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## Return of Private Foundation

OMB No 1545-0052

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

2009

Department of the Treasury  
Internal Revenue Service

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 SEP 1, 2009, and ending AUG 31, 2010

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

Use the IRS label. Otherwise, print or type See Specific Instructions.	Name of foundation <b>THE NEUWIRTH FOUNDATION, INC.</b>		A Employer identification number <b>11-3048776</b>
	Number and street (or P O box number if mail is not delivered to street address) Room/suite <b>C/O CUMMINGS AND CARROLL, 175 GREAT NEC</b>		B Telephone number <b>516-482-3260</b>
	City or town, state, and ZIP code <b>GREAT NECK, NY 11021</b>		C If exemption application is pending, check here <input type="checkbox"/>
			D 1. Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>
H Check type of organization <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation			E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>
I Fair market value of all assets at end of year (from Part II, col (c), line 16) \$ <b>5,901,755.</b> (Part I, column (d) must be on cash basis.)		J Accounting method <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
1	Contributions, gifts, grants, etc., received	400,000.		N/A	
2	Check <input type="checkbox"/> if the foundation is not required to attach Sch B				
3	Interest on savings and temporary cash investments	759.	759.		STATEMENT 1
4	Dividends and interest from securities	167,159.	167,159.		STATEMENT 2
5a	Gross rents				
b	Net rental income or (loss)				
6a	Net gain or (loss) from sale of assets not on line 10	121,667.			
b	Gross sales price for all assets on line 6a	982,918.			
7	Capital gain net income (from Part IV, line 2)		121,667.		
8	Net short-term capital gain				
9	Income modifications				
10a	Gross sales less returns and allowances				
b	Less Cost of goods sold				
c	Gross profit or (loss)				
11	Other income				
12	Total. Add lines 1 through 11	689,585.	289,585.		
13	Compensation of officers, directors, trustees, etc.	0.	0.		0.
14	Other employee salaries and wages				
15	Pension plans, employee benefits				
16a	Legal fees				
b	Accounting fees STMT 3	9,150.	9,150.		0.
c	Other professional fees STMT 4	24,028.	24,028.		0.
17	Interest				
18	Taxes STMT 5	2,076.	0.		0.
19	Depreciation and depletion				
20	Occupancy				
21	Travel, conferences, and meetings				
22	Printing and publications				
23	Other expenses STMT 6	519.	519.		0.
24	Total operating and administrative expenses. Add lines 13 through 23	35,773.	33,697.		0.
25	Contributions, gifts, grants paid	688,080.			688,080.
26	Total expenses and disbursements. Add lines 24 and 25	723,853.	33,697.		688,080.
27	Subtract line 26 from line 12	-34,268.			
a	Excess of revenue over expenses and disbursements				
b	Net investment income (if negative, enter -0-)		255,888.		
c	Adjusted net income (if negative, enter -0-)			N/A	

6

**Part II Balance Sheets** Attached schedules and amounts in the description column should be for end-of-year amounts only

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
<b>Assets</b>	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments	322,862.	391,681.	391,681.
	3 Accounts receivable ▶			
	Less: allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less: allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less: allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges	8,876.	6,800.	6,800.
	10a Investments - U S and state government obligations			
	b Investments - corporate stock STMT 7	5,182,844.	5,082,233.	5,503,274.
	c Investments - corporate bonds			
<b>Liabilities</b>	11 Investments - land, buildings, and equipment basis ▶			
	Less: accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other			
	14 Land, buildings, and equipment basis ▶			
	Less: accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 Total assets (to be completed by all filers)	5,514,582.	5,480,714.	5,901,755.
	17 Accounts payable and accrued expenses	9,002.	9,402.	
	18 Grants payable			
<b>Net Assets or Fund Balances</b>	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 Total liabilities (add lines 17 through 22)	9,002.	9,402.	
<b>Foundations that follow SFAS 117, check here</b> ▶ <input type="checkbox"/>	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	<b>Foundations that do not follow SFAS 117, check here</b> ▶ <input checked="" type="checkbox"/>			
	27 Capital stock, trust principal, or current funds	0.	0.	
	28 Paid-in or capital surplus, or land, bldg, and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	5,505,580.	5,471,312.	
	30 Total net assets or fund balances	5,505,580.	5,471,312.	
31 Total liabilities and net assets/fund balances	5,514,582.	5,480,714.		

**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	5,505,580.
2 Enter amount from Part I, line 27a	2	-34,268.
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	5,471,312.
5 Decreases not included in line 2 (itemize) ▶	5	0.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	5,471,312.

**Part IV Capital Gains and Losses for Tax on Investment Income**

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse, or common stock, 200 shs. MLC Co.)	(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a SCHEDULE ATTACHED	P		
b SCHEDULE ATTACHED	P		
c CAPITAL GAINS DIVIDENDS			
d			
e			

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a 981,831.		861,251.	120,580.
b 2.			2.
c 1,085.			1,085.
d			
e			
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) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	
a			120,580.
b			2.
c			1,085.
d			
e			

2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2	121,667.
	3	N/A
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter -0- in Part I, line 8		

**Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income**

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank.

