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**EXTENSION ATTACHED**Form **990-PF****Return of Private Foundation  
or Section 4947(a)(1) Nonexempt Charitable Trust  
Treated as a Private Foundation**

OMB No 1545-0052

**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 **11/01/09**, and ending **10/31/10**

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 Stephen Muss Foundation Inc.</b>		A Employer identification number <b>23-7424763</b>
	Number and street (or P O box number if mail is not delivered to street address) <b>3301 NE 1st Avenue</b>	Room/suite <b>M511</b>	B Telephone number (see page 10 of the instructions) <b>305-531-4848</b>
	City or town, state, and ZIP code <b>Miami FL 33137</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"/> E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/> F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <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			
I Fair market value of all assets at end of year (from Part II, col (c), line 16) <b>\$ 16,175,563</b>		J Accounting method <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify)	

**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)				
2 Check <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B				
3 Interest on savings and temporary cash investments	5,299	5,299		
4 Dividends and interest from securities	264,249	264,249		
5a Gross rents				
b Net rental income or (loss)				
6a Net gain or (loss) from sale of assets not on line 10	582,764			
b Gross sales price for all assets on line 6a <b>4,876,944</b>				
7 Capital gain net income (from Part IV, line 2)		582,764		
8 Net short-term capital gain			0	
9 Income modifications				
10a Gross sales less returns & allowances				
b Less Cost of goods sold				
c Gross profit or (loss) (attach schedule)				
11 Other income (attach schedule)				
12 Total. Add lines 1 through 11	852,312	852,312		
<b>Operating and Administrative Expenses</b>				
13 Compensation of officers, directors, trustees, etc				
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16a Legal fees (attach schedule)				
b Accounting fees (attach schedule)				
c Other professional fees (attach schedule) <b>Stmt 1</b>	48,984	48,984		
17 Interest				
18 Taxes (attach schedule) (see page 14 of the instructions) <b>Stmt 2</b>	4,993	1,205		
19 Depreciation (attach schedule) and depletion				
20 Occupancy				
21 Travel, conferences, and meetings				
22 Printing and publications				
23 Other expenses (att sch) <b>Stmt 3</b>	-1,170	-1,170		
24 Total operating and administrative expenses. Add lines 13 through 23	52,807	49,019		0
25 Contributions, gifts, grants paid	935,000			935,000
26 Total expenses and disbursements. Add lines 24 and 25	987,807	49,019	0	935,000
27 Subtract line 26 from line 12				
a Excess of revenue over expenses and disbursements	-135,495			
b Net investment income (if negative, enter -0-)		803,293		
c Adjusted net income (if negative, enter -0-)			0	

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

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Form **990-PF** (2009)

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Part II. Balance Sheets		Beginning of year	End of year	
			(a) Book Value	(b) Book Value
Assets	1 Cash—non-interest-bearing			
	2 Savings and temporary cash investments			
	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 (attach schedule) (see page 16 of the instructions)			
	7 Other notes and loans receivable (att. schedule) ▶ Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges	45,839	42,051	42,051
	10a Investments—U S and state government obligations (attach schedule) Stmt 4	1,133,658	2,166,119	2,166,119
	b Investments—corporate stock (attach schedule) See Stmt 5	12,881,938	11,751,570	13,867,393
	c Investments—corporate bonds (attach schedule)			
	11 Investments—land, buildings, and equipment basis ▶ Less accumulated depreciation (attach sch ) ▶			
	12 Investments—mortgage loans			
	13 Investments—other (attach schedule) See Statement 6	100,000	100,000	100,000
	14 Land, buildings, and equipment basis ▶ Less accumulated depreciation (attach sch ) ▶			
	15 Other assets (describe ▶ )			
	16 Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	14,161,435	14,059,740	16,175,563
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable (attach schedule)			
	22 Other liabilities (describe ▶ See Statement 7 )	950	34,750	
	23 Total liabilities (add lines 17 through 22)	950	34,750	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ <input type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31.			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ <input checked="" type="checkbox"/> and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg , and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds	14,160,485	14,024,990	
	30 Total net assets or fund balances (see page 17 of the instructions)	14,160,485	14,024,990	
	31 Total liabilities and net assets/fund balances (see page 17 of the instructions)	14,161,435	14,059,740	

**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	14,160,485
2 Enter amount from Part I, line 27a	2	-135,495
3 Other increases not included in line 2 (itemize) ▶	3	
4 Add lines 1, 2, and 3	4	14,024,990
5 Decreases not included in line 2 (itemize) ▶	5	
6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	14,024,990

**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.)
<b>1a Schedule Attached</b>		<b>P</b>	<b>Various</b>	<b>Various</b>
<b>b Schedule Attached</b>		<b>P</b>	<b>Various</b>	<b>Various</b>
<b>c Section 1250 Gain</b>		<b>P</b>		
<b>d Capital Gain Distribution</b>				
<b>e</b>				

(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)
<b>a 2,824,634</b>		<b>2,717,215</b>	<b>107,419</b>
<b>b 2,044,996</b>		<b>1,576,965</b>	<b>468,031</b>
<b>c 837</b>			<b>837</b>
<b>d 6,477</b>			<b>6,477</b>
<b>e</b>			

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

(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
<b>a</b>			<b>107,419</b>
<b>b</b>			<b>468,031</b>
<b>c</b>			<b>837</b>
<b>d</b>			<b>6,477</b>
<b>e</b>			

**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****582,764****3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6)**

If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions)

If (loss), enter -0- in Part I, line 8

**3****108,256****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 page 18 of the instructions before making any entries**

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008	<b>1,376,816</b>	<b>14,603,604</b>	<b>0.094279</b>
2007	<b>933,184</b>	<b>19,294,348</b>	<b>0.048366</b>
2006	<b>882,500</b>	<b>21,075,085</b>	<b>0.041874</b>
2005	<b>820,667</b>	<b>18,090,093</b>	<b>0.045366</b>
2004	<b>582,690</b>	<b>1,763,280</b>	<b>0.330458</b>

**2 Total of line 1, column (d)****2****0.560343****3 Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years****3****0.112069****4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5****4****15,759,224****5 Multiply line 4 by line 3****5****1,766,120****6 Enter 1% of net investment income (1% of Part I, line 27b)****6****8,033****7 Add lines 5 and 6****7****1,774,153****8 Enter qualifying distributions from Part XII, line 4****8****935,000**

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.

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

<b>1a</b>	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)		
<b>b</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	<b>1</b>	<b>16,066</b>
<b>c</b>	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
<b>2</b>	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	<b>2</b>	<b>0</b>
<b>3</b>	Add lines 1 and 2	<b>3</b>	<b>16,066</b>
<b>4</b>	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	<b>4</b>	<b>0</b>
<b>5</b>	<b>Tax based on investment income.</b> Subtract line 4 from line 3. If zero or less, enter -0-	<b>5</b>	<b>16,066</b>
<b>6</b>	<b>Credits/Payments</b>		
<b>a</b>	2009 estimated tax payments and 2008 overpayment credited to 2009	<b>6a</b>	<b>42,051</b>
<b>b</b>	Exempt foreign organizations—tax withheld at source	<b>6b</b>	
<b>c</b>	Tax paid with application for extension of time to file (Form 8868)	<b>6c</b>	
<b>d</b>	Backup withholding erroneously withheld	<b>6d</b>	
<b>7</b>	Total credits and payments. Add lines 6a through 6d	<b>7</b>	<b>42,051</b>
<b>8</b>	Enter any <b>penalty</b> for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached	<b>8</b>	
<b>9</b>	<b>Tax due.</b> If the total of lines 5 and 8 is more than line 7, enter <b>amount owed</b>	<b>9</b>	
<b>10</b>	<b>Overpayment.</b> If line 7 is more than the total of lines 5 and 8, enter the <b>amount overpaid</b>	<b>10</b>	<b>25,985</b>
<b>11</b>	Enter the amount of line 10 to be <b>Credited to 2010 estimated tax</b> <b>25,985</b> <b>Refunded</b>	<b>11</b>	

**Part VII-A Statements Regarding Activities**

	Yes	No
<b>1a</b> 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?		<b>X</b>
<b>b</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)? If the answer is "Yes" to <b>1a</b> or <b>1b</b> , attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities		<b>X</b>
<b>c</b> Did the foundation file <b>Form 1120-POL</b> for this year?		<b>X</b>
<b>d</b> Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation <b>\$</b> _____ (2) On foundation managers <b>\$</b> _____		
<b>e</b> Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <b>\$</b> _____		
<b>2</b> 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		<b>X</b>
<b>3</b> 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		<b>X</b>
<b>4a</b> Did the foundation have unrelated business gross income of \$1,000 or more during the year?		<b>X</b>
<b>b</b> If "Yes," has it filed a tax return on <b>Form 990-T</b> for this year?		
<b>5</b> Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T		<b>X</b>
<b>6</b> 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?	<b>X</b>	
<b>7</b> 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	<b>X</b>	
<b>8a</b> Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) <b>DE</b>		
<b>b</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	<b>X</b>	
<b>9</b> 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		<b>X</b>
<b>10</b> Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		<b>X</b>

