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Return of Private Foundation

OMB No 1545-0052

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

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 MARVIN H. DAVIDSON FOUNDATION, INC. C/O MARVIN H. DAVIDSON		A Employer identification number 13-6217756
Number and street (or P.O. box number if mail is not delivered to street address) 65 EAST 55TH STREET, 19TH FLOOR	Room/suite	B Telephone number 212-446-4070
City or town, state, and ZIP code NEW YORK, NY 10022		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) \$ 21,156,778. (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)
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		118,346.	118,346.		STATEMENT 1
5a Gross rents					
b Net rental income or (loss)					
6a Net gain or (loss) from sale of assets not on line 10		206,065.			
b Gross sales price for all assets on line 6a					
7 Capital gain net income (from Part IV, line 2)			206,065.		
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		369,855.	305,568.		STATEMENT 2
12 Total. Add lines 1 through 11		694,266.	629,979.		
13 Compensation of officers, directors, trustees, etc.		0.	0.		0.
14 Other employee salaries and wages					
15 Pension plans, employee benefits					
16a Legal fees					
b Accounting fees		5,900.	2,950.		2,950.
c Other professional fees					
17 Interest					
18 Taxes		40,591.	591.		0.
19 Depreciation and depletion					
20 Occupancy					
21 Travel, conferences, and meetings					
22 Printing and publications					
23 Other expenses		1,040.	290.		750.
24 Total operating and administrative expenses. Add lines 13 through 23		47,531.	3,831.		3,700.
25 Contributions, gifts, grants paid		527,350.			527,350.
26 Total expenses and disbursements. Add lines 24 and 25		574,881.	3,831.		531,050.
27 Subtract line 26 from line 12		119,385.			
a Excess of revenue over expenses and disbursements			626,148.		
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	1	Cash - non-interest-bearing	208,576.	199,116.	199,116.
	2	Savings and temporary cash investments	8,285,687.	7,796,284.	7,796,284.
	3	Accounts receivable ▶			
		Less: allowance for doubtful accounts ▶			
	4	Pledges receivable ▶			
		Less: allowance for doubtful accounts ▶			
	5	Grants receivable			
	6	Receivables due from officers, directors, trustees, and other disqualified persons			
	7	Other notes and loans receivable ▶			
		Less: allowance for doubtful accounts ▶			
	8	Inventories for sale or use			
	9	Prepaid expenses and deferred charges			
	10a	Investments - U.S. and state government obligations			
	b	Investments - corporate stock STMT 6	563,681.	544,995.	338,501.
	c	Investments - corporate bonds			
Liabilities	11	Investments - land, buildings, and equipment basis ▶			
		Less: accumulated depreciation ▶			
	12	Investments - mortgage loans			
	13	Investments - other STMT 7	8,643,641.	12,579,847.	12,822,877.
	14	Land, buildings, and equipment basis ▶			
		Less: accumulated depreciation ▶			
	15	Other assets (describe ▶ STATEMENT 8)	3,299,006.	0.	0.
	16	Total assets (to be completed by all filers)	21,000,591.	21,120,242.	21,156,778.
	17	Accounts payable and accrued expenses			
	18	Grants payable			
Net Assets or Fund Balances	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 ▶ ☐			
	24	Unrestricted			
	25	Temporarily restricted			
	26	Permanently restricted			
		Foundations that do not follow SFAS 117, check here ▶ ☒			
	27	Capital stock, trust principal, or current funds	6,771,102.	6,771,102.	
	28	Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.	
	29	Retained earnings, accumulated income, endowment, or other funds	14,229,489.	14,349,140.	
	30	Total net assets or fund balances	21,000,591.	21,120,242.	
	31	Total liabilities and net assets/fund balances	21,000,591.	21,120,242.	

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	21,000,591.
2	Enter amount from Part I, line 27a	2	119,385.
3	Other increases not included in line 2 (itemize) ▶ PRIOR PERIOD ADJUSTMENT	3	266.
4	Add lines 1, 2, and 3	4	21,120,242.
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	21,120,242.

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			206,065.

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
(i) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	
a			
b			
c			
d			
e			206,065.

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	206,065.
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	564,231.	16,547,493.	.034098
2008	408,115.	14,281,993.	.028575
2007	705,228.	13,485,690.	.052295
2006	506,200.	11,744,206.	.043102
2005	396,513.	10,962,387.	.036170

2 Total of line 1, column (d)	2	.194240
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	.038848
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5	4	20,502,587.
5 Multiply line 4 by line 3	5	796,484.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	6,261.
7 Add lines 5 and 6	7	802,745.
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	531,050.

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	12,523.
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	0.
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		3	12,523.
3 Add lines 1 and 2		4	0.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		5	12,523.
5 Tax based on investment income Subtract line 4 from line 3 If zero or less, enter -0-			
6 Credits/Payments			
a 2010 estimated tax payments and 2009 overpayment credited to 2010	6a 16,000.		
b Exempt foreign organizations - tax withheld at source	6b		
c Tax paid with application for extension of time to file (Form 8868)	6c 15,000.		
d Backup withholding erroneously withheld	6d		
7 Total credits and payments Add lines 6a through 6d	7	31,000.	
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	18,477.	
11 Enter the amount of line 10 to be Credited to 2011 estimated tax	11	0.	
			18,477. Refunded

Part VII-A Statements Regarding Activities

	Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities		X
1c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation \$ 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?		
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		
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

