EXTENSION GRANTED TO 11/15/10

Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

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

OMB No 1545-0052

2009

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

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

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

Name of foundation
HITZ FOUNDATION
C/O FRANK, RIMERMAN + CO LLP

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
1801 PAGE MILL ROAD

City or town, state, and ZIP code
PALO ALTO, CA 94304

A Employer identification number
94-3379521

B Telephone number
(650)845-8100

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

H Check type of organization: [X] Section 501(c)(3) exempt private foundation
[ ] Section 4947(a)(1) nonexempt charitable trust [ ] Other taxable private foundation

I Fair market value of all assets at end of year *(from Part II, col. (c), line 16)* ▶$ 20,344,931.

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

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

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc , received	1,068,250.		N/A	
	2 Check ▶ [ ] if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	16,759.	16,654.		STATEMENT 2
	4 Dividends and interest from securities	574,931.	574,931.		STATEMENT 3
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	19,382.			STATEMENT 1
	b Gross sales price for all assets on line 6a 6,114,299.				
	7 Capital gain net income (from Part IV, line 2)		1,087,136.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss)				
	11 Other income	-8,870.	-8,870.		STATEMENT 4
	12 **Total.** Add lines 1 through 11	1,670,452.	1,669,851.		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees STMT 5	25,000.	18,750.		6,250.
	c Other professional fees STMT 6	50,000.	50,000.		0.
	17 Interest	2,724.	2,724.		0.
	18 Taxes STMT 7	14,917.	4,907.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses STMT 8	105,510.	104,353.		683.
	24 **Total operating and administrative expenses.** Add lines 13 through 23	198,151.	180,734.		6,933.
	25 Contributions, gifts, grants paid	1,411,000.			1,411,000.
	26 **Total expenses and disbursements.** Add lines 24 and 25	1,609,151.	180,734.		1,417,933.
	27 Subtract line 26 from line 12:				
	a Excess of revenue over expenses and disbursements	61,301.			
	b **Net investment income** (if negative, enter -0-)		1,489,117.		
	c **Adjusted net income** (if negative, enter -0-)			N/A	

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02-02-10 LHA **For Privacy Act and Paperwork Reduction Act Notice, see the instructions.** Form **990-PF** (2009)

08561110 756877 44680-T11 2009.04020 HITZ FOUNDATION C/O FRANK, 44680-T1

Part II Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments	1,189,775.	394,053.	394,053.
	3 Accounts receivable ▶			
	Less allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U S and state government obligations			
	b Investments - corporate stock			
	c Investments - corporate bonds			
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other STMT 9	20,212,830.	20,879,853.	19,950,878.
	14 Land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 **Total assets** (to be completed by all filers)	21,402,605.	21,273,906.	20,344,931.
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶ PAYABLE TO OFFICER)	220,000.	30,000.	
	23 **Total liabilities** (add lines 17 through 22)	220,000.	30,000.	
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.**			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ [X] and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	1,956,357.	1,956,357.	
	28 Paid-in or capital surplus, or land, bldg , and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	19,226,248.	19,287,549.	
	30 **Total net assets or fund balances**	21,182,605.	21,243,906.	
	31 **Total liabilities and net assets/fund balances**	21,402,605.	21,273,906.	

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	21,182,605.
2	Enter amount from Part I, line 27a	2	61,301.
3	Other increases not included in line 2 (itemize) ▶	3	0.
4	Add lines 1, 2, and 3	4	21,243,906.
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	21,243,906.

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	6,114,299.		5,027,163.	1,087,136.

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

	(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
a				
b				
c				
d				
e				1,087,136.

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	1,087,136.
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	1,328,244.	20,945,261.	.063415
2007	1,270,827.	20,915,536.	.060760
2006	1,021,482.	15,743,001.	.064885
2005	565,625.	10,905,941.	.051864
2004	520,368.	8,812,301.	.059050

2	Total of line 1, column (d)	2	.299974
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	.059995
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	17,918,166.
5	Multiply line 4 by line 3	5	1,075,000.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	14,891.
7	Add lines 5 and 6	7	1,089,891.
8	Enter qualifying distributions from Part XII, line 4	8	1,417,933.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see instructions)

1a Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1 Date of ruling or determination letter ______ (attach copy of letter if necessary-see instructions) b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ [X] and enter 1% of Part I, line 27b c All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)			1	14,891.
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	14,891.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)			4	0.
5 **Tax based on investment income.** Subtract line 4 from line 3 If zero or less, enter -0-			5	14,891.
6 Credits/Payments				
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	21,449.		
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	21,449.
8 Enter any **penalty** for underpayment of estimated tax Check here [X] 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	6,558.
11 Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶	6,558.	Refunded ▶	11	0.