**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		<b>X</b>
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		<b>X</b>
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► <b>None</b>	13	<b>X</b>	
14	The books are in care of ► <b>Jeff Frantzman</b> <b>3301 NE 1st Street Suite M511</b> Located at ► <b>Miami Beach, FL</b>	Telephone no ► <b>305-531-4848</b> ZIP+4 ► <b>33137</b>		
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	► <b>15</b> <span style="float: right;">► <input type="checkbox"/></span>		

**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 <b>N/A</b> <input type="checkbox"/>	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? <b>N/A</b>	1c	
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 ► 20 , 20 , 20 , 20		
b	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see page 20 of the instructions ) <b>N/A</b>	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 ► 20 , 20 , 20 , 20		
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <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 ) <b>N/A</b>	3b	
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a	<b>X</b>
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	<b>X</b>

**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)? ☐ N/A **5b**

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

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

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

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

**b** Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? ☐ Yes ☒ No **6b** **X**

If "Yes" to 6b, file Form 8870

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

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

**Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors****1 List all officers, directors, trustees, foundation managers and their compensation (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
see attached	0.00	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
NONE				

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

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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 ▶**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
<b>1 N/A</b>	
<b>2</b>	
<b>3</b>	
<b>4</b>	

**Part IX-B Summary of Program-Related Investments (see page 24 of the instructions)**

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2

	Amount
<b>1 N/A</b>	
<b>2</b>	
All other program-related investments See page 24 of the instructions	
<b>3</b>	
<b>Total.</b> Add lines 1 through 3 <span style="float: right;">▶</span>	



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

<b>1</b>	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
<b>a</b>	Average monthly fair market value of securities	<b>1a</b>	<b>15,957,161</b>
<b>b</b>	Average of monthly cash balances	<b>1b</b>	<b>0</b>
<b>c</b>	Fair market value of all other assets (see page 24 of the instructions)	<b>1c</b>	<b>42,051</b>
<b>d</b>	<b>Total</b> (add lines 1a, b, and c)	<b>1d</b>	<b>15,999,212</b>
<b>e</b>	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	<b>1e</b>	<b>0</b>
<b>2</b>	Acquisition indebtedness applicable to line 1 assets	<b>2</b>	<b>0</b>
<b>3</b>	Subtract line 2 from line 1d	<b>3</b>	<b>15,999,212</b>
<b>4</b>	Cash deemed held for charitable activities. Enter 1½ % of line 3 (for greater amount, see page 25 of the instructions)	<b>4</b>	<b>239,988</b>
<b>5</b>	<b>Net value of noncharitable-use assets.</b> Subtract line 4 from line 3. Enter here and on Part V, line 4	<b>5</b>	<b>15,759,224</b>
<b>6</b>	<b>Minimum investment return.</b> Enter 5% of line 5	<b>6</b>	<b>787,961</b>

**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.)

<b>1</b>	Minimum investment return from Part X, line 6	<b>1</b>	<b>787,961</b>
<b>2a</b>	Tax on investment income for 2009 from Part VI, line 5	<b>2a</b>	<b>16,066</b>
<b>b</b>	Income tax for 2009 (This does not include the tax from Part VI.)	<b>2b</b>	
<b>c</b>	Add lines 2a and 2b	<b>2c</b>	<b>16,066</b>
<b>3</b>	Distributable amount before adjustments. Subtract line 2c from line 1	<b>3</b>	<b>771,895</b>
<b>4</b>	Recoveries of amounts treated as qualifying distributions	<b>4</b>	
<b>5</b>	Add lines 3 and 4	<b>5</b>	<b>771,895</b>
<b>6</b>	Deduction from distributable amount (see page 25 of the instructions)	<b>6</b>	
<b>7</b>	<b>Distributable amount as adjusted.</b> Subtract line 6 from line 5. Enter here and on Part XIII, line 1	<b>7</b>	<b>771,895</b>

**Part XII Qualifying Distributions** (see page 25 of the instructions)

<b>1</b>	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes		
<b>a</b>	Expenses, contributions, gifts, etc.—total from Part I, column (d), line 26	<b>1a</b>	<b>935,000</b>
<b>b</b>	Program-related investments—total from Part IX-B	<b>1b</b>	
<b>2</b>	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	<b>2</b>	
<b>3</b>	Amounts set aside for specific charitable projects that satisfy the		
<b>a</b>	Suitability test (prior IRS approval required)	<b>3a</b>	
<b>b</b>	Cash distribution test (attach the required schedule)	<b>3b</b>	
<b>4</b>	<b>Qualifying distributions.</b> Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	<b>4</b>	<b>935,000</b>
<b>5</b>	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)	<b>5</b>	<b>0</b>
<b>6</b>	<b>Adjusted qualifying distributions.</b> Subtract line 5 from line 4	<b>6</b>	<b>935,000</b>

**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) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
<b>1</b> Distributable amount for 2009 from Part XI, line 7				<b>771,895</b>
<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____, 20____, 20____				
<b>3</b> Excess distributions carryover, if any, to 2009				
<b>a</b> From 2004	<b>495,546</b>			
<b>b</b> From 2005				
<b>c</b> From 2006				
<b>d</b> From 2007				
<b>e</b> From 2008	<b>650,424</b>			
<b>f</b> Total of lines 3a through e	<b>1,145,970</b>			
<b>4</b> Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ <b>935,000</b>				
<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)				
<b>d</b> Applied to 2009 distributable amount				<b>771,895</b>
<b>e</b> Remaining amount distributed out of corpus	<b>163,105</b>			
<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	<b>1,309,075</b>			
<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>0</b>
<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)				
<b>8</b> Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)	<b>495,546</b>			
<b>9</b> Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	<b>813,529</b>			
<b>10</b> Analysis of line 9				
<b>a</b> Excess from 2005				
<b>b</b> Excess from 2006				
<b>c</b> Excess from 2007				
<b>d</b> Excess from 2008	<b>650,424</b>			
<b>e</b> Excess from 2009	<b>163,105</b>			

4942(1)(5)

**(4) Gross investment income**

[illegible]

**N/A**

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**Part XV Supplementary Information (continued)****3 Grants and Contributions Paid During the Year or Approved for Future Payment**

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a Paid during the year <b>schedule attached</b>				935,000
<b>Total</b>			▶ 3a	935,000
b Approved for future payment <b>N/A</b>				
<b>Total</b>			▶ 3b	

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

Enter gross amounts unless otherwise indicated

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions )
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
<b>1</b> Program service revenue					
a _____					
b _____					
c _____					
d _____					
e _____					
f _____					
g Fees and contracts from government agencies					
<b>2</b> Membership dues and assessments					
<b>3</b> Interest on savings and temporary cash investments			14	5,299	
<b>4</b> Dividends and interest from securities			14	264,249	
<b>5</b> Net rental income or (loss) from real estate					
a Debt-financed property					
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					582,764
<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 a _____					
b _____					
c _____					
d _____					
e _____					
<b>12</b> Subtotal Add columns (b), (d), and (e)		0		269,548	582,764
<b>13</b> Total. Add line 12, columns (b), (d), and (e)				13	852,312

(See worksheet in line 13 instructions on page 28 to verify calculations )

<b>Part XVI-B</b>	<b>Relationship of Activities to the Accomplishment of Exempt Purposes</b>
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[illegible]

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## Federal Statements

23-7424763

FYE: 10/31/2010

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

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
Investment Management Fees	\$ 48,984	\$ 48,984	\$	\$
Total	\$ 48,984	\$ 48,984	\$ 0	\$ 0

Statement 2 - Form 990-PF, Part I, Line 18 - Taxes

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
Licenses	\$ 205	\$ 205	\$	\$
Foreign Taxes	1,000	1,000		
Income Taxes	3,788			
Total	\$ 4,993	\$ 1,205	\$ 0	\$ 0

Statement 3 - Form 990-PF, Part I, Line 23 - Other Expenses

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
Expenses	\$	\$	\$	\$
Other Expenses	30	30		
Dues	-1,200	-1,200		
Total	\$ -1,170	\$ -1,170	\$ 0	\$ 0

