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** May 1 **, 2009, and ending** Apr 30 , 2010

G Check all that apply ☐ Initial return ☐ Initial Return of a former public charity ☐ Final return
☐ Amended return ☐ Address change ☐ Name change

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

Name of foundation: THE WEILER FOUNDATION, INC.
Number and street (or P O box number if mail is not delivered to street address): 231 BRADLEY PLACE
Room/suite: 204
City or town: PALM BEACH
State: FL
ZIP code: 33480

A **Employer identification number** 31-1475728
B Telephone number (see the instructions) (561) 734-0440
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, column (c), line 16)* ► $ 11,220,985.

J Accounting method Cash X 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) (see the instructions) )*

| | | (a) Revenue and expenses per books | (b) Net investment income | (c) Adjusted net income | (d) Disbursements for charitable purposes (cash basis only) |
|---|---|---|---|---|---|
| REVENUE | 1 Contributions, gifts, grants, etc, received (att sch) | | | | |
| | 2 Ck ► ☒ if the foundn is **not** req to att Sch B | | | | |
| | 3 Interest on savings and temporary cash investments | 154,003. | 154,003. | | |
| | 4 Dividends and interest from securities | 166,695. | 166,695. | | |
| | 5a Gross rents | | | | |
| | b Net rental income or (loss) | | L-6a Stmt | | |
| | 6a Net gain/(loss) from sale of assets not on line 10 | -228,139. | | | |
| | b Gross sales price for all assets on line 6a 2,632,061. | | | | |
| | 7 Capital gain net income (from Part IV, line 2) | | | | |
| | 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/(loss) (att sch) | | | | |
| | 11 Other income (attach schedule) See Line 11 Stmt | 86,642. | 86,642. | | |
| | 12 **Total.** Add lines 1 through 11 | 179,201. | 407,340. | | |
| OPERATING AND ADMINISTRATIVE EXPENSES | 13 Compensation of officers, directors, trustees, etc | 54,000. | 27,000. | | 27,000. |
| | 14 Other employee salaries and wages | | | | |
| | 15 Pension plans, employee benefits | | | | |
| | 16a Legal fees (attach schedule) L-16a Stmt | 10,775. | 10,775. | | |
| | b Accounting fees (attach sch) L-16b Stmt | 42,888. | | | 42,888. |
| | c Other prof fees (attach sch) L-16c Stmt | 78,629. | 78,629. | | |
| | 17 Interest | | | | |
| | 18 Taxes (attach schedule)(see instr ) See Line 18 Stmt | 1,309. | 1,309. | | |
| | 19 Depreciation (attach sch) and depletion L-19 Stmt | 193. | | | |
| | 20 Occupancy | 37,418. | 3,742. | | 33,676. |
| | 21 Travel, conferences, and meetings | | | | |
| | 22 Printing and publications | | | | |
| | 23 Other expenses (attach schedule) See Line 23 Stmt | 11,996. | 1,200. | | 7,137. |
| | 24 **Total operating and administrative expenses.** Add lines 13 through 23 | 237,208. | 122,655. | | 110,701. |
| | 25 Contributions, gifts, grants paid | 240,000. | | | 240,000. |
| | 26 **Total expenses and disbursements.** Add lines 24 and 25 | 477,208. | 122,655. | | 350,701. |
| | 27 Subtract line 26 from line 12: | | | | |
| | a **Excess of revenue over expenses and disbursements** | -298,007. | | | |
| | b **Net investment income** (if negative, enter -0-) | | 284,685. | | |
| | c **Adjusted net income** (if negative, enter 0 ) | | | | |

**BAA For Privacy Act and Paperwork Reduction Act Notice, see the instructions.** TEEA0301 02/02/10 Form **990-PF** (2009)

| **Part II** | **Balance Sheets** | Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions ) | Beginning of year | End of year | |
|---|---|---|---|---|---|
| | | | (a) Book Value | (b) Book Value | (c) Fair Market Value |
| ASSETS | 1 | Cash – non-interest-bearing | | | |
| | 2 | Savings and temporary cash investments | 162,166. | 305,610. | 305,610. |
| | 3 | Accounts receivable ► 0. | | | |
| | | Less allowance for doubtful accounts ► | 87,125. | 0. | 0. |
| | 4 | Pledges receivable ► | | | |
| | | Less allowance for doubtful accounts ► | | | |
| | 5 | Grants receivable | | | |
| | 6 | Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see the instructions) | | | |
| | 7 | Other notes and loans receivable (attach sch) ► | | | |
| | | Less allowance for doubtful accounts ► | | | |
| | 8 | Inventories for sale or use | | | |
| | 9 | Prepaid expenses and deferred charges | | | |
| | 10a | Investments – U S and state government obligations (attach schedule) L-10a Stmt | 786,760. | 286,760. | 319,008. |
| | b | Investments – corporate stock (attach schedule) L-10b Stmt | 6,806,449. | 6,943,081. | 8,432,622. |
| | c | Investments – corporate bonds (attach schedule) L-10c Stmt | 1,893,938. | 1,794,956. | 1,987,074. |
| | 11 | Investments – land, buildings, and equipment basis ► | | | |
| | | Less accumulated depreciation (attach schedule) ► | | | |
| | 12 | Investments – mortgage loans | | | |
| | 13 | Investments – other (attach schedule) L-13 Stmt | 173,000. | 173,000. | 173,000. |
| | 14 | Land, buildings, and equipment basis ► 15,618. | | | |
| | | Less accumulated depreciation (attach schedule) L-14 Stmt ► 14,933. | 878. | 685. | 685. |
| | 15 | Other assets (describe ► L-15 Stmt ) | 4,200. | 2,986. | 2,986. |
| | 16 | **Total assets** (to be completed by all filers – see instructions Also, see page 1, item I) | 9,914,516. | 9,507,078. | 11,220,985. |
| LIABILITIES | 17 | Accounts payable and accrued expenses | | | |
| | 18 | Grants payable | | | |
| | 19 | Deferred revenue | | | |
| | 20 | Loans from officers, directors, trustees, & other disqualified persons | | | |
| | 21 | Mortgages and other notes payable (attach schedule) | | | |
| | 22 | Other liabilities (describe ► L-22 Stmt ) | 95,614. | 0. | |
| | 23 | **Total liabilities** (add lines 17 through 22) | 95,614. | 0. | |
| NET ASSETS OR FUND BALANCES | | **Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31.** ► ☐ | | | |
| | 24 | Unrestricted | | | |
| | 25 | Temporarily restricted | | | |
| | 26 | Permanently restricted | | | |
| | | **Foundations that do not follow SFAS 117, check here and complete lines 27 through 31.** ► ☒ | | | |
| | 27 | Capital stock, trust principal, or current funds | | | |
| | 28 | Paid-in or capital surplus, or land, building, and equipment fund | | | |
| | 29 | Retained earnings, accumulated income, endowment, or other funds | 9,818,902. | 9,507,078. | |
| | 30 | **Total net assets or fund balances** (see the instructions) | 9,818,902. | 9,507,078. | |
| | 31 | **Total liabilities and net assets/fund balances** (see the instructions) | 9,914,516. | 9,507,078. | |