Part VII-A Statements Regarding Activities

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

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

			Yes	No
11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	X	

Website address ▶ N/A

14 The books are in care of ▶ FRANK, RIMERMAN + CO. LLP Telephone no ▶ (650) 845-8100
Located at ▶ 1801 PAGE MILL ROAD, PALO ALTO, CA ZIP+4 ▶ 94304

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

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

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

			Yes	No
1a	During the year did the foundation (either directly or indirectly)			
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? ☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☐ Yes ☒ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? ☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days) ☐ Yes ☒ No			
b	If any answer is "Yes" to 1a(1)-(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53 4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? N/A	1b		
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐			
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?	1c		X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))			
a	At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? ☐ Yes ☒ No			
	If "Yes," list the years ▶ ______, ______, ______, ______			
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement - see instructions) N/A	2b		
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ▶ ______, ______, ______, ______			
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? ☐ Yes ☒ No			
b	If "Yes," did it have excess business holdings in 2009 as a result of **(1)** any purchase by the foundation or disqualified persons after May 26, 1969, **(2)** the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or **(3)** the lapse of the 10-, 15-, or 20-year first phase holding period? *(Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)* N/A	3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?	4b		X

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

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

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

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

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

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

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

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see instructions)? N/A | 5b |

Organizations relying on a current notice regarding disaster assistance check here ▶ ☐

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? N/A ☐ Yes ☐ No

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

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

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? | 6b | | X

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

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? ☐ Yes ☒ No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? N/A | 7b |

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
DAVID HITZ FRANK, RIMERMAN + CO 1801 PAGE MILL R PALO ALTO, CA 94304	PRESIDENT / CEO 2.00	0.	0.	0.
KEVIN MCAULIFFE FRANK, RIMERMAN + CO 1801 PAGE MILL R PALO ALTO, CA 94304	SECRETARY 0.25	0.	0.	0.
YEN HITZ FRANK, RIMERMAN + CO 1801 PAGE MILL R PALO ALTO, CA 94304	TREASURER 0.25	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 N/A	
2	
All other program-related investments See instructions 3	
Total. Add lines 1 through 3 ▶	0.

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes			
a	Average monthly fair market value of securities		1a	17,351,362.
b	Average of monthly cash balances		1b	839,669.
c	Fair market value of all other assets		1c	
d	**Total** (add lines 1a, b, and c)		1d	18,191,031.
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	18,191,031.
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see instructions)		4	272,865.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4		5	17,918,166.
6	**Minimum investment return.** Enter 5% of line 5		6	895,908.

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	895,908.
2a	Tax on investment income for 2009 from Part VI, line 5	2a 14,891.		
b	Income tax for 2009 (This does not include the tax from Part VI)	2b		
c	Add lines 2a and 2b		2c	14,891.
3	Distributable amount before adjustments Subtract line 2c from line 1		3	881,017.
4	Recoveries of amounts treated as qualifying distributions		4	0.
5	Add lines 3 and 4		5	881,017.
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	881,017.

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	1,417,933.
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	1,417,933.
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	14,891.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	1,403,042.

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				881,017.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years ______ , ______ , ______		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004 157,397.				
b From 2005 113,634.				
c From 2006 345,244.				
d From 2007 310,962.				
e From 2008 312,459.				
f Total of lines 3a through e	1,239,696.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 1,417,933.				
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				881,017.
e Remaining amount distributed out of corpus	536,916.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 **Enter the net total of each column as indicated below:**				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	1,776,612.			
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	157,397.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	1,619,215.			
10 Analysis of line 9				
a Excess from 2005 113,634.				
b Excess from 2006 345,244.				
c Excess from 2007 310,962.				
d Excess from 2008 312,459.				
e Excess from 2009 536,916.				

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

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

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

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

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

1 **Information Regarding Foundation Managers:**

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

DAVID HITZ

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 ▶ [X] 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:

N/A

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

N/A

c Any submission deadlines.

N/A

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

N/A

Part XV Supplementary Information (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a Paid during the year				
SEE STATEMENT 10				
Total			▶ 3a	1411000.
b Approved for future payment				
NONE				
Total			▶ 3b	0.