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year, see instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008	654,198.	5,211,035.	.125541
2007	655,175.	7,642,713.	.085725
2006	622,940.	6,970,443.	.089369
2005	1,048,281.	6,699,245.	.156477
2004	676,902.	6,999,914.	.096701

2 Total of line 1, column (d)	2	.553813
3 Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	.110763
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	5,948,595.
5 Multiply line 4 by line 3	5	658,884.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	2,559.
7 Add lines 5 and 6	7	661,443.
8 Enter qualifying distributions from Part XII, line 4	8	688,080.

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

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

1a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary-see instructions)		1	2,559.
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b			
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col (b)		2	0.
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		3	2,559.
3 Add lines 1 and 2		4	0.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		5	2,559.
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-			
6 Credits/Payments.			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	10,638.	
b Exempt foreign organizations - tax withheld at source	6b		
c Tax paid with application for extension of time to file (Form 8868)	6c		
d Backup withholding erroneously withheld	6d		
7 Total credits and payments. Add lines 6a through 6d	7	10,638.	
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	8,079.	
11 Enter the amount of line 10 to be Credited to 2010 estimated tax <input type="checkbox"/> Refunded <input checked="" type="checkbox"/>	11	0.	

**Part VII-A Statements Regarding Activities**

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

N/A

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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 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? Website address ► N/A	13	X	
14	The books are in care of ► CUMMINGS & CARROLL, P.C. Telephone no ► 516-482-3260 Located at ► 175 GREAT NECK ROAD GREAT NECK, NY ZIP+4 ► 11021			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year	15		N/A

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

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

	Yes	No
1a During the year did the foundation (either directly or indirectly)		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person? <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 type="checkbox"/> Yes <input checked="" 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)? Organizations relying on a current notice regarding disaster assistance check here	N/A	1b
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 ►		
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions) N/A		2b
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here ►		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <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.) N/A		3b
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?		4b X

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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)?

☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

☒

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?

N/A

☐ Yes ☐ No

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

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

☐ Yes ☒ No

6b

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

X

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

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

☐ Yes ☒ No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

7b

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

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

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
SEE STATEMENT 8		0.	0.	0.

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

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

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

0

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
a	Average monthly fair market value of securities	1a	5,477,765.
b	Average of monthly cash balances	1b	561,418.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	6,039,183.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	0.
2	Acquisition indebtedness applicable to line 1 assets	2	0.
3	Subtract line 2 from line 1d	3	6,039,183.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	90,588.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	5,948,595.
6	Minimum investment return. Enter 5% of line 5	6	297,430.

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

1	Minimum investment return from Part X, line 6	1	297,430.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	2,559.
b	Income tax for 2009 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	2,559.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	294,871.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	294,871.
6	Deduction from distributable amount (see instructions)	6	0.
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	294,871.

**Part XII** Qualifying Distributions (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes		
a	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a	688,080.
b	Program-related investments - total from Part IX-B	1b	0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	688,080.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	2,559.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	685,521.

**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

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**Part XIII** Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
<b>1</b> Distributable amount for 2009 from Part XI, line 7				294,871.
<b>2</b> Undistributed income, if any, as of the end of 2009				
<b>a</b> Enter amount for 2008 only			0.	
<b>b</b> Total for prior years		0.		
<b>3</b> Excess distributions carryover, if any, to 2009				
<b>a</b> From 2004	354,002.			
<b>b</b> From 2005	721,057.			
<b>c</b> From 2006	284,465.			
<b>d</b> From 2007	285,210.			
<b>e</b> From 2008	397,170.			
<b>f</b> Total of lines 3a through e	2,041,904.			
<b>4</b> Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 688,080.				
<b>a</b> Applied to 2008, but not more than line 2a			0.	
<b>b</b> Applied to undistributed income of prior years (Election required - see instructions)		0.		
<b>c</b> Treated as distributions out of corpus (Election required - see instructions)	0.			
<b>d</b> Applied to 2009 distributable amount				294,871.
<b>e</b> Remaining amount distributed out of corpus	393,209.			
<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) )	0.			0.
<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	2,435,113.			
<b>b</b> Prior years' undistributed income Subtract line 4b from line 2b		0.		
<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		0.		
<b>d</b> Subtract line 6c from line 6b Taxable amount - see instructions		0.		
<b>e</b> Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount - see instr			0.	
<b>f</b> Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0.
<b>7</b> Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
<b>8</b> Excess distributions carryover from 2004 not applied on line 5 or line 7	354,002.			
<b>9</b> Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	2,081,111.			
<b>10</b> Analysis of line 9				
<b>a</b> Excess from 2005	721,057.			
<b>b</b> Excess from 2006	284,465.			
<b>c</b> Excess from 2007	285,210.			
<b>d</b> Excess from 2008	397,170.			
<b>e</b> Excess from 2009	393,209.			