## 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 | 9,818,902. |
| 2 | Enter amount from Part I, line 27a | 2 | -298,007. |
| 3 | Other increases not included in line 2 (itemize) ► DEPRECIATION | 3 | |
| 4 | Add lines 1, 2, and 3 | 4 | 9,520,895. |
| 5 | Decreases not included in line 2 (itemize) ► PRIOR PERIOD ADJUSTMENT | 5 | 13,817. |
| 6 | Total net assets or fund balances at end of year (line 4 minus line 5) – Part II, column (b), line 30 | 6 | 9,507,078. |

## 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 shares MLC Company) | (b) How acquired P — Purchase D — Donation | (c) Date acquired (month, day, year) | (d) Date sold (month day, year) |
|---|---|---|---|---|
| 1 a | | | | |
| b | | | | |
| 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 | | | | |

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

| | (i) Fair Market Value as of 12/31/69 | (j) Adjusted basis as of 12/31/69 | (k) Excess of column (i) over column (j), if any | (l) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h)) |
|---|---|---|---|---|
| a | | | | |
| b | | | | |
| c | | | | |
| d | | | | |
| e | | | | |

2 Capital gain net income or (net capital loss) — If gain, also enter in Part I, line 7; If (loss), enter -0- in Part I, line 7 — 2

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) (see the instructions) If (loss), enter -0- in Part I, line 8 — 3

## 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 the instructions before making any entries

| (a) Base period years Calendar year (or tax year beginning in) | (b) Adjusted qualifying distributions | (c) Net value of noncharitable-use assets | (d) Distribution ratio (column (b) divided by column (c)) |
|---|---|---|---|
| 2008 | 532,957. | 11,115,081. | 0.047949 |
| 2007 | 573,560. | 13,019,723. | 0.044053 |
| 2006 | 473,112. | 12,179,889. | 0.038844 |
| 2005 | 518,925. | 9,535,587. | 0.054420 |
| 2004 | 522,453. | 10,353,946. | 0.050459 |

| | | | |
|---|---|---|---|
| 2 | **Total** of line 1, column (d) | 2 | 0.235725 |
| 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 | 0.047145 |
| 4 | Enter the net value of noncharitable-use assets for 2009 from Part X, line 5 | 4 | 10,270,543. |
| 5 | Multiply line 4 by line 3 | 5 | 484,205. |
| 6 | Enter 1% of net investment income (1% of Part I, line 27b) | 6 | 2,847. |
| 7 | Add lines 5 and 6 | 7 | 487,052. |
| 8 | Enter qualifying distributions from Part XII, line 4 | 8 | 350,701. |

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 the instructions)

| | | | | | |
|---|---|---|---|---|---|
| **1 a** | Exempt operating foundations described in section 4940(d)(2), check here ► ☐ and enter 'N/A' on line 1<br>Date of ruling or determination letter ________ **(attach copy of letter if necessary - see instr.)** | | | | |
| **b** | Domestic foundations that meet the section 4940(e) requirements in Part V, check here ► ☐ and enter 1% of Part I, line 27b | | | **1** | 5,694. |
| **c** | All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, column (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** | 5,694. |
| **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** | 5,694. |
| **6** | Credits/Payments | | | | |
| **a** | 2009 estimated tax pmts and 2008 overpayment credited to 2009 | **6a** | 2,986. | | |
| **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** | 2,986. |
| **8** | Enter any **penalty** for underpayment of estimated tax Check here ☐ if Form 2220 is attached | | | **8** | |
| **9** | **Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ► | | | **9** | 2,708. |
| **10** | **Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ► | | | **10** | 0. |
| **11** | Enter the amount of line 10 to be. **Credited to 2010 estimated tax** ► | 0. | **Refunded** ► | **11** | |

## Part VII-A Statements Regarding Activities

| | | | Yes | No |
|---|---|---|---|---|
| **1 a** | 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 the instructions for definition)? | **1b** | | X |
| | *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* | | | |
| **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<br>**(1)** On the foundation ► $ ________ **(2)** On foundation managers ► $ ________ | | | |
| **e** | Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ► $ ________ | | | |
| **2** | Has the foundation engaged in any activities that have not previously been reported to the IRS?<br>*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? | **4b** | | |
| **5** | Was there a liquidation, termination, dissolution, or substantial contraction during the year?<br>*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<br>• By language in the governing instrument, or<br>• 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, column (c), and Part XV* | **7** | X | |
| **8a** | Enter the states to which the foundation reports or with which it is registered (see the instructions) ► ________ | | | |
| **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 ► BARTLETT BURNAP Telephone no ► (561) 659-2212