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

Enter gross amounts unless otherwise indicated.	Unrelated business income (a) Business code	Unrelated business income (b) Amount	Excluded by section 512, 513, or 514 (c) Exclusion code	Excluded by section 512, 513, or 514 (d) Amount	(e) Related or exempt function income
1 Program service revenue					
a					
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			14	16,759.	
4 Dividends and interest from securities			14	574,931.	
5 Net rental income or (loss) from real estate					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income			14	-8,870.	
8 Gain or (loss) from sales of assets other than inventory			18	19,382.	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue					
a					
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)		0.		602,202.	0.

13 Total. Add line 12, columns (b), (d), and (e) 13 602,202.

(See worksheet in line 13 instructions to verify calculations)

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

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

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

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

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

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

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

b If "Yes," complete the following schedule

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

Sign Here

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

Signature of officer or trustee — Date 11/15/2011 — Title President

Paid Preparer's Use Only

Preparer's signature	Date 11/10/10	Check if self-employed ☐	Preparer's identifying number
Firm's name (or yours if self-employed), address, and ZIP code: FRANK, RIMERMAN & CO., LLP 1801 PAGE MILL ROAD PALO ALTO, CA 94304		EIN	Phone no 650-845-8100

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	**Employer identification number**
HITZ FOUNDATION C/O FRANK, RIMERMAN + CO LLP	94-3379521

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 on line H 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).

Name of organization
HITZ FOUNDATION
C/O FRANK, RIMERMAN + CO LLP

Employer identification number
94-3379521

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	DAVID HITZ C/O KEVIN MCAULIFFE, 1801 PAGE MILL ROAD PALO ALTO, CA 94304	$ 495,375.	Person [ ] Payroll [ ] Noncash [X] (Complete Part II if there is a noncash contribution.)
2	DAVID HITZ C/O KEVIN MCAULIFFE, 1801 PAGE MILL ROAD PALO ALTO, CA 94304	$ 572,875.	Person [ ] Payroll [ ] Noncash [X] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)

Name of organization	Employer identification number
HITZ FOUNDATION C/O FRANK, RIMERMAN + CO LLP	94-3379521

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
1	25,000 SHS NTAP STOCK	$ 495,375.	06/15/09
2	25,000 SHS NTAP STOCK	$ 572,875.	09/04/09
		$	
		$	
		$	
		$	

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	25,000 SHARES OF NETAPP	D	06/01/92	06/15/09
b	25,000 SHARES OF NETAPP	D	06/01/92	09/04/09
c	3,726.46 SHARES VANGUARD LONG-TERM BOND INDEX	P	VARIOUS	11/18/09
d	67,798.294 SHARES VANGUARD LONG-TERM BOND INDEX	P	VARIOUS	11/18/09
e	46,468.401 SHARES VANGUARD HIGH-YIELD CORP FUND A	P	VARIOUS	11/18/09
f	13,145.642 SHARES VANGUARD INTER-TERM INVEST-GR A	P	VARIOUS	11/18/09
g	218,504.575 SHARES VANGUARD INTER-TERM INVEST-GR	P	VARIOUS	11/18/09
h	16,495.601 SHARES VANGUARD TOTAL STOCK MKT IDX IN	P	VARIOUS	11/18/09
i	3,538.004 SHARES VANGUARD SHORT-TERM BOND INDEX A	P	VARIOUS	11/18/09
j	113,004.817 SHARES VANGUARD SHORT-TERM BOND INDEX	P	VARIOUS	11/18/09
k	FROM K-1 - LEGACY VENTURE V (QP), LLC		VARIOUS	VARIOUS
l	FROM K-1 - NORTHGATE PRIVATE EQUITY PARTNERS III	P	VARIOUS	VARIOUS
m	FROM K-1 - NORTHGATE PRIVATE EQUITY PARTNERS III	P	VARIOUS	VARIOUS
n	FROM K-1 - NORTHGATE VENTURE PARTNERS III (Q), L.	P	VARIOUS	VARIOUS
o	FROM K-1 - NORTHGATE VENTURE PARTNERS III (Q), L.	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	492,785.		248.	492,537.
b	581,575.		248.	581,327.
c	44,233.		43,367.	866.
d	804,766.		789,004.	15,762.
e	250,000.		279,449.	-29,449.
f	127,907.		127,870.	37.
g	2,126,050.		2,125,428.	622.
h	450,000.		485,810.	-35,810.
i	37,184.		35,264.	1,920.
j	1,188,101.		1,126,730.	61,371.
k			117.	-117.
l	2,084.			2,084.
m	3,884.			3,884.
n	78.			78.
o	1,866.			1,866.

