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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

OMB No 1545-0052

**2009**

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

For calendar year 2009, or tax year beginning

08/01, 2009, and ending

07/31, 2010

G Check all that apply

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

Name of foundation

THE SHARKS FOUNDATION

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

525 WEST SANTA CLARA STREET

City or town, state, and ZIP code

SAN JOSE, CA 95113

A Employer identification number

77-0374062

B Telephone number (see page 10 of the instructions)

(408) 999-5784

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 ☒ 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

J Accounting method ☒ Cash ☐ Accrual

of year (from Part II, col (c), line

☐ Other (specify) \_\_\_\_\_

16) ▶ \$ 1,014,619.

(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 page 11 of the instructions))

|                                                                                    | (a) Revenue and expenses per books | (b) Net investment income | (c) Adjusted net income | (d) Disbursements for charitable purposes (cash basis only) |
|------------------------------------------------------------------------------------|------------------------------------|---------------------------|-------------------------|-------------------------------------------------------------|
| <b>Revenue</b>                                                                     |                                    |                           |                         |                                                             |
| 1 Contributions, gifts, grants, etc., received (attach schedule)                   | 171,310                            |                           |                         |                                                             |
| 2 Check <input type="checkbox"/> if the foundation is not required to attach Sch B |                                    |                           |                         |                                                             |
| 3 Interest on savings and temporary cash investments                               | 1,238                              | 1,238                     |                         | ATCH 1                                                      |
| 4 Dividends and interest from securities                                           |                                    |                           |                         |                                                             |
| 5a Gross rents                                                                     |                                    |                           |                         |                                                             |
| b Net rental income or (loss)                                                      |                                    |                           |                         |                                                             |
| 6a Net gain or (loss) from sale of assets not on line 10                           | -3,273                             |                           |                         |                                                             |
| b Gross sales price for all assets on line 6a                                      | 4,750                              |                           |                         |                                                             |
| 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 or (loss) (attach schedule)                                         |                                    |                           |                         |                                                             |
| 11 Other income (attach schedule)                                                  | 598,870                            |                           | 598,870                 | ATCH 2                                                      |
| 12 Total. Add lines 1 through 11                                                   | 768,145                            | 1,238                     | 598,870                 |                                                             |
| <b>Operating and Administrative Expenses</b>                                       |                                    |                           |                         |                                                             |
| 13 Compensation of officers, directors, trustees, etc.                             | 0                                  |                           |                         |                                                             |
| 14 Other employee salaries and wages                                               | 102,325                            |                           | 102,325                 |                                                             |
| 15 Pension plans, employee benefits                                                | 3,508                              |                           | 3,508                   |                                                             |
| 16a Legal fees (attach schedule)                                                   |                                    |                           |                         |                                                             |
| b Accounting fees (attach schedule)                                                |                                    |                           |                         |                                                             |
| c Other professional fees (attach schedule)                                        |                                    |                           |                         |                                                             |
| 17 Interest                                                                        |                                    |                           |                         |                                                             |
| 18 Taxes (attach schedule) (see page 14 of the instructions)                       |                                    |                           |                         |                                                             |
| 19 Depreciation (attach schedule) and depletion                                    |                                    |                           |                         |                                                             |
| 20 Occupancy                                                                       |                                    |                           |                         |                                                             |
| 21 Travel, conferences, and meetings                                               |                                    |                           |                         |                                                             |
| 22 Printing and publications                                                       |                                    |                           |                         |                                                             |
| 23 Other expenses (attach schedule) ATCH 3                                         | 278,876                            |                           | 278,876                 |                                                             |
| 24 Total operating and administrative expenses. Add lines 13 through 23            | 384,709                            |                           | 384,709                 |                                                             |
| 25 Contributions, gifts, grants paid                                               | 347,121                            |                           |                         | 347,121                                                     |
| 26 Total expenses and disbursements. Add lines 24 and 25                           | 731,830                            |                           | 384,709                 | 347,121                                                     |
| 27 Subtract line 26 from line 12                                                   |                                    |                           |                         |                                                             |
| a Excess of revenue over expenses and disbursements                                | 36,315                             |                           |                         |                                                             |
| b Net investment income (if negative, enter -0-)                                   |                                    | 1,238                     |                         |                                                             |
| c Adjusted net income (if negative, enter -0-)                                     |                                    |                           | 214,161                 |                                                             |

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

JSA

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**Part II Balance Sheets**

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

|                                                                                                                  |                                                                                                                                                | Beginning of year | End of year    |                       |
|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------|-----------------------|
|                                                                                                                  |                                                                                                                                                | (a) Book Value    | (b) Book Value | (c) Fair Market Value |
| <b>Assets</b>                                                                                                    | 1 Cash - non-interest-bearing . . . . .                                                                                                        | 942,049.          | 1,014,616.     | 1,014,616.            |
|                                                                                                                  | 2 Savings and temporary cash investments . . . . .                                                                                             |                   |                |                       |
|                                                                                                                  | 3 Accounts receivable ▶ 3.                                                                                                                     |                   |                |                       |
|                                                                                                                  | Less allowance for doubtful accounts ▶                                                                                                         | 18,228.           | 3.             | 3.                    |
|                                                                                                                  | 4 Pledges receivable ▶                                                                                                                         |                   |                |                       |
|                                                                                                                  | Less allowance for doubtful accounts ▶                                                                                                         |                   |                |                       |
|                                                                                                                  | 5 Grants receivable . . . . .                                                                                                                  |                   |                |                       |
|                                                                                                                  | 6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 16 of the instructions)       |                   |                |                       |
|                                                                                                                  | 7 Other notes and loans receivable (attach schedule) ▶                                                                                         |                   |                |                       |
|                                                                                                                  | Less allowance for doubtful accounts ▶                                                                                                         |                   |                |                       |
|                                                                                                                  | 8 Inventories for sale or use . . . . .                                                                                                        |                   |                |                       |
|                                                                                                                  | 9 Prepaid expenses and deferred charges . . . . .                                                                                              |                   |                |                       |
|                                                                                                                  | 10 a Investments - U.S. and state government obligations (attach schedule)                                                                     |                   |                |                       |
|                                                                                                                  | b Investments - corporate stock (attach schedule) <u>ATCH 4</u>                                                                                | 8,023.            | 0.             | 0.                    |
|                                                                                                                  | c Investments - corporate bonds (attach schedule).                                                                                             |                   |                |                       |
|                                                                                                                  | 11 Investments - land, buildings, and equipment basis ▶                                                                                        |                   |                |                       |
| Less accumulated depreciation (attach schedule) ▶                                                                |                                                                                                                                                |                   |                |                       |
| 12 Investments - mortgage loans . . . . .                                                                        |                                                                                                                                                |                   |                |                       |
| 13 Investments - other (attach schedule) . . . . .                                                               |                                                                                                                                                |                   |                |                       |
| 14 Land, buildings, and equipment basis ▶                                                                        |                                                                                                                                                |                   |                |                       |
| Less accumulated depreciation (attach schedule) ▶                                                                |                                                                                                                                                |                   |                |                       |
| 15 Other assets (describe ▶ )                                                                                    |                                                                                                                                                |                   |                |                       |
| 16 <b>Total assets</b> (to be completed by all filers - see the instructions Also, see page 1, item I) . . . . . | 968,300.                                                                                                                                       | 1,014,619.        | 1,014,619.     |                       |
| <b>Liabilities</b>                                                                                               | 17 Accounts payable and accrued expenses . . . . .                                                                                             |                   |                |                       |
|                                                                                                                  | 18 Grants payable . . . . .                                                                                                                    |                   |                |                       |
|                                                                                                                  | 19 Deferred revenue . . . . .                                                                                                                  |                   |                |                       |
|                                                                                                                  | 20 Loans from officers, directors, trustees, and other disqualified persons . . . . .                                                          |                   |                |                       |
|                                                                                                                  | 21 Mortgages and other notes payable (attach schedule) . . . . .                                                                               |                   |                |                       |
|                                                                                                                  | 22 Other liabilities (describe ▶ <u>ATCH 5</u> )                                                                                               | 0.                | 10,004.        |                       |
| 23 <b>Total liabilities</b> (add lines 17 through 22) . . . . .                                                  | 0.                                                                                                                                             | 10,004.           |                |                       |
| <b>Net Assets or Fund Balances</b>                                                                               | <b>Foundations that follow SFAS 117, check here ▶ <input type="checkbox"/></b><br><b>and complete lines 24 through 26 and lines 30 and 31.</b> |                   |                |                       |
|                                                                                                                  | 24 Unrestricted . . . . .                                                                                                                      |                   |                |                       |
|                                                                                                                  | 25 Temporarily restricted . . . . .                                                                                                            |                   |                |                       |
|                                                                                                                  | 26 Permanently restricted . . . . .                                                                                                            |                   |                |                       |
|                                                                                                                  | <b>Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. ▶ <input checked="" type="checkbox"/></b>             |                   |                |                       |
|                                                                                                                  | 27 Capital stock, trust principal, or current funds . . . . .                                                                                  |                   |                |                       |
|                                                                                                                  | 28 Paid-in or capital surplus, or land, bldg, and equipment fund . . . . .                                                                     |                   |                |                       |
|                                                                                                                  | 29 Retained earnings, accumulated income, endowment, or other funds . . . . .                                                                  | 968,300.          | 1,004,615.     |                       |
|                                                                                                                  | 30 <b>Total net assets or fund balances</b> (see page 17 of the instructions) . . . . .                                                        | 968,300.          | 1,004,615.     |                       |
|                                                                                                                  | 31 <b>Total liabilities and net assets/fund balances</b> (see page 17 of the instructions) . . . . .                                           | 968,300.          | 1,014,619.     |                       |

