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Return of Private Foundation

or Section 4947(a)(1) Nonexempt Charitable Trust

Treated as a Private Foundation

OMB No 1545-0052

2010

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 2010, or tax year beginning

, and ending

G Check all that apply

☐ Initial return☐ Initial return of a former public charity☐ Final return☐ Amended return☐ Address change☐ Name change

Name of foundation THE MALCOLM HEWITT WIENER FOUNDATION C/O THE MILLBURN CORPORATION		A Employer identification number 13-3250321
Number and street (or P.O. box number if mail is not delivered to street address) 1270 AVENUE OF THE AMERICAS	Room/suite	B Telephone number 212-332-7350
City or town, state, and ZIP code NEW YORK, NY 10020		C If exemption application is pending, check here ☐
H Check type of organization ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation		D 1. Foreign organizations, check here ☐ 2. Foreign organizations meeting the 85% test, check here and attach computation ☐
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 50,777,134. (Part I, column (d) must be on cash basis)	J Accounting method ☒ Cash ☐ Accrual ☐ Other (specify) _____	E If private foundation status was terminated under section 507(b)(1)(A), check here ☐
		F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received			N/A	
	2 Check ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities	1,221,231.	1,221,231.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	1,707,887.			STATEMENT 1
	b Gross sales price for all assets on line 6a	4,426,236.			
	7 Capital gain net income (from Part IV, line 2)		1,637,736.		
	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	<13,692.>	<13,692.>		STATEMENT 3	
12 Total. Add lines 1 through 11	2,915,426.	2,845,275.			
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees STMT 4	895.	895.		0.
	b Accounting fees STMT 5	3,500.	0.		2,500.
	c Other professional fees STMT 6	139,756.	139,756.		0.
	17 Interest	92,383.	92,383.		0.
	18 Taxes STMT 7	19,449.	19,449.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses STMT 8	525,731.	194,947.		330,784.
	24 Total operating and administrative expenses. Add lines 13 through 23	781,714.	447,430.		333,284.
	25 Contributions, gifts, grants paid	3,532,829.			3,532,829.
26 Total expenses and disbursements. Add lines 24 and 25	4,314,543.	447,430.		3,866,113.	
27 Subtract line 26 from line 12	<1,399,117.>				
a Excess of revenue over expenses and disbursements		2,397,845.			
b Net investment income (if negative, enter -0-)					
c Adjusted net income (if negative, enter -0-)			N/A		

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Part II Balance Sheets

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

Beginning of year

End of year

(a) Book Value

(b) Book Value

(c) Fair Market Value

Assets

Liabilities

Net Assets or Fund Balances

1	Cash - non-interest-bearing			
2	Savings and temporary cash investments	2,645,472.	902,544.	902,544.
3	Accounts receivable ▶			
	Less: allowance for doubtful accounts ▶	3,766,588.		
4	Pledges receivable ▶			
	Less: allowance for doubtful accounts ▶			
5	Grants receivable			
6	Receivables due from officers, directors, trustees, and other disqualified persons			
7	Other notes and loans receivable ▶			
	Less: allowance for doubtful accounts ▶			
8	Inventories for sale or use			
9	Prepaid expenses and deferred charges			
10a	Investments - U S and state government obligations			
b	Investments - corporate stock			
c	Investments - corporate bonds			
11	Investments - land, buildings, and equipment basis ▶			
	Less: accumulated depreciation ▶			
12	Investments - mortgage loans			
13	Investments - other STMT 9	40,874,190.	47,674,590.	47,674,590.
14	Land, buildings, and equipment basis ▶ 48,197.			
	Less: accumulated depreciation STMT 10 ▶ 48,197.			
15	Other assets (describe ▶ PROCEEDS RECEIVABLE)	0.	2,200,000.	2,200,000.
16	Total assets (to be completed by all filers)	47,286,250.	50,777,134.	50,777,134.
17	Accounts payable and accrued expenses			
18	Grants payable			
19	Deferred revenue			
20	Loans from officers, directors, trustees, and other disqualified persons			
21	Mortgages and other notes payable			
22	Other liabilities (describe ▶)			
23	Total liabilities (add lines 17 through 22)	0.	0.	
	Foundations that follow SFAS 117, check here ▶ ☒ and complete lines 24 through 26 and lines 30 and 31.			
24	Unrestricted	47,286,250.	50,777,134.	
25	Temporarily restricted			
26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☐ and complete lines 27 through 31.			
27	Capital stock, trust principal, or current funds			
28	Paid-in or capital surplus, or land, bldg, and equipment fund			
29	Retained earnings, accumulated income, endowment, or other funds			
30	Total net assets or fund balances	47,286,250.	50,777,134.	
31	Total liabilities and net assets/fund balances	47,286,250.	50,777,134.	

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	47,286,250.
2	Enter amount from Part I, line 27a	2	<1,399,117.>
3	Other increases not included in line 2 (itemize) ▶ UNREALIZED GAIN	3	4,890,001.
4	Add lines 1, 2, and 3	4	50,777,134.
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	50,777,134.

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Part IV Capital Gains and Losses for Tax on Investment Income

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

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			
b			
c			
d			
e 4,426,236.		2,788,500.	1,637,736.

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

(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	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
a			
b			
c			
d			
e			1,637,736.

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	1,637,736.
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter -0- in Part I, line 8 }	3	N/A

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

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

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

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

☐ Yes ☒ No

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

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

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2009	2,989,951.	43,014,083.	.069511
2008	3,700,135.	55,194,277.	.067038
2007	4,291,408.	67,110,251.	.063946
2006	2,930,907.	66,138,449.	.044315
2005	4,815,416.	63,249,183.	.076134

2 Total of line 1, column (d)	2	.320944
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	.064189
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5	4	46,874,601.
5 Multiply line 4 by line 3	5	3,008,834.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	23,978.
7 Add lines 5 and 6	7	3,032,812.
8 Enter qualifying distributions from Part XII, line 4 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	8	3,866,113.