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) Losses (from col (h)) Gains (excess of col (h) gain over col (k), but not less than "-0-")
a				492,537.
b				581,327.
c				866.
d				15,762.
e				-29,449.
f				37.
g				622.
h				-35,810.
i				1,920.
j				61,371.
k				-117.
l				2,084.
m				3,884.
n				78.
o				1,866.

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

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

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	FROM K-1 - STRATEGIC REAL ESTATE FUND III, LP		VARIOUS	VARIOUS
b	FROM K-1 - STRATEGIC REAL ESTATE FUND III, LP		VARIOUS	VARIOUS
c	CAPITAL GAINS DIVIDENDS			
d				
e				
f				
g				
h				
i				
j				
k				
l				
m				
n				
o				

	(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			10,733.	-10,733.
b			2,895.	-2,895.
c	3,786.			3,786.
d				
e				
f				
g				
h				
i				
j				
k				
l				
m				
n				
o				

	Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Losses (from col (h)) Gains (excess of col (h) gain over col (k), but not less than "-0-")
	(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a				-10,733.
b				-2,895.
c				3,786.
d				
e				
f				
g				
h				
i				
j				
k				
l				
m				
n				
o				

2	Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 / If (loss), enter "-0-" in Part I, line 7 }	2	1,087,136.
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

923591
04-24-09

FORM 990-PF GAIN OR (LOSS) FROM SALE OF ASSETS STATEMENT 1

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
25,000 SHARES OF NETAPP	DONATED	06/01/92	06/15/09

(B) GROSS SALES PRICE	(C) VALUE AT TIME OF ACQ.	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
492,785.	495,375.	0.	0.	-2,590.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
25,000 SHARES OF NETAPP	DONATED	06/01/92	09/04/09

(B) GROSS SALES PRICE	(C) VALUE AT TIME OF ACQ.	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
581,575.	572,875.	0.	0.	8,700.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
3,726.46 SHARES VANGUARD LONG-TERM BOND INDEX	PURCHASED	VARIOUS	11/18/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
44,233.	43,367.	0.	0.	866.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
67,798.294 SHARES VANGUARD LONG-TERM BOND INDEX	PURCHASED	VARIOUS	11/18/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
804,766.	789,004.	0.	0.	15,762.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
46,468.401 SHARES VANGUARD HIGH-YIELD CORP FUND ADM	PURCHASED	VARIOUS	11/18/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
250,000.	279,449.	0.	0.	-29,449.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
13,145.642 SHARES VANGUARD INTER-TERM INVEST-GR ADM	PURCHASED	VARIOUS	11/18/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
127,907.	127,870.	0.	0.	37.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
218,504.575 SHARES VANGUARD INTER-TERM INVEST-GR ADM	PURCHASED	VARIOUS	11/18/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
2,126,050.	2,125,428.	0.	0.	622.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
16,495.601 SHARES VANGUARD TOTAL STOCK MKT IDX INST	PURCHASED	VARIOUS	11/18/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
450,000.	485,810.	0.	0.	-35,810.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
3,538.004 SHARES VANGUARD SHORT-TERM BOND INDEX ADM	PURCHASED	VARIOUS	11/18/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
37,184.	35,264.	0.	0.	1,920.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
113,004.817 SHARES VANGUARD SHORT-TERM BOND INDEX ADM	PURCHASED	VARIOUS	11/18/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
1,188,101.	1,126,730.	0.	0.	61,371.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM K-1 - LEGACY VENTURE V (QP), LLC	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
0.	117.	0.	0.	-117.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM K-1 - NORTHGATE PRIVATE EQUITY PARTNERS III B-3, L.P.	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
2,084.	0.	0.	0.	2,084.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM K-1 - NORTHGATE PRIVATE EQUITY PARTNERS III B-3, L.P.	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
3,884.	0.	0.	0.	3,884.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM K-1 - NORTHGATE VENTURE PARTNERS III (Q), L.P.	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
78.	0.	0.	0.	78.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM K-1 - NORTHGATE VENTURE PARTNERS III (Q), L.P.	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
1,866.	0.	0.	0.	1,866.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM K-1 - STRATEGIC REAL ESTATE FUND III, LP	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
0.	10,733.	0.	0.	-10,733.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM K-1 - STRATEGIC REAL ESTATE FUND III, LP	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
0.	2,895.	0.	0.	-2,895.