**Federal Statements**

FYE: 10/31/2010

**Statement 4 - Form 990-PF, Part II, Line 10a - US and State Government Investments**

<u>Description</u>	<u>Beginning of Year</u>	<u>End of Year</u>	<u>Basis of Valuation</u>	<u>Fair Market Value</u>
City National Bank-Repo	\$ 128,658	\$ 131,119	Cost	\$ 131,119
City National Bank-CD	1,005,000	2,035,000	Cost	2,035,000
Total	<u>\$ 1,133,658</u>	<u>\$ 2,166,119</u>		<u>\$ 2,166,119</u>

**Statement 5 - Form 990-PF, Part II, Line 10b - Corporate Stock Investments**

<u>Description</u>	<u>Beginning of Year</u>	<u>End of Year</u>	<u>Basis of Valuation</u>	<u>Fair Market Value</u>
BHK Regular	\$ 5,652,717	\$ 4,396,556	Cost	\$ 4,762,303
Suncoast	2,431,215	2,202,822	Cost	2,524,868
Lakeshore	2,096,754	2,125,422	Cost	2,145,659
Insight	701,252	1,026,770	Cost	1,213,775
Harbinger	2,000,000	2,000,000	Cost	3,220,788
Total	<u>\$ 12,881,938</u>	<u>\$ 11,751,570</u>		<u>\$ 13,867,393</u>

**Statement 6 - Form 990-PF, Part II, Line 13 - Other Investments**

<u>Description</u>	<u>Beginning of Year</u>	<u>End of Year</u>	<u>Basis of Valuation</u>	<u>Fair Market Value</u>
Isreal Bonds	\$ 100,000	\$ 100,000	Cost	\$ 100,000
Total	<u>\$ 100,000</u>	<u>\$ 100,000</u>		<u>\$ 100,000</u>

**Statement 7 - Form 990-PF, Part II, Line 22 - Other Liabilities**

<u>Description</u>	<u>Beginning of Year</u>	<u>End of Year</u>
Cash Overdraft	\$ 950	\$ 34,750
Total	<u>\$ 950</u>	<u>\$ 34,750</u>



**Stephen Muss Foundation**  
**23-7424763**  
**Short Term Gains & Losses**  
**10/31/2010**

Quantity	Name	Date Purchase	Date Sold	Proceeds	Cost	Gain (Loss)
2,000 00	EEM - ISHARES TR MSCI EMERGING	02/26/10 <sup>nc</sup>	10/19/2010	91,320 66	77,759 50	13,561 16
4,000 00	KBE - SPDR KBW BANK ETF	10/29/09 <sup>nc</sup>	4/22/2010	113,378 09	86,421 47	26,956 62
100	KBE - SPDR KBW BANK ETF	10/29/09 <sup>nc</sup>	4/22/2010	2,831 95	2,160 53	671 42
900	KBE - SPDR KBW BANK ETF	10/29/09 <sup>nc</sup>	4/22/2010	25,510 06	19,442 25	6,067 81
500	UYG - PROSHRES ULTRA FINL ETF	01/06/10 <sup>nc</sup>	4/26/2010	36,936 67	30,059 00	6,877 67
1,000 00	TBF - PROSHARES TRUST ETF	04/05/10 <sup>nc</sup>	7/2/2010	43,034 77	50,792 50	-7,757 73
275	BAX - BAXTER INTERNATIONAL INC	05/15/09 <sup>nc</sup>	5/10/2010	12,682 56	13,719 44	-1,036 88
485	BAX - BAXTER INTERNATIONAL INC	10/15/09 <sup>nc</sup>	5/10/2010	22,367 43	26,444 98	-4,077 55
45	AAPL - APPLE INC	12/21/09 <sup>nc</sup>	6/8/2010	11,100 91	8,926 24	2,174 67
235	ACN - ACCENTURE PLC IRELAND	07/30/09 <sup>nc</sup>	6/8/2010	8,351 04	8,280 07	70 97
350	CHKP - CHECK POINT SOFTWARE F	11/11/09 <sup>nc</sup>	6/8/2010	10,164 05	11,299 37	-1,135 32
95	NVO - NOVO NORDISK A S ADR	07/08/09 <sup>nc</sup>	6/8/2010	7,228 33	5,170 53	2,057 80
90	V - VISA INC CLASS A	05/14/10 <sup>nc</sup>	6/8/2010	6,339 99	7,069 42	-729 43
119	EJ - E-HOUSE CHINA HOLDINGS	8/12/2009	11/2/2009	2,039 77	2,765 15	-725 38
678	EJ - E-HOUSE CHINA HOLDINGS	8/19/2009	11/2/2009	11,621 57	12,698 06	-1,076 49
699	DIEDRICH COFFEE INC	7/7/2009	11/3/2009	17,955 37	13,313 57	4,641 80
153	PEGA - PEGASYSTEMS INC	4/9/2009	11/4/2009	4,108 41	2,907 00	1,201 41
427	PEGA - PEGASYSTEMS INC	5/20/2009	11/4/2009	11,465 98	10,845 37	620 61
790	CTB - COOPER TIRE & RUBBER CO	9/22/2009	11/5/2009	12,843 64	14,287 63	-1,443 99
396	ROVI - ROVI CORP	3/23/2009	11/6/2009	11,877 27	6,891 55	4,985 72
539	VCI - VALASSIS COMMUNICATIONS	8/3/2009	11/9/2009	9,483 89	6,885 25	2,598 64
1,514 00	CAR - AVIS BUDGET GROUP INC	8/10/2009	11/12/2009	15,607 72	15,781 48	-173 76
87	CAR - AVIS BUDGET GROUP INC	8/20/2009	11/12/2009	896 88	984 77	-87 89
525	DTG - DOLLAR THRIFTY	8/18/2009	11/13/2009	9,926 23	10,985 95	-1,059 72
1,831 00	SCSS - SELECT COMFORT CORP	10/23/2009	11/13/2009	9,169 04	12,386 53	-3,217 49
634	VCI - VALASSIS COMMUNICATIONS	8/3/2009	11/13/2009	10,378 44	8,098 77	2,279 67
167	DTG - DOLLAR THRIFTY	8/18/2009	11/19/2009	3,115 73	3,494 57	-378 84
554	DTG - DOLLAR THRIFTY	9/3/2009	11/19/2009	10,336 05	10,884 55	-548 50
989	ATPG - ATP OIL & GAS CORP	9/10/2009	11/23/2009	15,310 60	16,166 19	-855 59
199	ATPG - ATP OIL & GAS CORP	9/14/2009	11/23/2009	3,080 70	3,426 68	-345 98
376	CAR - AVIS BUDGET GROUP INC	8/20/2009	11/23/2009	3,758 92	4,255 97	-497 05
1,134 00	CAR - AVIS BUDGET GROUP INC	10/9/2009	11/23/2009	11,336 76	13,769 25	-2,432 49
400	SHOO - MADDEN STEVEN LTD	10/20/2009	12/1/2009	14,348 91	16,814 76	-2,465 85
299	GMCR - GREEN MOUNTAIN COFFEE	3/24/2009	12/2/2009	18,226 45	9,826 52	8,399 93
353	PEET - PEETS COFFEE & TEA INC	11/3/2009	12/2/2009	11,526 14	13,540 13	-2,013 99
118	PEET - PEETS COFFEE & TEA INC	11/3/2009	12/4/2009	3,820 49	4,526 16	-705 67
292	PEET - PEETS COFFEE & TEA INC	11/16/2009	12/4/2009	9,454 10	11,917 98	-2,463 88
536	ATPG - ATP OIL & GAS CORP	9/14/2009	12/8/2009	8,366 84	9,229 65	-862 81
664	ATPG - ATP OIL & GAS CORP	10/29/2009	12/8/2009	10,364 91	12,438 84	-2,073 93
320	FSYS - FUEL SYSTEMS SOLUTIONS	11/5/2009	12/11/2009	13,439 39	13,762 02	-322 63
40	FSYS - FUEL SYSTEMS SOLUTIONS	11/5/2009	12/14/2009	1,727 57	1,720 25	7 32
242	FSYS - FUEL SYSTEMS SOLUTIONS	12/1/2009	12/14/2009	10,451 83	12,312 33	-1,860 50
336	JCG - J CREW GROUP INC	10/22/2009	12/18/2009	14,887 37	14,555 19	332 18
35	292 GMCR - GREEN MOUNTAIN COFFEE	3/24/2009	12/21/2009	2,424 17	1,159 86	1,264 31
234	708 GMCR - GREEN MOUNTAIN COFFEE	4/9/2009	12/21/2009	16,121 68	8,218 11	7,903 57
47	FIRE - SOURCEFIRE INC	5/6/2009	12/23/2009	1,223 79	563 37	660 42
197	FIRE - SOURCEFIRE INC	5/20/2009	12/23/2009	5,129 53	2,292 75	2,836 78
26	FIRE - SOURCEFIRE INC	5/21/2009	12/23/2009	676 99	298 92	378 07
372	FIRE - SOURCEFIRE INC	5/26/2009	12/23/2009	9,686 23	4,472 75	5,213 48
45	J CREW GROUP INC	10/22/09 <sup>nc</sup>	1/5/2010	2,040 56	1,949 35	91 21
292	J CREW GROUP INC	10/27/09 <sup>nc</sup>	1/5/2010	13,241 01	12,422 94	818 07
273	TSL - TRINA SOLAR LTD SPON ADR	11/19/09 <sup>nc</sup>	1/5/2010	16,103 55	12,448 51	3,655 04
179	SWM - SCHWEITZER-MAUDUIT INTL	08/10/09 <sup>nc</sup>	1/8/2010	13,813 34	8,270 54	5,542 80
375	TECD - TECHNICAL DATA CORP	10/14/09 <sup>nc</sup>	1/8/2010	17,605 53	16,628 51	977 02
150	AM - AMER GREETINGS CORP CL A	09/24/09 <sup>nc</sup>	1/13/2010	3,010 22	2,941 57	68 65
127	MSTR - MICROSTRATEGY INC CL A	10/30/09 <sup>nc</sup>	1/13/2010	12,527 68	11,031 93	1,495 75
413	AM - AMER GREETINGS CORP CL A	09/24/09 <sup>nc</sup>	1/14/2010	8,198 23	8,099 09	99 14
226	AM - AMER GREETINGS CORP CL A	09/28/09 <sup>nc</sup>	1/14/2010	4,486 20	4,703 49	-217 29
424	MED - MEDIFAST INC	11/16/09 <sup>nc</sup>	1/14/2010	9,779 77	11,696 51	-1,916 74
75	TSL - TRINA SOLAR LTD SPON ADR	11/19/09 <sup>nc</sup>	1/14/2010	3,972 87	3,419.91	552 96