**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 | 968,300.   |
| 2 Enter amount from Part I, line 27a . . . . .                                                                                                                         | 2 | 36,315.    |
| 3 Other increases not included in line 2 (itemize) ▶                                                                                                                   | 3 |            |
| 4 Add lines 1, 2, and 3 . . . . .                                                                                                                                      | 4 | 1,004,615. |
| 5 Decreases not included in line 2 (itemize) ▶                                                                                                                         | 5 |            |
| 6 <b>Total net assets or fund balances at end of year</b> (line 4 minus line 5) - Part II, column (b), line 30 . . . . .                                               | 6 | 1,004,615. |

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**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<br>P-Purchase<br>D-Donation                                              | (c) Date acquired<br>(mo., day, yr.) | (d) Date sold<br>(mo., day, yr.) |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------|
| <b>1a</b> SEE PART IV SCHEDULE                                                                                                                                                                                                                                                                      |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>b</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>c</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>d</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>e</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| (e) Gross sales price                                                                                                                                                                                                                                                                               | (f) Depreciation allowed<br>(or allowable) | (g) Cost or other basis<br>plus expense of sale | (h) Gain or (loss)<br>(e) plus (f) minus (g)                                              |                                      |                                  |
| <b>a</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>b</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>c</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>d</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>e</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69                                                                                                                                                                                                         |                                            |                                                 | (i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h)) |                                      |                                  |
| (i) F M V as of 12/31/69                                                                                                                                                                                                                                                                            | (j) Adjusted basis<br>as of 12/31/69       | (k) Excess of col. (i)<br>over col. (j), if any |                                                                                           |                                      |                                  |
| <b>a</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>b</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>c</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>d</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>e</b>                                                                                                                                                                                                                                                                                            |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>2</b> Capital gain net income or (net capital loss) . . . . .                                                                                                                                                                                                                                    |                                            |                                                 | <b>2</b>                                                                                  | -3,273.                              |                                  |
| <div style="display: flex; align-items: center;"> <div style="border-left: 1px solid black; padding-left: 5px;">           If gain, also enter in Part I, line 7<br/>           If (loss), enter -0- in Part I, line 7         </div> </div>                                                        |                                            |                                                 |                                                                                           |                                      |                                  |
| <b>3</b> Net short-term capital gain or (loss) as defined in sections 1222(5) and (6)                                                                                                                                                                                                               |                                            |                                                 | <b>3</b>                                                                                  |                                      |                                  |
| <div style="display: flex; align-items: center;"> <div style="border-left: 1px solid black; padding-left: 5px;">           If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions)<br/>           If (loss), enter -0- in Part I, line 8.         </div> </div> |                                            |                                                 |                                                                                           |                                      |                                  |

**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.

| (a)<br>Base period years<br>Calendar year (or tax year beginning in)                                                                                                                            | (b)<br>Adjusted qualifying distributions | (c)<br>Net value of noncharitable-use assets | (d)<br>Distribution ratio<br>(col. (b) divided by col. (c)) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------------------------|-------------------------------------------------------------|
| 2008                                                                                                                                                                                            | 308,462.                                 | 873,205.                                     | 0.353253                                                    |
| 2007                                                                                                                                                                                            | 280,902.                                 | 365,218.                                     | 0.769135                                                    |
| 2006                                                                                                                                                                                            | 323,796.                                 | 235,976.                                     | 1.372156                                                    |
| 2005                                                                                                                                                                                            | 231,000.                                 | 242,105.                                     | 0.954131                                                    |
| 2004                                                                                                                                                                                            | 180,283.                                 | 264,179.                                     | 0.682427                                                    |
| <b>2</b> Total of line 1, column (d) . . . . .                                                                                                                                                  |                                          |                                              | <b>2</b> 4.131102                                           |
| <b>3</b> Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years . . . . . |                                          |                                              | <b>3</b> 0.826220                                           |
| <b>4</b> Enter the net value of noncharitable-use assets for 2009 from Part X, line 5 . . . . .                                                                                                 |                                          |                                              | <b>4</b> 1,036,122.                                         |
| <b>5</b> Multiply line 4 by line 3 . . . . .                                                                                                                                                    |                                          |                                              | <b>5</b> 856,065.                                           |
| <b>6</b> Enter 1% of net investment income (1% of Part I, line 27b) . . . . .                                                                                                                   |                                          |                                              | <b>6</b> 12.                                                |
| <b>7</b> Add lines 5 and 6 . . . . .                                                                                                                                                            |                                          |                                              | <b>7</b> 856,077.                                           |
| <b>8</b> Enter qualifying distributions from Part XII, line 4 . . . . .                                                                                                                         |                                          |                                              | <b>8</b> 347,121.                                           |

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions on page 18.

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

|                                                                                                                                                                                                                                               |    |                 |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------------|-----|
| 1a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1<br>Date of ruling or determination letter _____ (attach copy of ruling letter if necessary - see instructions) |    |                 |     |
| b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b                                                                                             |    | 1               | 25. |
| 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               |     |
| 3 Add lines 1 and 2                                                                                                                                                                                                                           |    | 3               | 25. |
| 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               | 25. |
| 6 Credits/Payments                                                                                                                                                                                                                            |    |                 |     |
| a 2009 estimated tax payments and 2008 overpayment credited to 2009                                                                                                                                                                           | 6a | 9,767.          |     |
| b Exempt foreign organizations-tax withheld at source                                                                                                                                                                                         | 6b | 0.              |     |
| c Tax paid with application for extension of time to file (Form 8868)                                                                                                                                                                         | 6c | 0.              |     |
| d Backup withholding erroneously withheld                                                                                                                                                                                                     | 6d |                 |     |
| 7 Total credits and payments Add lines 6a through 6d                                                                                                                                                                                          | 7  | 9,767.          |     |
| 8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached                                                                                                                           | 8  |                 |     |
| 9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed                                                                                                                                                               | 9  |                 |     |
| 10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid                                                                                                                                                  | 10 | 9,742.          |     |
| 11 Enter the amount of line 10 to be Credited to 2010 estimated tax                                                                                                                                                                           | 11 | 9,742. Refunded |     |