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

1a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary-see instructions)		1	23,978.
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ 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 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		2	0.
3 Add lines 1 and 2		3	23,978.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4	0.
5 Tax based on investment income. Subtract line 4 from line 3 If zero or less, enter -0-		5	23,978.
6 Credits/Payments			
a 2010 estimated tax payments and 2009 overpayment credited to 2010	6a 42,102.		
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	42,102.	
8 Enter any penalty for underpayment of estimated tax Check here ☐ if Form 2220 is attached	8		
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9		
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	18,124.	
11 Enter the amount of line 10 to be Credited to 2011 estimated tax ☒ Refunded ☐	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
b 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
c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ☒ \$ 0. (2) On foundation managers ☒ \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ☒ \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?	X	
b If "Yes," has it filed a tax return on Form 990-T for this year?	X	
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • 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?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV.	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ☒ NY, DE		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2010 or the taxable year beginning in 2010 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

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Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see 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 GREGG BUCKBINDER Telephone no 212-332-7350 Located at THE MILLBURN CORP., 1270 6TH AVE, NEW YORK, NY ZIP+4 10020			
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 N/A	15		
16	At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country? See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22.1 If "Yes," enter the name of the foreign country	16	Yes	No
				X

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

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

	Yes	No
1a During the year did the foundation (either directly or indirectly)		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	☐ Yes ☒ No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☒ Yes ☐ No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes ☒ No	
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes ☒ No	
(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)	☐ Yes ☒ No	
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here		X
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 2010?		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 2010, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2010? If "Yes," list the years	☐ Yes ☒ No	
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	
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes ☒ No	
b If "Yes," did it have excess business holdings in 2010 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 2010)	N/A	
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		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 2010?		X

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)**5a** During the year did the foundation pay or incur any amount to

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?

☐ Yes ☒ No

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

☐ Yes ☒ No**b** If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

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

N/A

☐ Yes ☐ No

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

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

6b

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

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

[illegible]

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

Part IX-A	Summary of Direct Charitable Activities
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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.

1	N/A	
2		
3		
4		

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

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

1	N/A	
2		
	All other program-related investments See instructions	
3		

Total. Add lines 1 through 3Form **990-PF** (2010)

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	44,019,748.
b	Average of monthly cash balances	1b	3,568,679.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	47,588,427.
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	47,588,427.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	713,826.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	46,874,601.
6	Minimum investment return. Enter 5% of line 5	6	2,343,730.

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	2,343,730.
2a	Tax on investment income for 2010 from Part VI, line 5	2a	23,978.
b	Income tax for 2010 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	23,978.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	2,319,752.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	2,319,752.
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	2,319,752.

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	3,866,113.
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	3,866,113.
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	23,978.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	3,842,135.

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

Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7				2,319,752.
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only			0.	
b Total for prior years		0.		
3 Excess distributions carryover, if any, to 2010				
a From 2005	3,062,599.			
b From 2006				
c From 2007				
d From 2008	639,973.			
e From 2009	498,316.			
f Total of lines 3a through e	4,200,888.			
4 Qualifying distributions for 2010 from Part XII, line 4 ▶ \$	3,866,113.			
a Applied to 2009, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2010 distributable amount				2,319,752.
e Remaining amount distributed out of corpus	1,546,361.			
5 Excess distributions carryover applied to 2010 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:	5,747,249.			
a Corpus Add lines 3f, 4c, and 4e Subtract line 5				
b Prior years' undistributed income Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b Taxable amount - see instructions		0.		
e Undistributed income for 2009 Subtract line 4a from line 2a Taxable amount - see instr			0.	
f Undistributed income for 2010 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2005 not applied on line 5 or line 7	3,062,599.			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	2,684,650.			
10 Analysis of line 9				
a Excess from 2006				
b Excess from 2007				
c Excess from 2008	639,973.			
d Excess from 2009	498,316.			
e Excess from 2010	1,546,361.			

N/A

☐ 4942(j)(3) or ☐ 4942(j)(5)

(4) Gross investment income

[illegible]

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

1 Information Regarding Foundation Managers:

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

MALCOLM H. WIENER

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

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Form **990-PF** (2010)

Part XVII

Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

- | | | | |
|---|--------------|------------|-----------|
| 1 Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations? | | Yes | No |
| a Transfers from the reporting foundation to a noncharitable exempt organization of: | | | |
| (1) Cash | 1a(1) | | X |
| (2) Other assets | 1a(2) | | X |
| b Other transactions: | | | |
| (1) Sales of assets to a noncharitable exempt organization | 1b(1) | | X |
| (2) Purchases of assets from a noncharitable exempt organization | 1b(2) | | X |
| (3) Rental of facilities, equipment, or other assets | 1b(3) | | X |
| (4) Reimbursement arrangements | 1b(4) | | X |
| (5) Loans or loan guarantees | 1b(5) | | X |
| (6) Performance of services or membership or fundraising solicitations | 1b(6) | | X |
| c Sharing of facilities, equipment, mailing lists, other assets, or paid employees | 1c | | X |
| d If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received. | | | |

[illegible]

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

- b If "Yes," complete the following schedule.**

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

**Sign
Here**

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

Signature of officer or trustee

Date _____

Title

Print/Type preparer's name

Preparer's signature

Date

Check ☐
self-employed

PTIN

GARRETT M. HIGGINS
CPA

Paul M. Higgins - CPA

11-18-11

Firm's name ▶ O'CONNOR DAVIES MUNNS & DOBBINS, LLP

Firm's EIN ▶

Firm's address ► 500 MAMARONECK AVENUE
NEW YORK, NY 10528-1633

Phone no. 914-381-8900

Form **990-PF** (2010)

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	SEE STATEMENT ATTACHED	P	VARIOUS	VARIOUS
b	SEE STATEMENT ATTACHED	P	VARIOUS	VARIOUS
c	S/T GAIN/LOSS-FLOW THROUGH FROM PARTNERSHIPS	P	VARIOUS	VARIOUS
d	L/T GAIN/LOSS-FLOW THROUGH FROM PARTNERSHIPS	P	VARIOUS	VARIOUS
e	REDUCTION FOR INCOME SUBJECT TO UBTI	P	VARIOUS	VARIOUS
f	CAPITAL GAINS DIVIDENDS			
g				
h				
i				
j				
k				
l				
m				
n				
o				

(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 1,164,237.		1,194,030.	<29,793.>
b 1,894,057.		1,524,319.	369,738.
c 490,309.			490,309.
d 876,476.			876,476.
e		70,151.	<70,151.>
f 1,157.			1,157.
g			
h			
i			
j			
k			
l			
m			
n			
o			

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

(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	(l) Losses (from col (h)) Gains (excess of col (h) gain over col (k), but not less than "-0-")
a			<29,793.>
b			369,738.
c			490,309.
d			876,476.
e			<70,151.>
f			1,157.
g			
h			
i			
j			
k			
l			
m			
n			
o			

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	1,637,736.
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter "-0-" in Part I, line 8 }	3	N/A

2010 DEPRECIATION AND AMORTIZATION REPORT

FORM 990-PF PAGE 1

990-PF

Asset No	Description	Date Acquired	Method	Life	Line No	Unadjusted Cost Or Basis	Bus % Excl	* Reduction In Basis	Basis For Depreciation	Accumulated Depreciation	Current Sec 179	Current Year Deduction
1	COMPUTER EQUIPMENT	061599	2000DB	5.00	17	23,207.			23,207.	23,207.		0.
2	FURNITURE & FIXTURES	041599	2000DB	7.00	17	24,226.			24,226.	24,226.		0.
3	OFFICE EQUIPMENT	051599	2000DB	5.00	17	764.			764.	764.		0.
	* TOTAL 990-PF PG 1 DEPR					48,197.		0.	48,197.	48,197.	0.	0.

