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 EVELYN AND FRANK GORDY FOUNDATION

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
3330 CUMBERLAND BLVD | T40

City or town, state, and ZIP code
ATLANTA, GA 30339

A Employer identification number
58-6343707

B Telephone number
770-951-8688

C If exemption application is pending, check here ▶ ☐
D 1. Foreign organizations, check here ▶ ☐
2. Foreign organizations meeting the 85% test, check here and attach computation ▶ ☐

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

E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ ☐

I Fair market value of all assets at end of year (*from Part II, col. (c), line 16*) ▶$ 9,621,154.

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

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ▶ ☐

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

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received			N/A	
	2 Check ▶ [X] if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	985.	985.		STATEMENT 1
	4 Dividends and interest from securities	220,907.	220,907.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	194,525.			
	b Gross sales price for all assets on line 6a 7,636,284.				
	7 Capital gain net income (from Part IV, line 2)		194,525.		
	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	19,464.	0.		STATEMENT 3
	12 **Total.** Add lines 1 through 11	435,881.	416,417.		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.	0.		0.
	14 Other employee salaries and wages	86,000.	0.		0.
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees STMT 4	4,330.	0.		0.
	c Other professional fees				
	17 Interest				
	18 Taxes STMT 5	10,548.	0.		0.
	19 Depreciation and depletion	9,054.	0.		
	20 Occupancy	34,597.	0.		0.
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses STMT 6	108,810.	91,696.		0.
	24 **Total operating and administrative expenses.** Add lines 13 through 23	253,339.	91,696.		0.
	25 Contributions, gifts, grants paid	445,500.			445,500.
	26 **Total expenses and disbursements.** Add lines 24 and 25	698,839.	91,696.		445,500.
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	<262,958.>			
	b **Net investment income** (if negative, enter -0-)		324,721.		
	c **Adjusted net income** (if negative, enter -0-)			N/A	

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Part II Balance Sheets (Attached schedules and amounts in the description column should be for end-of-year amounts only)		Beginning of year (a) Book Value	End of year (b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing		2,921.	2,921.
	2 Savings and temporary cash investments	357,938.	1,218,144.	1,218,144.
	3 Accounts receivable ▶			
	Less allowance for doubtful accounts ▶	257.		
	4 Pledges receivable ▶			
	Less allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U S and state government obligations			
	b Investments - corporate stock STMT 7	8,982,797.	7,865,807.	8,361,605.
	c Investments - corporate bonds			
	11 Investments - land, buildings, and equipment basis ▶			
	Less: accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other			
	14 Land, buildings, and equipment basis ▶ 66,767.			
	Less: accumulated depreciation ▶ 31,001.	44,604.	35,766.	35,766.
	15 Other assets (describe ▶ SECURITY DEPOSITS)	2,718.	2,718.	2,718.
	16 Total assets (to be completed by all filers)	9,388,314.	9,125,356.	9,621,154.
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 Total liabilities (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ [X] and complete lines 24 through 26 and lines 30 and 31.			
	24 Unrestricted	9,388,314.	9,125,356.	
	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, bldg , and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 Total net assets or fund balances	9,388,314.	9,125,356.	
	31 Total liabilities and net assets/fund balances	9,388,314.	9,125,356.	

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	9,388,314.
2 Enter amount from Part I, line 27a	2	<262,958.>
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	9,125,356.
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	9,125,356.

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	MERRILL LYNCH - SEE ATTACHED	P	VARIOUS	VARIOUS
b	MERRILL LYNCH - SEE ATTACHED	P	VARIOUS	VARIOUS
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	3,005,105.		3,273,794.	<268,689.>
b	4,631,179.		4,167,965.	463,214.
c				
d				
e				

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				<268,689.>
b				463,214.
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 — 194,525.

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	457,314.	9,122,732.	.050129
2007	625,000.	12,863,859.	.048586
2006	538,576.	10,462,190.	.051478
2005	380,860.	7,288,667.	.052254
2004	348,484.	6,951,838.	.050128

2	**Total** of line 1, column (d)	2	.252575
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	.050515
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	8,799,567.
5	Multiply line 4 by line 3	5	444,510.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	3,247.
7	Add lines 5 and 6	7	447,757.
8	Enter qualifying distributions from Part XII, line 4	8	445,500.

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

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

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1. Date of ruling or determination letter ______ (attach copy of letter if necessary-see instructions)				
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ ☐ and enter 1% of Part I, line 27b			1	6,494.
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)				
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)			2	0.
3	Add lines 1 and 2			3	6,494.
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	6,494.
6	Credits/Payments				
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	2,720.		
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	2,720.
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	3,774.
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶			10	
11	Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶	Refunded ▶		11	

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)?	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 (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) ▶ GA			
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

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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 ▶ MOORE COLSON Telephone no ▶770-989-0028

Located at ▶1640 POWERS FERRY ROAD, BLDG 11, STE 300, GOVERNO ZIP+4 ▶30067

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** No: X

If "Yes" to 6b, file Form 8870

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

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

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

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

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NANCY GORDY SIMMS 3330 CUMBERLAND BLVD. STE T40 ATLANTA, GA 30339	TRUSTEE 0.00	0.	0.	0.
DOUGLAS GORDON MUIR III 3330 CUMBERLAND BLVD. STE T40 ATLANTA, GA 30339	TRUSTEE 0.00	0.	0.	0.
CAROLINE MUIR BROWNE 3330 CUMBERLAND BLVD. STE T40 ATLANTA, GA 30339	TRUSTEE 0.00	0.	0.	0.
STEVEN H. SIMMS 3330 CUMBERLAND BLVD. STE T40 ATLANTA, GA 30339	TRUSTEE 0.00	0.	0.	0.