N/A

- b**
- Check box to indicate whether the foundation is a private operating foundation described in section

☐ 4942(I)(3) or ☐ 4942(I)(5)

- b 85% of line 2a**

- c** Qualifying distributions from Part XII,  
line 4 for each year listed

- d** Amounts included in line 2c not used directly for active conduct of exempt activities

- e Qualifying distributions made directly for active conduct of exempt activities**

**Subtract line 2d from line 2c**

- 3** Complete 3a, b, or c for the

- a "Assets" alternative test - enter  
(1) Value of all assets

- (2) Value of assets qualifying under section 4942(j)(3)(B)(i)**

- b "Endowment" alternative test** - enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed

- c "Support" alternative test - enter**

- (1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)**

- (2) Support from general public and 5 or more exempt organizations as provided in section 4942(i)(3)(B)(iii)**

- (3) Largest amount of support from an exempt organization**

- (4) Gross investment income**

## 1 Information Regarding Foundation Managers:

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

NONE

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

NONE

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

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

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

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

- c Any submission deadlines**

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



Enter gross amounts unless otherwise indicated		Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income
	(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount		
<b>1</b> Program service revenue						
<b>a</b> _____						
<b>b</b> _____						
<b>c</b> _____						
<b>d</b> _____						
<b>e</b> _____						
<b>f</b> _____						
<b>g</b> Fees and contracts from government agencies						
<b>2</b> Membership dues and assessments						
<b>3</b> Interest on savings and temporary cash investments						759.
<b>4</b> Dividends and interest from securities						167,159.
<b>5</b> Net rental income or (loss) from real estate						
<b>a</b> Debt-financed property						
<b>b</b> Not debt-financed property						
<b>6</b> Net rental income or (loss) from personal property						
<b>7</b> Other investment income						
<b>8</b> Gain or (loss) from sales of assets other than inventory						121,667.
<b>9</b> Net income or (loss) from special events						
<b>10</b> Gross profit or (loss) from sales of inventory						
<b>11</b> Other revenue						
<b>a</b> _____						
<b>b</b> _____						
<b>c</b> _____						
<b>d</b> _____						
<b>e</b> _____						
<b>12</b> Subtotal. Add columns (b), (d), and (e)		0.		0.		289,585.
<b>13</b> Total. Add line 12, columns (b), (d), and (e)					13	289,585.

(See worksheet in line 13 instructions to verify calculations.)

[illegible]

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

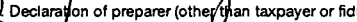

		Yes	No
<b>1</b>	Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c)(3) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?		
<b>a</b>	Transfers from the reporting foundation to a noncharitable exempt organization of		
	(1) Cash	1a(1)	X
	(2) Other assets	1a(2)	X
<b>b</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
<b>c</b>	Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c	X
<b>d</b>	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	11.19.10 Date	PRESIDENT Title
	Preparer's signature  Firm's name (or yours if self-employed), address, and ZIP code CUMMINGS & GARROLL, P.C. 175 GREAT NECK ROAD GREAT NECK, NY 11021	Date 11/19/10	Check if self-employed <input checked="" type="checkbox"/> Preparer's identifying number 117-32-1980

EIN 516-482-3260	Phone no 516-482-3260
---------------------	--------------------------

Form **990-PF** (2009)

**Schedule B**(Form 990, 990-EZ,  
or 990-PF)Department of the Treasury  
Internal Revenue Service**Schedule of Contributors**

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

OMB No 1545-0047

**2009****Name of the organization**

THE NEUWIRTH FOUNDATION, INC.

**Employer identification number**

11-3048776

**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).

LHA For Privacy Act and Paperwork Reduction Act Notice, see the Instructions  
for Form 990, 990-EZ, or 990-PF.

Schedule B (Form 990, 990-EZ, or 990-PF) (2009)

Name of organization

Employer identification number

THE NEUWIRTH FOUNDATION, INC.

11-3048776

**Part I Contributors** (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	MARVIN R NEUWIRTH 539 SPLIT ROCK RD SYOSSET, NY 11791	\$ 400,000.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)

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

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SOURCE	AMOUNT
SMITH BARNEY	759.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	759.

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FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

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SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
SMITH BARNEY	168,244.	1,085.	167,159.
TOTAL TO FM 990-PF, PART I, LN 4	168,244.	1,085.	167,159.

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FORM 990-PF ACCOUNTING FEES STATEMENT 3

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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
PREPARATION OF REPORT & 990 PF	9,150.	9,150.		0.
TO FORM 990-PF, PG 1, LN 16B	9,150.	9,150.		0.

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FORM 990-PF OTHER PROFESSIONAL FEES STATEMENT 4

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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
INVESTMENT ADVISORY FEES	24,028.	24,028.		0.
TO FORM 990-PF, PG 1, LN 16C	24,028.	24,028.		0.

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FORM 990-PF	TAXES	STATEMENT	5
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
EXCISE TAX	2,076.	0.		0.
TO FORM 990-PF, PG 1, LN 18	2,076.	0.		0.

FORM 990-PF	OTHER EXPENSES	STATEMENT	6
-------------	----------------	-----------	---

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FEES AND SERVICE CHARGES	519.	519.		0.
TO FORM 990-PF, PG 1, LN 23	519.	519.		0.

FORM 990-PF	CORPORATE STOCK	STATEMENT	7
-------------	-----------------	-----------	---

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
SMITH BARNEY	5,082,233.	5,503,274.
TOTAL TO FORM 990-PF, PART II, LINE 10B	5,082,233.	5,503,274.

FORM 990-PF

PART VIII - LIST OF OFFICERS, DIRECTORS  
TRUSTEES AND FOUNDATION MANAGERS

STATEMENT 8

NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN- SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
BARBARA BRAUN P.O. BOX 41, AELFIES WAY BRIDGEHAMPTON, NY 11932	PRES/DIRECTOR 0.00	0.	0.	0.
MARVIN R. NEUWIRTH 539 SPLIT ROCK ROAD SYOSSET, NY 11791	CHAIRMAN 0.00	0.	0.	0.
FELICE NEUWIRTH 539 SPLIT ROCK ROAD SYOSSET, NY 11791	V PRES/ DIRECTOR 0.00	0.	0.	0.
RICHARD J. BIRNBACH 111 HILLPARK AVENUE GREAT NECK, NY 11021	TREAS/CFO/DIRECTOR 0.00	0.	0.	0.
ROBERT HALPER 1133 AVENUE OF THE AMERICAS NEW YORK, NY 100366799	SECRETARY 0.00	0.	0.	0.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		0.	0.	0.