**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?                                                                                                                                                                                 |     | X   |
| b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?<br>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 |     | X   |
| c Did the foundation file Form 1120-POL for this year?                                                                                                                                                                                                                                                                                                  |     | X   |
| d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year<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                                                                                                                                                                                          |     | 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                                                                                                                            |     | X   |
| 4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?                                                                                                                                                                                                                                                          |     | X   |
| b If "Yes," has it filed a tax return on Form 990-T for this year?                                                                                                                                                                                                                                                                                      |     | N/A |
| 5 Was there a liquidation, termination, dissolution, or substantial contraction during the year?<br>If "Yes," attach the statement required by General Instruction T.                                                                                                                                                                                   |     | 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?                     | 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                                                                                                                                                                                                                      | X   |     |
| 8a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) CA,                                                                                                                                                                                                                                |     |     |
| b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation                                                                                                                                           | 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 on page 27)? If "Yes," complete Part XIV                                                                                       |     | X   |
| 10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses                                                                                                                                                                                                                   |     | X   |

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

|                            |                                                                                                                                                                                                        |                                                                                           |   |   |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|---|---|
| 11                         | At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions) | 11                                                                                        |   | 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 <u>N/A</u> |                                                                                                                                                                                                        |                                                                                           |   |   |
| 14                         | The books are in care of <u>KEN CAENEY</u>                                                                                                                                                             | Telephone no <u>408-999-5784</u>                                                          |   |   |
|                            | Located at <u>525 WEST SANTA CLARA ST, SAN JOSE, CA</u>                                                                                                                                                | ZIP + 4 <u>95113</u>                                                                      |   |   |
| 15                         | Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here <input type="checkbox"/>                                                                           | and enter the amount of tax-exempt interest received or accrued during the year <u>15</u> |   |   |

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

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Yes                                     | No                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------|
| 1a During the year did the foundation (either directly or indirectly)                                                                                                                                                                                                                                                                                                                                                                                                                            |                                         |                                        |
| (1) Engage in the sale or exchange, or leasing of property with a disqualified person?                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?                                                                                                                                                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| (4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)                                                                                                                                                                                                                                                   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)?                                                                                                                                                                                                                                                            | 1b                                      | X                                      |
| Organizations relying on a current notice regarding disaster assistance check here <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                      |                                         |                                        |
| 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?                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| If "Yes," list the years <u></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                         |                                        |
| 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 page 20 of the instructions)                                                                                                                                                                        | 2b                                      | N/A                                    |
| c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here <u></u>                                                                                                                                                                                                                                                                                                                                                                        |                                         |                                        |
| 3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009) | 3b                                      | N/A                                    |
| 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                                      |

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

- 5a** During the year did the foundation pay or incur any amount to
- (1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No
- (2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No
- (3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No
- (4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions) ☐ Yes ☒ No
- (5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No
- b** If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? ☐ Yes ☒ No  
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? ☐ Yes ☒ No  
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? ☐ Yes ☒ No

|    |     |  |   |
|----|-----|--|---|
| 5b | N/A |  |   |
| 6b |     |  | X |
| 7b |     |  | X |

**Part VIII** Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors**1** List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).

| (a) Name and address | (b) Title, and average hours per week devoted to position | (c) Compensation (If not paid, enter -0-) | (d) Contributions to employee benefit plans and deferred compensation | (e) Expense account, other allowances |
|----------------------|-----------------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------|---------------------------------------|
| ATTACHMENT 6         |                                                           | 0.                                        | 0.                                                                    | 0.                                    |
|                      |                                                           |                                           |                                                                       |                                       |
|                      |                                                           |                                           |                                                                       |                                       |
|                      |                                                           |                                           |                                                                       |                                       |

**2** Compensation of five highest-paid employees (other than those included on line 1 - see page 23 of the instructions). If none, enter "NONE."

| (a) Name and address of each employee paid more than \$50,000 | (b) Title, and average hours per week devoted to position | (c) Compensation | (d) Contributions to employee benefit plans and deferred compensation | (e) Expense account, other allowances |
|---------------------------------------------------------------|-----------------------------------------------------------|------------------|-----------------------------------------------------------------------|---------------------------------------|
| ATTACHMENT 7                                                  |                                                           | 102,085.         | 3,508.                                                                | 0.                                    |
|                                                               |                                                           |                  |                                                                       |                                       |
|                                                               |                                                           |                  |                                                                       |                                       |
|                                                               |                                                           |                  |                                                                       |                                       |

Total number of other employees paid over \$50,000 ☐ 1

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**Part VIII** Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)**3** Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE."

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

Total number of others receiving over \$50,000 for professional services . . . . . 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 N/A                                                                                                                                                                                                                                                  |          |
|                                                                                                                                                                                                                                                        |          |
| 2                                                                                                                                                                                                                                                      |          |
|                                                                                                                                                                                                                                                        |          |
| 3                                                                                                                                                                                                                                                      |          |
|                                                                                                                                                                                                                                                        |          |
| 4                                                                                                                                                                                                                                                      |          |
|                                                                                                                                                                                                                                                        |          |

**Part IX-B** Summary of Program-Related Investments (see page 23 of the instructions)

| Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2 | Amount |
|------------------------------------------------------------------------------------------------------------------|--------|
| 1 N/A                                                                                                            |        |
|                                                                                                                  |        |
| 2                                                                                                                |        |
|                                                                                                                  |        |
| All other program-related investments. See page 24 of the instructions                                           |        |
| 3 NONE                                                                                                           |        |
|                                                                                                                  |        |
| Total. Add lines 1 through 3 . . . . .                                                                           |        |

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

|   |                                                                                                                           |    |            |
|---|---------------------------------------------------------------------------------------------------------------------------|----|------------|
| 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 | 2,375.     |
| b | Average of monthly cash balances                                                                                          | 1b | 1,049,526. |
| c | Fair market value of all other assets (see page 24 of the instructions)                                                   | 1c | 0.         |
| d | Total (add lines 1a, b, and c)                                                                                            | 1d | 1,051,901. |
| 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  | 0.         |
| 3 | Subtract line 2 from line 1d                                                                                              | 3  | 1,051,901. |
| 4 | Cash deemed held for charitable activities. Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions) | 4  | 15,779.    |
| 5 | Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4                      | 5  | 1,036,122. |
| 6 | Minimum investment return. Enter 5% of line 5                                                                             | 6  | 51,806.    |

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

|    |                                                                                                    |    |         |
|----|----------------------------------------------------------------------------------------------------|----|---------|
| 1  | Minimum investment return from Part X, line 6                                                      | 1  | 51,806. |
| 2a | Tax on investment income for 2009 from Part VI, line 5                                             | 2a | 25.     |
| b  | Income tax for 2009 (This does not include the tax from Part VI)                                   | 2b |         |
| c  | Add lines 2a and 2b                                                                                | 2c | 25.     |
| 3  | Distributable amount before adjustments. Subtract line 2c from line 1                              | 3  | 51,781. |
| 4  | Recoveries of amounts treated as qualifying distributions                                          | 4  |         |
| 5  | Add lines 3 and 4                                                                                  | 5  | 51,781. |
| 6  | Deduction from distributable amount (see page 25 of the instructions)                              | 6  |         |
| 7  | Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1 | 7  | 51,781. |

**Part XII Qualifying Distributions** (see page 25 of the 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 | 347,121. |
| 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  | 0.       |
| 3 | Amounts set aside for specific charitable projects that satisfy the                                                                                                 |    |          |
| a | Suitability test (prior IRS approval required)                                                                                                                      | 3a | 0.       |
| b | Cash distribution test (attach the required schedule)                                                                                                               | 3b | 0.       |
| 4 | Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4                                                          | 4  | 347,121. |
| 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 page 26 of the instructions) | 5  | N/A      |
| 6 | Adjusted qualifying distributions. Subtract line 5 from line 4                                                                                                      | 6  | 347,121. |