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

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

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

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

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

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
NONE		

Total number of others receiving over $50,000 for professional services ▶ 0

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

List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc	Expenses
1 N/A	
2	
3	
4	

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

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1 N/A	
2	
All other program-related investments See instructions	
3	
Total. Add lines 1 through 3 ▶	0.

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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	8,503,623.
b	Average of monthly cash balances		1b	429,948.
c	Fair market value of all other assets		1c	
d	**Total** (add lines 1a, b, and c)		1d	8,933,571.
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	8,933,571.
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see instructions)		4	134,004.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4		5	8,799,567.
6	**Minimum investment return.** Enter 5% of line 5		6	439,978.

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	439,978.
2a	Tax on investment income for 2009 from Part VI, line 5	2a 6,494.		
b	Income tax for 2009 (This does not include the tax from Part VI)	2b		
c	Add lines 2a and 2b		2c	6,494.
3	Distributable amount before adjustments Subtract line 2c from line 1		3	433,484.
4	Recoveries of amounts treated as qualifying distributions		4	0.
5	Add lines 3 and 4		5	433,484.
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	433,484.

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	445,500.
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	445,500.
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	0.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	445,500.

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				433,484.
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 3,924.				
b From 2005 24,707.				
c From 2006 28,314.				
d From 2007 6,604.				
e From 2008 6,549.				
f **Total** of lines 3a through e	70,098.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 445,500.				
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				433,484.
e Remaining amount distributed out of corpus	12,016.			
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	82,114.			
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	3,924.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	78,190.			
10 Analysis of line 9				
a Excess from 2005 24,707.				
b Excess from 2006 28,314.				
c Excess from 2007 6,604.				
d Excess from 2008 6,549.				
e Excess from 2009 12,016.				

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

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

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

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

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

1 **Information Regarding Foundation Managers:**

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

NONE

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

NONE

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

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

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

STEVEN H. SIMMS
3330 CUMBERLAND BLVD., STE T40, ATLANTA, GA 30339

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

LETTER STATING REQUEST

c Any submission deadlines.

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

CHARITABLE, EDUCATIONAL, SCIENTIFIC & RELIGIOUS ORGANIZATIONS IN THE UNITED STATES AND US POSSESSIONS

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 8				
Total			▶ 3a	445,500.
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	985.	
4 Dividends and interest from securities			14	220,907.	
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	70.	
8 Gain or (loss) from sales of assets other than inventory			18	194,525.	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue					
a INCOME TAX REFUND					19,394.
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)		0.		416,487.	19,394.

13 Total. Add line 12, columns (b), (d), and (e) 13 435,881.

(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)
	TO PRODUCE REVENUE FOR THE ORGANIZATION TO CONTRIBUTE TO CHARITIES

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: Nancy H Simms | Date: 6/29/10 | Title: Trustee

Paid Preparer's Use Only

Preparer's signature: CPA	Date 6/28/10	Check if self-employed ☐	Preparer's identifying number
Firm's name (or yours if self-employed), address, and ZIP code	MOORE, COLSON & COMPANY, P.C. 1640 POWERS FERRY RD, BLDG 11, SUITE 300 MARIETTA, GA 30067	EIN	Phone no

923622
02-02-10

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCE	AMOUNT
MERRILL LYNCH	985.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	985.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
MERRILL LYNCH	220,907.	0.	220,907.
TOTAL TO FM 990-PF, PART I, LN 4	220,907.	0.	220,907.

FORM 990-PF OTHER INCOME STATEMENT 3

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME
SETTLEMENT INCOME	70.	0.	
INCOME TAX REFUND	19,394.	0.	
TOTAL TO FORM 990-PF, PART I, LINE 11	19,464.	0.	

FORM 990-PF ACCOUNTING FEES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING & LEGAL	4,330.	0.		0.
TO FORM 990-PF, PG 1, LN 16B	4,330.	0.		0.

FORM 990-PF | TAXES | STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES	3,969.	0.		0.
PAYROLL TAXES	6,579.	0.		0.
TO FORM 990-PF, PG 1, LN 18	10,548.	0.		0.

FORM 990-PF | OTHER EXPENSES | STATEMENT 6

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
BANK CHARGES	489.	0.		0.
BROKERAGE FEES	91,696.	91,696.		0.
PAYROLL SERVICE FEES	700.	0.		0.
COMPUTER AND SUPPLIES	904.	0.		0.
MEETING SUPPLIES	537.	0.		0.
OFFICE SUPPLIES	2,407.	0.		0.
REPAIRS AND MAINTENANCE	268.	0.		0.
TELEPHONE EXPENSE	6,856.	0.		0.
INSURANCE	4,754.	0.		0.
PROFESSIONAL EDUCATION	199.	0.		0.
TO FORM 990-PF, PG 1, LN 23	108,810.	91,696.		0.

FORM 990-PF | CORPORATE STOCK | STATEMENT 7

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
CORPORATE STOCKS	7,865,807.	8,361,605.
TOTAL TO FORM 990-PF, PART II, LINE 10B	7,865,807.	8,361,605.