Located at ► 231 BRADLEY PLACE PALM BEACH FL ZIP + 4 ► 33480

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

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

| | | | | Yes | No |
|---|---|---|---|---|---|
| | **File Form 4720 if any item is checked in the 'Yes' column, unless an exception applies.** | | | | |
| **1 a** | 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 the instructions)? | | 1b | | X |
| | Organizations relying on a current notice regarding disaster assistance check here | ► ☐ | | | |
| **c** | Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009? | | 1c | | X |
| 2 | Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)) | | | | |
| **a** | At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? | ☐ **Yes** ☒ **No** | | | |
| | If 'Yes,' list the years ► 20__ , 20__ , 20__ , 20__ | | | | |
| **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 the instructions ) | | 2b | | X |
| **c** | If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here<br>► 20__ , 20__ , 20__ , 20__ | | | | |
| **3a** | Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? | ☐ **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 )* | | 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)? (see instructions) ☐ **Yes** ☒ **No**

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

**b** If any answer is 'Yes' to 5a(1)-(5), did **any** of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see instructions)? **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? ☐ **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? **7b**

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

**1 List all officers, directors, trustees, foundation managers and their compensation (see instructions).**

| **(a)** Name and address | **(b)** Title and average hours per week devoted to position | **(c)** Compensation **(If not paid, enter -0-)** | **(d)** Contributions to employee benefit plans and deferred compensation | **(e)** Expense account, other allowances |
|---|---|---|---|---|
| BARTLETT BURNAP<br>231 BRADLEY PLACE #204<br>PALM BEACH FL 33480 | PRESIDENT<br>10.00 | 18,000. | 0. | 0. |
| WILLIAM BULLIS, ESQ<br>11999 SAN VECENTE BLCD<br>LOS ANGELES CA | VICE PRESIDENT<br>0.00 | 0. | 0. | 0. |
| CHRISTIANE BURNAP<br>231 BRADLEY PLACE #204<br>PALM BEACH FL 33480 | DIRECTOR<br>10.00 | 18,000. | 0. | 0. |
| IAN BURNAP<br>231 BRADLEY PLACE #204<br>PALM BEACH FL 33480 | DIRECTOR<br>10.00 | 18,000. | 0. | 0. |

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

| **(a)** Name and address of each employee paid more than $50,000 | **(b)** Title and average hours per week devoted to position | **(c)** Compensation | **(d)** Contributions to employee benefit plans and deferred compensation | **(e)** Expense account, other allowances |
|---|---|---|---|---|
| NONE | | | | |
| 0 | | | | |
| 0 | | | | |
| 0 | | | | |
| 0 | | | | |

**Total** number of other employees paid over $50,000 ► None

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

**3 Five highest-paid independent contractors for professional services – (see instructions). If none, enter 'NONE.'**

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

## 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 | |
| 2 | |
| 3 | |
| 4 | |

## Part IX-B Summary of Program-Related Investments (see instructions)

| Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2 | Amount |
|---|---|
| 1 | |
| 2 | |
| All other program-related investments See instructions<br>3 | |
| **Total.** Add lines 1 through 3 ► | |

## 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 | 9,901,876. |
| b | Average of monthly cash balances | 1b | 525,071. |
| c | Fair market value of all other assets (see instructions) | 1c | 0. |
| d | **Total** (add lines 1a, b, and c) | 1d | 10,426,947. |
| e | Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation) 1e | | |
| 2 | Acquisition indebtedness applicable to line 1 assets | 2 | |
| 3 | Subtract line 2 from line 1d | 3 | 10,426,947. |
| 4 | Cash deemed held for charitable activities Enter 1-1/2% of line 3 (for greater amount, see instructions) | 4 | 156,404. |
| 5 | **Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4 | 5 | 10,270,543. |
| 6 | **Minimum investment return.** Enter 5% of line 5 | 6 | 513,527. |

## 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 | 513,527. |
| 2a | Tax on investment income for 2009 from Part VI, line 5 | 2a | 5,694. | | |
| b | Income tax for 2009 (This does not include the tax from Part VI ) | 2b | | | |
| c | Add lines 2a and 2b | | | 2c | 5,694. |
| 3 | Distributable amount before adjustments Subtract line 2c from line 1 | | | 3 | 507,833. |
| 4 | Recoveries of amounts treated as qualifying distributions | | | 4 | |
| 5 | Add lines 3 and 4 | | | 5 | 507,833. |
| 6 | Deduction from distributable amount (see instructions) | | | 6 | |
| 7 | **Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1 | | | 7 | 507,833. |

## 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 | 350,701. |
| b | Program-related investments – total from Part IX-B | 1b | |
| 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 | 350,701. |
| 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 (see instructions) | 5 | 0. |
| 6 | **Adjusted qualifying distributions.** Subtract line 5 from line 4 | 6 | 350,701. |

**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 | | | | | 507,833. |
| **2** Undistributed income, if any, as of the end of 2009 | | | | | |
| **a** Enter amount for 2008 only | | | | 553,020. | |
| **b** Total for prior years 20___, 20___, 20___ | | | | | |
| **3** Excess distributions carryover, if any, to 2009 | | | | | |
| **a** From 2004 | 0. | | | | |
| **b** From 2005 | 0. | | | | |
| **c** From 2006 | 0. | | | | |
| **d** From 2007 | 573,560. | | | | |
| **e** From 2008 | 532,957. | | | | |
| **f Total** of lines 3a through e | | 1,106,517. | | | |
| **4** Qualifying distributions for 2009 from Part XII, line 4 ► $ 350,701. | | | | | |
| **a** Applied to 2008, but not more than line 2a | | | | | |
| **b** Applied to undistributed income of prior years (Election required — see instructions) | | | | | |
| **c** Treated as distributions out of corpus (Election required — see instructions) | | | | | |
| **d** Applied to 2009 distributable amount | | | | | |
| **e** Remaining amount distributed out of corpus | | 350,701. | | | |
| **5** Excess distributions carryover applied to 2009 *(If an amount appears in column (d), the same amount must be shown in column (a) )* | | | | | |
| **6 Enter the net total of each column as indicated below:** | | | | | |
| **a** Corpus Add lines 3f, 4c, and 4e Subtract line 5 | | 1,457,218. | | | |
| **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 | | | | | |
| **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 instructions | | | | 553,020. | |
| **f** Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010 | | | | | 507,833. |
| **7** Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions) | | | | | |
| **8** Excess distributions carryover from 2004 not applied on line 5 or line 7 (see instructions) | | 0. | | | |
| **9 Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a | | 1,457,218. | | | |
| **10** Analysis of line 9 | | | | | |
| **a** Excess from 2005 | 0. | | | | |
| **b** Excess from 2006 | 0. | | | | |
| **c** Excess from 2007 | 573,560. | | | | |
| **d** Excess from 2008 | 532,957. | | | | |
| **e** Excess from 2009 | 350,701. | | | | |