**Note:** The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

**Part XIII Undistributed Income** (see page 26 of the instructions)

|                                                                                                                                                                                   | (a)<br>Corpus | (b)<br>Years prior to 2008 | (c)<br>2008 | (d)<br>2009 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------|-------------|-------------|
| <b>1</b> Distributable amount for 2009 from Part XI, line 7                                                                                                                       |               |                            |             | 51,781.     |
| <b>2</b> Undistributed income, if any, as of the end of 2009                                                                                                                      |               |                            |             |             |
| <b>a</b> Enter amount for 2008 only                                                                                                                                               |               |                            |             |             |
| <b>b</b> Total for prior years 20 07 20 06 20 05                                                                                                                                  |               |                            |             |             |
| <b>3</b> Excess distributions carryover, if any, to 2009                                                                                                                          |               |                            |             |             |
| <b>a</b> From 2004                                                                                                                                                                | 167,111.      |                            |             |             |
| <b>b</b> From 2005                                                                                                                                                                | 218,964.      |                            |             |             |
| <b>c</b> From 2006                                                                                                                                                                | 312,367.      |                            |             |             |
| <b>d</b> From 2007                                                                                                                                                                | 264,307.      |                            |             |             |
| <b>e</b> From 2008                                                                                                                                                                | 265,035.      |                            |             |             |
| <b>f</b> Total of lines 3a through e                                                                                                                                              | 1,227,784.    |                            |             |             |
| <b>4</b> Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 347,121.                                                                                                    |               |                            |             |             |
| <b>a</b> Applied to 2008, but not more than line 2a                                                                                                                               |               |                            |             |             |
| <b>b</b> Applied to undistributed income of prior years (Election required - see page 26 of the instructions)                                                                     |               |                            |             |             |
| <b>c</b> Treated as distributions out of corpus (Election required - see page 26 of the instructions)                                                                             | 295,340.      | ATCH 8                     |             |             |
| <b>d</b> Applied to 2009 distributable amount                                                                                                                                     |               |                            |             | 51,781.     |
| <b>e</b> Remaining amount distributed out of corpus                                                                                                                               | 0.            |                            |             |             |
| <b>5</b> Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a))                                         |               |                            |             |             |
| <b>6</b> Enter the net total of each column as indicated below:                                                                                                                   |               |                            |             |             |
| <b>a</b> Corpus Add lines 3f, 4c, and 4e Subtract line 5                                                                                                                          | 1,523,124.    |                            |             |             |
| <b>b</b> Prior years' undistributed income Subtract line 4b from line 2b                                                                                                          |               |                            |             |             |
| <b>c</b> 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 |               |                            |             |             |
| <b>d</b> Subtract line 6c from line 6b Taxable amount - see page 27 of the instructions                                                                                           |               |                            |             |             |
| <b>e</b> Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount - see page 27 of the instructions                                                             |               |                            |             |             |
| <b>f</b> Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010                                                                |               |                            |             |             |
| <b>7</b> Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)                   | 167,111.      |                            |             |             |
| <b>8</b> Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)                                                               |               |                            |             |             |
| <b>9</b> Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a                                                                                              | 1,356,013.    |                            |             |             |
| <b>10</b> Analysis of line 9                                                                                                                                                      |               |                            |             |             |
| <b>a</b> Excess from 2005                                                                                                                                                         | 38,954.       |                            |             |             |
| <b>b</b> Excess from 2006                                                                                                                                                         | 312,367.      |                            |             |             |
| <b>c</b> Excess from 2007                                                                                                                                                         | 264,307.      |                            |             |             |
| <b>d</b> Excess from 2008                                                                                                                                                         | 265,035.      |                            |             |             |
| <b>e</b> Excess from 2009                                                                                                                                                         | 475,350.      |                            |             |             |

4942(1)(5)

**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,<br>show any relationship to<br>any foundation manager<br>or substantial contributor | Foundation<br>status of<br>recipient | Purpose of grant or<br>contribution | Amount   |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------|----------|
| <b>a Paid during the year</b>                    |                                                                                                                    |                                      |                                     |          |
| ATTACHMENT 11                                    |                                                                                                                    |                                      |                                     |          |
| <b>Total.</b> . . . . .                          |                                                                                                                    |                                      | <b>3a</b>                           | 347,121. |
| <b>b Approved for future payment</b>             |                                                                                                                    |                                      |                                     |          |
| <b>Total.</b> . . . . .                          |                                                                                                                    |                                      | <b>3b</b>                           |          |



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

- |   |                                                                                                                                                                                                                                                                                                                                                                                              |       |     |    |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----|----|
| 1 | Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?                                                                                                                                          |       | Yes | No |
| 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. |       |     |    |

[illegible]

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

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

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

**Sign Here**

Signature of officer or trustee

Date \_\_\_\_\_

**Title**

Paid Preparer's Use Only

Preparer's  
signature

Date \_\_\_\_\_

Check if self-employed ☐

Preparer's identifying  
number (See Signature on  
page 30 of the instructions)  
P00926171

Firm's name (or yours if self-employed), address, and ZIP code

HARRIS MYCFO, INC.  
2200 GENG ROAD, SUITE 100  
PALO ALTO, CA

FIN 81-0573056

Phone no 650 210-5000

**Schedule of Contributors**

OMB No 1545-0047

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

**2009**

Name of the organization

THE SHARKS FOUNDATION

Employer identification number

77-0374062

Organization type (check one)

Filers of:

Section:

Form 990 or 990-EZ

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

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

☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation

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

☐ 501(c)(3) taxable private foundation

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

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

**General Rule**

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

**Special Rules**

☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3 % support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year. ▶ \$

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

Name of organization THE SHARKS FOUNDATION

Employer identification number  
77-0374062**Part I** Contributors (see instructions)

| (a)<br>No. | (b)<br>Name, address, and ZIP + 4                                               | (c)<br>Aggregate contributions | (d)<br>Type of contribution                                                                                                                                                 |
|------------|---------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1          | BONFARE MARKETS<br>461 S. MILPITAS BOULEVARD, SUITE 1<br>MILPITAS, CA 95035     | \$ 10,000.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 2          | AMICI'S EAST COAST PIZZARIA<br>P.O. BOX 370794<br>MONTARA, CA 94037             | \$ 11,500.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 3          | APPLIED MATERIALS<br>9700 E. HIGHWAY 290, BLDG. 34 M/S 3400<br>AUSTIN, TX 78724 | \$ 5,000.                      | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 4          | NATIONAL SEMICONDUCTOR<br>2900 SEMICONDUCTOR DRIVE<br>SANTA CLARA, CA 95051     | \$ 5,000.                      | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 5          | PEPSI BOTTLING GROUP<br>27717 ALISO CREEK ROAD<br>ALISO VIEJO, CA 92656         | \$ 10,000.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 6          | SAP GLOBAL MARKETING, INC.<br>95 MORTON STREET, 2ND FLOOR<br>NEW YORK, NY 10014 | \$ 15,000.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |

Name of organization THE SHARKS FOUNDATION

Employer identification number  
77-0374062**Part I** Contributors (see instructions)

| (a)<br>No. | (b)<br>Name, address, and ZIP + 4                                                    | (c)<br>Aggregate contributions | (d)<br>Type of contribution                                                                                                                                                 |
|------------|--------------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7          | SONY PLAYSTATION<br>919 E. HILLSDALE BOULEVARD, FIRST FLOOR<br>FOSTER CITY, CA 94404 | \$ 15,000.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 8          | HEWLETT PACKARD<br>3000 HANOVER STREET<br>PALO ALTO, CA 94304                        | \$ 5,000.                      | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 9          | BILL & BETH KING<br>1255 LA CANADA ROAD<br>HILLSBOROUGH, CA 94010                    | \$ 10,000.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 10         | SUMMERS & SONS ELECTRIC INC.<br>808 SOUTH MAIN STREET<br>MILPITAS, CA 95035          | \$ 5,000.                      | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 11         | COMERICA BANK<br>333 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113                   | \$ 5,000.                      | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |
| 12         | COMPTON FAMILY TRUST<br>737 BRYANT STREET<br>PALO ALTO, CA 94301                     | \$ 15,000.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution) |