FORM 990-PF GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR STATEMENT 8

RECIPIENT NAME AND ADDRESS	RECIPIENT RELATIONSHIP AND PURPOSE OF GRANT	RECIPIENT STATUS	AMOUNT
ATLANTA UNION MISSION P.O. BOX 1807 ATLANTA, GA 30301	N/A DONATION	CHARITY	20,000.
BREAKTHROUGH HOUSE, INC. 1866 EASTFIELD STREET DECATUR, GA 30032	N/A DONATION	CHARITY	5,000.
CAMP TWIN LAKES 600 MEANS STREET, STE. 110 ATLANTA, GA 30318	N/A DONATION	CHARITY	10,000.
CHILDREN'S HEALTHCARE OF ATLANTA FOUNDATION 1600 TULLIE CIRCLE ATLANTA, GA 30329	N/A DONATION	CHARITY	40,000.
CYSTIC FIBROSIS FOUNDATION 6931 ARLINGTON ROAD BETHESDA, MD 20814	N/A DONATION	CHARITY	5,000.
F.A.I.T.H. P.O. BOX 1964 CLAYTON, GA 30525	N/A DONATION	CHARITY	5,000.
FEED MY LAMBS 560 N FAIRGROUND ST, NE MARIETTA, GA 30060	N/A DONATION	CHARITY	120,000.
FERNBANK MUSEUM OF NATURAL HISTORY 767 CLIFTON ROAD ATLANTA, GA 30307	N/A DONATION	CHARITY	5,000.

FOSTER CARE SUPPORT FOUNDATION 3334 TRAILS END ROAD ROSWELL, GA 30075	N/A DONATION	CHARITY	10,000.
FOUNDATION OF WESLEY WOODS 1817 CLIFTON ROAD, NE ATLANTA, GA 30329	N/A DONATION	CHARITY	21,500.
GOOD SAMARITAN HEALTH CENTER 1015 DONALD LEE HOLLOWELL PARKWAY ATLANTA, GA 30318	N/A DONATION	CHARITY	30,000.
HERITAGE CHRISTIAN SCHOOL 1700 PIEDMONT AVENUE ATLANTA, GA 30324	N/A DONATION	CHARITY	30,000.
LEADING THE WAY P. O. BOX 20100 ATLANTA, GA 30325	N/A DONATION	CHARITY	5,000.
NORTHWEST YOUNG LIFE P.O. BOX 724731 ATLANTA, GA 30339	N/A DONATION	CHARITY	3,000.
PEACHTREE ROAD UMC 3180 PEACHTREE ROAD NW ATLANTA, GA 30305	N/A DONATION	CHARITY	50,000.
REINHARDT COLLEGE 7300 REINHARDT COLLEGE CIRCLE WALESKA, GA 301832981	N/A DONATION	COLLEGE	50,000.
RIGHT FROM THE HEART 1507 JOHNSON FERRY RD, STE 100 MARIETTA, GA 30068	N/A DONATION	CHARITY	5,000.
THE WOODMARK GROUP 1424 NE 155TH ST 100 SHORELINE, WA 98155-7104	N/A DONATION	CHARITY	10,000.

AMERICAN CANCER SOCIETY P.O. BOX 22718 OKLAHOMA CITY, OK 73123-1718	N/A DONATION	CHARITY	5,000.
UNITED MITOCHONDRIAL DISEASE FOUNDATION 8085 SALTSBURG ROAD, SUITE 201 PITTSBURGH, PA 15239	N/A DONATION	CHARITY	1,000.
CHATTAHOOCHEE NATURE CENTER 9135 WILLEO ROAD ROSWELL, GA 30075-4723	N/A DONATION	CHARITY	1,000.
DOCTORS WITHOUT BORDERS 333 7TH AVENUE, 2ND FLOOR NEW YORK, NY 10001-5004	N/A DONATION	CHARITY	2,500.
EAGLE RANCH 5500 UNION CHURCH ROAD FLOWERY BRANCH, GA 30542-5216	N/A DONATION	CHARITY	5,000.
FCA CHAPLAINS 870 LEEDS RD KANSAS CITY, MO 64129	N/A DONATION	CHARITY	1,000.
FRIENDS OF DISABLED ADULTS & CHILDREN, TOO! 4900 LEWIS ROAD STONE MOUNTAIN, GA 30083	N/A DONATION	CHARITY	2,500.
KIPP METRO ATLANTA 191 PEACHTREE STREET, SUITE 810 ATLANTA, GA 30303	N/A DONATION	CHARITY	2,000.
LIFE MINISTRIES TODAY 11285 ELKINS ROAD, SUITE H-5 ROSWELL, GA 30076	N/A DONATION	CHARITY	1,000.
TOTAL TO FORM 990-PF, PART XV, LINE 3A			445,500.