**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<br>**a** 'Assets' alternative test – enter<br>**(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<br>**(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 organization had $5,000 or more in assets at any time during the year – see 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) )

N/A

**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

N/A

**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

BARTLETT BURNAP
231 BRADLEY PLACE #204
PALM BEACH FL 33480 (561) 659-2212

**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<br>Name and address (home or business) | If recipient is an individual, show any relationship to any foundation manager or substantial contributor | Foundation status of recipient | Purpose of grant or contribution | Amount |
|---|---|---|---|---|
| **a** *Paid during the year* | | | | |
| Best Friends Animal Hospital | | | DONEE'S DISCRECTION | 25,000. |
| Center for Competitive Politics | | | DONEE'S DISCRECTION | 10,000. |
| Florida Wild Mammal Associations | | | DONEE'S DISCRECTION | 15,000. |
| Keck School of Medicine | | | DONEE'S DISCRECTION | 20,000. |
| Lucile Packard Children's Hospital | | | DONEE'S DISCRECTION | 10,000. |
| Manhattan Institue for Policy | | | DONEE'S DISCRECTION | 15,000. |
| Pacific Legal Foundation | | | DONEE'S DISCRECTION | 15,000. |
| The Fund for American Studies | | | DONEE'S DISCRECTION | 10,000. |
| Zoological Society | | | DONEE'S DISCRECTION | 15,000. |
| See Line 3a statement | | | | 105,000. |
| **Total** | | | ► **3a** | 240,000. |
| **b** *Approved for future payment* | | | | |
| **Total** | | | ► **3b** | |

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

| Enter gross amounts unless otherwise indicated | Unrelated business income | | Excluded by section 512, 513, or 514 | | |
|---|---|---|---|---|---|
| | (a) Business code | (b) Amount | (c) Exclusion code | (d) Amount | (e) Related or exempt function income (see the instructions) |
| 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 | | | | | 154,003. |
| 4 Dividends and interest from securities | | | | | 166,695. |
| 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 | | | | | |
| 8 Gain or (loss) from sales of assets other than inventory | | | | | -228,139. |
| 9 Net income or (loss) from special events | | | | | |
| 10 Gross profit or (loss) from sales of inventory | | | | | |
| 11 Other revenue | | | | | |
| a NET ROYALTY INCOME | | | | | 3,594. |
| b MISC | | | | | 77,879. |
| c | | | | | |
| d | | | | | |
| e | | | | | |
| 12 Subtotal Add columns (b), (d), and (e) | | | | | 174,032. |
| 13 **Total.** Add line 12, columns (b), (d), and (e) | | | | 13 | 174,032. |

(See worksheet in the instructions for line 13 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) (See the instructions ) |
|---|---|
| N/A | |

## 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 | **1 a (1)** | | X |
| **(2)** Other assets | **1 a (2)** | | X |
| **b** Other transactions | | | |
| **(1)** Sales of assets to a noncharitable exempt organization | **1 b (1)** | | X |
| **(2)** Purchases of assets from a noncharitable exempt organization | **1 b (2)** | | X |
| **(3)** Rental of facilities, equipment, or other assets | **1 b (3)** | | X |
| **(4)** Reimbursement arrangements | **1 b (4)** | | X |
| **(5)** Loans or loan guarantees | **1 b (5)** | | X |
| **(6)** Performance of services or membership or fundraising solicitations | **1 b (6)** | | X |
| **c** Sharing of facilities, equipment, mailing lists, other assets, or paid employees | **1 c** | | 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 |
|---|---|---|---|
| | | | |
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| | | | |

**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 |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

**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 | ► 5/26/10 Title

**Paid Preparer's Use Only**

Preparer's signature ► | Date 05-21-2010 | Check if self-employed ► ☐ | Preparer's Identifying number (See **Signature** in the instrs) P00216467

Firm's name (or yours if self employed), address, and ZIP code ► SCHNEIDER HAMMER & ASSOCIATES, LLC

7860 PETERS RD STE F110

PLANTATION FL 33324-4027

EIN ►

Phone no ► (954) 474-8889

Form 4562

Department of the Treasury
Internal Revenue Service (99)

# Depreciation and Amortization
## (Including Information on Listed Property)

► See separate instructions. ► Attach to your tax return.

OMB No 1545-0172

2009

Attachment Sequence No 67

Name(s) shown on return: THE WEILER FOUNDATION, INC.

Identifying number: 31-1475728

Business or activity to which this form relates: Form 990-PF page 1

## Part I Election To Expense Certain Property Under Section 179

**Note:** *If you have any listed property, complete Part V before you complete Part I*

| | | | |
|---|---|---|---|
| 1 | Maximum amount See the instructions for a higher limit for certain businesses | 1 | $250,000. |
| 2 | Total cost of section 179 property placed in service (see instructions) | 2 | |
| 3 | Threshold cost of section 179 property before reduction in limitation (see instructions) | 3 | $800,000. |
| 4 | Reduction in limitation Subtract line 3 from line 2 If zero or less, enter -0- | 4 | |
| 5 | Dollar limitation for tax year Subtract line 4 from line 1 If zero or less, enter -0- If married filing separately, see instructions | 5 | |

| 6 | (a) Description of property | (b) Cost (business use only) | (c) Elected cost |
|---|---|---|---|
| | | | |
| | | | |

| | | | |
|---|---|---|---|
| 7 | Listed property Enter the amount from line 29 | 7 | |
| 8 | Total elected cost of section 179 property Add amounts in column (c), lines 6 and 7 | 8 | |
| 9 | Tentative deduction Enter the **smaller** of line 5 or line 8 | 9 | |
| 10 | Carryover of disallowed deduction from line 13 of your 2008 Form 4562 | 10 | |
| 11 | Business income limitation Enter the smaller of business income (not less than zero) or line 5 (see instrs) | 11 | |
| 12 | Section 179 expense deduction Add lines 9 and 10, but do not enter more than line 11 | 12 | |
| 13 | Carryover of disallowed deduction to 2010 Add lines 9 and 10, less line 12 ► | 13 | |