# The Newwirth Foundation Inc.

## SALES OF SECURITIES

### FYE 8/31/10

	Initials	Date
Prepared By		
Approved By		

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G7234 GREEN

1                      2                      3                      4

Order No.	Date Sold	Description	Sales Price	Cost	Gain or (Loss)	
LT 1	9/8/09	Cash in lieu Marmott Intl	1601	0	1601	LT
LT 2	10/9/09	4935 Shs. UTS First 1040	312	0	312	LT
3/13/07	10/8/09	563 Shs. UTS First 1040	3714	254	3460	LT
1970	10/12/09	376 Shs. Chevron Corp	2780219	1094	2670819	LT
1/26/08	10/12/09	500 Shs. Cliffs Natural Res.	1801553	30539	1770914	LT
1/1/06	10/12/09	1070 Shs. Sunoco Logistics Pk	6468465	16245	1843965	LT
1/1/06	10/12/09	1,210 Shs. Tepeco Logistics LP	4345409	15815	1236091	LT
1958	10/14/09	600 Shs. Exxon Mobil	4259890	1032	4156690	LT
1983	10/14/09	1,110 Shs. JP Morgan Chase & Co.	5232005	5442	4687805	LT
1/2/04	10/14/09	626 Shs. Marmott Intl	1752754	17190	33754	LT
1/1/06	10/14/09	1,056 Shs. Plains All Ameron	5174267	47256	448667	LT
1970	10/14/09	500 Shs. Chevron Corp	3799902	1455	3654402	LT
3/2/05	10/19/09	700 Shs. Caterpillar Inc.	3919809	34202	409699	LT
1/1/06	10/19/09	1,700 Shs. Energy LP	5269864	45556	714264	LT
1/31/06	11/4/09	400 Shs. Davita Inc.	2319940	23648	(44860)	LT
1/2/04	11/10/09	600 Shs. Allergan Inc.	3599907	22056	1394307	LT
LT	11/11/09	400 Shs. Coventry Health	919976	17212	(801224)	LT
LT	11/17/09	600 Shs. Exxon Mobil Corp.	4499884	1032	4396684	LT
4/6/06	11/18/09	500 Shs. Monsanto Co.	3999897	20830	1916897	LT
1/20/07	11/25/09	1,050 Shs. PepsiCo Inc.	6614829	33054	3309429	LT
LT 21	12/7/09	Cash in lieu Marmott Intl	617	0	617	LT
1/1/06	12/10/09	810 Shs. Plains All American	4211891	36244	587491	LT
6/1/06	12/11/09	190 Shs. Plains All American	987974	8502	137774	LT
5/8/06	12/17/09	500 Shs. Allegheny Tech.	1999948	38190	1819052	LT
13/1/06	1/11/10	500 Shs. Davita Inc.	3099920	29560	143920	LT
3/2/05	1/19/10	500 Shs. Coventry Health	1299983	21515	1851517	LT
1/7/05	3/15/10	1,000 Shs. Houdan Energy	449994	59146	1546460	LT
12/6/08	3/18/10	1,000 Shs. Nucor Corp	4462193	72356	2773407	LT
1/20/04	4/1/10	500 Shs. Marmott Intl	1599972	13680	231972	LT
7/28/06	4/19/10	600 Shs. Goldman Sachs	9538728	101569	1618112	LT
3/7/05	4/23/10	1,000 Shs. KB Home	1899967	62637	14363733	LT
4/2/05	4/26/10	600 Shs. Tectron Inc.	1499974	23940	894026	LT
ST 33	6/1/10	Pkts. in Cliff Natural Res.	150	0	150	ST
ST 34	7/13/10	Cash in lieu Frontier	58	0	58	ST
35						35
36						36
37						37
38						38
39						39
40						40
			✓ 98183342	861251	12058242	
					12058034	ST
					208	ST
					12058242	