THE EVELYN AND FRANK GORDY FOUNDATION
58-6343707
ATTACHMENT TO FORM 990-PF
PART IV
CAPITAL GAIN AND LOSSES - INVESTMENT INCOME

	Date of Purchase	Date of Sale	Gross Proceeds	Cost Basis	Gain/ (Loss)
SHORT TERM GAINS AND LOSSES					
AIR PRODUCTS & CHEM	04/27/09	var	39,586	31,273	8,313
ACCENTURE INC	var	06/19/09	22,253	19,127	3,126
ALLEGHENY ENERGY INC NEW	08/20/09	10/14/09	7,675	7,485	190
AETNA NEW INC	var	var	51,738	45,847	5,891
ALCON INC	var	var	55,771	35,239	20,532
ACCENTURE PLC SHRS	08/04/09	var	28,932	24,915	4,017
AMN ELEC POWER INC	var	var	22,781	20,505	2,276
ANALOG DEVICES	var	var	74,705	52,157	22,548
AON CORP	var	var	45,610	44,141	1,469
AUTOMATIC DATA PROCESSING	08/07/09	08/26/09	19,367	19,171	196
BMC SOFTWARE INC	10/17/08	var	15,006	10,288	4,718
BANK OF AMERICA CORP	var	var	72,344	58,492	13,852
BANK OF NEW YORK MELLON	var	var	24,183	20,988	3,195
CVS CAREMARK CORP	01/29/09	var	25,045	22,087	2,958
CREDIT SUISSE GP SP ADR	09/11/09	10/23/09	16,894	16,142	752
CHEVRON CORP	10/22/08	05/22/09	12,979	12,564	415
DUN & BRADSTREET CORP NEW	var	09/25/09	18,501	17,887	614
DIRECTV GROUP INC	VAR	VAR	23,609	19,142	4,467
DIRECTV GROUP HLDNGS	VAR	VAR	51,614	38,161	13,453
ENTERGY CORP NEW	05/06/09	12/28/09	16,712	14,580	2,132
GOLDMAN SACHS GROUP INC	VAR	VAR	55,923	47,507	8,416
HONEYWELL INTL INC DEL	08/07/09	10/15/09	52,149	51,071	1,078
HESS CORP	03/31/09	12/04/09	17,120	16,637	483
INVESCO LTD	VAR	VAR	62,561	49,988	12,573
KROGER CO	10/02/09	11/10/09	35,549	31,461	4,088
LOWE'S COMPANIES	VAR	VAR	40,202	32,600	7,602
MORGAN STANLEY	VAR	VAR	47,327	35,665	11,662
MARSH & MCLENNAN COS INC	VAR	08/10/09	11,650	11,018	632
MATTEL INC	VAR	12/04/09	25,809	19,135	6,674
MCCORMICK NON VTG	11/06/08	06/24/09	6,437	6,244	193
MICROSOFT CORP	VAR	VAR	43,740	34,487	9,253
NINTENDO LTD	VAR	VAR	17,160	16,799	361
NYSE EURONEXT	05/26/09	06/08/09	2,911	2,835	76
NORFOLK SOUTHERN CORP	VAR	VAR	46,413	43,174	3,239
NORTHN TRUST CORP	04/28/09	05/19/09	16,042	15,853	189
PPL CORPORATION	06/18/09	08/05/09	2,907	3,324	(417)
OCCIDENTAL PETE CORP CAL	VAR	06/08/09	26,901	26,020	881
ORACLE CORP DEL	05/29/09	12/18/09	19,480	15,522	3,958
PEOPLES UNITED FNL INC	VAR	12/29/09	26,799	25,269	1,530
PRIZER INC DEL	VAR	VAR	135,537	120,809	14,728
PROCTER & GAMBLE CO	06/19/09	10/02/09	22,507	20,570	1,937
QUALCOMM INC	VAR	VAR	33,386	27,018	6,368
STATE STREET CORP	03/30/09	VAR	27,130	17,244	9,886
SUNCOR ENERGY INC NEW	05/07/09	12/04/09	18,030	15,535	2,495
TERADATA CORP DEL	VAR	05/08/09	22,639	15,358	7,281
TOTAL S A. SP ADR	VAR	12/15/09	37,816	32,218	5,598

THE EVELYN AND FRANK GORDY FOUNDATION
58-6343707
ATTACHMENT TO FORM 990-PF
PART IV
CAPITAL GAIN AND LOSSES - INVESTMENT INCOME