CAPITAL GAINS DIVIDENDS FROM PART IV	3,786.
TOTAL TO FORM 990-PF, PART I, LINE 6A	19,382.

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 2

SOURCE	AMOUNT
GOLDMAN SACHS	3,905.
LEGACY VENTURE V (QP), LLC	18.
NORTHGATE PRIVATE EQUITY PARTNERS III B-3, L.P.	7,224.
NORTHGATE VENTURE PARTNERS III (Q), L.P.	698.
STRATEGIC REAL ESTATE FUND III, LP	4,914.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	16,759.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 3

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
LEGACY VENTURE V (QP), LLC	1.	0.	1.
NORTHGATE PRIVATE EQUITY PARTNERS III B-3, L.P.	9,008.	0.	9,008.
NORTHGATE VENTURE PARTNERS III (Q), L.P.	41.	0.	41.
STRATEGIC REAL ESTATE FUND III, LP	8,044.	0.	8,044.
VANGUARD	557,837.	0.	557,837.
VANGUARD - CAPITAL GAIN DIST.	3,786.	3,786.	0.
TOTAL TO FM 990-PF, PART I, LN 4	578,717.	3,786.	574,931.

FORM 990-PF OTHER INCOME STATEMENT 4

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME
FROM NORTHGATE VENTURE PARTNERS III (Q), L.P.	154.	154.	
FROM NORTHGATE PRIVATE EQUITY PARTNERS III B-3, L.P.	-4,469.	-4,469.	
LEGACY VENTURE V (QP), LLC	-449.	-449.	
STRATEGIC REAL ESTATE FUND III, LP	-6,000.	-6,000.	
LEGACY - OTHER INCOME	1,894.	1,894.	
TOTAL TO FORM 990-PF, PART I, LINE 11	-8,870.	-8,870.	

FORM 990-PF ACCOUNTING FEES STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
TAX & ACCOUNTING FEES	25,000.	18,750.		6,250.
TO FORM 990-PF, PG 1, LN 16B	25,000.	18,750.		6,250.

FORM 990-PF OTHER PROFESSIONAL FEES STATEMENT 6

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
CONSULTING AND ADVISORY FEES	50,000.	50,000.		0.
TO FORM 990-PF, PG 1, LN 16C	50,000.	50,000.		0.

FORM 990-PF TAXES STATEMENT 7

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FEDERAL & STATE TAXES	10,010.	0.		0.
FOREIGN TAXES	4,707.	4,707.		0.
FOREIGN TAXES - K-1	200.	200.		0.
TO FORM 990-PF, PG 1, LN 18	14,917.	4,907.		0.

FORM 990-PF OTHER EXPENSES STATEMENT 8

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
OTHER DEDUCTIONS	4,489.	4,489.		0.
NON-DEDUCTIBLE EXPENSES	474.	0.		0.
PORTFOLIO DEDUCTIONS	99,864.	99,864.		0.
CHARITABLE CONTRIBUTIONS	683.	0.		683.
TO FORM 990-PF, PG 1, LN 23	105,510.	104,353.		683.

FORM 990-PF OTHER INVESTMENTS STATEMENT 9

DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
VANGUARD	FMV	19,261,218.	18,436,842.
INVESTMENT IN NORTHGATE VENTURE PARTNERS III	FMV	291,592.	304,466.
INVESTMENT IN NORTHGATE PRIVATE EQUITY PARTNERS III-B3	FMV	897,325.	835,257.
INVESTMENT IN LEGACY VENTURE V	FMV	94,047.	93,696.
INVESTMENT IN STRATEGIC REAL ESTATE FUND III	FMV	335,671.	280,617.
TOTAL TO FORM 990-PF, PART II, LINE 13		20,879,853.	19,950,878.

FORM 990-PF GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR STATEMENT 10

RECIPIENT NAME AND ADDRESS	RECIPIENT RELATIONSHIP AND PURPOSE OF GRANT	RECIPIENT STATUS	AMOUNT
ABILITIES UNLIMITED 414 KUWILI ST., SUITE 103 HONOLULU, HI 96817	NONE EDUCATION - HUMAN RIGHTS	PUBLIC CHARITY	2,000.
ACLU FOUNDATION 125 BROAD STREET, 18TH FLOOR NEW YORK, NY 10004	NONE EDUCATION - CIVIL RIGHTS	PUBLIC CHARITY	100,000.
AMERICAN CONSERVATORY THEATRE (ACT) 30 GRANT AVENUE, SIXTH FLOOR SAN FRANCISCO, CA 94108	NONE ARTS	PUBLIC CHARITY	3,000.
AMERICAN HEART ASSOCIATION 1 ALMADEN BLVD, SUITE 500 SAN JOSE, CA 95113	NONE HEALTH/MEDICAL RESEARCH	PUBLIC CHARITY	10,000.
AVON FOUNDATION 1345 AVENUE OF THE AMERICAS NEW YORK, NY 10105	NONE HEALTH/MEDICAL RESEARCH	PUBLIC CHARITY	1,000.