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**Stephen Muss Foundation**  
**23-7424763**  
**Short Term Gains & Losses**  
**10/31/2010**

Quantity	Name	Date Purchase	Date Sold	Proceeds	Cost	Gain (Loss)
	116 TSL - TRINA SOLAR LTD SPON ADR	11/27/09 <sup>nc</sup>	1/14/2010	6,144 71	5,178 24	966 47
	815 RDY - DOCTOR REDDY'S LAB F	11/02/09 <sup>nc</sup>	1/20/2010	19,722 66	18,594 39	1,128 27
	397 PWRD - PERFECT WORLD CO LTD ADR	06/23/09 <sup>nc</sup>	1/22/2010	14,861 90	11,764 01	3,097 89
	488 TSL - TRINA SOLAR LTD SPON ADR	11/27/09 <sup>nc</sup>	1/22/2010	10,469 36	10,892 16	-422 80
	551 NTRI - NUTRI/SYSTEM INC	12/10/09 <sup>nc</sup>	1/27/2010	12,068 94	16,016 63	-3,947 69
	47 MSTR - MICROSTRATEGY INC CL A	10/30/09 <sup>nc</sup>	2/4/2010	3,837 89	4,082 68	-244 79
	160 MSTR - MICROSTRATEGY INC CL A	12/18/09 <sup>nc</sup>	2/4/2010	13,065 18	13,866 02	-800 84
	506 OSK - OSHKOSH TRUCK CORP B	08/03/09 <sup>nc</sup>	2/12/2010	19,304 10	15,442 61	3,861 49
	345 OSK - OSHKOSH TRUCK CORP B	12/04/09 <sup>nc</sup>	2/12/2010	13,161 90	14,369 42	-1,207 52
	332 CLW - CLEARWATER PAPER CORP	08/10/09 <sup>nc</sup>	2/18/2010	15,720 23	15,508 98	211 25
	169 SWM - SCHWEITZER-MAUDUIT INTL	08/10/09 <sup>nc</sup>	2/18/2010	8,494 37	7,808 49	685 88
	199 SWM - SCHWEITZER-MAUDUIT INTL	01/22/10 <sup>nc</sup>	2/18/2010	10,002 25	15,577 54	-5,575 29
	605 SLXP - SALIX PHARMACEUTICALS	01/05/10 <sup>nc</sup>	2/19/2010	15,172 23	16,816 64	-1,644 41
	298 MELI - MERCADOLIBRE INC	12/02/09 <sup>nc</sup>	2/23/2010	11,296 35	16,055 41	-4,759 06
	260 MELI - MERCADOLIBRE INC	12/15/09 <sup>nc</sup>	2/23/2010	9,855 88	12,917 84	-3,061 96
	918 RAX - RACKSPACE HOSTING INC	10/12/09 <sup>nc</sup>	3/1/2010	18,260 34	16,988 51	1,271 83
	136 CTB - COOPER TIRE & RUBBER CO	09/22/09 <sup>nc</sup>	3/2/2010	2,539 46	2,459 64	79 82
	720 CTB - COOPER TIRE & RUBBER CO	09/24/09 <sup>nc</sup>	3/2/2010	13,444 25	12,465 94	978 31
	350 TUP - TUPPERWARE CORP	10/21/09 <sup>nc</sup>	3/2/2010	16,442 90	16,783 24	-340 34
	575 HMIN - HOMES INNS & HOTELS MAN	08/10/09 <sup>nc</sup>	3/4/2010	19,094 01	15,129 40	3,964 61
	436 VECO - VEECO INSTRUMENTS INC	07/28/09 <sup>nc</sup>	3/5/2010	15,584 88	8,482 26	7,102 62
	330 AIXG - AIXTRON AG-SPONSORED ADR	11/11/09 <sup>nc</sup>	3/10/2010	11,520 22	10,815 86	704 36
1,401	00 DAN - DANA HOLDING CORP	01/05/10 <sup>nc</sup>	3/10/2010	16,530 05	16,426 59	103 46
	565 NANO - NANOMETRICS INCORPORATED	11/19/09 <sup>nc</sup>	3/11/2010	5,257 31	6,222 41	-965 10
	893 NANO - NANOMETRICS INCORPORATED	11/19/09 <sup>nc</sup>	3/12/2010	8,348 90	9,834 69	-1,485 79
	57 CTB - COOPER TIRE & RUBBER CO	09/24/09 <sup>nc</sup>	3/18/2010	1,117 03	986 88	130 15
	687 CTB - COOPER TIRE & RUBBER CO	01/15/10 <sup>nc</sup>	3/18/2010	13,463 25	14,336 80	-873 55
	379 SORL - SORL AUTO PARTS INC	01/13/10 <sup>nc</sup>	3/18/2010	3,191 24	4,526 21	-1,334 97
	400 SORL - SORL AUTO PARTS INC	01/20/10 <sup>nc</sup>	3/18/2010	3,368 08	4,930 44	-1,562 36
	556 SORL - SORL AUTO PARTS INC	01/20/10 <sup>nc</sup>	3/19/2010	4,463 84	6,853 31	-2,389 47
	407 ATHEROS COMMUNICATIONS	12/21/09 <sup>nc</sup>	3/25/2010	15,376 71	13,554 94	1,821 77
	148 FIRE - SOURCEFIRE INC	05/26/09 <sup>nc</sup>	3/25/2010	3,557 82	1,779 47	1,778 35
	295 FIRE - SOURCEFIRE INC	07/31/09 <sup>nc</sup>	3/25/2010	7,091 63	5,261 06	1,830 57
	998 DRWI - DRAGONWAVE INC	01/08/10 <sup>nc</sup>	3/26/2010	9,754 62	13,190 77	-3,436 15
	293 DRWI - DRAGONWAVE INC	01/08/10 <sup>nc</sup>	3/29/2010	2,800 82	3,872 64	-1,071 82
1,014	00 DRWI - DRAGONWAVE INC	01/11/10 <sup>nc</sup>	3/29/2010	9,692 97	13,244 16	-3,551 19
	520 FIRE - SOURCEFIRE INC	07/31/09 <sup>nc</sup>	3/30/2010	12,090 26	9,273 73	2,816 53
	646 MEOH - METHANEX CORP	01/19/10 <sup>nc</sup>	3/30/2010	16,155 73	16,590 31	-434 58
	430 NBTY INC	07/27/09 <sup>nc</sup>	3/30/2010	20,776 85	15,667 65	5,109 20
1,013	00 TSTC - TELESTONE TECHNOLOGIES	12/02/09 <sup>nc</sup>	4/1/2010	15,665 78	16,197 87	-532 09
	79 ATHEROS COMMUNICATIONS	12/21/09 <sup>nc</sup>	4/8/2010	3,085 13	2,631 05	454 08
	484 ATHEROS COMMUNICATIONS	12/31/09 <sup>nc</sup>	4/8/2010	18,901 33	16,658 94	2,242 39
	366 SKX - SKECHERS USA INC	10/22/09 <sup>nc</sup>	4/13/2010	13,987 91	9,016 05	4,971 86
1,017	00 XRTX - XYRATEX LTD	10/08/09 <sup>nc</sup>	4/15/2010	17,860 45	12,487 84	5,372 61
	54 XRTX - XYRATEX LTD	03/08/10 <sup>nc</sup>	4/15/2010	948 35	965 51	-17 16
	563 BEAV - BE AEROSPACE INC	03/29/10 <sup>nc</sup>	4/27/2010	16,746 26	17,221 44	-475 18
	347 SLXP - SALIX PHARMACEUTICALS	03/12/10 <sup>nc</sup>	4/27/2010	13,417 64	10,947 71	2,469 93
	158 AIXG - AIXTRON AG-SPONSORED ADR	11/11/09 <sup>nc</sup>	4/29/2010	5,092 86	5,178 49	-85 63
	45 AIXG - AIXTRON AG-SPONSORED ADR	11/13/09 <sup>nc</sup>	4/29/2010	1,450 50	1,486 91	-36 41
	267 AIXG - AIXTRON AG-SPONSORED ADR	11/16/09 <sup>nc</sup>	4/29/2010	8,606 31	9,208 59	-602 28
98	939 GMCR - GREEN MOUNTAIN COFFEE	04/30/09 <sup>nc</sup>	4/29/2010	7,738 19	4,182 42	3,555 77
	828 CLNE - CLEAN ENERGY FUELS CORP	03/11/10 <sup>nc</sup>	4/30/2010	14,867 14	17,411 43	-2,544 29
	176 VPRT - VISTAPRINT NV	11/13/09 <sup>nc</sup>	4/30/2010	9,286 07	9,516 20	-230 13
	102 VPRT - VISTAPRINT NV	03/09/10 <sup>nc</sup>	4/30/2010	5,381 71	6,378 77	-997 06
	112 WLT - WALTER ENERGY INC	08/20/09 <sup>nc</sup>	5/3/2010	9,171 47	6,375 48	2,795 99
	209 WLT - WALTER ENERGY INC	09/22/09 <sup>nc</sup>	5/3/2010	17,114 64	14,042 21	3,072 43
	184 XRTX - XYRATEX LTD	03/08/10 <sup>nc</sup>	5/4/2010	3,068 80	3,289 89	-221 09
	42 SIRO - SIRONA DENTAL SYSTEMS	08/04/09 <sup>nc</sup>	5/5/2010	1,633 88	1,153 99	479 89
	534 SIRO - SIRONA DENTAL SYSTEMS	08/07/09 <sup>nc</sup>	5/5/2010	20,773 75	12,584 51	8,189 24
1,367	00 JDSU - JDS UNIPHASE CORP	02/24/10 <sup>nc</sup>	5/6/2010	15,755 50	14,096 10	1,659 40
	238 HSNi - HSN INC	03/04/10 <sup>nc</sup>	5/11/2010	6,432 00	6,276 04	155 96