Name of organization THE SHARKS FOUNDATION

Employer identification number  
77-0374062**Part I** Contributors (see instructions)

| (a)<br>No. | (b)<br>Name, address, and ZIP + 4                                                              | (c)<br>Aggregate contributions | (d)<br>Type of contribution                                                                                                                                                  |
|------------|------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13         | INTEGRATED ARCHIVE SYSTEMS INC.<br>1121 N. SAN ANTONIO ROAD, SUITE D100<br>PALO ALTO, CA 94303 | \$ 10,000.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution)  |
| 14         | SAN JOSE SHARKS<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113                           | \$ 14,054.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.) |
| 15         | VARIOUS CONTRIBUTORS LESS THAN \$5,000                                                         | \$ 35,756.                     | Person <input checked="" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution)  |
|            |                                                                                                | \$                             | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution)             |
|            |                                                                                                | \$                             | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution)             |
|            |                                                                                                | \$                             | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution)             |

**SCHEDULE D**  
**(Form 1041)**

Department of the Treasury  
Internal Revenue Service

# Capital Gains and Losses

► **Attach to Form 1041, Form 5227, or Form 990-T. See the instructions for Schedule D (Form 1041) (also for Form 5227 or Form 990-T, if applicable).**

OMB No 1545-0092

**2009**

Name of estate or trust

THE SHARKS FOUNDATION

Employer identification number

77-0374062

**Note:** Form 5227 filers need to complete *only* Parts I and II

**Part I Short-Term Capital Gains and Losses - Assets Held One Year or Less**

| (a) Description of property<br>(Example 100 shares 7% preferred of "Z" Co) | (b) Date acquired<br>(mo, day, yr) | (c) Date sold<br>(mo, day, yr) | (d) Sales price | (e) Cost or other basis<br>(see page 4 of the instructions) | (f) Gain or (loss) for the entire year<br>Subtract (e) from (d) |
|----------------------------------------------------------------------------|------------------------------------|--------------------------------|-----------------|-------------------------------------------------------------|-----------------------------------------------------------------|
| 1a                                                                         |                                    |                                |                 |                                                             |                                                                 |
|                                                                            |                                    |                                |                 |                                                             |                                                                 |
|                                                                            |                                    |                                |                 |                                                             |                                                                 |
|                                                                            |                                    |                                |                 |                                                             |                                                                 |
|                                                                            |                                    |                                |                 |                                                             |                                                                 |

|                                                                                                                                     |    |     |
|-------------------------------------------------------------------------------------------------------------------------------------|----|-----|
| b Enter the short-term gain or (loss), if any, from Schedule D-1, line 1b                                                           | 1b |     |
| 2 Short-term capital gain or (loss) from Forms 4684, 6252, 6781, and 8824                                                           | 2  |     |
| 3 Net short-term gain or (loss) from partnerships, S corporations, and other estates or trusts                                      | 3  |     |
| 4 Short-term capital loss carryover Enter the amount, if any, from line 9 of the 2008 Capital Loss Carryover Worksheet              | 4  | ( ) |
| 5 <b>Net short-term gain or (loss).</b> Combine lines 1a through 4 in column (f). Enter here and on line 13, column (3) on the back | 5  |     |

**Part II Long-Term Capital Gains and Losses - Assets Held More Than One Year**

| (a) Description of property<br>(Example 100 shares 7% preferred of "Z" Co) | (b) Date acquired<br>(mo, day, yr) | (c) Date sold<br>(mo, day, yr) | (d) Sales price | (e) Cost or other basis<br>(see page 4 of the instructions) | (f) Gain or (loss) for the entire year<br>Subtract (e) from (d) |
|----------------------------------------------------------------------------|------------------------------------|--------------------------------|-----------------|-------------------------------------------------------------|-----------------------------------------------------------------|
| 6a                                                                         |                                    |                                |                 |                                                             |                                                                 |
|                                                                            |                                    |                                |                 |                                                             |                                                                 |
|                                                                            |                                    |                                |                 |                                                             |                                                                 |
|                                                                            |                                    |                                |                 |                                                             |                                                                 |
|                                                                            |                                    |                                |                 |                                                             |                                                                 |

|                                                                                                                                       |    |         |
|---------------------------------------------------------------------------------------------------------------------------------------|----|---------|
| b Enter the long-term gain or (loss), if any, from Schedule D-1, line 6b                                                              | 6b | -3,273. |
| 7 Long-term capital gain or (loss) from Forms 2439, 4684, 6252, 6781, and 8824                                                        | 7  |         |
| 8 Net long-term gain or (loss) from partnerships, S corporations, and other estates or trusts                                         | 8  |         |
| 9 Capital gain distributions                                                                                                          | 9  |         |
| 10 Gain from Form 4797, Part I                                                                                                        | 10 |         |
| 11 Long-term capital loss carryover Enter the amount, if any, from line 14 of the 2008 Capital Loss Carryover Worksheet               | 11 | ( )     |
| 12 <b>Net long-term gain or (loss).</b> Combine lines 6a through 11 in column (f). Enter here and on line 14a, column (3) on the back | 12 | -3,273. |

For Paperwork Reduction Act Notice, see the Instructions for Form 1041.

Schedule D (Form 1041) 2009

| <b>Part III Summary of Parts I and II</b>                          |                                                                       | (1) Beneficiaries' (see page 5) | (2) Estate's or trust's | (3) Total |
|--------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------|-------------------------|-----------|
| <b>Caution: Read the instructions before completing this part.</b> |                                                                       |                                 |                         |           |
| <b>13</b>                                                          | <b>Net short-term gain or (loss)</b> . . . . .                        | <b>13</b>                       |                         |           |
| <b>14</b>                                                          | <b>Net long-term gain or (loss):</b>                                  |                                 |                         |           |
| a                                                                  | Total for year . . . . .                                              | <b>14a</b>                      |                         | -3,273.   |
| b                                                                  | Unrecaptured section 1250 gain (see line 18 of the wrksht) . . . . .  | <b>14b</b>                      |                         |           |
| c                                                                  | 28% rate gain . . . . .                                               | <b>14c</b>                      |                         |           |
| <b>15</b>                                                          | <b>Total net gain or (loss).</b> Combine lines 13 and 14a . . . . . ▶ | <b>15</b>                       |                         | -3,273.   |

**Note:** If line 15, column (3), is a net gain, enter the gain on Form 1041, line 4 (or Form 990-T, Part I, line 4a). If lines 14a and 15, column (2), are net gains, go to Part V, and do not complete Part IV. If line 15, column (3), is a net loss, complete Part IV and the **Capital Loss Carryover Worksheet**, as necessary.

| <b>Part IV Capital Loss Limitation</b> |                                                                                                                                                                                |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>16</b>                              | Enter here and enter as a (loss) on Form 1041, line 4 (or Form 990-T, Part I, line 4c, if a trust), the smaller of<br>a The loss on line 15, column (3) or b \$3,000 . . . . . |
| <b>16</b>                              | ( 3,000 )                                                                                                                                                                      |

**Note:** If the loss on line 15, column (3), is more than \$3,000, or if Form 1041, page 1, line 22 (or Form 990-T, line 34), is a loss, complete the **Capital Loss Carryover Worksheet** on page 7 of the instructions to figure your capital loss carryover.