	Initial's	Date
Prepared By		
Approved By		

# The Newwirth Foundation Inc. Page 1 of 2 Contributions FYE 8/31/10

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G7107 GREEN

Required Contributions for the Year Ended 8/31/10

-0-

## Contributions

Check#	Date		Amount
1696	9/14/09	Metropolitan Museum of Art	1200 -
1697	9/19/09	JCOH	1800 -
1698	9/19/09	JCOH	2500 -
1699	9/19/09	JCOH	2500 -
1700	11/2/09	Metropolitan Tree Function	400 -
1701	11/10/09	Alzheimers Assoc	150000 -
1702	11/10/09	UJA	50000 -
1703	11/10/09	UJA Federation of NY	12000 -
1704	12/15/09	Wildlife Rescue Center	250 -
1705	12/15/09	Usek	1000 -
1706	12/15/09	Equestrian Aid Found.	1000 -
1707	12/15/09	Heart	10000 -
1708	12/15/09	Usek Foundation	1000 -
1709	12/15/09	The Retreat	2000 -
1710	12/15/09	Equus Foundation	10000 -
1714	12/18/09	Una Escuelita	2500 -
1715	12/29/09	Just World	2500 -
1716	12/29/09	East End Hospice Inc.	250 -
1717	1/3/10	The Nature Conservancy	75000 -
1718	1/25/10	Metropolitan Synagogue	180 -
1719	2/23/10	A.H.I.F.	3500 -
1720	2/23/10	High Five Foundation	5000 -
1721	2/26/10	Northshore L.I.J Health	75000 -
1722	3/2/10	Parish Art Museum	1000 -
1724	3/9/10	Whitney Museum of Amer.	900 -
1725	3/24/10	Una Escuelita	750 -
1726	3/25/10	The Retreat	1500 -
1727	3/25/10	Southampton Hospital	1000 -

Subtotal 414730 -

# The Newwrick Foundation Inc.

## Contributions

### FYE 8/31/10

Page 2 of 2

Prepared By	Initials
Approved By	Date

© WILSON JONES

G-104 GREEN

Check No.		Date	Amount
1728	3/25/10	E. Hampton Artiste Alliance	50 -
1729	4/11/10	The Nature Conservancy	11000 -
1730	3/24/10	JCOH	1000 -
1731	4/11/10	National MS Society	5000 -
1732	4/21/10	Alzheimer's Assoc.	1250 -
1734	5/21/10	Alzheimer's Assoc.	167000 -
1735	5/1/10	Hampton Classic	25000 -
1736	5/3/10	JCOH	2500 -
1737	5/17/10	JCOH	1800 -
1738	5/17/10	Una Escuelita	3500 -
1739	5/18/10	JCOH	5000 -
1740	6/4/10	Greater Hant Jew Fed	7000 -
1741	6/4/10	Wadsworth Athenaeum	1000 -
1742	6/4/10	Beth El Temple of W. Hampton	2000 -
1743	6/4/10	Hebrew Home & Hospital	2000 -
1744	6/4/10	Hartford Stage	500 -
1745	6/4/10	Hartford Symphony	500 -
1746	6/5/10	East End Hospice	500 -
1747	6/26/10	JCOH	1000 -
1749	7/2/10	Elva Hermanson Found.	1000 -
1750	7/14/10	The Jewish Ctr. of the U.	400 -
1751	7/24/10	Museum of Modern Art	1500 -
1752	7/26/10	JCOH	1500 -
1753	7/22/10	Easton Life Film	2500 -
1754	7/26/10	Markey Cancer Found.	2500 -
1755	8/7/10	Friends of Materials	2500 -
1756	8/7/10	Camp Jaberwocky	250 -
1757	8/7/10	Markey Cancer Found.	1600 -
1758	8/24/10	JCOH	22000 -
Total			688080 -

THE NEUWIRTH FOUNDATION, INC.

FINANCIAL STATEMENTS

AUGUST 31, 2010

## INDEX TO REPORT

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Schedule of investments as of August 31, 2010	9
Schedule of investments as of August 31, 2009	10
Schedule of charitable contributions for the years ended August 31, 2010 - 2009	11

# Cummings & Carroll, P.C.

Certified Public Accountants

175 Great Neck Road  
Great Neck, NY 11021  
(516) 482-3260  
Fax (516) 482-4067

## INDEPENDENT ACCOUNTANTS' REVIEW REPORT

To the Board of Directors  
The Neuwirth Foundation, Inc  
Bridgehampton, New York

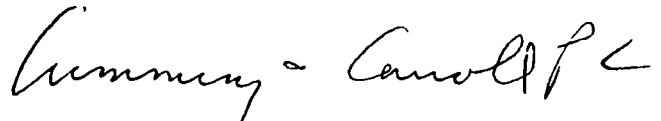
We have reviewed the accompanying statements of financial position of The Neuwirth Foundation Inc. as of August 31, 2010 and 2009, and the related statements of activity and cash flows for the years then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. All information included in these financial statements is the representation of the management of The Neuwirth Foundation Inc.

A review consists principally of inquiries of company management and analytical procedures applied to financial data. It is substantially less in scope than an audit in accordance with generally accepted auditing standards, the objective of which is the expression of an opinion regarding the financial statements taken as a whole. Accordingly, we do not express such an opinion.

Based on our review, we are not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in conformity with generally accepted accounting principles.

Our review was made for the purpose of expressing limited assurance that there are no material modifications that should be made to the financial statements in order for them to be in conformity with generally accepted accounting principles. The information included in the accompanying schedules of marketable securities and charitable contributions is presented only for supplementary analysis purposes. Such information has not been subjected to the inquiry and analytical procedures applied in the review of the basic financial statements, and we are not aware of any modifications that should be made to it.