FORM 990-PF GAIN OR (LOSS) FROM SALE OF ASSETS STATEMENT 1

(A) DESCRIPTION OF PROPERTY			MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
SEE STATEMENT ATTACHED			PURCHASED	VARIOUS	VARIOUS
(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS	
1,164,237.	1,194,030.	0.	0.	<29,793.>	

(A) DESCRIPTION OF PROPERTY			MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
SEE STATEMENT ATTACHED			PURCHASED	VARIOUS	VARIOUS
(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS	
1,894,057.	1,524,319.	0.	0.	369,738.	

(A) DESCRIPTION OF PROPERTY			MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
S/T GAIN/LOSS-FLOW THROUGH FROM PARTNERSHIPS			PURCHASED	VARIOUS	VARIOUS
(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS	
490,309.	0.	0.	0.	490,309.	

THE MALCOLM HEWITT WIENER FOUNDATION
EIN: 13-3250321
STATEMENT ATTACHED TO AND MADE PART OF
FORM 990-PF RETURN OF PRIVATE FOUNDATION
CAPITAL GAINS/LOSSES
FOR THE YEAR ENDED 12/31/10

SHORT TERM

					REVENUE PER BOOKS		REVENUE PER NET INVESTMENT	
# OF SHARES	DESCRIPTION	DATE SOLD	DATE ACQUIRED	PROCEEDS	COST BASIS	GAIN/LOSS	COST BASIS	GAIN/LOSS
46	Funex Pharmaceuticals	06/16/10	06/18/09	413	429	(16)	429	(16)
25	Funex Pharmaceuticals	06/16/10	08/11/09	224	206	18	206	18
32,109	Resolution LD - rights	07/26/10	01/28/10	37,537	60,183	(22,646)	60,183	(22,646)
	CIL Resolution LD	08/10/10	01/28/10	3	0	3	0	3
3,150	Weyerhaeuser Co	09/09/10	09/01/10	7	0	7	0	7
	CIL Resolution LD	10/12/10	10/08/10	1	0	1	0	1
	CIL Henderson Land Development Ltd	10/29/10	10/15/10	3	0	3	0	3
4,150	Wilmington Trust Corp	12/09/10	10/22/10	17,172	37,466	(20,293)	37,466	(20,293)
5,000	Sun Microsystems Inc	01/28/10	04/21/09	47,500	45,835	1,665	45,835	1,665
8,000	CKE Restaurants	07/13/10	04/30/10	100,400	99,190	1,210	99,190	1,210
1,000	Millipore Corp	07/15/10	03/11/10	107,000	105,244	1,756	105,244	1,756
1,000	Millipore Corp	07/15/10	03/15/10	107,000	105,367	1,633	105,367	1,633
7,500	Cybersource Corp	07/22/10	04/22/10	195,000	192,580	2,420	192,580	2,420
2,500	Sybase Inc	07/30/10	05/14/10	162,500	161,027	1,473	161,027	1,473
6,000	Americredit Corp	10/01/10	07/27/10	147,000	144,784	2,216	144,784	2,216
3,000	McAfee Inc	12/07/10	08/19/10	140,476	141,519	(1,042)	141,519	(1,042)
8,000	ADC Telecommunication	12/10/10	07/13/10	102,000	100,200	1,800	100,200	1,800
TOTAL				1,164,237	1,194,030	(29,793)	1,194,030	(29,793)

LONG TERM

# OF SHARES	DESCRIPTION	DATE SOLD	DATE ACQUIRED	PROCEEDS	REVENUE PER BOOKS		REVENUE PER NET INVESTMENT	
					COST BASIS	GAIN/LOSS	COST BASIS	GAIN/LOSS
4,000	Wheelock and Co Ltd	01/04/10	09/18/06	12,190	6,956	5,234	6,956	5,234
6,000	Wheelock and Co Ltd	01/04/10	09/19/06	18,285	10,357	7,928	10,357	7,928
325	Cimarex Energy Co	02/11/10	10/02/06	17,940	11,231	6,710	11,231	6,710
225	Cimarex Energy Co	02/11/10	08/16/07	12,420	7,801	4,619	7,801	4,619
600	Cimarex Energy Co	02/19/10	08/16/07	35,966	20,803	15,164	20,803	15,164
650	Derwent London	03/10/10	06/20/08	13,071	13,980	(909)	13,980	(909)
62	Derwent London	03/12/10	06/20/08	1,247	1,334	(87)	1,334	(87)
375	Derwent London	03/12/10	01/28/09	7,541	3,250	4,292	3,250	4,292
1,375	Kid Brands Inc	04/16/10	07/14/04	12,546	26,560	(14,013)	26,560	(14,013)
825	Kid Brands Inc	04/16/10	07/15/04	7,528	16,102	(8,574)	16,102	(8,574)
700	Kid Brands Inc	04/16/10	08/24/04	6,387	13,365	(6,977)	13,365	(6,977)
700	Kid Brands Inc	04/16/10	08/25/04	6,387	13,375	(6,988)	13,375	(6,988)
1,800	Kid Brands Inc	04/16/10	04/06/05	16,424	28,454	(12,030)	28,454	(12,030)
1,400	Kid Brands Inc	04/16/10	05/09/05	12,774	18,274	(5,500)	18,274	(5,500)
1,875	Kid Brands Inc	04/16/10	06/03/05	17,109	24,482	(7,374)	24,482	(7,374)
425	Kid Brands Inc	04/16/10	06/06/05	3,878	5,516	(1,638)	5,516	(1,638)
440	Cimarex Energy Co	05/11/10	08/16/07	30,266	15,255	15,011	15,255	15,011
60	Cimarex Energy Co	05/12/10	08/16/07	4,140	2,080	2,059	2,080	2,059
275	Cimarex Energy Co	05/12/10	10/15/08	18,973	9,622	9,351	9,622	9,351
150	Cimarex Energy Co	05/13/10	10/15/08	10,800	5,248	5,552	5,248	5,552
200	Cimarex Energy Co	05/13/10	12/22/08	14,401	4,970	9,430	4,970	9,430
35	Funex Pharmaceuticals	06/16/10	04/22/09	321	267	54	267	54
48	Funex Pharmaceuticals	06/16/10	04/23/09	431	366	65	366	65
19	Funex Pharmaceuticals	06/16/10	04/29/09	171	147	24	147	24
58	Funex Pharmaceuticals	06/16/10	05/13/09	521	493	28	493	28
33	Funex Pharmaceuticals	06/16/10	05/14/09	296	282	14	282	14
10,000	Wheelock and Co Ltd	09/14/10	09/19/06	31,419	17,261	14,158	17,261	14,158
4,000	Wheelock and Co Ltd	09/15/10	09/19/06	12,611	6,904	5,707	6,904	5,707
9,000	Wheelock and Co Ltd	09/15/10	09/12/08	28,376	19,692	8,684	19,692	8,684
5,000	Wheelock and Co Ltd	09/16/10	09/12/08	15,717	10,940	4,777	10,940	4,777
4,000	Wheelock and Co Ltd	09/16/10	10/02/08	12,573	7,301	5,272	7,301	5,272
375	AVX Corp	10/12/10	05/04/04	5,112	5,540	(428)	5,540	(428)
1,925	AVX Corp	10/12/10	05/06/04	26,241	27,980	(1,739)	27,980	(1,739)
2,359	AVX Corp	10/12/10	05/20/04	32,157	34,742	(2,585)	34,742	(2,585)
641	AVX Corp	10/13/10	05/20/04	8,778	9,440	(662)	9,440	(662)
650	AVX Corp	10/13/10	08/12/04	8,902	7,538	1,364	7,538	1,364
2,400	Henderson Land Development Ltd - warrants	10/28/10	10/23/08	1,199	0	1,199	0	1,199
600	AVX Corp	10/31/10	08/12/04	8,590	6,958	1,632	6,958	1,632
1,900	AVX Corp	11/01/10	08/12/04	27,226	22,034	5,193	22,034	5,193