	Date of Purchase	Date of Sale	Gross Proceeds	Cost Basis	Gain/ (Loss)
TYCO INTL LTD NAMEN-AKT	VAR	05/01/09	7,275	7,000	275
TYCO ELECTRONICS LTD	01/16/09	05/27/09	5,227	4,784	443
THERMO FISHER SCIENTIFIC	10/23/09	09/15/09	4,579	3,619	960
UNION PACIFIC CORP	VAR	VAR	71,916	52,073	19,843
WESTERN UN CO	VAR	VAR	64,809	48,667	16,142
WAL-MART STORES INC	02/13/09	10/12/09	4,995	4,675	320
YAHOO INC	VAR	VAR	35,775	29,746	6,029
WELLS FARGO & CO NEW DEL	VAR	VAR	103,792	89,142	14,650
ACCENTURE LTD CL A	VAR	VAR	28,683	29,148	(465)
ALLEGHENY ENERGY INC COM	VAR	VAR	53,901	64,698	(10,797)
AMN ELEC POWER INC	VAR	05/06/09	31,595	38,609	(7,014)
AON CORP COM	VAR	VAR	19,977	21,101	(1,124)
BANK NEW YORK MELLON	09/18/08	09/18/09	12,091	12,137	(46)
CREDIT SUISSE GP SP ADR	VAR	VAR	58,597	60,821	(2,224)
CHEVRON CORP	VAR	VAR	59,593	70,178	(10,585)
DUN & BRADSTREET CORP NEW	VAR	VAR	30,526	33,934	(3,408)
DIRECTV GROUP INC	VAR	08/07/09	34,643	34,951	(308)
ELECTRONIC ARTS INC DEL	VAR	VAR	19,866	35,387	(15,521)
IMPALA PLATINUM SPON ADR	VAR	VAR	47,611	51,135	(3,524)
INVESCO LTD	10/03/08	VAR	6,078	8,453	(2,375)
KROGER CO	10/02/09	12/28/09	10,370	10,487	(117)
MARSH & MCLENNAN COS INC	VAR	VAR	52,660	64,831	(12,171)
MCCORMICK NON VTG	06/27/08	06/24/09	12,874	14,264	(1,390)
MCGRAW HILL COMPANIES	08/12/09	VAR	37,195	38,876	(1,681)
NINTENDO LTD	VAR	VAR	64,776	77,480	(12,704)
NORTHN TRUST CORP	04/28/09	05/12/09	15,685	15,853	(168)
PRECISION CASTPARTS	VAR	06/22/09	11,620	14,455	(2,835)
PROCTER & GAMBLE CO	01/14/09	10/02/09	11,254	11,508	(254)
QUALCOMM INC	06/15/09	11/06/09	17,435	17,590	(155)
RAYTHEON CO DELAWARE NEW	07/15/08	05/08/09	9,595	11,405	(1,810)
TYCO ELECTRONICS LTD	VAR	VAR	20,501	41,529	(21,028)
WAL-MART STORES INC	VAR	10/12/09	14,985	15,306	(321)
AVNET INC	11/03/08	10/06/09	1,136	771	365
BRINKER INTL INC	11/06/08	VAR	22,656	13,323	9,333
CHICOS FAS INC	06/02/08	10/06/09	6,214	5,699	515
HALLIBURTON COMPANY	11/21/08	10/06/09	12,698	6,711	5,987
INTEL CORP	10/24/08	06/30/09	22,329	19,383	2,946
BANK OF AMERICA CORP	02/11/09	05/18/09	43,472	24,938	18,534
TRANSOCEAN LTD	12/18/08	10/12/09	19,013	10,613	8,400
ACCENTURE PLC SHRS	08/04/09	03/18/10	8,430	7,118	1,312
ACCENTURE PLC SHRS	VAR	04/22/10	13,071	10,648	2,423
AGILENT TECHNOLOGIES INC	VAR	VAR	24,315	21,766	2,549
ALCON INC	VAR	VAR	148,514	132,727	15,787
AMER EXPRESS COMPANY	VAR	VAR	22,844	20,924	1,920
AMN ELEC POWER INC	11/03/09	04/22/10	6,770	6,125	645
AVNET INC	03/11/09	01/19/10	10,365	5,850	4,515
AVNET INC	VAR	VAR	33,790	23,057	10,733

THE EVELYN AND FRANK GORDY FOUNDATION
58-6343707
ATTACHMENT TO FORM 990-PF
PART IV
CAPITAL GAIN AND LOSSES - INVESTMENT INCOME

	Date of Purchase	Date of Sale	Gross Proceeds	Cost Basis	Gain/ (Loss)
BAKER HUGHES INC	03/03/10	03/22/10	9,532	9,994	(462)
BAKER HUGHES INC	03/03/10	04/22/10	5,003	4,997	6
BANK OF AMERICA CORP	VAR	03/02/10	24,645	17,317	7,328
BANK OF AMERICA CORP	VAR	VAR	43,768	36,481	7,287
BOEING COMPANY	11/04/09	04/21/10	19,349	12,634	6,715
CATERPILLAR INC DEL	01/26/10	01/27/10	36,291	39,572	(3,281)
CME GROUP INC	VAR	04/09/10	64,203	64,760	(557)
COVIDIEN PLC SHS	09/28/09	04/22/10	10,020	8,487	1,533
CVS CAREMARK CORP	02/03/09	02/02/10	6,676	5,448	1,228
CVS CAREMARK CORP	VAR	VAR	18,339	15,288	3,051
DIRECTV GROUP HLDNGS CLA	VAR	VAR	72,760	57,980	14,780
DIRECTV GROUP HLDNGS CLA	10/30/09	02/24/10	10,107	7,890	2,217
EATON CORP	07/20/09	04/21/10	10,528	6,402	4,126
ELECTRONIC ARTS INC DEL	VAR	01/12/10	3,358	4,046	(688)
ELECTRONIC ARTS INC DEL	VAR	VAR	34,847	36,329	(1,482)
ENTERGY CORP NEW	VAR	03/25/10	11,886	11,016	870
ENTERGY CORP NEW	05/07/09	04/22/10	8,165	7,452	713
HALLIBURTON COMPANY	02/05/09	01/05/10	10,057	6,140	3,917
HALLIBURTON COMPANY	04/21/09	01/05/10	471	300	171
HALLIBURTON COMPANY	04/21/09	02/08/10	36,137	25,321	10,816
HESS CORP	03/31/09	01/12/10	12,510	11,091	1,419
HESS CORP	VAR	01/27/10	11,650	11,223	427
HESS CORP	VAR	VAR	42,689	38,016	4,673
ILLINOIS TOOL WORKS INC	12/08/09	01/26/10	18,150	19,036	(886)
ILLINOIS TOOL WORKS INC	12/09/09	04/22/10	5,065	4,755	310
INTEL CORP	11/11/09	01/15/10	33,432	31,677	1,755
INTEL CORP	VAR	01/29/10	17,501	17,895	(394)
INTEL CORP	11/12/09	04/22/10	11,770	9,995	1,775
JP MORGAN CHASE	VAR	04/22/10	8,980	8,328	652
KROGER CO	VAR	01/26/10	36,805	36,063	742
KROGER CO	VAR	02/23/10	41,299	39,994	1,305
LOWE'S COMPANIES	VAR	02/26/10	14,281	9,575	4,706
LOWE'S COMPANIES	VAR	04/22/10	7,950	5,693	2,257
LOWE'S COMPANIES INC	08/21/09	04/21/10	9,708	7,690	2,018
MCDONALDS CORP COM	03/09/10	04/22/10	7,020	6,522	498
MEAD JOHNSON NUTRITION	12/21/09	04/22/10	5,160	4,256	904
MICROSOFT CORP	05/27/09	04/22/10	9,303	6,086	3,217
MOLSON COOR BREW CO CL B	VAR	VAR	51,613	59,888	(8,275)
MONSANTO CO NEW DEL	04/06/10	04/07/10	41,528	41,893	(365)
NESTLE S A REP RF SH ADR	VAR	03/15/10	25,358	16,494	8,864
OCCIDENTAL PETE CORP CAL	01/29/10	04/22/10	8,501	7,931	570
OMNICOM GROUP COM	VAR	VAR	43,456	36,343	7,113
ORACLE CORP DEL	VAR	04/07/10	62,290	48,717	13,573
PEPSICO INC	VAR	VAR	13,165	9,988	3,177
PETROLEO BRASILEIRO VTG SPD	03/19/09	01/13/10	14,085	9,727	4,358
PETROLEO BRASILEIRO VTG SPD	03/19/09	01/29/10	12,075	9,727	2,348
PETROLEO BRASILEIRO VTG SPD	VAR	03/08/10	47,064	39,893	7,171