CUMMINGS & CARROLL, P C



Certified Public Accountants

October 18, 2010  
Great Neck, New York

THE NEUWIRTH FOUNDATION, INC.  
STATEMENT OF FINANCIAL POSITION  
AUGUST 31,  
(Unaudited)

ASSETS

	<u>2010</u>	<u>2009</u>
Current Assets		
Cash - Smith Barney	\$ 391,681	\$ 322,862
Prepaid Excise Tax	<u>6,800</u>	<u>8,876</u>
Total Current Assets	<u>398,481</u>	<u>331,738</u>
Other Assets		
Marketable securities, at market		
(cost - 2010, \$5,082,235		
- 2009, \$5,182,846)	<u>5,503,274</u>	<u>5,468,031</u>
Total unrestricted fund balance	<u>5,503,274</u>	<u>5,468,031</u>
Total Unrestricted Fund Balance	<u><u>\$ 5,901,755</u></u>	<u><u>\$ 5,799,769</u></u>
Current Liabilities		
Accrued expenses and other	<u>\$ 9,400</u>	<u>\$ 9,000</u>
Total Current Liabilities	9,400	9,000
Foundation Principal	<u>5,892,355</u>	<u>5,790,769</u>
Total Liabilities and Foundation Principal	<u><u>\$ 5,901,755</u></u>	<u><u>\$ 5,799,769</u></u>

THE NEUWIRTH FOUNDATION, INC.  
STATEMENT OF ACTIVITY  
FOR THE YEARS ENDED AUGUST 31,  
(Unaudited)

	<u>2010</u>	<u>2009</u>
Revenue		
Dividends and interest	\$ 169,003	\$ 206,697
Contributions received	400,000	409,763
Gain on sale of securities	<u>120,582</u>	<u>20</u>
Total revenue	<u>689,585</u>	<u>616,480</u>
Expenses		
Investment advisory fee	24,028	21,539
Professional fees	9,150	8,750
Fees and service charge	519	250
Federal excise tax	<u>2,076</u>	<u>6,566</u>
Total expenses	<u>35,773</u>	<u>37,105</u>
Excess of revenue over expenses	653,812	579,375
Charitable contributions	<u>688,080</u>	<u>655,960</u>
Deficit of net revenue over contributions	(34,268)	(76,585)
Increase (decrease) in unrealized appreciation of securities	<u>135,854</u>	<u>(1,235,122)</u>
Increase (decrease) in foundation principal	101,586	(1,311,707)
Foundation principal - September 1, 2009-2008	<u>5,790,769</u>	<u>7,102,476</u>
Foundation principal - August 31, 2010-2009	<u><u>\$ 5,892,355</u></u>	<u><u>\$ 5,790,769</u></u>

THE NEUWIRTH FOUNDATION, INC  
STATEMENTS OF CASH FLOWS  
FOR THE YEARS ENDED AUGUST 31,  
(Unaudited)

	<u>2010</u>	<u>2009</u>
Cash Flows From Operating Activities:		
Deficit of net revenue over contributions	\$ (34,268)	\$ (76,585)
Adjustments to reconcile excess of net revenue over contributions to cash from operating activities:		
Contributions received in kind	-	(409,763)
(Decrease) in prepaid excise tax	2,076	(7,605)
Increase in accrued expenses and other	<u>400</u>	<u>825</u>
Net cash used for operating activities	<u>(31,792)</u>	<u>(493,128)</u>
Cash Flows From Investing Activities:		
Sales of marketable securities	861,251	-
Net purchases of marketable securities	<u>(760,640)</u>	<u>(222)</u>
Net cash provided by investing activities	<u>100,611</u>	<u>(222)</u>
Net increase (decrease) in cash	68,819	(493,350)
Cash - September 1, 2009-2008	<u>322,862</u>	<u>816,212</u>
Cash - August 31, 2010-2009	<u><u>\$ 391,681</u></u>	<u><u>\$ 322,862</u></u>
Supplemental disclosures of Cash Information:		
Cash paid during the years for:		
Federal excise taxes	\$ -	\$ 12,400

THE NEUWIRTH FOUNDATION, INC.  
NOTES TO FINANCIAL STATEMENTS  
AUGUST 31, 2010  
(Unaudited)

i. Summary of Significant Accounting Policies

The Neuwirth Foundation, Inc. (The Foundation) operates as a private foundation under section 501(c)(3) of The Internal Revenue Code. The significant accounting policies followed by the Foundation are summarized as follows:

a. Security Valuation

Investments in securities were valued at market price by Smith Barney.

b. Federal Taxes

The Foundation pays a 2% (or if qualified, a reduced 1%) federal excise tax on net investment income.

c. Income and Expense Recognition

Interest income and expenses are recognized on the accrual basis.

d. Undistributed Income

The Foundation is required to distribute for religious, charitable, educational and scientific purposes an amount determined in accordance with the Internal Revenue Code and Regulations. This amount must be distributed by the end of the next fiscal year of the Foundation. The amount that must be distributed by August 31, 2010 is \$0. The excess distribution carryover to August 31, 2010 is \$2,081,111.

# Cummings & Carroll, P.C.

Certified Public Accountants

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Great Neck, NY 11021  
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## INDEPENDENT ACCOUNTANTS' REVIEW REPORT ON SUPPLEMENTAL MATERIAL

To the Board of Directors  
The Neuwirth Foundation, Inc.  
Bridgehampton, New York

Our review of the basic financial statements included in the preceding section of this report were directed to an expression of limited assurance on those statements taken as a whole. The supplemental material in the following section is presented only for purposes of additional analysis and is not a required part of the basic financial statements. Such information has been subjected to the inquiry and analytical procedures applied in the reviews of the basic financial statements. Based on our reviews, we did not become aware of any material modifications that should be made to the supplemental material in order for such information to be in conformity with generally accepted accounting principles when considered in relation to the financial statements taken as a whole.