# OF SHARES	DESCRIPTION	DATE SOLD	DATE ACQUIRED	PROCEEDS	REVENUE PER BOOKS		REVENUE PER NET INVESTMENT	
					COST BASIS	GAIN/LOSS	COST BASIS	GAIN/LOSS
1,800	Henderson Land Development Ltd - warrants	11/05/10	10/23/08	898	0	898	0	898
16,120	Southmark Corp New	03/05/10	12/14/89	9	994	(986)	994	(986)
14,144	Southmark Corp New	03/05/10	12/18/89	7 74	924 00	(916)	924	(916)
10,608	Southmark Corp New	03/05/10	12/21/89	6	1,967	(1,961)	1,967	(1,961)
14,445	Southmark Corp New	03/05/10	12/21/89	8	2,647	(2,639)	2,647	(2,639)
17,679	Southmark Corp New	03/05/10	01/05/90	10	4,459	(4,449)	4,459	(4,449)
14,161	Southmark Corp New	03/05/10	01/05/90	8	3,539	(3,531)	3,539	(3,531)
1,565	Southmark Corp New	03/05/10	12/14/89	1	0	1	0	1
1,374	Southmark Corp New	03/05/10	12/18/89	1	0	1	0	1
2,433	Southmark Corp New	03/05/10	12/21/89	1	0	1	0	1
3,094	Southmark Corp New	03/05/10	01/05/90	2	0	2	0	2
600,000	Rolls Royce PLC CLASS "C"	01/07/10	01/18/06	958	0	958	0	958
	CIL Live Nation	01/27/10	12/14/98	11	10	1	10	1
595	Madison Square Garden Inc-CIL	02/10/10	09/03/96	4	0	4	0	4
320	Cadbury Schweppes PLC	02/11/10	06/07/06	16,953	19,241	(2,288)	19,241	(2,288)
960	Cadbury Schweppes PLC	02/11/10	06/13/07	50,858	83,448	(32,589)	83,448	(32,589)
640	Cadbury Schweppes PLC	02/11/10	10/02/07	33,905	47,512	(13,606)	47,512	(13,606)
2,000	Cadbury Schweppes PLC	02/11/10	01/21/09	105,954	63,638	42,317	63,638	42,317
3,000	Pepsiamencas Inc	02/24/10	05/18/01	89,304	45,060	44,244	45,060	44,244
187	Rollins Inc	03/05/10	07/22/88	4,152	589	3,563	589	3,563
1,813	Rollins Inc	03/05/10	04/07/98	40,255	11,138	29,117	11,138	29,117
	CIL Tootsie Roll Ind Inc	04/08/10	05/15/08	10	0	10	0	10
697	MGM Mirage	04/12/10	09/27/04	10,504	16,571	(6,067)	16,571	(6,067)
1,000	MGM Mirage	04/16/10	08/19/08	15,002	29,071	(14,069)	29,071	(14,069)
1,000	MGM Mirage	05/06/10	09/27/04	13,776	23,775	(9,999)	23,775	(9,999)
900,000	Rolls Royce PLC Class C	07/08/10	01/20/06	1,362	0	1,362	0	1,362
600	Orthofix Int'l	08/02/10	01/03/05	18,551	23,630	(5,080)	23,630	(5,080)
1,200	Belo A H Corp	09/15/10	08/28/00	7,553	18,845	(11,293)	18,845	(11,293)
1,000	Great Atlantic & Pacific Tea Inc	10/13/10	10/26/07	3,350	31,520	(28,170)	31,520	(28,170)
1,000	Great Atlantic & Pacific Tea Inc	10/13/10	04/16/08	3,350	25,039	(21,689)	25,039	(21,689)
500	Great Atlantic & Pacific Tea Inc	10/13/10	08/19/08	1,675	9,023	(7,348)	9,023	(7,348)
312	CenturyTel Inc	10/25/10	06/20/89	12,768	2,624	10,144	2,624	10,144
688	CenturyTel Inc	10/25/10	04/20/90	28,155	5,034	23,121	5,034	23,121
1,000	Internec Inc	11/02/10	01/22/07	11,823	24,087	(12,264)	24,087	(12,264)
500	Modine Manufacturing Co	11/29/10	05/01/02	6,918	13,478	(6,560)	13,478	(6,560)
2,000	Modine Manufacturing Co	11/30/10	12/02/02	27,671	36,804	(9,134)	36,804	(9,134)
1,000	ABB Ltd - ADR	12/03/10	06/14/06	20,342	10,979	9,362	10,979	9,362
151	AOL Inc	12/03/10	01/13/97	3,768	3,374	394	3,374	394
200	Ameriprise Financial Inc	12/03/10	07/18/05	10,744	6,655	4,089	6,655	4,089
500	Borg Warner Automotive	12/03/10	11/08/99	33,058	5,107	27,951	5,107	27,951
343	Discovery Holding co	12/03/10	08/16/95	12,707	540	12,167	540	12,167
343	Discovery Holding co	12/03/10	08/16/95	14,556	540	14,015	540	14,015
600	Ecolab Inc	12/03/10	07/15/92	28,538	2,454	26,084	2,454	26,084
800	Flowers Foods	12/03/10	03/29/01	21,081	3,127	17,954	3,127	17,954
500	InteractiveCorp	12/03/10	12/14/98	15,110	6,498	8,611	6,498	8,611
400	Orthofix Int'l	12/03/10	01/03/05	10,709	15,754	(5,044)	15,754	(5,044)
200	Orthofix Int'l	12/03/10	10/01/08	5,355	3,883	1,472	3,883	1,472
200	Precision CastParts Corp	12/03/10	08/22/05	28,314	9,368	18,946	9,368	18,946
600	Proctor and Gamble Co	12/03/10	05/08/06	37,250	33,303	3,947	33,303	3,947
33	Tree Com	12/03/10	12/14/98	247	207	40	207	40
600	Woodward Governor Co	12/03/10	10/10/06	22,461	10,755	11,706	10,755	11,706
500	Great Atlantic & Pacific Tea Inc	12/03/10	08/19/08	1,629	9,023	(7,394)	9,023	(7,394)
2,000	Great Atlantic & Pacific Tea Inc	12/03/10	11/28/08	6,518	10,420	(3,902)	10,420	(3,902)
2,000	Hawk Corp	12/06/10	03/10/09	100,000	20,798	79,202	20,798	79,202
308	3F Investment Corp Ltd Class B	VARIOUS	VARIOUS	514,985	389,969	125,016	389,969	125,016
TOTAL				1,894,057	1,524,319	369,738	1,524,319	369,738