**Note:** *Do not use Part II or Part III below for listed property Instead, use Part V*

## Part II Special Depreciation Allowance and Other Depreciation (Do not include listed property ) (See instructions )

| | | | |
|---|---|---|---|
| 14 | Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions) | 14 | |
| 15 | Property subject to section 168(f)(1) election | 15 | |
| 16 | Other depreciation (including ACRS) | 16 | |

## Part III MACRS Depreciation (Do not include listed property ) (See instructions)

### Section A

| | | | |
|---|---|---|---|
| 17 | MACRS deductions for assets placed in service in tax years beginning before 2009 | 17 | 193. |
| 18 | If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here ► ☐ | | |

### Section B – Assets Placed in Service During 2009 Tax Year Using the General Depreciation System

| (a) Classification of property | (b) Month and year placed in service | (c) Basis for depreciation (business/investment use only — see instructions) | (d) Recovery period | (e) Convention | (f) Method | (g) Depreciation deduction |
|---|---|---|---|---|---|---|
| 19a 3-year property | | | | | | |
| b 5-year property | | | | | | |
| c 7-year property | | | | | | |
| d 10-year property | | | | | | |
| e 15-year property | | | | | | |
| f 20-year property | | | | | | |
| g 25-year property | | | 25 yrs | | S/L | |
| h Residential rental property | | | 27.5 yrs | MM | S/L | |
| | | | 27.5 yrs | MM | S/L | |
| i Nonresidential real property | | | 39 yrs | MM | S/L | |
| | | | | MM | S/L | |

### Section C – Assets Placed in Service During 2009 Tax Year Using the Alternative Depreciation System

| | | | | | | |
|---|---|---|---|---|---|---|
| 20a Class life | | | | | S/L | |
| b 12-year | | | 12 yrs | | S/L | |
| c 40-year | | | 40 yrs | MM | S/L | |

## Part IV Summary (See instructions )

| | | | |
|---|---|---|---|
| 21 | Listed property Enter amount from line 28 | 21 | |
| 22 | **Total** Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21 Enter here and on the appropriate lines of your return Partnerships and S corporations — see instructions | 22 | 193. |
| 23 | For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs | 23 | |

## Part V Listed Property (Include automobiles, certain other vehicles, cellular telephones, certain computers, and property used for entertainment, recreation, or amusement )

**Note:** *For any vehicle for which you are using the standard mileage rate or deducting lease expense, complete **only** 24a, 24b, columns (a) through (c) of Section A, all of Section B, and Section C if applicable*

### Section A – Depreciation and Other Information (Caution: *See the instructions for limits for passenger automobiles* )

**24 a** Do you have evidence to support the business/investment use claimed? ☐ Yes ☐ No **24b** If 'Yes,' is the evidence written? ☐ Yes ☐ No

| **(a)** Type of property (list vehicles first) | **(b)** Date placed in service | **(c)** Business/ investment use percentage | **(d)** Cost or other basis | **(e)** Basis for depreciation (business/investment use only) | **(f)** Recovery period | **(g)** Method/ Convention | **(h)** Depreciation deduction | **(i)** Elected section 179 cost |
|---|---|---|---|---|---|---|---|---|
| **25** Special depreciation allowance for qualified listed property placed in service during the tax year and used more than 50% in a qualified business use (see instructions) | | | | | | 25 | | |
| **26** Property used more than 50% in a qualified business use | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| **27** Property used 50% or less in a qualified business use | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| **28** Add amounts in column (h), lines 25 through 27 Enter here and on line 21, page 1 | | | | | | 28 | | |
| **29** Add amounts in column (i), line 26 Enter here and on line 7, page 1 | | | | | | | 29 | |

### Section B – Information on Use of Vehicles

Complete this section for vehicles used by a sole proprietor, partner, or other 'more than 5% owner,' or related person If you provided vehicles to your employees, first answer the questions in Section C to see if you meet an exception to completing this section for those vehicles

| | **(a)** Vehicle 1 | | **(b)** Vehicle 2 | | **(c)** Vehicle 3 | | **(d)** Vehicle 4 | | **(e)** Vehicle 5 | | **(f)** Vehicle 6 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **30** Total business/investment miles driven during the year (**do not** include commuting miles) | | | | | | | | | | | | |
| **31** Total commuting miles driven during the year | | | | | | | | | | | | |
| **32** Total other personal (noncommuting) miles driven | | | | | | | | | | | | |
| **33** Total miles driven during the year Add lines 30 through 32 | | | | | | | | | | | | |
| | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No |
| **34** Was the vehicle available for personal use during off-duty hours? | | | | | | | | | | | | |
| **35** Was the vehicle used primarily by a more than 5% owner or related person? | | | | | | | | | | | | |
| **36** Is another vehicle available for personal use? | | | | | | | | | | | | |

### Section C – Questions for Employers Who Provide Vehicles for Use by Their Employees

Answer these questions to determine if you meet an exception to completing Section B for vehicles used by employees who **are not** more than 5% owners or related persons (see instructions)

| | Yes | No |
|---|---|---|
| **37** Do you maintain a written policy statement that prohibits all personal use of vehicles, including commuting, by your employees? | | |
| **38** Do you maintain a written policy statement that prohibits personal use of vehicles, except commuting, by your employees? See the instructions for vehicles used by corporate officers, directors, or 1% or more owners | | |
| **39** Do you treat all use of vehicles by employees as personal use? | | |
| **40** Do you provide more than five vehicles to your employees, obtain information from your employees about the use of the vehicles, and retain the information received? | | |
| **41** Do you meet the requirements concerning qualified automobile demonstration use? (See instructions ) | | |