BEST BUDDIES INTERNATIONAL 100 SOUTHEAST SECOND STREET, SUITE 2200 MIAMI, FL 33131	NONE HUMAN WELFARE	PUBLIC CHARITY	1,000.
BING NURSERY SCHOOL 850 ESCONDIDO ROAD STANFORD, CA 94305	NONE EDUCATION	PUBLIC CHARITY	25,000.
BUS BARN STAGE COMPANY P.O. BOX 151 LOS ALTOS, CA 94023	NONE ARTS	PUBLIC CHARITY	2,000.
CALIFORNIA ACADEMY OF SCIENCES 875 HOWARD STREET SAN FRANCISCO, CA 94103	NONE SCIENCE EDUCATION	PUBLIC CHARITY	22,000.
CENTER FOR DEMOCRACY AND TECHNOLOGY 1634 I STREET NW, #1100 WASHINGTON, DC 20006	NONE PUBLIC EDUCATION	PUBLIC CHARITY	1,000.
CHAMBER MUSIC SAN FRANCISCO 1314 34TH AVENUE SAN FRANCISCO, CA 94122	NONE ARTS	PUBLIC CHARITY	15,000.
CHILD ADVOCATES OF SILICON VALLEY 509 VALLEY WAY MILPITAS, CA 95035	NONE CHILD WELFARE	PUBLIC CHARITY	5,000.
CHILDREN'S DISCOVERY MUSEUM 180 WOZ WAY SAN JOSE, CA 95110	NONE EDUCATION	PUBLIC CHARITY	3,000.
DEEP SPRINGS COLLEGE HC 72, BOX 45001 DYER, NV 89010	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	200,000.
DOCTORS WITHOUT BORDERS USA P.O. BOX 1856 MERRIFIELD, VA 22116	NONE HEALTH/MEDICAL RESEARCH	PUBLIC CHARITY	30,000.

ELETRONIC FRONTIER FOUNDATION 454 SHOTWELL STREET SAN FRANCISCO, CA 94110	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	10,000.
F.A.R.E.S 164 WEST 400 NORTH RUPERT, ID HO 83350	NONE ANTHROPOLOGICAL RESEARCH	PUBLIC CHARITY	125,000.
GLOBAL HERITAGE FUND 625 EMERSON STREET, SUITE 200 PALO ALTO, CA 94301	NONE ARCHEOLOGY RESEARCH	PUBLIC CHARITY	90,000.
GREENTOWN LOS ALTOS 183 HILLVIEW AVENUE LOS ALTOS, CA 94022	NONE ENVIRONMENT	PUBLIC CHARITY	1,000.
HEIFER INTERNATIONAL 1015 LOUISANA STREET LITTLE ROCK, AR 72203	NONE PUBLIC WELFARE	PUBLIC CHARITY	15,000.
ISU FOUNDATION 2505 UNIVERSITY BOULEVARD AMES, IA 50010	NONE EDUCATION	PUBLIC CHARITY	60,000.
KQED 2601 MARIPOSA STREET SAN FRANCISCO, CA 94110	NONE BROADCASTING	PUBLIC CHARITY	15,000.
LEAKEY FOUNDATION 1003B O'REILLY AVENUE SAN FRANCISCO, CA 94129	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	5,000.
LESLEY UNIVERSITY THRESHOLD PROGRAM 29 EVERETT STREET CAMBRIDGE, MA 02138	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	10,000.
LOS ALTOS HISTORY MUSEUM 51 SOUTH SAN ANTONIA ROAD LOS ALTOS, CA 94022	NONE ARTS	PUBLIC CHARITY	1,000.