CUMMINGS & CARROLL, P.C



Certified Public Accountants

October 18, 2010  
Great Neck, New York

THE NEUWIRTH FOUNDATION, INC  
SCHEDULE OF INVESTMENTS  
AUGUST 31, 2010  
(Unaudited)

Date Acquired		Description	Cost	Market Value
<b>Common Stock and Options:</b>				
10/13/09	2,000 shares	AT&T, Inc	51,000	54,060
02/06/06	970 shares	Alcoa Inc	30,858	9,910
03/24/08	1,000 shares	Allegheny Technologies Inc	74,586	40,720
05/08/06	1,000 shares	Allegheny Technologies Inc	38,189	20,360
11/02/04	2,600 shares	Allergan Inc	73,530	122,840
11/02/04	2,000 shares	Amazon com	62,558	53,677
04/19/10	2,600 shares	Bank of America Corp	47,653	32,396
03/02/05	2,200 shares	Caterpillar Inc	73,286	97,740
03/18/10	1,500 shares	Centurylink, Inc	52,435	54,240
1970	8,376 shares	Chevron Corp	21,808	555,600
03/26/08	2,000 shares	Cliffs Natural Resources	91,616	91,785
04/15/10	1,164 shares	Cognizant Tech Solutions	62,494	67,052
03/02/05 & 03/07/05	5,400 shares	Coventry Health Care Inc	193,634	87,075
03/31/06 & 09/14/06	2,400 shares	Davita Inc	88,688	96,930
09/28/06	2,000 shares	Deere & Co	83,957	126,540
06/01/06	1,025 shares	Energy Transfer Partners LP	46,593	46,832
06/01/06	1,720 shares	Energy Transfer Equity LP	45,968	59,770
06/01/06	1,270 shares	Enterprise G P. Holdings LP	46,023	61,417
06/01/06	1,810 shares	Enterprise Prods Partners LP	45,782	66,915
1958	5,600 shares	Exxon Mobil Corp	7,583	260,084
Various	4,000 shares	Exxon Mobil Corp	141,500	236,440
07/02/10	480 shares	Frontier Communications Corp	3,415	3,710
04/15/10	105 shares	Google Inc	62,508	47,252
09/14/06	200 shares	Google Inc	81,246	90,004
09/14/06	1,200 shares	Johnson & Johnson	76,860	68,424
06/01/06	1,320 shares	Magellan Midstream Partners	46,305	63,967
11/02/04	3,600 shares	Marriott Intl Inc New	68,684	80,262
08/25/03	964 shares	Medco Health Solutions Inc	15,489	41,915
03/18/10 & 04/15/10	1,450 shares	Millicom Int'l Cellular	129,207	133,516
07/29/09	2,500 shares	Monsanto Co New	206,975	131,625
06/23/08	3,400 shares	Monsanto Co New	482,970	179,010
02/06/06	2,600 shares	Monsanto Co New	87,476	110,565
03/18/10	1,640 shares	NII Holdings, Inc	67,055	59,450
06/01/06	1,600 shares	Natural Resource Partners LP	45,183	40,960
06/01/06	930 shares	Oneok Partners LP	46,638	63,984
07/29/09	3,600 shares	Pepsico Inc.	202,788	231,048
02/20/97	4,450 shares	Pepsico Inc	107,016	218,212
03/18/10	1,180 shares	Rio Tinto, Plc	66,966	59,507
03/24/08	1,000 shares	Terex Corp New	61,190	18,210
03/02/05	2,600 shares	Textron Inc	79,810	34,140
09/14/06	1,500 shares	Unitedhealth Group Inc	78,042	47,580
05/06/10	2,000 shares	Verizon Communications	51,665	59,060
09/14/06	720 shares	Wellpoint Inc	56,866	35,753
02/20/97	1,200 shares	Yum Brands Inc	7,754	50,040
<b>Closed End Funds:</b>				
04/25/07	20,826 shares	Alpine Global Premier Properties	416,520	125,581
04/27/04 & Reinvest	20,289 shares	Kayne Anderson MLP	512,229	518,171
<b>Mutual Funds:</b>				
04/28/06 & Reinvest	8,891 shares	Dreyfus Premier Greater China Fund	285,882	377,600
04/28/06 & Reinvest	12,248 shares	Ivy Asset Strategy Fund	252,103	264,810
10/07/09 & Reinvest	9,606 shares	Vanguard Fxd Inc Sec Fd GNMA Port	103,652	106,535
			<u>\$ 5,082,235</u>	<u>\$ 5,503,274</u>

THE NEUWIRTH FOUNDATION, INC  
SCHEDULE OF INVESTMENTS  
AUGUST 31, 2009  
(Unaudited)