| <b>Part V Tax Computation Using Maximum Capital Gains Rates</b>                                                                                                                                                                                                                                                                                               |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Form 1041 filers.</b> Complete this part <b>only</b> if both lines 14a and 15 in column (2) are gains, or an amount is entered in Part I or Part II and there is an entry on Form 1041, line 2b(2), and Form 1041, line 22, is more than zero.                                                                                                             |  |
| <b>Caution:</b> Skip this part and complete the worksheet on page 8 of the instructions if<br>• Either line 14b, col. (2) or line 14c, col. (2) is more than zero, or<br>• Both Form 1041, line 2b(1), and Form 4952, line 4g are more than zero.                                                                                                             |  |
| <b>Form 990-T trusts.</b> Complete this part <b>only</b> if both lines 14a and 15 are gains, or qualified dividends are included in income in Part I of Form 990-T, and Form 990-T, line 34, is more than zero. Skip this part and complete the worksheet on page 8 of the instructions if either line 14b, col. (2) or line 14c, col. (2) is more than zero. |  |

|           |                                                                                                                                                                                                                                                         |           |  |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--|
| <b>17</b> | Enter taxable income from Form 1041, line 22 (or Form 990-T, line 34) . . . . .                                                                                                                                                                         | <b>17</b> |  |
| <b>18</b> | Enter the <b>smaller</b> of line 14a or 15 in column (2) but not less than zero . . . . .                                                                                                                                                               | <b>18</b> |  |
| <b>19</b> | Enter the estate's or trust's qualified dividends from Form 1041, line 2b(2) (or enter the qualified dividends included in income in Part I of Form 990-T) . . . . .                                                                                    | <b>19</b> |  |
| <b>20</b> | Add lines 18 and 19 . . . . .                                                                                                                                                                                                                           | <b>20</b> |  |
| <b>21</b> | If the estate or trust is filing Form 4952, enter the amount from line 4g; otherwise, enter -0- . . . . . ▶                                                                                                                                             | <b>21</b> |  |
| <b>22</b> | Subtract line 21 from line 20. If zero or less, enter -0- . . . . .                                                                                                                                                                                     | <b>22</b> |  |
| <b>23</b> | Subtract line 22 from line 17. If zero or less, enter -0- . . . . .                                                                                                                                                                                     | <b>23</b> |  |
| <b>24</b> | Enter the <b>smaller</b> of the amount on line 17 or \$2,300 . . . . .                                                                                                                                                                                  | <b>24</b> |  |
| <b>25</b> | Is the amount on line 23 equal to or more than the amount on line 24?<br><input type="checkbox"/> <b>Yes.</b> Skip lines 25 and 26, go to line 27 and check the "No" box<br><input type="checkbox"/> <b>No.</b> Enter the amount from line 23 . . . . . | <b>25</b> |  |
| <b>26</b> | Subtract line 25 from line 24 . . . . .                                                                                                                                                                                                                 | <b>26</b> |  |
| <b>27</b> | Are the amounts on lines 22 and 26 the same?<br><input type="checkbox"/> <b>Yes.</b> Skip lines 27 thru 30, go to line 31 <input type="checkbox"/> <b>No.</b> Enter the smaller of line 17 or line 22 . . . . .                                         | <b>27</b> |  |
| <b>28</b> | Enter the amount from line 26 (If line 26 is blank, enter -0-) . . . . .                                                                                                                                                                                | <b>28</b> |  |
| <b>29</b> | Subtract line 28 from line 27 . . . . .                                                                                                                                                                                                                 | <b>29</b> |  |
| <b>30</b> | Multiply line 29 by 15% ( 15 ) . . . . .                                                                                                                                                                                                                | <b>30</b> |  |
| <b>31</b> | Figure the tax on the amount on line 23. Use the 2009 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041) . . . . .                                                                            | <b>31</b> |  |
| <b>32</b> | Add lines 30 and 31 . . . . .                                                                                                                                                                                                                           | <b>32</b> |  |
| <b>33</b> | Figure the tax on the amount on line 17. Use the 2009 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041) . . . . .                                                                            | <b>33</b> |  |
| <b>34</b> | <b>Tax on all taxable income.</b> Enter the <b>smaller</b> of line 32 or line 33 here and on Form 1041, Schedule G, line 1a (or Form 990-T, line 36) . . . . .                                                                                          | <b>34</b> |  |

Schedule D (Form 1041) 2009

Employer identification number

THE SHARKS FOUNDATION

[illegible]

|                                                                                                    |                |
|----------------------------------------------------------------------------------------------------|----------------|
| <b>6b Total.</b> Combine the amounts in column (f) Enter here and on Schedule D, line 6b . . . . . | <u>-3,273.</u> |
|----------------------------------------------------------------------------------------------------|----------------|

JSA

9F 1222 3 000

TS2837 517K

BLU001-02

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

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

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

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

|                                                                                                 |                                                                                                                      |                                                     |
|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b>Type or print</b><br>File by the extended due date for filing your return. See instructions. | Name of exempt organization<br><b>THE SHARKS FOUNDATION</b>                                                          | Employer identification number<br><b>77-0374062</b> |
|                                                                                                 | Number, street, and room or suite no. If a P.O. box, see instructions<br><b>525 WEST SANTA CLARA STREET</b>          |                                                     |
|                                                                                                 | City, town or post office, state, and ZIP code. For a foreign address, see instructions<br><b>SAN JOSE, CA 95113</b> |                                                     |

Enter the Return code for the return that this application is for (file a separate application for each return)

| Application Is For                       | Return Code | Application Is For                       | Return Code |
|------------------------------------------|-------------|------------------------------------------|-------------|
| Form 990                                 | 01          | Form 990-BL                              | 02          |
| Form 990-BL                              | 02          | Form 990-EZ                              | 03          |
| Form 990-EZ                              | 03          | Form 990-PF                              | 04          |
| Form 990-PF                              | 04          | Form 990-T (sec. 401(a) or 408(a) trust) | 05          |
| Form 990-T (sec. 401(a) or 408(a) trust) | 05          | Form 990-T (trust other than above)      | 06          |
| Form 990-T (trust other than above)      | 06          | Form 1041-A                              | 08          |
|                                          |             | Form 4720                                | 09          |
|                                          |             | Form 5227                                | 10          |
|                                          |             | Form 6069                                | 11          |
|                                          |             | Form 8870                                | 12          |

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

• The books are in the care of ☒ **KEN CAENEY**

Telephone No.  FAX No.

• If the organization does not have an office or place of business in the United States, check this box ☐

• If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) . If this is for the whole group, check this box ☐. If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension is for.

- 4 I request an additional 3-month extension of time until 06/15, 2011.
- 5 For calendar year       , or other tax year beginning 08/01, 2009, and ending 07/31, 2010.
- 6 If the tax year entered in line 5 is for less than 12 months, check reason: ☐ Initial return ☐ Final return  
☐ Change in accounting period
- 7 State in detail why you need the extension TAXPAYER IS WAITING FOR INFORMATION FROM THIRD PARTIES AND ADDITIONAL TIME IS NEEDED IN ORDER TO FILE A COMPLETE AND ACCURATE TAX RETURN

|                                                                                                                                                                                                                                            |              |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------|
| <b>8a</b> If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.                                                                                 | <b>8a</b> \$ | 9,767. |
| <b>b</b> If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868. | <b>8b</b> \$ | 9,767. |
| <b>c Balance Due.</b> Subtract line 8b from line 8a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.                                                           | <b>8c</b> \$ | 0.     |

**Signature and Verification**

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

|                                                                        |                            |                           |
|------------------------------------------------------------------------|----------------------------|---------------------------|
| Signature <input type="text"/>                                         | Title <input type="text"/> | Date <input type="text"/> |
| HARRIS MYCFO, INC.<br>2200 GENG ROAD, SUITE 100<br>PALO ALTO, CA 94303 |                            |                           |

Form 8868 (Rev 1-2011)

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

OMB No 1545-1709

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

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

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

**Electronic filing (e-file).** You can electronically file Form 8868 if you need a 3-month automatic extension of time to file (6 months for a corporation required to file Form 990-T), or an additional (not automatic) 3-month extension of time. You can electronically file Form 8868 to request an extension of time to file any of the forms listed in Part I or Part II with the exception of Form 8870, Information Return for Transfers Associated With Certain Personal Benefit Contracts, which must be sent to the IRS in paper format (see instructions). For more details on the electronic filing of this form, visit [www.irs.gov/efile](http://www.irs.gov/efile) and click on *e-file for Charities & Nonprofits*