The Malcolm Hewitt Wiener Foundation
EIN# 13-3250321
Form 990-PF, PART IV

Partnership Capital Gains

<u>Partnership Name</u>	<u>S/T Capital Gain (Loss)</u>	<u>L/T Capital Gain (Loss)</u>
Millburn Equity Partners LLC	41,713	49,785
ShareVest Partners LP	-	37,020
Millburn Mco Partners LP	(2,470)	(91,949)
Millburn Select Strategies LP	451,066	881,620
	<u>490,309</u>	<u>876,476</u>

(A) DESCRIPTION OF PROPERTY	(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) MANNER ACQUIRED PURCHASED	(F) DATE ACQUIRED VARIOUS	DATE SOLD VARIOUS
L/T GAIN/LOSS-FLOW THROUGH FROM PARTNERSHIPS	876,476.	0.	0.	0.	0.	876,476.

(A) DESCRIPTION OF PROPERTY	(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) MANNER ACQUIRED PURCHASED	(F) DATE ACQUIRED VARIOUS	DATE SOLD VARIOUS
REDUCTION FOR INCOME SUBJECT TO UBTI	0.	0.	0.	0.	0.	0.

CAPITAL GAINS DIVIDENDS FROM PART IV

1,157.

TOTAL TO FORM 990-PF, PART I, LINE 6A

1,707,887.

FORM 990-PF	DIVIDENDS AND INTEREST FROM SECURITIES	STATEMENT	2
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SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
3F INVESTMENTS CORP LTD	472,284.	0.	472,284.
FIRST REPUBLIC BANK	28.	0.	28.
FROM PARTNERSHIPS	444,370.	0.	444,370.
GABELLI & COMPANY	164,175.	0.	164,175.
JP MORGAN/WHITMAN	46,067.	0.	46,067.
JP MORGAN/WHITMAN-ADVISORY	94,718.	1,157.	93,561.
THIRD AVENUE FUND	746.	0.	746.
TOTAL TO FM 990-PF, PART I, LN 4	1,222,388.	1,157.	1,221,231.

FORM 990-PF	OTHER INCOME	STATEMENT	3
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DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
ORDINARY INCOME/(LOSS) FROM PARTNERSHIPS	<14,437.>	<14,437.>	
GABELLI & CO	508.	508.	
ROYALTIES FROM PARTNERSHIPS	69.	69.	
OTHER MISCELLANEOUS INCOME	168.	168.	
TOTAL TO FORM 990-PF, PART I, LINE 11	<13,692.>	<13,692.>	

FORM 990-PF	LEGAL FEES	STATEMENT	4
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
LEGAL FEES	895.	895.		0.
TO FM 990-PF, PG 1, LN 16A	895.	895.		0.

FORM 990-PF	ACCOUNTING FEES	STATEMENT	5
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	3,500.	0.		2,500.
TO FORM 990-PF, PG 1, LN 16B	3,500.	0.		2,500.

FORM 990-PF	OTHER PROFESSIONAL FEES	STATEMENT	6
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
INVESTMENT MANAGEMENT FEE	139,756.	139,756.		0.
TO FORM 990-PF, PG 1, LN 16C	139,756.	139,756.		0.

FORM 990-PF	TAXES	STATEMENT	7
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES WITHHELD	19,449.	19,449.		0.
TO FORM 990-PF, PG 1, LN 18	19,449.	19,449.		0.

FORM 990-PF	OTHER EXPENSES	STATEMENT	8
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FILING FEES	825.	0.		825.
POSTAGE AND DELIVERY	234.	0.		234.
INVESTMENT EXPENSES	194,947.	194,947.		0.
PUBLICATION	125.	0.		125.
INSURANCE	2,755.	0.		2,755.
ALLOCATED PAYROLL EXPENSES	263,796.	0.		263,796.
ALLOCATED EMPLOYEE BENEFITS	61,589.	0.		61,589.
DUES AND SUBSCRIPTIONS	495.	0.		495.
MISCELLANEOUS EXPENSES	965.	0.		965.
TO FORM 990-PF, PG 1, LN 23	525,731.	194,947.		330,784.

FORM 990-PF	OTHER INVESTMENTS	STATEMENT	9
DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
3F INVESTMENT CORP LTD	COST	6,086,208.	6,086,208.
GABELLI & COMPANY	COST	12,657,943.	12,657,943.
JP MORGAN/WHITMAN	COST	2,140,703.	2,140,703.
JP MORGAN/WHITMAN ADVISORY	COST	3,369,310.	3,369,310.
MILLBURN EQUITY PARTNERS	COST	3,269,998.	3,269,998.
MILLBURN MCO PARTNERS LP	COST	26,514.	26,514.
MILLBURN SELECT STRATEGIES LP	COST	11,715,706.	11,715,706.
SATELLITE OFFSHORE	COST	16,344.	16,344.
SHAREVEST PARTNERS LP	COST	7,165,072.	7,165,072.
THIRD AVENUE FUND	COST	40,692.	40,692.
TUDOR BVI FUND LIMITED	COST	1,186,100.	1,186,100.
TOTAL TO FORM 990-PF, PART II, LINE 13		47,674,590.	47,674,590.