**Note:** *If your answer to 37, 38, 39, 40, or 41 is 'Yes,' do not complete Section B for the covered vehicles*

## Part VI Amortization

| **(a)** Description of costs | **(b)** Date amortization begins | **(c)** Amortizable amount | **(d)** Code section | **(e)** Amortization period or percentage | **(f)** Amortization for this year |
|---|---|---|---|---|---|
| **42** Amortization of costs that begins during your 2009 tax year (see instructions) | | | | | |
| | | | | | |
| | | | | | |
| **43** Amortization of costs that began before your 2009 tax year | | | | 43 | |
| **44** **Total.** Add amounts in column (f) See the instructions for where to report | | | | 44 | |

**Form 990-PF**
**Part I, Line 6a**

# Net Gain or Loss From Sale of Assets

**2009**

Name: THE WEILER FOUNDATION, INC.
Employer Identification Number: 31-1475728

## Asset Information:

Description of Property SEE ATTACHED STATEMENT
Date Acquired Various How Acquired Purchased
Date Sold Various Name of Buyer
Sales Price 2,632,061. Cost or other basis (do not reduce by depreciation) 2,860,200.
Sales Expense Valuation Method
Total Gain (Loss) -228,139. Accumulation Depreciation

Description of Property
Date Acquired How Acquired
Date Sold Name of Buyer
Sales Price Cost or other basis (do not reduce by depreciation)
Sales Expense Valuation Method
Total Gain (Loss) Accumulation Depreciation

Description of Property
Date Acquired How Acquired
Date Sold Name of Buyer
Sales Price Cost or other basis (do not reduce by depreciation)
Sales Expense Valuation Method
Total Gain (Loss) Accumulation Depreciation

Description of Property
Date Acquired How Acquired
Date Sold Name of Buyer
Sales Price Cost or other basis (do not reduce by depreciation)
Sales Expense Valuation Method
Total Gain (Loss) Accumulation Depreciation

Description of Property
Date Acquired How Acquired
Date Sold Name of Buyer
Sales Price Cost or other basis (do not reduce by depreciation)
Sales Expense Valuation Method
Total Gain (Loss) Accumulation Depreciation

Description of Property
Date Acquired How Acquired
Date Sold Name of Buyer
Sales Price Cost or other basis (do not reduce by depreciation)
Sales Expense Valuation Method
Total Gain (Loss) Accumulation Depreciation

Description of Property
Date Acquired How Acquired
Date Sold Name of Buyer
Sales Price Cost or other basis (do not reduce by depreciation)
Sales Expense Valuation Method
Total Gain (Loss) Accumulation Depreciation

Description of Property
Date Acquired How Acquired
Date Sold Name of Buyer
Sales Price Cost or other basis (do not reduce by depreciation)
Sales Expense Valuation Method
Total Gain (Loss) Accumulation Depreciation

Form 990-PF, Page 1, Part I, Line 11

**Line 11 Stmt**

| Other income: | Rev/Exp Book | Net Inv Inc | Adj Net Inc |
|---|---|---|---|
| ROYALTY INCOME | 3,594. | 3,594. | |
| MISC | 77,879. | 77,879. | |
| FROM FLOWTHORUGH ENTITIES | 5,169. | 5,169. | |
| Total | 86,642. | 86,642. | |

Form 990-PF, Page 1, Part I, Line 18

**Line 18 Stmt**

| Taxes (see the instructions) | Rev/Exp Book | Net Inv Inc | Adj Net Inc | Charity Disb |
|---|---|---|---|---|
| FEDERAL EXCISE TAX PAID | 1,214. | 1,214. | | |
| FOREIGN TAX PAID | 95. | 95. | | |
| Total | 1,309. | 1,309. | | |

Form 990-PF, Page 1, Part I, Line 23

**Line 23 Stmt**

| Other expenses: | Rev/Exp Book | Net Inv Inc | Adj Net Inc | Charity Disb |
|---|---|---|---|---|
| BANK CHARGES | 1,030. | 103. | | 927. |
| COMPUTER | 150. | 15. | | 135. |
| DUES | 495. | 50. | | 445. |
| INSURANCE | 2,861. | 286. | | 2,575. |
| LICENSE | 161. | 16. | | 145. |
| OFFICE EXPENSE | 1,200. | 120. | | 1,080. |
| POSTAGE | 1,524. | 152. | | 1,372. |
| TELEPHONE | 4,575. | 458. | | 458. |
| Total | 11,996. | 1,200. | | 7,137. |

Form 990-PF, Page 11, Part XV, line 3a

**Line 3a statement**

| Recipient<br>Name and address (home or business) | If recipient is an individual, show any relationship to any foundation manager or substantial contributor | Foundation status of recipient | Purpose of grant or contribution | Person or Business Checkbox<br>Amount |
|---|---|---|---|---|
| **a** *Paid during the year* | | | | |
| AMERICA'S VET DOGS | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>5,000. |
| Bascom Palmer Eye Institute | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>10,000. |
| CLAREMONT INSTITUTE | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>5,000. |

Form 990-PF, Page 11, Part XV, line 3a Continued

**Line 3a statement**

| Recipient<br>Name and address (home or business) | If recipient is an individual, show any relationship to any foundation manager or substantial contributor | Foundation status of recipient | Purpose of grant or contribution | Person or Business Checkbox<br>Amount |
|---|---|---|---|---|
| **a** *Paid during the year* | | | | |
| Historical Society of Palm Beach | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>2,000. |
| Hoover institute | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>10,000. |
| Safe Harnor Animal Sanctuary | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>8,000. |
| Search Dog Foundation | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>5,000. |
| Society of the Four Arts | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>10,000. |
| St John's Preparatory School | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>25,000. |
| Harvard Westlake School | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>15,000. |
| Center for Immigration Studies | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>5,000. |
| Hospital Albert Scweitzer Haiti | | | DONEE'S DISCRECTION | Person or ☐<br>Business ☒<br>5,000. |
| Total | | | | 105,000. |

