MERRILL LYNCH 270-04A75	543.	0.	543.	
<b>TOTAL TO FM 990-PF, PART I, LN 4</b>	<b>21,560.</b>	<b>0.</b>	<b>21,560.</b>	

FORM 990-PF	OTHER INCOME	STATEMENT	2
DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
K-1: ENTERPRISE PRODUCTS PARTNERS (ORDINARY BUSINESS LOSS)	-476.	-476.	
K-1: ENCORE ENERGY PARTNERS (ORDINARY BUSINESS INCOME)	299.	299.	
K-1: PLAINS ALL AMERICAN PIPELINE (ORDINARY BUSINESS INCOME)	29.	29.	
K-1: SUBURBAN PROPANE PARTNERS (ORDINARY BUSINESS LOSS)	-192.	-192.	
K-1: TC PIPELINES (ORDINARY BUSINESS LOSS)	-209.	-209.	
K-1: ONEOK PARTNERS (ORDINARY BUSINESS LOSS)	-570.	-570.	
K-1: PIONEER SOUTHWEST ENERGY PARTNERS (ORDINARY BUSINESS INCOME)	47.	47.	
K-1: K-SEA TRANSPORTATION PARTNERS (ORDINARY BUSINESS LOSS)	-368.	-368.	
K-1: KINDER MORGAN ENERGY PARTNERS (ORDINARY BUSINESS LOSS)	-1,337.	-1,337.	
K-1: ENCORE ENERGY PARTNERS (ROYALTY INCOME)	31.	31.	

## HORNTHAL FAMILY FOUNDATION

94-3300777

K-1: K-SEA TRANSPORTATION PARTNERS  
(OTHER INCOME)

12. 12.

TOTAL TO FORM 990-PF, PART I, LINE 11

-2,734. -2,734.

## FORM 990-PF

## ACCOUNTING FEES

STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	9,000.	0.		4,700.
TO FORM 990-PF, PG 1, LN 16B	9,000.	0.		4,700.

## FORM 990-PF

## TAXES

STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAX WITHHELD (ML 270-04A75)	50.	50.		0.
K-1: K-SEA TRANSPORTATION PARTNERS (FOREIGN TAX WITHHELD)	2.	2.		0.
TO FORM 990-PF, PG 1, LN 18	52.	52.		0.

## FORM 990-PF

## OTHER EXPENSES

STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
BANK FEE	300.	300.		0.
FILING FEE - FRANCHISE TAX BOARD	10.	0.		0.
REGISTRY OF CHARITABLE FEE	25.	0.		0.
K-1: ENCORE ENERGY PARTNERS (SECTION 59(E)(2) EXPENDITURES)	46.	0.		0.
K-1: PIONEER SOUTHWEST ENERGY PARTNERS (SECTION 59(E)(2) EXPENDITURES)	28.	0.		0.

K-1: KINDER MORGAN ENERGY PARTNERS (SECTION 59(E)(2) EXPENDITURES)	31.	0.	0.
K-1: SUBURBAN PROPANE PARTNERS (NONDEDUCTIBLE EXPENSES)	1.	0.	0.
K-1: ONEOK PARTNERS (NONDEDUCTIBLE EXPENSES)	1.	0.	0.
K-1: K-SEA TRANSPORTATION PARTNERS (NONDEDUCTIBLE EXPENSES)	3.	0.	0.
K-1: KINDER MORGAN ENERGY PARTNERS (NONDEDUCTIBLE EXPENSES)	2.	0.	0.
TO FORM 990-PF, PG 1, LN 23	<u>447.</u>	<u>300.</u>	<u>0.</u>

FORM 990-PF	CORPORATE STOCK	STATEMENT	6
DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE	
MERRILL LYNCH 270-04A75	351,362.	300,729.	
MERRILL LYNCH 270-04A28	999,168.	998,302.	
TOTAL TO FORM 990-PF, PART II, LINE 10B	<u>1,350,530.</u>	<u>1,299,031.</u>	

FORM 990-PF	OTHER LIABILITIES	STATEMENT	7
DESCRIPTION	BOY AMOUNT	EOY AMOUNT	
OTHER CURRENT LIABILITIES - UNCLEARED CHECKS	37,541.	36,875.	
TOTAL TO FORM 990-PF, PART II, LINE 22	<u>37,541.</u>	<u>36,875.</u>	

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

► File a separate application for each return.

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

►

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

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

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

►

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

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

Type or print	Name of Exempt Organization	Employer identification number
	HORNTHAL FAMILY FOUNDATION	94-3300777
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. 2234 BEACH STREET	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. SAN FRANCISCO, CA 94123	

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 |

JAMES J. HORNTHAL

- The books are in the care of ► 2234 BEACH STREET - SAN FRANCISCO, CA 94123

Telephone No. ► 415-563-6336 FAX No. ►

- If the organization does not have an office or place of business in the United States, check this box
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) \_\_\_\_\_. If this is for the whole group, check this box ►  . If it is for part of the group, check this box ►  and attach a list with the names and EINs of all members the extension will cover.

- 1 I request an automatic 3-month (6-months for a corporation required to file Form 990-T) extension of time until AUGUST 15, 2010, to file the exempt organization return for the organization named above. The extension

is for the organization's return for:

►  calendar year 2009 or

►  tax year beginning \_\_\_\_\_, and ending \_\_\_\_\_.

- 2 If this tax year is for less than 12 months, check reason:  Initial return  Final return  Change in accounting period

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	3a	\$ 2,075.
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	\$ 2,075.
c Balance Due. Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c	\$ 0.

**Caution.** If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

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

Form 8868 (Rev. 4-2009)

HOR069.SF001  
J. GRAHAM  
OGDEN, UT

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

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

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

**Part II Additional (Not Automatic) 3-Month Extension of Time.** Only file the original (no copies needed).

Type or print	Name of Exempt Organization <b>HORNTHAL FAMILY FOUNDATION</b>	Employer identification number <b>94-3300777</b>
File by the extended due date for filing the return. See Instructions.	Number, street, and room or suite no. If a P.O. box, see instructions. <b>2234 BEACH STREET</b>	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. <b>SAN FRANCISCO, CA 94123</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-EZ            | <input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust) | <input type="checkbox"/> Form 1041-A | <input type="checkbox"/> Form 5227 | <input type="checkbox"/> Form 8870 |
| <input type="checkbox"/> Form 990-BL | <input checked="" type="checkbox"/> Form 990-PF | <input type="checkbox"/> Form 990-T (trust other than above)      | <input type="checkbox"/> Form 4720   | <input type="checkbox"/> Form 6069 |                                    |

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

**JAMES J. HORNTHAL**

- The books are in the care of ► **2234 BEACH STREET – SAN FRANCISCO, CA 94123**

Telephone No. ► **415-563-6336** 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 is for.

4 I request an additional 3-month extension of time until **NOVEMBER 15, 2010**.

5 For calendar year **2009**, or other tax year beginning  and ending .

6 If this tax year is for less than 12 months, check reason:  Initial return  Final return  Change in accounting period

7 State in detail why you need the extension

**TAXPAYER REQUIRES ADDITIONAL TIME TO GATHER THE INFORMATION NECESSARY  
TO PREPARE A COMPLETE AND ACCURATE TAX RETURN.**

8a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	8a	\$ <b>2,075.</b>
b	If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	\$ <b>2,075.</b>
c	Balance Due. Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See Instructions.	8c	\$ <b>0.</b>

**Signature and Verification**

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form.

Signature ► 

Title ► **PRESIDENT CPA**

Date ► **8/15/2010**

Form 8868 (Rev. 4-2009)