FORM 990-PF	DEPRECIATION OF ASSETS NOT HELD FOR INVESTMENT	STATEMENT	10
DESCRIPTION	COST OR OTHER BASIS	ACCUMULATED DEPRECIATION	BOOK VALUE
COMPUTER EQUIPMENT	23,207.	23,207.	0.
FURNITURE & FIXTURES	24,226.	24,226.	0.
OFFICE EQUIPMENT	764.	764.	0.
TOTAL TO FM 990-PF, PART II, LN 14	48,197.	48,197.	0.

FORM 990-PF

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

STATEMENT 11

NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN- SATION	EMPLOYEE BEN PLAN EXPENSE CONTRIB ACCOUNT
MALCOLM H. WIENER C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	PRESIDENT 3.00	 0.	 0. 0.
HARVEY BEKER C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	V.P. & DIRECTOR 0.25	 0.	 0. 0.
GEORGE E. CRAPPLE C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	V.P. & ASST TREAS/DIRECTOR 0.25	 0.	 0. 0.
MARTIN J. WHITMAN C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	DIRECTOR 0.25	 0.	 0. 0.
CAROLYN S WIENER C/O THE MILLBURN CORP 1270 6TH AVENUE NEW YORK, NY 10020	DIRECTOR 0.25	 0.	 0. 0.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		0.	0. 0.