Form 990-PF, Page 1, Part I

**Line 16a - Legal Fees**

| Name of Provider | Type of Service Provided | Amount Paid Per Books | Net Investment Income | Adjusted Net Income | Disbursements for Charitable Purposes |
|---|---|---|---|---|---|
| ENGELBERG & MILGRIM | LEGAL | 10,775. | 10,775. | | |
| Total | | 10,775. | 10,775. | | |

Form 990-PF, Page 1, Part I
**Line 16b - Accounting Fees**

| Name of Provider | Type of Service Provided | Amount Paid Per Books | Net Investment Income | Adjusted Net Income | Disbursements for Charitable Purposes |
|---|---|---|---|---|---|
| MISC | ACCOUNTING | 42,888. | | | |
| Total | | 42,888. | | | |

Form 990-PF, Page 1, Part I
**Line 16c - Other Professional Fees**

| Name of Provider | Type of Service Provided | Amount Paid Per Books | Net Investment Income | Adjusted Net Income | Disbursements for Charitable Purposes |
|---|---|---|---|---|---|
| MISC | INVESTMENT MANAGEMENT | 78,629. | 78,629. | | |
| Total | | 78,629. | 78,629. | | |

Form 990-PF, Page 2, Part II, Line 10a
**L-10a Stmt**

| Line 10a - Investments - US and State Government Obligations: | End of Year<br>State and Local Obligations Book Value | State and Local Obligations FMV | End of Year<br>US Government Obligations Book Value | US Government Obligations FMV |
|---|---|---|---|---|
| US TREASURY NOTE 3.625% | | | 286,760. | 319,008. |
| Total | | | 286,760. | 319,008. |

Form 990-PF, Page 2, Part II, Line 10b
**L-10b Stmt**

| Line 10b - Investments - Corporate Stock: | End of Year<br>Book Value | Fair Market Value |
|---|---|---|
| ALTRIA GROUP | 190,420. | 254,280. |
| AMERICAN EXPRESS | 223,399. | 246,960. |
| APPLE INC | 203,370. | 234,981. |
| AT&T | 219,113. | 221,510. |
| BIOGEN IDEC INC | 339,888. | 293,095. |
| BRISTOL MYERS SQUIBB | 253,605. | 253,100. |
| CELGENE | 336,944. | 371,940. |
| COLGATE PALMOLIVE CO | 230,530. | 420,500. |
| CONAGRA FOODS | 187,488. | 244,700. |
| CONOCOPHILIPS | 300,492. | 414,330. |
| DOMINION RESERVE INC VA | 234,180. | 309,320. |
| ENTERPRISE PRODUCT PARTNERS LP | 242,048. | 248,220. |
| FRONTIER COMMUNICATIONS | 193,904. | 119,400. |
| GENERAL ELECTRIC | 204,365. | 226,320. |
| GENERAL MILLS | 219,683. | 270,408. |
| GILEAD SCIENCE | 254,805. | 198,550. |

Form 990-PF, Page 2, Part II, Line 10b Continued
**L-10b Stmt**

| Line 10b - Investments - Corporate Stock: | End of Year<br>Book Value | Fair Market Value |
|---|---|---|
| IBM | 199,357. | 258,000. |
| ISHARES SP SMALLCAP 600 INDEX | 198,757. | 207,603. |
| JOHNSON & JOHNSON | 192,541. | 212,190. |
| KIMBERLY CLARK CORP | 169,485. | 208,284. |
| MAGELLAN MIDSTREAM PTRS | 114,152. | 428,310. |
| MCDONALDS CORP | 167,433. | 211,770. |
| PENN VIRGINIA RES PTRNS | 287,628. | 473,400. |
| PHILIP MORRIS INTL | 104,805. | 245,400. |
| QUEST DIAGNOSTICS | 225,418. | 240,072. |
| TEVA PHARMACEUTICALS | 198,340. | 276,031. |
| THERMO FISHER SCIENTIFIC | 365,153. | 386,960. |
| TJX COS INC NEW | 246,475. | 264,138. |
| UNITED TECHNOLOGIES | 340,222. | 374,750. |
| VISA INC | 161,581. | 270,690. |
| GENERAL MOTORS SR CONV 6.25% | 137,500. | 47,410. |
| Total | 6,943,081. | 8,432,622. |

Form 990-PF, Page 2, Part II, Line 10c
**L- 10c Stmt**

| Line 10c - Investments - Corporate Bonds: | End of Year<br>Book Value | Fair Market Value |
|---|---|---|
| MORGAN STANLEY 6.6% 4/01/12 | 297,005. | 324,633. |
| GOLDMAN SACHS 5.45% 11/01/12 | 296,944. | 317,517. |
| CATEPILLAR INC 7% 12/15/13 | 405,493. | 465,024. |
| HEWLETT PACKARD 6.125% 3/01/14 | 403,909. | 454,616. |
| GENERAL ELECTRIC CAP CORP 4.875% 3/04/15 | 391,605. | 425,284. |
| Total | 1,794,956. | 1,987,074. |

Form 990-PF, Page 2, Part II, Line 13
**L-13 Stmt**

| Line 13 - Investments - Other: | End of Year<br>Book Value | Fair Market Value |
|---|---|---|
| INVESTMENT - MERIT ENERGY | 173,000. | 173,000. |
| Total | 173,000. | 173,000. |

Form 990-PF, Page 2, Part II, Line 14
**L-14 Stmt**

| Line 14b - Description of Land, Buildings, and Equipment | (a) Cost/Other Basis | (b) Accumulated Depreciation | (c) Book Value |
|---|---|---|---|
| OFFICE EQUIPMENT | 15,618. | 14,933. | 685. |
| Total | 15,618. | 14,933. | 685. |

Form 990-PF, Page 2, Part II, Line 15
**Other Assets Stmt**

| Line 15 - Other Assets: | Beginning Year Book Value | End of Year Book Value | End of Year Fair Market Value |
|---|---|---|---|
| PREPAID EXCISE TAX | 4,200. | 2,986. | 2,986. |
| Total | 4,200. | 2,986. | 2,986. |