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PART IV
CAPITAL GAIN AND LOSSES - INVESTMENT INCOME

	Date of Purchase	Date of Sale	Gross Proceeds	Cost Basis	Gain/ (Loss)
PNC FINCL SERVICES GROUP	06/19/09	04/21/10	11,689	7,158	4,531
PRUDENTIAL FINANCIAL INC	08/25/09	04/22/10	19,263	15,472	3,791
PRUDENTIAL FINANCIAL INC	06/22/09	04/21/10	27,977	15,795	12,182
QUALCOMM INC	VAR	VAR	26,498	31,684	(5,186)
QUALCOMM INC	VAR	03/01/10	39,083	49,104	(10,021)
QUANTA SERVICES INC	VAR	04/14/10	50,856	51,297	(441)
RAYTHEON CO DELAWARE NEW	02/04/09	01/29/10	5,250	4,859	391
RAYTHEON CO DELAWARE NEW	VAR	VAR	50,879	34,408	16,471
SAFEWAY INC NEW	07/28/09	04/21/10	10,165	7,158	3,007
SEAGATE TECHNOLOGY	09/15/09	01/20/10	10,588	9,284	1,304
SEAGATE TECHNOLOGY	09/15/09	VAR	23,401	18,569	4,832
STANLEY BLACK & DECKER	VAR	VAR	18,096	15,723	2,373
STANLEY WORKS	VAR	03/04/10	23,358	20,707	2,651
STATE STREET CORP	03/31/09	01/08/10	13,505	9,052	4,453
STATE STREET CORP	VAR	VAR	61,152	58,678	2,474
SUNCOR ENERGY INC NEW	VAR	01/13/10	10,742	9,335	1,407
SUNCOR ENERGY INC NEW	VAR	04/22/10	6,678	6,289	389
SYMANTEC CORP COM	09/11/09	01/29/10	27,181	25,482	1,699
TALISMAN ENERGY INC	05/04/09	01/13/10	12,819	9,964	2,855
TEXAS INSTRUMENTS	VAR	01/14/10	95,051	92,562	2,489
UNITED TECHS CORP	01/05/10	04/22/10	15,278	14,113	1,165
VIACOM INC NEW	01/14/10	VAR	28,592	23,964	4,628
WELLS FARGO & CO NEW DEL	12/15/09	02/01/10	31,458	28,515	2,943
WELLS FARGO & CO NEW DEL	VAR	03/30/10	67,979	57,286	10,693
YAHOO INC	VAR	01/29/10	19,565	18,110	1,455
TOTAL SHORT TERM GAINS (LOSSES)			**4,631,179**	**4,167,965**	**463,214**
LONG TERM GAINS AND LOSSES					
AGILENT TECHNOLOGIES INC	05/17/07	04/21/10	11,886	12,605	(719)
ALCON INC	VAR	01/04/10	15,608	7,724	7,884
ALLSTATE CORP DEL COM	01/30/09	04/21/10	10,952	6,748	4,204
AMEREN CORP	05/22/07	04/21/10	35,070	72,441	(37,371)
AVNET INC	11/03/08	01/19/10	33,508	20,229	13,279
BANK OF AMERICA CORP	VAR	04/21/10	31,355	84,497	(53,142)
BANK OF AMERICA CORP	08/11/94	04/21/10	11,218	32,698	(21,480)
BARD C R INC	VAR	03/31/10	25,918	24,682	1,236
BMC SOFTWARE	VAR	04/22/10	12,252	7,790	4,462
CLOUGH GLBL OPPTYS	05/22/07	04/21/10	32,939	45,022	(12,083)
COCA COLA COM	04/22/96	04/21/10	134,229	100,304	33,925
COMMUNITY HEALTH SYS NEW	07/31/07	04/21/10	52,873	50,740	2,133
CONSOLIDATED EDISON INC	05/22/07	04/21/10	67,040	76,810	(9,770)
CVS CAREMARK CORP	01/29/09	02/02/10	13,352	11,044	2,308
CVS CAREMARK CORP	VAR	03/03/10	17,380	13,946	3,434
CVS CAREMARK CORP	VAR	VAR	14,580	10,908	3,672
DTE ENERGY COMPANY	09/30/04	04/21/10	57,868	53,023	4,845