MALCOLM HEWITT WIENER FOUNDATION

#13-3250321

12/31/2010

Schedule _____

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
Achievement First 403 James Street New Haven, CT 06513	Public Charity	Contribution	\$5,000
After School Corporation 1440 Broadway, 16th Floor New York, NY 10018	Public Charity	Contribution	\$5,000
American Academy in Rome 7 East 60th Street New York, NY 10126-1334	Public Charity	Contribution	\$5,000
American Academy of Arts & Sciences 136 Irving Street Cambridge, MA 02138	Public Charity	Contribution	\$ 10,000.00
American Assistance for Cambodia 4-1-7-605 Hiroo Shibuya-ku, Tokyo (150-0012) Japan	Public Charity	Contribution	\$ 9,000.00
American Foundation for the Courtauld Institute 2 West 67th Street, #8B New York, NY 10023	Public Charity	Contribution	\$ 15,000.00
American Foundation for the Paris School 149 East 63rd Street New York, NY 10065	Public Charity	Contribution	\$ 1,500.00
American Friends of the British Museum One East 53 rd Street, 12th Floor New York, NY 10022	Public Charity	Contribution	\$ 5,000.00
American Friends of the Israel Museum 10 East 40th Street, Suite 1208 New York, NY 10016	Public Charity	Contribution	\$ 5,000.00
American Friends of the Mauritshuis	Public Charity	Contribution	\$ 2,000.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
32 East 64th Street New York, NY 10021			
American Red Cross / Greenwich Chapter 99 Indian Field Road Greenwich, CT 06830	Public Charity	Contribution	\$ 1,000.00
American School of Classical Studies at Athens 6-8 Charlton Street Princeton, NJ 08540	Public Charity	Contribution	\$ 540,000.00
American Schools of Oriental Research 656 Beacon Street, 5th Floor Boston, MA 02215-2010	Public Charity	Contribution	\$ 2,000.00
Amnesty International 322 Eighth Avenue New York, NY 10001	Public Charity	Contribution	\$ 5,000.00
Amogerone Volunteer Fire Company PO Box 121 Greenwich, CT 06830-0121	Public Charity	Contribution	\$ 500.00
Arch Street Teen Center PO Box 1339 Greenwich, CT 06836	Public Charity	Contribution	\$ 1,000.00
Archaeological Associates of Greenwich 33 Byram Drive Greenwich, CT 06830	Public Charity	Contribution	\$ 35.00
Archaeological Conservancy 5301 Central Avenue NE, Suite 902 Albuquerque, NM 87108-1530	Public Charity	Contribution	\$ 6,000.00
Americans for Oxford Ashmolean Museum of Art & Archaeology 500 Fifth Avenue New York, NY 10110	Public Charity	Contribution	\$ 10,000.00
Audubon Greenwich 613 Riversville Road Greenwich, CT 06831	Public Charity	Contribution	\$ 1,000.00
Avenue Association	Public Charity	Contribution	\$ 100.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
720 Fifth Avenue New York, NY 10019			
Boys & Girls Club of Greenwich 4 Horseneck Lane Greenwich, CT 06830	Public Charity	Contribution	\$ 5,000.00
Breast Cancer Research Foundation 654 Madison Avenue New York, NY 10021	Public Charity	Contribution	\$ 1,000.00
Brookings Institution 30 Lafayette Avenue Brooklyn, NY 11217	Public Charity	Contribution	\$ 10,000.00
Bruce Museum of Arts & Science One Museum Drive Greenwich, CT 06830	Public Charity	Contribution	\$ 10,000.00
Brunswick School 100 Maher Avenue Greenwich, CT 06830	Public Charity	Contribution	\$ 150,000.00
Business Executives for National Security 1030 15th Street, NW Washington, DC 20005	Public Charity	Contribution	\$ 5,000.00
CAARI 656 Beacon Street, 5th Floor Boston, MA 02215-2010	Public Charity	Contribution	\$ 50,000.00
Carter Center, The One Copenhill 453 Freedom Parkway Atlanta, GA 30307	Public Charity	Contribution	\$ 5,000.00
Central European University 400 West 59th Street New York, NY 10019	Public Charity	Contribution	\$ 80,000.00
Central Park Conservancy 14 East 60th Street New York, NY 10022	Public Charity	Contribution	\$ 1,000.00
Chess in the Schools	Public Charity	Contribution	\$ 10,000.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
520 Eighth Avenue, 2nd Floor New York, NY 10018			
Children's Cancer & Blood Foundation 333 East 38th Street New York, NY 10016	Public Charity	Contribution	\$ 24,810.00
Choate Rosemary Hall PO Box 30514 Hartford, CT 06101-8460	Public Charity	Contribution	\$ 100,000.00
Citizens Committee for New York City 156 Fifth Avenue, Suite 1100 New York, NY 10010	Public Charity	Contribution	\$ 9,825.00
Columbia University Law School New York, NY 10027	Public Charity	Contribution	\$ 1,000.00
Concord Family & Youth Services 380 Massachusetts Avenue Acton, MA 01720	Public Charity	Contribution	\$ 1,000.00
Cornell University B-48 Goldwin Smith Hall Ithaca, NY 14853-2801	Public Charity	Contribution	\$ 275,000.00
Council on Foreign Relations 58 East 68th Street New York, NY	Public Charity	Contribution	\$ 120,000.00
Doctors Without Borders 333 Seventh Avenue, 2nd Floor New York, NY 10001	Public Charity	Contribution	\$ 25,000.00
Domus Foundation 83 Lockwood Avenue Stamford, CT 06902	Public Charity	Contribution	\$ 1,000.00
Environmental Defense 257 Park Avenue South New York, NY 10010	Public Charity	Contribution	\$ 5,000.00
Fairfield County Community Foundation 383 Main Avenue Norwalk, CT 06851	Public Charity	Contribution	\$ 2,000.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
Food Bank of Lower Fairfield County 461 Glenbrook Road Stamford, CT 06906	Public Charity	Contribution \$	5,000.00
Foundation for a Civil Society 455 East 51st Street, Apt 2D New York, NY 10022	Public Charity	Contribution \$	20,000.00
Foundation for Art and Preservation in Embassies 2715 M Street, NW Washington, DC 20007	Public Charity	Contribution \$	1,000.00
Foundation for Cultural Review 900 Broadway New York, NY 10003	Public Charity	Contribution \$	20,000.00
Frick Collection 1 East 70th Street New York, NY 10021	Public Charity	Contribution	\$10,000
Fund for Park Avenue 110 East 42nd Street, Room 1300 New York, NY 10017	Public Charity	Contribution \$	100.00
Gay Men's Health Crisis 119 West 24th Street New York, NY 10011-1913	Public Charity	Contribution \$	10,000.00
Getty Trust, J. Paul 1200 Getty Center Drive, Suite 1000 Los Angeles, CA 90049-1687	Private Operating Foundation	Contribution \$	6,950.00
Global Heritage Fund 625 Emerson Street, Suite 200 Palo Alto, CA 94301	Public Charity	Contribution \$	1,000.00
Grant W. Koch Scholarship Fund PO Box 1404 Brewster, MA 02631	Public Charity	Contribution \$	1,000.00
Greenwich Academy 200 North Maple Avenue Greenwich, CT 06830-4799	Public Charity	Contribution \$	50,000.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
Greenwich Adult Day Care Inc. 70 Parsonage Road Greenwich, CT 06830-9702	Public Charity	Contribution \$	500.00
Greenwich Emergency Medical Services 1111 East Putnam Avenue Riverside, CT 06878	Public Charity	Contribution \$	1,000.00
Greenwich Fire Fighter Association, Local 1042 PO Box 4064 Greenwich, CT 06830	Public Charity	Contribution \$	500.00
Greenwich Historical Society 39 Strickland Road Cos Cob, CT 06807	Public Charity	Contribution \$	1,000.00
Greenwich Hospital 5 Perryridge Road Greenwich, CT 06830	Public Charity	Contribution \$	50,000.00
Greenwich Library 101 W. Putnam Avenue Greenwich, CT 06830-5387	Public Charity	Contribution \$	2,000.00
Greenwich Police Scholarship Fund 15 Havemeyer Place Greenwich, CT 06836	Public Charity	Contribution \$	500.00
Habitat for Humanity 121 Habitat Street Americus, GA 31709-3498	Public Charity	Contribution \$	1,000.00
Harlem Educational Activities Fund 200 Madison Avenue, 5 th Floor New York, NY 10016-3998	Public Charity	Contribution \$	5,000.00
Harvard Art Museum 32 Quincy Street Cambridge, MA 02138	Public Charity	Contribution \$	10,000.00
Harvard University Cambridge, MA 02138	Public Charity	Contribution \$	230,000.00
Health Right International	Public Charity	Contribution \$	10,000.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
(formerly Doctors of the World) 80 Maiden Lane New York, NY 10038			
Human Rights Watch 485 Fifth Avenue New York, NY 10017	Public Charity	Contribution	\$ 10,000.00
Institute for Mediterranean Studies 7086 East Aracoma Drive Cincinnati, OH 45237	Public Charity	Contribution	\$ 76,000.00
International Rescue Committee 122 East 42nd Street New York, NY 10168-1289	Public Charity	Contribution	\$ 10,000.00
International Women's Health Coalition 24 East 21 st Street New York, NY 10010	Public Charity	Contribution	\$ 10,000.00
Isaacs Center Meals-on-Wheels 415 East 93rd Street New York, NY 10028	Public Charity	Contribution	\$ 20,000.00
Kappa Kappa Gamma Foundation PO Box 38 Columbus, OH 43216-0038	Public Charity	Contribution	\$ 1,000.00
Kappa Kappa Gamma of Cornell Foundation PO Box 876 Ithaca, NY 14851-0876	Public Charity	Contribution	\$ 500.00
Meals on Wheels of Greenwich 89 Maple Avenue Greenwich, CT 06830-5652	Public Charity	Contribution	\$ 1,000.00
Metropolitan Museum of Art 1000 Fifth Avenue New York, NY 10028-0198	Public Charity	Contribution	\$ 260,500.00
Metropolitan Opera Lincoln Center New York, NY 10023	Public Charity	Contribution	\$ 3,500.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
Morgan Library 29 East 36th Street New York, NY 10016-34003	Public Charity	Contributions \$	10,000.00
Museum of Fine Arts Boston 465 Huntington Avenue Boston, MA 02115	Public Charity	Contribution \$	5,000.00
National Association of Scholars 221 Witherspoon Street, 2nd Floor Princeton, NJ 08542-3215	Public Charity	Contribution \$	5,000.00
National Foundation for Cancer Research 4600 East West Highway Suite 525 Bethesda, MD 20814	Public Charity	Contribution \$	100,000.00
National Urban Technology Center 80 Maiden Lane, Suite 606 New York, NY 10038	Public Charity	Contribution \$	5,000.00
Neurosciences Institute 10640 John Jay Hopkins Drive San Diego, CA 92121	Public Charity	Contribution \$	25,000.00
New York Public Library Fifth Avenue & 42nd Street New York, NY 10018	Public Charity	Contribution \$	1,450.00
New York University Institute of Fine Arts 1 East 78th Street New York, NY 10021	Public Charity	Contribution \$	25,000.00
New York University Medical 660 First Avenue New York, NY 10016	Public Charity	Contribution \$	37,500.00
Oxfam 26 West Street Boston, MA 02111-1206	Public Charity	Contribution \$	5,000.00
Palladium Museum 6 Stanwich Road Greenwich, CT 06830-4858	Public Charity	Contribution \$	100.00
PEN American Center	Public Charity	Contribution \$	5,000.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
568 Broadway New York, NY 10012			
Phillips Academy 180 Main Street Andover, MA 01810	Public Charity	Contribution	\$ 110,000.00
Planned Parenthood of Connecticut 345 Whitney Avenue New Haven, CT 06511-2348	Public Charity	Contribution	\$ 5,000.00
Planned Parenthood of New York 26 Bleecker Street New York, NY 10012-2413	Public Charity	Contribution	\$ 25,000.00
Prep for Prep 328 West 71 st Street New York, NY 10023	Public Charity	Contribution	\$ 5,000.00
Putnam Indian Field School 101 Indian Field Road Greenwich, CT 06830	Public Charity	Contribution	\$ 1,000.00
REACH Prep 115 East Putnam Avenue Greenwich, CT 06830	Public Charity	Contribution	\$ 5,000.00
Riverkeeper 828 South Broadway Tarrytown, NY 10591	Public Charity	Contribution	\$ 5,000.00
Robin Hood Foundation 862 Broadway, 7th Floor New York, NY 10003	Public Charity	Contribution	\$ 100,000.00
Rockefeller University 1230 York Avenue New York, NY 10021	Public Charity	Contribution	\$ 2,500.00
Save Venice 1104 Lexington Avenue, #4C New York, NY	Public Charity	Contribution	\$ 1,000.00
Shakespeare on the Sound	Public Charity	Contribution	\$ 2,000.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
PO Box 15 Norwalk, CT 06853			
SPCA of Westchester 590 North State Road Briarcliff Manor, NY 10510	Public Charity	Contribution	\$ 500.00
Sterling and Francine Clark Art Institute 225 South Street Williamstown, MA 01267	Public Charity	Contribution	\$ 855.00
Storm King Art Center Old Pleasant Hill Road Mountainville, NY 10953-0280	Public Charity	Contribution	\$ 7,000.00
Studio in a School 410 West 59th Street New York, NY 10019	Public Charity	Contribution	\$ 1,000.00
Teach for America 315 West 36th Street, 7th Floor New York, NY 10018	Public Charity	Contribution	\$ 5,000.00
Temple University 7725 Penrose Avenue Elkins Park, PA 19027	Public Charity	Contribution	\$ 45,000.00
Touch Foundation 875 Third Avenue, 5th Floor New York, NY 10022	Public Charity	Contribution	\$ 20,000.00
United Way of Greenwich One Lafayette Court Greenwich, CT 06836-7820	Public Charity	Contribution	\$ 10,000.00
University of Arizona Laboratory for Tree-Ring Research West Stadium 105bw Tucson, AZ 85721	Public Charity	Contribution	\$ 3,000.00
University of California, San Diego 9500 Gilman Drive Robinson Building Complex La Jolla, CA 92093-7655	Public Charity	Contribution	\$ 25,000.00