Date Acquired		Description	Cost	Market Value
<b>Common Stock and Options:</b>				
02/06/06	970 shares	Alcoa Inc	30,858	11,688
03/24/08	1,000 shares	Allegheny Technologies Inc	74,586	30,370
05/08/06	1,000 shares	Allegheny Technologies Inc	76,379	30,370
11/02/04	2,600 shares	Allergan Inc	95,586	145,392
03/02/05	2,200 shares	Caterpillar Inc	107,488	99,682
1970	8,376 shares	Chevron Corp	24,357	585,817
03/26/08	2,000 shares	Cliffs Natural Resources	122,155	50,620
03/02/05 & 03/07/05	5,400 shares	Coventry Health Care Inc	232,361	117,882
03/31/06 & 09/14/06	2,400 shares	Davita Inc	141,896	124,104
09/28/06	2,000 shares	Deere & Co	83,957	87,200
06/01/06	1,025 shares	Energy Transfer Partners LP	46,593	41,553
06/01/06	1,720 shares	Energy Transfer Equity LP	45,968	46,251
06/01/06	1,270 shares	Enterprise G P Holdings LP	46,023	35,560
06/01/06	1,810 shares	Enterprise Prods Partners LP	45,782	48,870
1958	5,600 shares	Exxon Mobil Corp	9,647	387,240
Various	4,000 shares	Exxon Mobil Corp	141,500	276,600
09/28/06	600 shares	Goldman Sachs Group Inc	101,569	99,276
09/14/06	200 shares	Google Inc	81,246	92,334
03/07/05	1,000 shares	Hovnanian Enterprises Inc	59,146	5,370
06/01/06	1,700 shares	Inergy LP	45,556	47,396
1983	1,110 shares	JP Morgan Chase & Co	5,442	48,241
09/14/06	1,200 shares	Johnson & Johnson	76,860	72,528
03/07/05	1,000 shares	KB Home	62,637	18,210
06/01/06	1,320 shares	Magellan Midstream Partners	46,305	47,839
11/02/04	3,600 shares	Marriott Intl Inc New	99,554	86,350
08/25/03	964 shares	Medco Health Solutions Inc	15,489	53,232
07/29/09	2,500 shares	Monsanto Co. New	206,975	209,700
06/23/08	3,400 shares	Monsanto Co New	482,970	285,191
02/06/06	2,600 shares	Monsanto Co New	108,306	218,088
06/01/06	1,600 shares	Natural Resource Partners LP	45,183	28,000
03/26/08	1,000 shares	Nucor Corp	72,356	44,540
06/01/06	930 shares	Oneok Partners LP	46,638	46,556
07/29/09	3,600 shares	Pepsico Inc	202,788	204,012
02/20/97	4,450 shares	Pepsico Inc	140,070	252,181
06/01/06	2,056 shares	Plains All Amern Pipeline LP	92,002	97,538
06/01/06	1,070 shares	Sunoco Logistics Partners LP	46,245	60,754
06/01/06	1,210 shares	Teppco Partners LP	45,815	39,930
03/24/08	1,000 shares	Terex Corp New	61,190	16,480
03/02/05	2,600 shares	Textron Inc	103,750	39,936
09/14/06	1,500 shares	Unitedhealth Group Inc	78,042	42,000
09/14/06	720 shares	Wellpoint Inc	56,866	38,052
02/20/97	1,200 shares	Yum Brands Inc.	7,754	41,100
<b>Closed End Funds:</b>				
04/25/07	20,826 shares	Alpine Global Premier Properties	416,520	122,458
04/27/04 & Reinvest	20,289 shares	Kayne Anderson MLP	512,229	412,772
<b>Mutual Funds:</b>				
04/28/06 & Reinvest	8,891 shares	Dreyfus Premier Greater China Fund	285,882	324,254
04/28/06 & Reinvest	12,248 shares	Ivy Asset Strategy Fund	252,103	251,092
<b>Unit Investment Trusts:</b>				
03/13/07 & Reinvest	559 shares	UTS First Tr SPL Tr 1040	222	3,422
			<u>\$ 5,182,846</u>	<u>\$ 5,468,031</u>

See independent accountants' review report on supplemental material

THE NEUWIRTH FOUNDATION, INC.  
SCHEDULE OF CHARITABLE CONTRIBUTIONS  
FOR THE YEARS ENDED AUGUST 31,  
(Unaudited)

	<u>2010</u>	<u>2009</u>
AHJF	\$ 3,500	\$ 7,500
Alzheimers Association	318,250	317,600
ASPCA	-	2,000
Beth El Temple	2,000	2,000
Camp Jaberwocky	250	-
Coast Hampton Library	-	400
East End Hospice	750	300
Easton Life Film	2,500	-
Ellen Run/Hermanson Foundation	1,000	500
Equestrian Aids Foundation	1,000	1,000
Equus Foundation	10,000	5,000
Friends of Materials	2,500	-
Hampton Classic	25,000	25,000
Hartford Jewish Federation	7,000	7,000
Hartford Stage	500	500
Hartford Symphony	500	500
Heart Association	10,000	10,000
Hebrew Home	2,000	2,000
High Five Foundation	5,000	-
Hi River Foundation	-	5,000
Jewish Congregation of the Hamptons	42,000	30,160
Just World International	2,500	2,500
Markey Cancer Foundation	4,100	-
Metropolitan Museum of Art	2,700	1,600
Mertopolitan Tree Function	400	-
National MS Society	5,000	5,000
Nature Conservancy	86,000	81,000
North Shore University Hospital	75,000	75,000
Other	480	-
Parish Heart Museum	1,000	1,000
Retreat	3,500	2,500
Southampton Hospital	1,000	-
St. John Bread and Life	-	250
UJA Federation	62,000	62,000
Una Escuelita	6,750	5,750
Uset Foundation	2,000	1,000
Wadsworth Atheneum	1,000	1,000
Whitney Museum	900	900
	<hr/>	<hr/>
Total charitable contributions	\$ 688,080	\$ 655,960
	<hr/>	<hr/>