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**Short Term Gains & Losses**  
**10/31/2010**

Quantity	Name	Date Purchase	Date Sold	Proceeds	Cost	Gain (Loss)
	342 HSNi - HSN INC	03/08/10 <sup>nc</sup>	5/11/2010	9,242 64	9,765 37	-522 73
	225 XRTX - XYRATEX LTD	03/08/10 <sup>nc</sup>	5/11/2010	3,594 64	4,022 96	-428 32
	590 EZPW - EZCORP INC CL A NON VTG	03/02/10 <sup>nc</sup>	5/12/2010	11,178 48	12,065 44	-886 96
	143 XRTX - XYRATEX LTD	03/08/10 <sup>nc</sup>	5/12/2010	2,185 61	2,556 80	-371 19
	710 XRTX - XYRATEX LTD	03/16/10 <sup>nc</sup>	5/12/2010	10,851 67	11,893 71	-1,042 04
	269 XRTX - XYRATEX LTD	03/19/10 <sup>nc</sup>	5/12/2010	4,111 41	4,337 57	-226 16
	64 DAN - DANA HOLDING CORP	01/05/10 <sup>nc</sup>	5/17/2010	730 55	750 39	-19 84
1,353 00	DAN - DANA HOLDING CORP	01/11/10 <sup>nc</sup>	5/17/2010	15,444 37	16,692 10	-1,247 73
	136 JDSU - JDS UNIPHASE CORP	02/24/10 <sup>nc</sup>	5/17/2010	1,576 89	1,402 39	174 50
	959 JDSU - JDS UNIPHASE CORP	03/01/10 <sup>nc</sup>	5/17/2010	11,119 42	10,717 02	402 40
	759 KIRK - KIRKLANDS INC	08/04/09 <sup>nc</sup>	5/18/2010	17,280 08	11,654 29	5,625 79
	374 VECO - VEECO INSTRUMENTS INC	07/28/09 <sup>nc</sup>	5/18/2010	15,638 54	7,276 05	8,362 49
	15 VECO - VEECO INSTRUMENTS INC	10/27/09 <sup>nc</sup>	5/18/2010	627 22	392 9	234 32
	297 VECO - VEECO INSTRUMENTS INC	10/27/09 <sup>nc</sup>	5/24/2010	11,826 16	7,779 23	4,046 93
	75 J CREW GROUP INC	10/27/09 <sup>nc</sup>	5/28/2010	3,407 50	3,190 82	216 68
	302 J CREW GROUP INC	10/29/09 <sup>nc</sup>	5/28/2010	13,720 87	12,597 08	1,123 79
	472 ROSE - ROSETTA RESOURCES	03/02/10 <sup>nc</sup>	5/28/2010	10,454 53	11,018 37	-563 84
	302 VECO - VEECO INSTRUMENTS INC	10/27/09 <sup>nc</sup>	6/7/2010	9,939 16	7,910 19	2,028 97
	19 VECO - VEECO INSTRUMENTS INC	11/04/09 <sup>nc</sup>	6/7/2010	625 32	449 08	176 24
	455 VECO - VEECO INSTRUMENTS INC	11/04/09 <sup>nc</sup>	6/8/2010	14,075 59	10,754 24	3,321 35
	304 TGI - TRIUMPH GROUP INC	03/25/10 <sup>nc</sup>	6/14/2010	20,158 26	21,689 82	-1,531 56
	86 TGI - TRIUMPH GROUP INC	06/11/10 <sup>nc</sup>	6/14/2010	5,702 67	5,541 84	160 83
	470 ANW - AEGEAN MARINE PETROLEUM	01/22/10 <sup>nc</sup>	6/16/2010	10,496 66	16,087 49	-5,590 83
	286 ANW - AEGEAN MARINE PETROLEUM	03/30/10 <sup>nc</sup>	6/16/2010	6,387 33	8,129 15	-1,741 82
	467 GIII - G-III APPAREL GROUP LTD	03/30/10 <sup>nc</sup>	6/21/2010	11,847 82	13,030 56	-1,182 74
	144 GIII - G-III APPAREL GROUP LTD	06/11/10 <sup>nc</sup>	6/21/2010	3,653 29	3,762 71	-109 42
1,001 00	FNSR - FINISAR CORPORATION	03/15/10 <sup>nc</sup>	7/1/2010	14,653 49	14,635 62	17 87
	81 FNSR - FINISAR CORPORATION	03/30/10 <sup>nc</sup>	7/1/2010	1,185 75	1,292 56	-106 81
1,489 00	MSPD - MINSPEED TECHNOLOGIES	02/24/10 <sup>nc</sup>	7/1/2010	10,511 41	12,019 51	-1,508 10
1,134 00	MSPD - MINSPEED TECHNOLOGIES	04/27/10 <sup>nc</sup>	7/1/2010	8,005 34	11,684 74	-3,679 40
	846 MSPD - MINSPEED TECHNOLOGIES	06/11/10 <sup>nc</sup>	7/1/2010	5,972 24	6,690 59	-718 35
	330 AAWW - ATLAS AIR WORLDWIDE HLDG	03/05/10 <sup>nc</sup>	7/7/2010	15,587 81	16,414 30	-826 49
	95 AAWW - ATLAS AIR WORLDWIDE HLDG	06/11/10 <sup>nc</sup>	7/7/2010	4,487 41	4,815 55	-328 14
	730 NUS - NU SKIN ENTERPRISES INC	10/20/09 <sup>nc</sup>	7/7/2010	18,647 52	17,219 82	1,427 70
	220 NUS - NU SKIN ENTERPRISES INC	06/11/10 <sup>nc</sup>	7/7/2010	5,619 81	5,832 90	-213 09
	548 FNSR - FINISAR CORPORATION	03/30/10 <sup>nc</sup>	7/19/2010	8,298 38	8,744 71	-446 33
	496 FNSR - FINISAR CORPORATION	06/11/10 <sup>nc</sup>	7/19/2010	7,510 96	7,378 60	132 36
	464 TPX - TEMPUR-PEDIC INTL INC	10/19/09 <sup>nc</sup>	7/21/2010	14,487 08	10,356 06	4,131 02
	187 CPLA - CAPELLA EDUCATION CO	02/25/10 <sup>nc</sup>	7/22/2010	15,630 50	15,521 00	109 50
	121 CPLA - CAPELLA EDUCATION CO	05/20/10 <sup>nc</sup>	7/22/2010	10,113 86	11,250 51	-1,136 65
	688 IPXL - IMPAX LABORATORIES INC	12/11/09 <sup>nc</sup>	7/23/2010	11,068 35	8,656 77	2,411 58
	670 SANM - SANMINA-SCI CORP	03/01/10 <sup>nc</sup>	7/27/2010	9,369 38	11,664 43	-2,295 05
	753 SANM - SANMINA-SCI CORP	03/18/10 <sup>nc</sup>	7/27/2010	10,530 08	13,411 23	-2,881 15
1,088 00	ISSI - INTEGRATED SILICON	04/28/10 <sup>nc</sup>	7/28/2010	10,678 53	13,900 29	-3,221 76
	46 ROSE - ROSETTA RESOURCES	03/02/10 <sup>nc</sup>	7/29/2010	976 78	1,073 82	-97 04
	521 ROSE - ROSETTA RESOURCES	04/07/10 <sup>nc</sup>	7/29/2010	11,063 14	13,244 60	-2,181 46
	169 ROSE - ROSETTA RESOURCES	06/11/10 <sup>nc</sup>	7/29/2010	3,588 62	4,231 51	-642 89
	388 THOR - THORATEC CORPORATION	05/19/10 <sup>nc</sup>	7/29/2010	16,318 75	16,273 26	45 49
	22 THOR - THORATEC CORPORATION	05/24/10 <sup>nc</sup>	7/29/2010	925 3	926 25	-0 95
	633 APKT - ACME PACKET INC	02/12/10 <sup>nc</sup>	7/30/2010	18,073 23	9,198 44	8,874 79
	367 CSTR - COINSTAR INC	05/04/10 <sup>nc</sup>	7/30/2010	16,403 12	17,635 16	-1,232 04
	262 THOR - THORATEC CORPORATION	05/24/10 <sup>nc</sup>	7/30/2010	9,945 13	11,030 77	-1,085 64
	250 THOR - THORATEC CORPORATION	06/07/10 <sup>nc</sup>	7/30/2010	9,489 64	10,784 80	-1,295 16
	258 THOR - THORATEC CORPORATION	06/11/10 <sup>nc</sup>	7/30/2010	9,793 31	11,533 89	-1,740 58
1,537 00	LCC - US AIRWAYS GROUP INC	05/26/10 <sup>nc</sup>	8/2/2010	16,878 28	13,244 03	3,634 25
1,737 00	NR - NEWPARK RES \$0 01 NEW	05/04/10 <sup>nc</sup>	8/2/2010	14,124 52	13,745 92	378 60
	466 NR - NEWPARK RES \$0 01 NEW	06/03/10 <sup>nc</sup>	8/2/2010	3,789 31	3,109 58	679 73
	275 TPX - TEMPUR-PEDIC INTL INC	10/19/09 <sup>nc</sup>	8/2/2010	8,454 01	6,137 75	2,316 26
	230 TPX - TEMPUR-PEDIC INTL INC	06/11/10 <sup>nc</sup>	8/2/2010	7,070 63	7,560 10	-489 47
	598 IPXL - IMPAX LABORATORIES INC	12/11/09 <sup>nc</sup>	8/3/2010	9,597 67	7,524 33	2,073 34
	391 IPXL - IMPAX LABORATORIES INC	06/11/10 <sup>nc</sup>	8/3/2010	6,275 41	8,099 84	-1,824 43