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PART IV
CAPITAL GAIN AND LOSSES - INVESTMENT INCOME

	Date of Purchase	Date of Sale	Gross Proceeds	Cost Basis	Gain/ (Loss)
DUKE ENERGY CORP NEW	09/30/04	04/21/10	31,418	28,925	2,493
ELECTRONIC ARTS INC DEL	VAR	01/12/10	18,470	24,157	(5,687)
EXXON MOBIL CORP COM	03/27/09	04/22/10	13,700	14,037	(337)
FPL GROUP INC	09/30/04	04/21/10	31,045	21,525	9,520
GAP INC DELAWARE	01/12/06	04/21/10	29,533	20,839	8,694
HALLIBURTON COMPANY	11/21/08	01/05/10	32,055	14,563	17,492
HEWLETT PACKARD CO DEL	VAR	04/07/10	32,060	25,187	6,873
HOME DEPOT INC	05/26/98	04/21/10	52,362	38,171	14,191
JP MORGAN CHASE	VAR	01/15/10	26,318	26,165	153
JP MORGAN CHASE	VAR	03/18/10	34,808	28,077	6,731
JP MORGAN CHASE	VAR	VAR	27,062	14,311	12,751
JP MORGAN CHASE & CO	VAR	04/21/10	29,399	25,565	3,834
LOWE'S COMPANIES	02/20/09	02/26/10	4,760	3,192	1,568
MANPOWER INC	VAR	04/22/10	12,226	13,439	(1,213)
METLIFE INC COM	12/12/08	04/21/10	9,907	6,268	3,639
NESTLE S A REP RF SH ADR	VAR	02/18/10	14,294	12,940	1,354
NESTLE S A REP RF SH ADR	VAR	03/15/10	17,750	15,188	2,562
OMNICOM GROUP COM	VAR	VAR	38,174	44,871	(6,697)
OMNICOM GROUP COM	VAR	03/29/10	23,712	20,240	3,472
PEPCO HLDGS INC	09/30/04	04/21/10	20,614	24,960	(4,346)
PEPSICO INC	VAR	03/22/10	13,252	13,302	(50)
PEPSICO INC	VAR	VAR	13,235	11,116	2,119
PFIZER INC	05/26/98	04/21/10	18,445	39,461	(21,016)
PROGRESS ENERGY INC	05/22/07	04/21/10	53,638	72,342	(18,704)
RAYTHEON CO DELAWARE NEW	VAR	01/29/10	10,500	10,027	473
RAYTHEON CO DELAWARE NEW	VAR	03/04/10	11,322	9,309	2,013
SOUTHERN COMPANY	09/30/04	04/21/10	38,304	34,039	4,265
SPECTRA ENERGY CORP	09/30/04	04/21/10	22,282	20,852	1,430
STATE STREET CORP	VAR	VAR	28,277	19,970	8,307
STRYKER CORP	VAR	VAR	31,669	34,676	(3,007)
THERMO FISHER SCIENTIFIC	VAR	02/22/10	18,710	14,423	4,287
THERMO FISHER SCIENTIFIC	VAR	03/15/10	44,643	31,853	12,790
TRAVELERS COS INC	VAR	02/24/10	66,999	48,019	18,980
TYCO INTL LTD NAMEN-AKT	VAR	VAR	47,513	24,549	22,964
UNUM GROUP	10/06/04	04/21/10	8,818	5,345	3,473
WESCO INTERNATIONAL INC	03/10/08	04/21/10	25,270	24,073	1,197
WESTERN UN CO	VAR	VAR	27,650	21,267	6,383
WGL HOLDINGS INC	09/30/04	04/21/10	43,889	36,051	7,838
XL CAPITAL LTD CL A	05/14/08	01/11/10	4,168	7,954	(3,786)
XL CAPITAL LTD CL A	05/15/08	01/11/10	3,382	6,423	(3,041)
XL CAPITAL LTD CL A	10/15/08	01/11/10	31,622	18,141	13,481
BMC SOFTWARE	10/17/08	10/22/09	18,868	12,859	6,009
BARD C R INC	VAR	12/15/09	16,914	16,836	78
DUN & BRADSTREET CORP NEW	03/26/08	07/30/09	8,325	8,316	9
EDWARDS LIFESCIENCES CRP	VAR	VAR	59,453	43,966	15,487
GOODRICH CORPORATION	VAR	VAR	68,426	46,174	22,252
HEWLETT PACKARD CO DEL	VAR	11/12/09	19,967	17,840	2,127

THE EVELYN AND FRANK GORDY FOUNDATION
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PART IV
CAPITAL GAIN AND LOSSES - INVESTMENT INCOME