<u>Name and Address</u>	<u>Status of Recipient</u>	<u>Purpose</u>	<u>Amount</u>
University of Cincinnati Foundation PO Box 19970 Cincinnati, OH 45219-0970	Public Charity	Contributions \$	2,000.00
Waterside School 535 Fairfield Avenue Stamford, CT 06902	Public Charity	Contribution \$	15,000.00
Wave Hill 675 West 252nd Street Bronx, NY 10471-2899	Public Charity	Contribution \$	5,000.00
Weill Cornell Medical College 525 East 68th Street New York, NY 10021	Public Charity	Contribution \$	500,000.00
Wikimedia Foundation 149 New Montgomery Street, 3rd Floor San Francisco, CA 94105	Public Charity	Contribution \$	100.00
Thirteen/WNET PO Box 1313 New York, NY 10101	Public Charity	Contribution \$	50,000.00
World Monuments Fund 174 East 80th Street New York, NY 10021	Public Charity	Contribution \$	5,000.00
Yale University 320 York Street New Haven, CT 06520-7425	Public Charity	Contribution \$	500.00
Yeshiva Ateres Yisroel School 8101 Avenue K Brooklyn, NY 11236	Public Charity	Contribution \$	2,500.00
			\$3,532,825

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

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

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

Part II		Additional (Not Automatic) 3-Month Extension of Time. Only file the original (no copies needed).	
Type or print File by the extended due date for filing your return. See instructions.	Name of exempt organization THE MALCOLM HEWITT WIENER FOUNDATION C/O THE MILLBURN CORPORATION		Employer identification number 13-3250321
	Number, street, and room or suite no. If a P.O. box, see instructions. 1270 AVENUE OF THE AMERICAS		
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. NEW YORK, NY 10020		

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

0 4

Application Is For	Return Code	Application Is For	Return Code
Form 990	01		
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

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

GREGG BUCKBINDER

- The books are in the care of **THE MILLBURN CORP., 1270 6TH AVE - NEW YORK, NY 10020**
Telephone No. **212-332-7350** FAX No.

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

4 I request an additional 3-month extension of time until **NOVEMBER 15, 2011.**

5 For calendar year **2010**, or other tax year beginning , and ending .

6 If the tax year entered in line 5 is for less than 12 months, check reason: ☐ Initial return ☐ Final return
☐ Change in accounting period

7 State in detail why you need the extension

ADDITIONAL TIME IS REQUIRED TO OBTAIN THE NECESSARY INFORMATION TO FILE A COMPLETE AND ACCURATE RETURN.

8a 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.	8a	\$	21,000.
b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	\$	42,102.
c Balance due. Subtract line 8b from line 8a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	8c	\$	0.

Signature and Verification

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

Signature **Gregg Buckbinder** Title **CFA** Date **8/8/11**

Application for Extension of Time To File an Exempt Organization Return

OMB No. 1545-1709

► File a separate application for each return.

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

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

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

Type or print File by the due date for filing your return. See instructions.	Name of exempt organization THE MALCOLM HEWITT WIENER FOUNDATION C/O THE MILLBURN CORPORATION	Employer identification number 13-3250321
	Number, street, and room or suite no. If a P.O. box, see instructions. 1270 AVENUE OF THE AMERICAS	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. NEW YORK, NY 10020	

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

0 4

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

GREGG BUCKBINDER

- The books are in the care of ► **THE MILLBURN CORP., 1270 6TH AVE - NEW YORK, NY 10020**
Telephone No. ► **212-332-7350** FAX No. ►

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

- 1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until **AUGUST 15, 2011**, to file the exempt organization return for the organization named above. The extension is for the organization's return for:
► ☒ calendar year **2010** or
► ☐ tax year beginning , and ending

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

3a 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.	3a	\$	21,000.
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.	3b	\$	42,102.
c Balance due. Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c	\$	0.

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

LHA For Paperwork Reduction Act Notice, see Instructions.

Form 8868 (Rev. 1-2011)