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**Short Term Gains & Losses**  
**10/31/2010**

Quantity	Name	Date Purchase	Date Sold	Proceeds	Cost	Gain (Loss)
506	LULU - LULULEMON ATHLETICA INC	10/27/09	8/3/2010	20,470 49	14,386 25	6,084 24
410	DGIT - DG FASTCHANNEL INC	05/06/10	8/4/2010	15,492 32	16,469 95	-977 63
977	SMCI - SUPER MICRO COMPUTER INC	03/01/10	8/4/2010	9,905 14	15,548 96	-5,643 82
180	CPLA - CAPELLA EDUCATION CO	05/20/10	8/5/2010	15,391 21	16,736 30	-1,345 09
13	DGIT - DG FASTCHANNEL INC	05/06/10	8/6/2010	469 49	522 21	-52 72
57	DGIT - DG FASTCHANNEL INC	05/17/10	8/6/2010	2,058 55	2,351 16	-292 61
236	DGIT - DG FASTCHANNEL INC	05/17/10	8/9/2010	8,170 55	9,734 62	-1,564 07
213	DGIT - DG FASTCHANNEL INC	06/11/10	8/9/2010	7,374 28	8,067 69	-693 41
389	GIL - GILDAN ACTIVEWEAR INC	06/08/10	8/12/2010	11,166 24	11,619 16	-452 92
100	GIL - GILDAN ACTIVEWEAR INC	06/11/10	8/12/2010	2,870 50	3,093 80	-223 30
18	GIL - GILDAN ACTIVEWEAR INC	06/11/10	8/12/2010	516 7	556 9	-40 20
34	CPLA - CAPELLA EDUCATION CO	05/20/10	8/16/2010	2,016 64	3,161 29	-1,144 65
159	CPLA - CAPELLA EDUCATION CO	06/11/10	8/16/2010	9,430 78	13,173 15	-3,742 37
1,006 00	CRUS - CIRRUS LOGIC INC	04/27/10	8/17/2010	19,003 81	12,091 02	6,912 79
1,188 00	BEXP - BRIGHAM EXPLORATION CO	04/08/10	8/25/2010	18,833 75	22,330 84	-3,497 09
365	BEXP - BRIGHAM EXPLORATION CO	06/11/10	8/25/2010	5,786 47	6,497 00	-710 53
677	ANV - ALLIED NEVADA GOLD CORP	05/11/10	8/27/2010	15,346 11	14,315 71	1,030 40
61	LULU - LULULEMON ATHLETICA INC	10/27/09	8/27/2010	2,135 57	1,734 30	401 27
354	LULU - LULULEMON ATHLETICA INC	02/02/10	8/27/2010	12,393 37	10,291 77	2,101 60
174	LULU - LULULEMON ATHLETICA INC	06/11/10	8/27/2010	6,091 65	7,246 73	-1,155 08
100	LULU - LULULEMON ATHLETICA INC	06/11/10	8/27/2010	3,500 96	4,164 51	-663 55
12	CSTR - COINSTAR INC	05/04/10	9/1/2010	504 92	576 62	-71 70
234	CSTR - COINSTAR INC	05/05/10	9/1/2010	9,846 13	11,666 66	-1,820 53
100	CSTR - COINSTAR INC	06/11/10	9/1/2010	4,207 75	5,184 50	-976 75
84	CSTR - COINSTAR INC	06/11/10	9/1/2010	3,534 52	4,357 92	-823 40
704	RBCN - RUBICON TECHNOLOGIES INC	06/14/10	9/1/2010	17,721 49	21,296 42	-3,574 93
140	RBCN - RUBICON TECHNOLOGIES INC	06/22/10	9/1/2010	3,524 16	4,629 05	-1,104 89
937	CPX - COMPLETE PRODUCTION SVCS	07/22/10	9/3/2010	17,692 32	17,497 82	194 50
514	RBCN - RUBICON TECHNOLOGIES INC	06/22/10	9/8/2010	13,510 83	16,995 20	-3,484 37
9	RBCN - RUBICON TECHNOLOGIES INC	06/22/10	9/9/2010	219 81	297 58	-77 77
611	RBCN - RUBICON TECHNOLOGIES INC	07/02/10	9/9/2010	14,922 87	18,406 13	-3,483 26
295	SKX - SKECHERS USA INC	10/22/09	9/9/2010	6,914 27	7,267 02	-352 75
413	SKX - SKECHERS USA INC	01/22/10	9/9/2010	9,679 97	12,302 86	-2,622 89
212	SKX - SKECHERS USA INC	06/11/10	9/9/2010	4,968 90	8,574 13	-3,605 23
562	SKX - SKECHERS USA INC	07/30/10	9/9/2010	13,172 28	20,887 46	-7,715 18
1,614 00	CROX - CROCS INC	08/06/10	9/10/2010	17,768 54	21,808 37	-4,039 83
2,563 00	LSCC - LATTICE SEMICONDUCTR CORP	04/26/10	9/10/2010	11,035 31	14,353 83	-3,318 52
659	LSCC - LATTICE SEMICONDUCTR CORP	06/11/10	9/10/2010	2,837 41	2,925 89	-88 48
102	LSCC - LATTICE SEMICONDUCTR CORP	06/11/10	9/10/2010	439 18	452 37	-13 19
311	LCC - US AIRWAYS GROUP INC	05/26/10	9/13/2010	2,682 95	2,679 82	3 13
1,281 00	LCC - US AIRWAYS GROUP INC	06/02/10	9/13/2010	11,050 99	11,939 56	-888 57
904	LCC - US AIRWAYS GROUP INC	06/11/10	9/13/2010	7,798 68	8,866 43	-1,067 75
1,774 00	PWER - POWER-ONE INC	04/30/10	9/15/2010	18,038 61	14,281 77	3,756 84
43	PWER - POWER-ONE INC	04/30/10	9/16/2010	379 54	346 17	33 37
1,212 00	PWER - POWER-ONE INC	05/03/10	9/16/2010	10,697 77	10,543 92	153 85
1,386 00	PWER - POWER-ONE INC	05/06/10	9/16/2010	12,233 60	10,721 40	1,512 20
1,675 00	PWER - POWER-ONE INC	06/11/10	9/16/2010	14,784 48	11,842 25	2,942 23
150	CRUS - CIRRUS LOGIC INC	04/27/10	9/17/2010	2,403 48	1,802 83	600 65
868	CRUS - CIRRUS LOGIC INC	05/03/10	9/17/2010	13,908 16	11,291 46	2,616 70
607	CRUS - CIRRUS LOGIC INC	06/11/10	9/17/2010	9,726 10	8,472 51	1,253 59
1,191 00	NETEZZA CORP	08/27/10	9/24/2010	32,779 33	23,174 00	9,605 33
681	TEN - TENNECO INC	08/02/10	9/24/2010	19,200 87	20,000 02	-799 15
137	NETEZZA CORP	08/27/10	9/27/2010	3,703 19	2,665 69	1,037 50
671	NETEZZA CORP	09/10/10	9/27/2010	18,137 57	15,460 38	2,677 19
653	ADTN - ADTRAN INC	07/19/10	9/28/2010	22,106 94	20,512 43	1,594 51
387	DECK - DECKERS OUTDOOR CORP	03/02/10	10/1/2010	19,335 42	16,142 87	3,192 55
117	DECK - DECKERS OUTDOOR CORP	06/11/10	10/1/2010	5,845 60	6,158 88	-313 28
321	SLXP - SALIX PHARMACEUTICALS	03/12/10	10/1/2010	12,358 83	10,127 42	2,231 41
41	SLXP - SALIX PHARMACEUTICALS	03/25/10	10/1/2010	1,578 55	1,487 92	90 63
390	INFA - INFORMATICA CORP	08/25/10	10/5/2010	14,990 72	12,724 93	2,265 79
1,606 00	ENTR - ENTROPIC COMMUNICATIONS	07/07/10	10/6/2010	14,209 00	10,889 00	3,320 00