Form 990-PF, Page 2, Part II, Line 22
**Other Liab Stmt**

| Line 22 - Other Liabilities: | Beginning Year Book Value | Ending Year Book Value |
|---|---|---|
| BANK OVERDRAFT | 95,614. | 0. |
| Total | 95,614. | 0. |

Form 990-PF, Line 19
**Allocated Depreciation**

| Description | Date Acquire | Cost or Basis | Prior Yr Depr | Mthd | Life | Current Depr | Net Invest Income | Adjusted Net Income |
|---|---|---|---|---|---|---|---|---|
| OFFICE EQUIPMENT | 05/28/07 | 646 | 250 | 200DB | 7.00 | 113 | | |
| OFFICE EQUIPMENT | 01/05/98 | 12732 | 12732 | 200DB | 7.00 | 0 | | |
| OFFICE EQUIPMENT | 07/18/02 | 2240 | 2160 | 200DB | 7.00 | 80 | | |
| Total | | | | | | | | |

## THE WEILER FOUNDATION
## EIN# 31-1475728
## Schedule of Sales
## For the twelve months ending April 30, 2010

**Page 12, Part XV1-A "Analysis of Income, Producting Activities"**
**Line 8: Gain or (loss) from Sales of Assets other than Inventory**

| Date Acquired | Date Sold | Investment | Shares | Sales Proceeds | Cost | Gain/ (Loss) |
|---|---|---|---|---|---|---|
| 12/27/2006 | 5/1/2009 | Primus Guaranty | 100 | 995 | 2,500 | (1,505) |
| 12/27/2006 | 5/1/2009 | Primus Guaranty | 1,400 | 13,925 | 35,000 | (21,075) |
| 11/25/2008 | 6/22/2009 | Catepillar Inc | 5,400 | 186,109 | 199,145 | (13,036) |
| 2/1/2007 | 7/13/2009 | USB Cap XII 6 3% | 800 | 16,506 | 20,000 | (3,494) |
| 6/20/2008 | 7/2/2009 | FHLB 5 1/2% | 50,000 | 500,000 | 500,000 | - |
| 2/14/2008 | 8/7/2009 | Genzyme Corp | 3,100 | 149,316 | 228,728 | (79,412) |
| 8/22/2013 | 8/7/2009 | Genzyme Corp | 1,700 | 81,883 | 123,236 | (41,353) |
| 4/17/2009 | 8/11/2009 | The Financial Select Spdr | 10,000 | 137,191 | 112,705 | 24,486 |
| 4/17/2009 | 8/11/2009 | Yum Brands Inc | 5,000 | 173,900 | 160,656 | 13,244 |
| 2/1/2007 | 8/27/2009 | USB Cap XII 6 3% | 900 | 19,413 | 22,500 | (3,087) |
| 11/25/2008 | 9/16/2009 | Monsanto Co New | 2,700 | 214,152 | 199,319 | 14,832 |
| 1/9/2007 | 10/14/2009 | PS Business Parks Inc | 2,500 | 52,743 | 62,500 | (9,757) |
| 1/26/2007 | 10/14/2009 | USB Cap XII 6 30% | 700 | 15,665 | 17,500 | (1,835) |
| 1/26/2007 | 10/14/2009 | USB Cap XII 6 30% | 100 | 2,232 | 2,500 | (268) |
| 2/22/2007 | 10/14/2009 | Eaton Vance Tax MGD Div Equ | 2,500 | 31,377 | 50,000 | (18,623) |
| 2/22/2007 | 10/14/2009 | Eaton Vance Tax MGD Div Equ | 2,500 | 31,407 | 50,000 | (18,593) |
| 12/20/2006 | 10/14/2009 | Primus Guaranty | 300 | 4,454 | 7,500 | (3,046) |
| 12/20/2006 | 10/14/2009 | Primus Guaranty | 100 | 1,479 | 2,500 | (1,021) |
| 12/20/2006 | 10/14/2009 | Primus Guaranty | 100 | 1,485 | 2,500 | (1,015) |
| 12/20/2006 | 10/14/2009 | Primus Guaranty | 100 | 1,485 | 2,500 | (1,015) |
| 12/20/2006 | 11/16/2009 | Primus Guaranty | 200 | 2,674 | 5,000 | (2,326) |
| 12/20/2006 | 11/16/2009 | Primus Guaranty | 100 | 1,332 | 2,500 | (1,168) |
| 10/23/2006 | 12/3/2009 | CVS Caremark Corp | 7,000 | 216,904 | 220,967 | (4,063) |
| 12/4/2006 | 12/3/2009 | CVS Caremark Corp | 4,000 | 123,945 | 116,685 | 7,260 |
| 12/27/2006 | 12/15/2009 | Primus Guaranty 7% | 3,500 | 50,566 | 84,177 | (33,611) |
| 12/27/2006 | 12/16/2009 | Primus Guaranty 7% | 300 | 4,284 | 7,215 | (2,932) |
| 12/27/2006 | 12/17/2009 | Primus Guaranty 7% | 3,100 | 42,619 | 74,557 | (31,938) |

## THE WEILER FOUNDATION
## EIN# 31-1475728
## Schedule of Sales
## For the twelve months ending April 30, 2010

| | | | | | | |
|---|---|---|---|---|---|---|
| 11/25/2008 | 1/28/2010 | Diageo PLC Spon ADR | 3,500 | 237,584 | 193,855 | 43,728 |
| 12/20/2006 | 2/9/2010 | Primus Guaranty 7% | 700 | 10,355 | 24,051 | (13,696) |
| 1/15/2009 | 3/23/2010 | Goldman Sachs | 100,000 | 107,421 | 98,981 | 8,439 |
| 3/17/2010 | 4/26/2009 | Goldman Sachs | 1,300 | 198,661 | 230,923 | (32,262) |
| | | *TOTALS:* | | **2,632,061** | **2,860,200** | **(228,140)** |