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

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

Part I only ☐

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

|                                                                                            |                                                                                          |                                |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------|
| <b>Type or print</b><br><br>File by the due date for filing your return. See instructions. | Name of exempt organization                                                              | Employer identification number |
|                                                                                            | THE SHARKS FOUNDATION                                                                    | 77-0374062                     |
|                                                                                            | Number, street, and room or suite no. If a P.O. box, see instructions                    |                                |
|                                                                                            | 525 WEST SANTA CLARA STREET                                                              |                                |
|                                                                                            | City, town or post office, state, and ZIP code. For a foreign address, see instructions. |                                |
|                                                                                            | SAN JOSE, CA 95113                                                                       |                                |

Enter the Return code for the return that this application is for (file a separate application for each return)  

| Application Is For                       | Return Code | Application Is For       | Return Code |
|------------------------------------------|-------------|--------------------------|-------------|
| Form 990                                 | 01          | Form 990-T (corporation) | 07          |
| Form 990-BL                              | 02          | Form 1041-A              | 08          |
| Form 990-EZ                              | 03          | Form 4720                | 09          |
| Form 990-PF                              | 04          | Form 5227                | 10          |
| Form 990-T (sec. 401(a) or 408(a) trust) | 05          | Form 6069                | 11          |
| Form 990-T (trust other than above)      | 06          | Form 8870                | 12          |

- The books are in the care of ▶ KEN CAVENEY

Telephone No. ▶ 408 999-5784

FAX No. ▶ \_\_\_\_\_

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

- 1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until 03/15, 20 11, to file the exempt organization return for the organization named above. The extension is for the organization's return for
- ▶ ☐ calendar year 20 \_\_\_\_ or
- ▶ ☒ tax year beginning 08/01, 20 09, and ending 07/31, 20 10

- 2 If the tax year entered in line 1 is for less than 12 months, check reason ☐ Initial return ☐ Final return ☐ Change in accounting period

|                                                                                                                                                                                              |              |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------|
| <b>3a</b> If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.                                   | <b>3a</b> \$ | 9,767. |
| <b>b</b> If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit. | <b>3b</b> \$ | 9,767. |
| <b>c Balance Due.</b> Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.             | <b>3c</b> \$ | 0.     |

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

For Paperwork Reduction Act Notice, see Instructions.

Form **8868** (Rev. 1-2011)

**FORM 990-PF - PART IV**  
**CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME**

| Kind of Property                             |                                       | Description                                                          |                          |                                |                                    | P<br>or<br>D | Date<br>acquired     | Date sold  |
|----------------------------------------------|---------------------------------------|----------------------------------------------------------------------|--------------------------|--------------------------------|------------------------------------|--------------|----------------------|------------|
| Gross sale<br>price less<br>expenses of sale | Depreciation<br>allowed/<br>allowable | Cost or<br>other<br>basis                                            | FMV<br>as of<br>12/31/69 | Adj basis<br>as of<br>12/31/69 | Excess of<br>FMV over<br>adj basis |              | Gain<br>or<br>(loss) |            |
| 4,750.                                       |                                       | 500 SHARES OF SUN MICROSYSTEM<br>PROPERTY TYPE: SECURITIES<br>8,023. |                          |                                |                                    | P            | VARIOUS              | 01/28/2010 |
|                                              |                                       |                                                                      |                          |                                |                                    |              | -3,273.              |            |
| TOTAL GAIN(LOSS) .....                       |                                       |                                                                      |                          |                                |                                    |              | <u>-3,273.</u>       |            |

FORM 990PF, PART I - INTEREST ON TEMPORARY CASH INVESTMENTS

| DESCRIPTION | REVENUE<br>AND<br>EXPENSES<br>PER BOOKS | NET<br>INVESTMENT<br>INCOME |
|-------------|-----------------------------------------|-----------------------------|
| COMERICA    | 1,238.                                  | 1,238.                      |
| TOTAL       | 1,238.                                  | 1,238.                      |

ATTACHMENT 2

FORM 990PF, PART I - OTHER INCOME

| DESCRIPTION        | REVENUE<br>AND<br>EXPENSES<br>PER BOOKS | ADJUSTED<br>NET<br>INCOME |
|--------------------|-----------------------------------------|---------------------------|
| SHARKS FEST INCOME | 9,180.                                  | 9,180.                    |
| GOLF EVENT INCOME  | 87,062.                                 | 87,062.                   |
| CALENDAR/CD INCOME | 502,628.                                | 502,628.                  |
| TOTALS             | <u>598,870.</u>                         | <u>598,870.</u>           |

FORM 990PF, PART I - OTHER EXPENSES

| DESCRIPTION              | REVENUE<br>AND<br>EXPENSES<br>PER BOOKS | ADJUSTED<br>NET<br>INCOME |
|--------------------------|-----------------------------------------|---------------------------|
| SHARKS FEST EXPENSES     | 67,927.                                 | 67,927.                   |
| GOLF EVENT EXPENSES      | 100,614.                                | 100,614.                  |
| CALENDAR/CD EXPENSES     | 50,838.                                 | 50,838.                   |
| OTHER OPERATING EXPENSES | 59,497.                                 | 59,497.                   |
| TOTALS                   | 278,876.                                | 278,876.                  |

FORM 990PF, PART II - CORPORATE STOCK

ATTACHMENT 4

DESCRIPTION

ENDING  
BOOK VALUE

ENDING  
FMV

500 SHARES SUN MICROSYSTEMS

0.

0.

TOTALS

0.

0.

THE SHARKS FOUNDATION

77-0374062

FORM 990PF, PART II - OTHER LIABILITIES

ATTACHMENT 5

DESCRIPTION

ENDING  
BOOK VALUE

OTHER LIABILITIES

10,004.

TOTALS

10,004.

THE SHARKS FOUNDATION

77-0374062

FORM 990PF, PART VIII - LIST OF OFFICERS, DIRECTORS, AND TRUSTEES

ATTACHMENT 6

| NAME AND ADDRESS                                                      | TITLE AND AVERAGE HOURS PER<br>WEEK DEVOTED TO POSITION | COMPENSATION | CONTRIBUTIONS<br>TO EMPLOYEE<br>BENEFIT PLANS | EXPENSE ACCT<br>AND OTHER<br>ALLOWANCES |
|-----------------------------------------------------------------------|---------------------------------------------------------|--------------|-----------------------------------------------|-----------------------------------------|
| GREG JAMISON<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113     | PRESIDENT                                               | 0.           | 0.                                            | 0.                                      |
| CHARLIE FAAS<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113     | SECRETARY                                               | 0.           | 0.                                            | 0.                                      |
| MALCOLM BORDELON<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113 | VICE PRESIDENT                                          | 0.           | 0.                                            | 0.                                      |
| MONTE CHAVEZ<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113     | BOARD MEMBER                                            | 0.           | 0.                                            | 0.                                      |
| TONI FOSTER<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113      | BOARD MEMBER                                            | 0.           | 0.                                            | 0.                                      |
| KEN CAVENEY<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113      | TREASURER                                               | 0.           | 0.                                            | 0.                                      |