	Date of Purchase	Date of Sale	Gross Proceeds	Cost Basis	Gain/ (Loss)
MATTEL INC COM	VAR	VAR	27,924	24,995	2,929
NESTLE S A REP RF SH ADR	VAR	VAR	33,794	32,421	1,373
PEOPLES UNITED FNL INC	VAR	VAR	20,166	19,509	657
BARD C R INC	06/19/07	09/19/09	8,139	8,454	(315)
BANK NEW YORK MELLON	VAR	VAR	63,170	81,910	(18,740)
DUN & BRADSTREET CORP NEW	VAR	VAR	39,775	42,038	(2,263)
ELECTRONIC ARTS INC DEL	VAR	11/17/09	8,833	11,592	(2,759)
GOODRICH CORPORATION	VAR	VAR	26,517	30,417	(3,900)
HEWLETT PACKARD CO DEL	VAR	05/19/09	10,972	14,217	(3,245)
INVESCO LTD	VAR	05/01/09	10,976	20,014	(9,038)
MANPOWER INC	08/08/07	10/20/09	6,113	7,022	(909)
MARSH & MCLENNAN COS INC	VAR	VAR	32,265	42,625	(10,360)
MATTEL INC	VAR	VAR	50,385	58,411	(8,026)
MCCORMICK NON VTG	VAR	06/24/09	22,529	24,189	(1,660)
NESTLE S A REP RF SH ADR	VAR	VAR	62,771	70,958	(8,187)
OMNICOM GROUP COM	01/14/08	VAR	14,858	17,956	(3,098)
PPL CORPORATION	VAR	VAR	32,080	54,935	(22,855)
PEOPLES UNITED FNL INC	VAR	VAR	30,279	30,730	(451)
PARAMETRIC TECH CORP NEW	VAR	VAR	45,556	61,470	(15,914)
PEPSICO INC	VAR	09/21/09	17,790	19,911	(2,121)
PRECISION CASTPARTS	VAR	VAR	34,773	46,408	(11,635)
PROCTER & GAMBLE CO	VAR	10/02/09	28,134	32,703	(4,569)
RAYTHEON CO DELAWARE NEW	VAR	VAR	27,402	34,470	(7,068)
ROCHE HLDG LTD SPN ADR	VAR	09/16/09	12,027	12,985	(958)
TERADATA CORP DEL	VAR	VAR	15,507	18,134	(2,627)
TOTAL S A SP ADR	VAR	VAR	50,145	57,870	(7,725)
TYCO ELECTRONICS LTD	VAR	05/13/09	9,766	19,682	(9,916)
THERMO FISHER SCIENTIFIC	VAR	VAR	34,378	38,978	(4,600)
WABCO HOLDINGS INC	VAR	05/01/09	32,476	96,557	(64,081)
WAL-MART STORES INC	VAR	VAR	47,191	55,865	(8,674)
CHICOS FAS INC	06/02/08	VAR	68,187	40,148	28,039
UNUM GROUP	10/06/04	10/06/09	2,387	1,704	683
ASPEN INSURANCE HLDS LTD	01/17/06	06/19/09	54,484	59,838	(5,354)
ENDURANCE SPECIALTY HLDG	VAR	VAR	90,262	95,211	(4,949)
XL CAPITAL LTD CL A	VAR	VAR	47,058	127,414	(80,356)
COX RADIO INC	05/26/98	05/26/09	52,800	159,039	(106,239)
TOTAL LONG TERM GAINS (LOSSES)			**3,005,105**	**3,273,794**	**(268,689)**
TOTAL NET GAINS (LOSSES)			**7,636,284**	**7,441,759**	**194,525**

GF The Evelyn & Frank Gordy Foundation
58-6343707
FYE: 4/30/2010

Tax Group Summary 5/01/09 - 4/30/10

Group	Cost Beginning	Cost Acquisitions	Cost Disposals	Cost Ending	Depreciation Prior	Depreciation Additions	Depreciation Reductions	Depreciation Ending
Equipment	15,435 03	216 24	0 00	15,651 27	7,567 71	2,725 22	0 00	10,292 93
Furniture	28,295.10	0.00	0.00	28,295 10	11,468 34	4,807.66	0 00	16,276 00
Leasehold Improvement	22,820.95	0 00	0 00	22,820 95	2,910 93	1,521 41	0 00	4,432 34
Grand Total	66,551.08	216 24	0 00	66,767.32	21,946 98	9,054 29	0 00	31,001 27

Attachment. Form 990-PF
Part II, line 14

Form **4562** Department of the Treasury Internal Revenue Service (99)

Depreciation and Amortization 990PF

(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	Business or activity to which this form relates	Identifying number
THE EVELYN AND FRANK GORDY FOUNDATION	FORM 990-PF PAGE 1	58-6343707

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	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	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.)

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year	14	108.
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	1,521.

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	7,410.
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		108.	7 YRS	HY	DDB	15.
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

(a) Classification of property	(b)	(c)	(d)	(e)	(f)	(g)
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 instr.	22	9,054.
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)*

24a 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						25		
26 Property used more than 50% in a qualified business use:								
		%						
		%						
		%						
27 Property used 50% or less in a qualified business use:								
		%				S/L -		
		%				S/L -		
		%				S/L -		
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		(b) Vehicle		(c) Vehicle		(d) Vehicle		(e) Vehicle		(f) Vehicle	
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.

	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?		

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:					
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	