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**Short Term Gains & Losses**  
**10/31/2010**

Quantity	Name	Date Purchase	Date Sold	Proceeds	Cost	Gain (Loss)
229	SLXP - SALIX PHARMACEUTICALS	03/25/10 <sup>nc</sup>	10/6/2010	8,682 06	8,310 54	371 52
180	SLXP - SALIX PHARMACEUTICALS	06/11/10 <sup>nc</sup>	10/6/2010	6,824 33	6,421 50	402 83
606	ENTR - ENTROPIC COMMUNICATIONS	07/07/10 <sup>nc</sup>	10/11/2010	5,315 07	4,108 80	1,206 27
1,368 00	ENTR - ENTROPIC COMMUNICATIONS	07/29/10 <sup>nc</sup>	10/11/2010	11,998 39	10,521 43	1,476 96
906	IGTE - IGATE CORP	09/13/10 <sup>nc</sup>	10/13/2010	16,168 11	16,490 29	-322 18
80	PRAA - PORTFOLIO RECOVERY	05/21/10 <sup>nc</sup>	10/13/2010	5,303 33	5,317 04	-13 71
780	ISILON SYSTEMS INC	08/02/10 <sup>nc</sup>	10/14/2010	20,889 99	14,097 18	6,792 81
47	PRAA - PORTFOLIO RECOVERY	05/21/10 <sup>nc</sup>	10/14/2010	3,117 04	3,123 76	-6 72
840	ENTR - ENTROPIC COMMUNICATIONS	07/29/10 <sup>nc</sup>	10/18/2010	6,632 86	6,460 52	172 34
1,466 00	ENTR - ENTROPIC COMMUNICATIONS	09/14/10 <sup>nc</sup>	10/18/2010	11,575 93	14,186 19	-2,610 26
110	PRAA - PORTFOLIO RECOVERY	05/21/10 <sup>nc</sup>	10/19/2010	7,216 55	7,310 91	-94 36
68	PRAA - PORTFOLIO RECOVERY	06/11/10 <sup>nc</sup>	10/19/2010	4,461 15	4,671 60	-210 45
429	CYT - CYTEC IND INC	07/21/10 <sup>nc</sup>	10/22/2010	22,598 17	21,309 37	1,288 80
1,563 00	NR - NEWPARK RES \$0 01 NEW	06/03/10 <sup>nc</sup>	10/29/2010	9,404 10	10,429 73	-1,025 63
1,176 00	NR - NEWPARK RES \$0 01 NEW	06/11/10 <sup>nc</sup>	10/29/2010	7,075 64	7,291 20	-215 56
1,232 00	SOL - RENESOLA LTD ADR	10/11/10 <sup>nc</sup>	10/29/2010	14,737 92	17,079 59	-2,341 67
38	SOL - RENESOLA LTD ADR	10/14/10 <sup>nc</sup>	10/29/2010	454 58	559 12	-104 54
				2,824,633 89	2,717,215 33	107,418 56

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**Long Term Gains & Losses**  
**10/31/2010**