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ATTACHMENT 6

## THE SHARKS FOUNDATION

77-0374062

FORM 990PF, PART VIII - LIST OF OFFICERS, DIRECTORS, AND TRUSTEESATTACHMENT 6 (CONT'D)

| <u>NAME AND ADDRESS</u>                                               | <u>TITLE AND AVERAGE HOURS PER<br/>WEEK DEVOTED TO POSITION</u> | <u>COMPENSATION</u> | <u>CONTRIBUTIONS<br/>TO EMPLOYEE<br/>BENEFIT PLANS</u> | <u>EXPENSE ACCT<br/>AND OTHER<br/>ALLOWANCES</u> |
|-----------------------------------------------------------------------|-----------------------------------------------------------------|---------------------|--------------------------------------------------------|--------------------------------------------------|
| HEATHER HUNTER<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113   | BOARD MEMBER                                                    | 0.                  | 0.                                                     | 0.                                               |
| TONY KHING<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113       | BOARD MEMBER                                                    | 0.                  | 0.                                                     | 0.                                               |
| JIM SPARACO<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113      | BOARD MEMBER                                                    | 0.                  | 0.                                                     | 0.                                               |
| ROSEMARY TEBALDI<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113 | BOARD MEMBER                                                    | 0.                  | 0.                                                     | 0.                                               |
| LYNN WOLFE<br>525 WEST SANTA CLARA STREET<br>SAN JOSE, CA 95113       | BOARD MEMBER                                                    | 0.                  | 0.                                                     | 0.                                               |
| GRAND TOTALS                                                          |                                                                 | <u>0.</u>           | <u>0.</u>                                              | <u>0.</u>                                        |

## THE SHARKS FOUNDATION

77-0374062

990PF, PART VIII - COMPENSATION OF THE FIVE HIGHEST PAID EMPLOYEES

| <u>NAME AND ADDRESS</u>                                           | <u>TITLE AND AVERAGE<br/>HOURS PER WEEK<br/>DEVOTED TO POSITION</u> | <u>COMPENSATION</u> | <u>CONTRIBUTIONS EXPENSE ACCT<br/>TO EMPLOYEE AND OTHER<br/>BENEFIT PLANS ALLOWANCES</u> |
|-------------------------------------------------------------------|---------------------------------------------------------------------|---------------------|------------------------------------------------------------------------------------------|
| LAURA JOHNSTON<br>525 W. SANTA CLARA STREET<br>SAN JOSE, CA 95113 | MANAGER<br>40.00                                                    | 56,935.             | 3,508. 0.                                                                                |
| ERIC BUCHANAN<br>525 W. SANTA CLARA STREET<br>SAN JOSE, CA 95113  | STAFF<br>20.00                                                      | 22,575.             | 0. 0.                                                                                    |
| JEFF CAFUIR<br>525 W. SANTA CLARA STREET<br>SAN JOSE, CA 95113    | STAFF<br>20.00                                                      | 22,575.             | 0. 0.                                                                                    |
|                                                                   | TOTAL COMPENSATION                                                  | <u>102,085.</u>     | <u>3,508.</u> <u>0.</u>                                                                  |

FORM 990PF, PART XIII - DISTRIBUTION FROM CORPUS ELECTION

PURSUANT TO IRC SEC. 4942(H)(2) AND REG. 53.4942(A)-3(D)(2), THE SHARKS FOUNDATION HEREBY ELECTS TO TREAT CURRENT YEAR QUALIFYING DISTRIBUTION IN EXCESS OF THE PRECEDING TAX YEAR'S UNDISTRIBUTED INCOME AS BEING MADE OUT OF CORPUS.

|      |           |
|------|-----------|
| 2004 | \$167,111 |
| 2005 | \$180,010 |

990PF, PART XV - FORM AND CONTENTS OF SUBMITTED APPLICATIONS

AN APPLICATION WILL BE PROVIDED TO PERSONS SUBMITTING A WRITTEN  
REQUEST FOR AN APPLICATION FORM.

990PF, PART XV - RESTRICTIONS OR LIMITATIONS ON AWARDS

THE ORGANIZATION PROVIDEDS FUNDS TO 501(C)(3) ORGANIZATIONS OPERATING IN THE VICINITY OF SANTA CLARA COUNTY, CA . SPECIAL EMPHASIS IS PLACED ON ORGANIZATIONS PROMOTING THE WELFARE, DEVELOPMENT AND/OR GUIDANCE OF PERSONS UNDER THE AGE OF 18.

FORM 990PE, PART XV - GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR

ATTACHMENT 11

RELATIONSHIP TO SUBSTANTIAL CONTRIBUTOR

AND

FOUNDATION STATUS OF RECIPIENT

RECIPIENT NAME AND ADDRESS

PURPOSE OF GRANT OR CONTRIBUTION

AMOUNT

SEE STATEMENT A

NONE

PUBLIC CHARITY

GENERAL CHARITABLE PURPOSE

347,121

TOTAL CONTRIBUTIONS PAID

347,121

THE SHARKS FOUNDATION  
CONTRIBUTIONS PAID IN 2010

EIN 77-0374062

| RECIPIENT                                 | ADDRESS                           | CITY STATE ZIP             | RECIPIENT STATUS | PURPOSE OF GRANT           | DATE       | AMOUNT            |
|-------------------------------------------|-----------------------------------|----------------------------|------------------|----------------------------|------------|-------------------|
| BOYS & GIRLS CLUBS                        | 518 VALLEY WAY                    | MILPITAS, CA 95035         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 05/14/2010 | \$ 25,000         |
| BRING ME A BOOK FOUNDATION                | 1045 TERRA BELLA AVE              | MOUNTAIN VIEW, CA 94043    | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 25,000            |
| UNITE CARE GROUP                          | 1400 PARKMOOR AVE., SUITE 115     | SAN JOSE, CA 95126         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 20,000            |
| ASIAN AMERICANS FOR COMMUNITY INVOLVEMENT | 2400 MOORPARK AVE., SUITE 300     | SAN JOSE, CA 95128         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 25,000            |
| AMERICAN ASSOC                            | 6590 STONEHILL DR                 | SAN JOSE, CA 95120         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 22,248            |
| BOOKS ALOUD                               | 150 E SAN FERNANDO STREET         | SAN JOSE, CA 95112         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 25,000            |
| JUNIOR ACHIEVEMENT                        | 1401 PARKMOOR AVE., SUITE 110     | SAN JOSE, CA 95126         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 25,000            |
| MY NEW RED SHOES                          | 555 AIRPORT BLVD, 5TH FLOOR       | BURLINGAME, CA 94010       | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 20,000            |
| HOPE SERVICES                             | 30 LAS COLINAS LANE               | SAN JOSE, CA 95119         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 24,650            |
| SCHOLL HEALTH CLINICS                     | 5671 SANTA TERESA BLVD, SUITE 105 | SAN JOSE, CA 95123         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 20,000            |
| NEXT DOOR SOLUTIONS                       | 234 EAST GISH RD., SUITE 200      | SAN JOSE, CA 95112         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/07/2010 | 25,000            |
| VALLEY MEDICAL FOUNDATION                 | 2400 MOORPARK AVE., SUITE 207     | SAN JOSE, CA 95128         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 10/20/2009 | 17,000            |
| WORLD VISION HOCKEY FOR HAITI             | PO BOX 9716                       | FEDERAL WAY, WA 98063      | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 04/15/2010 | 13,304            |
| AUBRI BROWN CLUB                          | PO Box 389                        | SANTA CLARA, CA 95052      | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 04/09/2010 | 5,620             |
| SACRED HEART COMMUNITY SERVICE            | 1381 SOUTH FIRST ST               | SAN JOSE, CA 95110         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 02/08/2010 | 3,299             |
| BONFARE MARKETS                           | S MILPITAS BLVD, SUITE 1          | MILPITAS, CA 95035         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 01/26/2010 | 2,500             |
| UNICEF                                    | 125 MAIDEN LANE                   | NEW YORK, NY 10038         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 03/30/2010 | 14,500            |
| BONFARE MARKETS                           | S MILPITAS BLVD, SUITE 1          | MILPITAS, CA 95035         | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 07/20/2010 | 3,500             |
| USA HOCKEY FOUNDATION                     | 1775 BOB JOHNSON DR               | COLORADO SPRINGS, CO 80906 | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 05/01/2010 | 25,000            |
| THE COMMUNITY FOUNDATION                  | 3833 CLEGHORN AVE., SUITE 400     | NASHVILLE, TN 37215        | PUBLIC CHARITY   | GENERAL CHARITABLE PURPOSE | 06/23/2010 | 5,500             |
| TOTAL                                     |                                   |                            |                  |                            |            | <u>\$ 347,121</u> |