MENLO COLLEGE 1000 EL CAMINO REAL ATHERTON, CA 94027	NONE EDUCATION	PUBLIC CHARITY	5,000.
NATIONAL CENTER FOR SCIENCE EDUCATION 420 40TH STREET, #2 OAKLAND, CA 94609	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	2,000.
NATIONAL MS SOCIETY 733 THIRD AVE., 3RD FLOOR NEW YORK, NY 10017	NONE HEALTH/MEDICAL RESEARCH	PUBLIC CHARITY	1,000.
NATIONAL PUBLIC RADIO 635 MASSACHUSETTS AVENUE, NW WASHINGTON, DC 20001	NONE BROADCASTING	PUBLIC CHARITY	25,000.
OREGON SHAKESPEARE FESTIVAL 15 SOUTH PIONEER STREET ASHLAND, OR 97520	NONE ARTS	PUBLIC CHARITY	20,000.
PARTNERS IN HEALTH 800 BOYLSTON STREET, 47TH FLOOR BOSTON, MA 02199	NONE EDUCATION & DEVELOPMENT	PUBLIC CHARITY	10,000.
PAUSD VOCATIONAL EDUCATION PROGRAMS 4120 MIDDLEFIELD ROAD, ROOM 7 PALO ALTO, CA 94303	NONE EDUCATION	PUBLIC CHARITY	1,000.
PEATC 6320 AUGUSTA DRIVE, SUITE 1200 SPRINGFIELD, VA 22150	NONE ANIMAL WELFARE	PUBLIC CHARITY	1,000.
PLANNED PARENTHOOD FEDERATION 434 WEST 33RD STREET NEW YORK, NY 10001	NONE EDUCATION - WOMEN'S RIGHTS	PUBLIC CHARITY	1,000.
PRINCETON UNIVERSITY 330 ALEXANDER STREET, 2ND FLOOR PRINCETON, NJ 08640	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	10,000.

PROJECT OPEN HAND 730 POLK STREET SAN FRANCISCO, CA 94109	NONE PUBLIC EDUCATION	PUBLIC CHARITY	1,000.
RAFT 1355 RIDDER PARK DRIVE SAN JOSE, CA 95131	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	25,000.
SECOND HARVEST FOOD BANK - NATIONAL 750 CURTNER AVENUE SAN JOSE, CA 95125	NONE MEALS TO ELDERLY AND DISABLED PERSONS	PUBLIC CHARITY	5,000.
SOLAR ELECTRIC LIGHT, INC 1612 K STREET, NM, SUITE 402 WASHINGTON, DC 20006	NONE RESEARCH - ENERGY	PUBLIC CHARITY	200,000.
STANFORD HOSPITAL INTERNATIONAL SERVICES 300 PASTEUR DRIVE, ROOM H-1111 STANFORD, CA 94305	NONE HEALTH/MEDICAL SERVICES	PUBLIC CHARITY	20,000.
STANFORD LIVELY ARTS 537 LOMITA MALL, MC 2250 STANFORD, CA 94305	NONE ARTS	PUBLIC CHARITY	1,000.
SWARTHMORE COLLEGE 500 COLLEGE AVENUE SWARTHMORE, PA 19081	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	1,000.
THE NATURE CONSERVANCY 4245 NORTH FAIRFAX DRIVE, SUITE 100 ARLINGTON, VA 22203	NONE ENVIRONMENT	PUBLIC CHARITY	5,000.
THE TECH MUSEUM OF INNOVATION 201 SOUTH MARKET STREET SAN JOSE, CA 95113	NONE SCIENCE EDUCATION	PUBLIC CHARITY	3,000.
THEATREWORKS P.O. BOX 50458 PALO ALTO, CA 94303	NONE ARTS	PUBLIC CHARITY	3,000.

THOMAS JEFFERSON HIGH SCHOOL FOR SCIENCE & TECH 6560 BRADDOCK ROAD ALEXANDRIA, VA 22312	NONE EDUCATION	PUBLIC CHARITY	1,000.
TOWER FOUNDATION OF SAN JOSE STATE UNIVERSITY 1 WASHINGTON SQUARE SAN JOSE, CA 95192	NONE EDUCATION	PUBLIC CHARITY	10,000.
UCLA FOUNDATION 10920 WILSHIRE BLVD, SUITE 1400 LOS ANGELES, CA 90024	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	1,000.
UNION OF CONCERNED SCIENTISTS 2 BRATTLE SQUARE CAMBRIDGE, MA 02238	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	25,000.
VILLA MONTALVO ASSOCIATION 15400 MONTALVO ROAD SARATOGA, CA 95071	NONE ARTS	PUBLIC CHARITY	10,000.
VNHELP P.O. BOX 1242 SAN JOSE, CA 95108	NONE HEALTH/MEDICAL/EDUCATI PROJECTS FOR VIETNAM	PUBLIC CHARITY	10,000.
WASHINGTON UNIVERSITY IN ST LOUIS CAMPUS BOX 1089 ONE BROOKINGS DRIVE ST LOUIS, MO 63130	NONE EDUCATION & RESEARCH	PUBLIC CHARITY	1,000.
WIKIMEDIA FOUNDATION 200 2ND AVENUE, SOUTH #358 ST PETERSBURG, FL 337014313	NONE PUBLIC EDUCATION	PUBLIC CHARITY	1,000.
WORLD NEIGHBORS 4127 NW 122ND STREET OKLAHOME CITY, OK 73120	NONE HUMAN WELFARE	PUBLIC CHARITY	10,000.
WORLDWATCH INSTITUTE 1776 MASSACHUSETTS AVENUE WASHINGTON, DC 20036	NONE ENVIRONMENT	PUBLIC CHARITY	250,000.
TOTAL TO FORM 990-PF, PART XV, LINE 3A			1,411,000.