Quantity	Name	Date Purchase	Date Sold	Proceeds	Cost	Gain (Loss)
1	8ING PRIME RTE PFD SER T	07/26/07	1/21/2010	25,000 00	25,000 00	0 00
1	8ING PRIME RTE PFD SER T	07/26/07	4/15/2010	25,000 00	25,000 00	0 00
1	8ING PRIME RTE PFD SER T	07/26/07	10/15/2010	25,000 00	25,000 00	0 00
175	ABT - ABBOTT LABORATORIES	05/02/08	6/8/2010	7,875 30	9,416 60	-1,541 30
350	ADP - AUTOMATIC DATA PROCESSIN	03/15/07	6/8/2010	13,799 03	15,320 70	-1,521 67
675	ADP - AUTOMATIC DATA PROCESSIN	03/15/07	7/9/2010	27,336 64	29,547 04	-2,210 40
675	ADP - AUTOMATIC DATA PROCESSIN	05/16/07	7/9/2010	27,336 65	32,283 67	-4,947 02
175	ADP - AUTOMATIC DATA PROCESSIN	07/31/07	7/9/2010	7,087 28	8,129 02	-1,041 74
150	ADP - AUTOMATIC DATA PROCESSIN	07/31/07	7/30/2010	6,173 41	6,967 73	-794 32
525	ADP - AUTOMATIC DATA PROCESSIN	10/01/07	7/30/2010	21,606 96	24,565 00	-2,958 04
850	ADP - AUTOMATIC DATA PROCESSIN	01/18/08	7/30/2010	34,982 72	33,681 32	1,301 40
1,025	00 BAX - BAXTER INTERNATIONAL INC	12/15/08	5/5/2010	46,484 52	51,141 00	-4,656 48
350	BAX - BAXTER INTERNATIONAL INC	04/09/09	5/5/2010	15,872 77	17,311 97	-1,439 20
250	BAX - BAXTER INTERNATIONAL INC	04/09/09	5/10/2010	11,529 59	12,365 69	-836 10
375	BAX - BAXTER INTERNATIONAL INC	05/07/09	5/10/2010	17,294 39	18,513 62	-1,219 23
125	BDX - BECTON DICKINSON & CO	09/28/06	6/8/2010	8,489 85	8,652 50	-162 65
250	BRK'B - BERKSHIRE HATHAWAY INC B	09/28/06	6/8/2010	17,251 43	15,890 00	1,361 43
200	CL - COLGATE PALMOLIVE CO	09/28/06	6/8/2010	15,393 27	12,388 00	3,005 27
1,500	00 EEM - ISHARES TR MSCI EMERGING	06/01/06	10/19/2010	68,585 43	47,711 00	20,874 43
1,500	00 EEM - ISHARES TR MSCI EMERGING	06/01/06	10/19/2010	68,585 44	47,755 00	20,830 44
5,000	00 EEM - ISHARES TR MSCI EMERGING	06/01/06	10/19/2010	228,618 14	159,050 00	69,568 14
5,000	00 EEM - ISHARES TR MSCI EMERGING	10/10/06	10/19/2010	228,661 13	165,118 14	63,542 99
100	EEM - ISHARES TR MSCI EMERGING	10/10/06	10/19/2010	4,561 94	3,302 36	1,259 58
900	EEM - ISHARES TR MSCI EMERGING	10/10/06	10/19/2010	41,057 47	29,748 00	11,309 47
2,500	00 EEM - ISHARES TR MSCI EMERGING	10/09/08	10/19/2010	114,048 55	66,047 25	48,001 30
1,400	00 EEM - ISHARES TR MSCI EMERGING	11/12/08	10/19/2010	63,867 20	31,147 62	32,719 58
900	EEM - ISHARES TR MSCI EMERGING	11/12/08	10/19/2010	41,093 39	20,023 47	21,069 92
200	EEM - ISHARES TR MSCI EMERGING	11/12/08	10/19/2010	9,131 86	4,451 50	4,680 36
3,800	00 EEM - ISHARES TR MSCI EMERGING	01/06/09	10/19/2010	173,505 45	103,703 14	69,802 31
1,200	00 EEM - ISHARES TR MSCI EMERGING	01/06/09	10/19/2010	54,731 07	32,748 36	21,982 71
2,400	00 EEM - ISHARES TR MSCI EMERGING	05/08/09	10/19/2010	109,462 15	75,140 82	34,321 33
1,600	00 EEM - ISHARES TR MSCI EMERGING	05/08/09	10/19/2010	73,056 52	50,093 88	22,962 64
175	GD - GENL DYNAMICS CORP COM	10/02/08	6/8/2010	10,681 22	12,266 48	-1,585 26
200	GILD - GILEAD SCIENCES INC	05/04/09	6/8/2010	6,655 05	8,955 65	-2,300 60
137	061 GMC - GREEN MOUNTAIN COFFEE	04/09/09	4/29/2010	10,719 85	4,799 09	5,920 76
30	GOOG - GOOGLE INC CL A	09/08/08	6/8/2010	14,297 35	13,429 36	867 99
65	GWW - GRAINGER W W INC	07/27/07	6/8/2010	6,191 58	5,757 44	434 14
375	HPQ - HEWLETT-PACKARD COMPANY	09/11/07	6/8/2010	16,586 36	18,573 22	-1,986 86
250	HRS - HARRIS CORP DEL	12/03/08	6/8/2010	10,790 35	8,076 35	2,714 00
175	MCK - MCKESSON CORPORATION	11/17/08	6/8/2010	11,695 47	6,119 17	5,576 30
650	MSFT - MICROSOFT CORP	09/28/06	6/8/2010	15,727 25	17,868 50	-2,141 25
150	NKE - NIKE INC CLASS B	09/28/06	6/8/2010	10,199 82	6,639 00	3,560 82
500	NVO - NOVO NORDISK A S ADR	07/08/09	9/7/2010	44,037 60	27,213 31	16,824 29
300	NVO - NOVO NORDISK A S ADR	07/08/09	9/8/2010	26,439 53	16,327 98	10,111 55
225	PCL - PLUM CRK TMBR CO	9/18/2002	12/3/2009	7,963 52	7,381 57	581 95
200	PCL - PLUM CRK TMBR CO	9/24/2002	12/3/2009	7,078 69	6,561 40	517 29
500	PCL - PLUM CRK TMBR CO	3/1/2006	12/3/2009	17,696 73	16,403 49	1,293 24
200	PCL - PLUM CRK TMBR CO	3/14/2006	12/3/2009	7,078 69	6,561 40	517 29
165	PCL - PLUM CRK TMBR CO	3/31/2006	12/3/2009	5,839 92	5,413 15	426 77
500	PCL - PLUM CRK TMBR CO	10/12/2007	12/3/2009	17,696 73	21,026 50	-3,329 77
200	PCL - PLUM CRK TMBR CO	10/17/2007	12/3/2009	7,078 69	8,249 94	-1,171 25
250	PCL - PLUM CRK TMBR CO	11/2/2007	12/3/2009	8,848 38	10,713 68	-1,865 30
200	PDCO - PATTERSON COMPANIES INC	03/02/07	6/8/2010	5,649 98	6,598 00	-948 02
275	PEP - PEPSICO INCORPORATED	09/28/06	6/8/2010	16,776 90	18,100 50	-1,323 60
325	PG - PROCTER & GAMBLE CO	9/28/2006	12/21/2009	19,979 51	20,289 75	-310 24
675	PG - PROCTER & GAMBLE CO	11/15/2006	12/21/2009	41,495.92	42,619 50	-1,123 58
225	PG - PROCTER & GAMBLE CO	8/1/2007	12/21/2009	13,831 97	13,942 12	-110 15
300	PG - PROCTER & GAMBLE CO	10/1/2007	12/21/2009	18,442 64	21,307 24	-2,864 60
754	SXCI - SXC HEALTH SOLUTIONS CRP	08/06/09	10/18/2010	27,587.49	14,346 14	13,241 35
115	VAR - VARIAN MEDICAL SYSTEMS	06/05/09	6/8/2010	5,449 12	4,210 72	1,238 40

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**Stephen Muss Foundation**  
**23-7424763**  
**Long Term Gains & Losses**  
**10/31/2010**

Quantity	Name	Date Purchase	Date Sold	Proceeds	Cost	Gain (Loss)
				2,044,995 86	1,576,965 05	468,030 81

THE STEPHEN MUSS FOUNDATION

ATTACHMENT TO 2009 FORM 990PF, PART VIII, LINES 1A - 1E

- 1) LISTS ALL OFFICERS, DIRECTORS, TRUSTEES, FOUNDATION MANAGERS AND  
THEIR COMPENSATION

NAME & ADDRESS	TITLE AND AVG. HRS/WEEK DEVOTED TO POSITION	COMPENSATION	CONTRIBUTION TO AN EMPLOYEE BENEFIT PLAN & DEFERRED COMP	EXPENSE ACCOUNT, OTHER ALLOWANCES
STEPHEN MUSS 1691 MICHIGAN AVENUE MIAMI BEACH, FLA 33140	PRESIDENT AS NEEDED	0	0	0
BRIAN BILZIN 2500 FIRST UNION FIN.CENTER MIAMI, FL 33131	TREASURER AS NEEDED	0	0	0
SANDRA MUSS 1691 MICHIGAN AVENUE MIAMI BEACH, FLA 33140	VP & SECRETARY AS NEEDED	0	0	0



**Statement 8 - Form 990-PF, Part XV, Line 1a - Managers Who Contributed Over 2% or \$5,000**

<u>Name of Manager</u>	<u>Amount</u>
Stephen Muss 1998	\$
Stephen Muss 1999	
Stephen Muss 2000	
Stephen Muss 2004	
Stephen Muss 2005	
Total	\$ <u>0</u>



# 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 ☒ ►
  - 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>  File by the due date for filing your return. See instructions.	Name of exempt organization	Employer identification number
	Stephen Muss Foundation Inc	23-7424763
	Number, street, and room or suite no. If a P.O. box, see instructions	
	C/O Gerson Preston Robinson & Company, PA, 666 Seventy-First Street	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions	
	Miami Beach, Florida 33141	

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

04

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

GERSON, PRESTON, ROBINSON & CO., P.A.  
CERTIFIED PUBLIC ACCOUNTANTS  
666-74th STREET  
MIAMI BEACH, FLORIDA 33141  
59-1262947

- The books are in the care of ► \_\_\_\_\_
- Telephone No. ► 305-868-3600 FAX No ► 305-864-6740
- 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.

- I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until June 15, 2011, 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 November 1, 2009, and ending October 31, 2010.
- 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>	\$
<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>	\$
<b>c</b> <b>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>	\$ 0.00

**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)

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