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

Application for Extension of Time To File an Exempt Organization Return

▶ File a separate application for each return.

OMB No. 1545-1709

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

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

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

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

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

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

Type or print	Name of Exempt Organization	Employer identification number
	HITZ FOUNDATION C/O FRANK, RIMERMAN + CO LLP	94-3379521
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. 1801 PAGE MILL ROAD	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. PALO ALTO, CA 94304	

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

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

- The books are in the care of ▶ FRANK, RIMERMAN + CO. LLP
  1801 PAGE MILL ROAD - PALO ALTO, CA 94304
  Telephone No. ▶ (650) 845-8100 FAX No. ▶ (650) 494-1975
- If the organization does not have an office or place of business in the United States, check this box ▶ [ ]
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ______ . If this is for the whole group, check this box ▶ [ ] . If it is for part of the group, check this box ▶ [ ] and attach a list with the names and EINs of all members the extension will cover.

1 I request an automatic 3-month (6-months for a corporation required to file Form 990-T) extension of time until AUGUST 15, 2010 , to file the exempt organization return for the organization named above. The extension is for the organization's return for:
▶ [X] calendar year 2009 or
▶ [ ] tax year beginning ______ , and ending ______ .

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

3a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	3a	$ 15,951.
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	$ 22,349.
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)

Frank, Rimerman & Co. LLP 94-1341042
1801 Page Mill Road
Palo Alto, CA 94304

923831
05-26-09

14580209 756877 44680-T11 2009.02040 HITZ FOUNDATION C/O FRANK, 44680-T1

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

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

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

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

Type or print	Name of Exempt Organization HITZ FOUNDATION C/O FRANK, RIMERMAN + CO LLP	**Employer identification number** 94-3379521
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. 1801 PAGE MILL ROAD	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. PALO ALTO, CA 94304	

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

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

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

- The books are in the care of ▶ FRANK, RIMERMAN + CO. LLP 1801 PAGE MILL ROAD - PALO ALTO, CA 94304
  Telephone No. ▶ (650) 845-8100 FAX No. ▶ (650) 494-1975
- 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 RESPECTFULLY REQUESTS ADDITIONAL TIME TO GATHER 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**	$	22,349.
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**	$	22,349.
c **Balance Due.** Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	**8c**	$	0.

Signature and Verification

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

Signature ▶ Title ▶ SECRETARY Date ▶

923832
05-26-09

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

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

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

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

Type or print File by the extended due date for filing the return See instructions	Name of Exempt Organization HITZ FOUNDATION C/O FRANK, RIMERMAN + CO LLP	**Employer identification number** 94-3379521
	Number, street, and room or suite no. If a P.O. box, see instructions. 1801 PAGE MILL ROAD	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. PALO ALTO, CA 94304	

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

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

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

- The books are in the care of ▶ FRANK, RIMERMAN + CO. LLP 1801 PAGE MILL ROAD - PALO ALTO, CA 94304

Telephone No ▶ (650) 845-8100 FAX No. ▶ (650) 494-1975

- 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.

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

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TAXPAYER RESPECTFULLY REQUESTS ADDITIONAL TIME TO GATHER 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	$ 22,349.
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	$ 22,349.
c	**Balance Due.** Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	8c	$ 0.

Signature and Verification

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

Signature ▶ Title ▶ SECRETARY Date ▶ 8/13/10

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

Frank, Rimerman & Co. LLP 94-1341042
1801 Page Mill Road
Palo Alto, CA 94304

923832
05-26-09