N/A

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Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address N/A	13	X	
14	The books are in care of MARVIN H. DAVIDSON Telephone no 212-446-4070 Located at 65 EAST 55TH STREET 19TH FLOOR, NEW YORK, NY ZIP+4 10022			
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 ☐	1b	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?	1c	X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))		
a	At the end of tax year 2010, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2010? ☐ Yes ☒ No If "Yes," list the years		
b	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions) N/A	2b	
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here		
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? ☐ Yes ☒ No		
b	If "Yes," did it have excess business holdings in 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	3b	
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a	X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2010?	4b	X

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

5a During the year did the foundation pay or incur any amount to:

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? ☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

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

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** ☐ Yes ☒ No **X**

If "Yes" to 6b, file Form 8870

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

b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? **7b** ☐ Yes ☒ No **N/A**

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
MARVIN H. DAVIDSON	PRESIDENT/TREASURER/DIRECTOR			
C/O MARVIN H. DAVIDSON 65 EAST 55TH S	1.00	0.	0.	0.
NEW YORK, NY 10022				
SCOTT DAVIDSON	V.P./SECRETARY/DIRECTOR			
C/O MARVIN H. DAVIDSON 65 EAST 55TH S	0.25	0.	0.	0.
NEW YORK, NY 10022				
MARY MCDONNELL DAVIDSON	DIRECTOR			
C/O MARVIN H. DAVIDSON 65 EAST 55TH S	0.25	0.	0.	0.
NEW YORK, NY 10022				
ROBERT FRIEDMAN	DIRECTOR			
C/O MARVIN H. DAVIDSON 65 EAST 55TH S	0.25	0.	0.	0.
NEW YORK, NY 10022				

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

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

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

Part 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	3,407,162.
b	Average of monthly cash balances	1b	8,308,858.
c	Fair market value of all other assets	1c	9,098,789.
d	Total (add lines 1a, b, and c)	1d	20,814,809.
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	20,814,809.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	312,222.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	20,502,587.
6	Minimum investment return. Enter 5% of line 5	6	1,025,129.

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	1,025,129.
2a	Tax on investment income for 2010 from Part VI, line 5	2a	12,523.
b	Income tax for 2010 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	12,523.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	1,012,606.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	1,012,606.
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	1,012,606.

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	531,050.
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	531,050.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	0.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	531,050.

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

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Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7				1,012,606.
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only			407,842.	
b Total for prior years		0.		
3 Excess distributions carryover, if any, to 2010				
a From 2005				
b From 2006				
c From 2007				
d From 2008				
e From 2009				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ 531,050.				
a Applied to 2009, but not more than line 2a			407,842.	
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				123,208.
e Remaining amount distributed out of corpus	0.			
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:	0.			
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	0.			
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				889,398.
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	0.			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9				
a Excess from 2006				
b Excess from 2007				
c Excess from 2008				
d Excess from 2009				
e Excess from 2010				

N/A

▶

☐ 4942(1)(3) or ☐ 4942(1)(5)

(4) Gross investment income

[illegible]

2010.04050 THE MARVIN H. DAVIDSON FOUN 22816301

Part XV **Supplementary Information** (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a Paid during the year SEE ATTACHED SCHEDULE	NONE	EXEMPT		527,350.
Total				3a 527,350.
b Approved for future payment NONE				
Total				3b 0.

Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income
(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount	
		14	118,346.	
		14	369,855.	
		18	206,065.	
	0.		694,266.	0.

13 694,266

2010.04050 THE MARVIN H. DAVIDSON FOUN 22816301

Part XVII

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

[illegible]

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

b. If "Yes," complete the following schedule

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

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

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 _____

Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature 	Date 11/9/11	Check ☐ if self-employed	PTIN
	Firm's name ▶ J.H. COHN LLP			Firm's EIN ▶	
	Firm's address ▶ 1212 6TH AVENUE NEW YORK, NY 10036			Phone no 212-297-0400	

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	THROUGH K-1S - SHORT-TERM CAPITAL GAIN		VARIOUS	VARIOUS
b	THROUGH K-1S - LONG-TERM CAPITAL GAIN		VARIOUS	VARIOUS
c	THROUGH K-1S - SECTION 1256		VARIOUS	VARIOUS
d	LONG-TERM CAPITAL GAIN DISTRIBUTION		VARIOUS	VARIOUS
e	CASH-IN-LIEU		VARIOUS	VARIOUS
f	DISPOSITION OF MH DAVIDSON & CO		VARIOUS	VARIOUS
g	DISPOSITION OF MHD MGMT CO		VARIOUS	VARIOUS
h	LITIGATION PROCEEDS		VARIOUS	VARIOUS
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			196,456.
b			29,337.
c			<1,728.>
d			1,753.
e			40.
f			448,437.
g			<468,484.>
h			254.
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			(l) Losses (from col (h)) Gains (excess of col (h) gain over col (k), but not less than "-0-")
(i) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a			196,456.
b			29,337.
c			<1,728.>
d			1,753.
e			40.
f			448,437.
g			<468,484.>
h			254.
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	206,065.
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

FORM 990-PF	DIVIDENDS AND INTEREST FROM SECURITIES	STATEMENT	1
SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
INTEREST/DIVIDENDS	118,346.	0.	118,346.
TOTAL TO FM 990-PF, PART I, LN 4	118,346.	0.	118,346.

FORM 990-PF	OTHER INCOME	STATEMENT	2
DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
OTHER INCOME THROUGH K-1S	305,560.	305,560.	
TAX REFUNDS	64,287.	0.	
OTHER INCOME	8.	8.	
TOTAL TO FORM 990-PF, PART I, LINE 11	369,855.	305,568.	

FORM 990-PF	ACCOUNTING FEES			STATEMENT	3
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
ACCOUNTING	5,900.	2,950.		2,950.	
TO FORM 990-PF, PG 1, LN 16B	5,900.	2,950.		2,950.	

FORM 990-PF	TAXES			STATEMENT	4
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
EXCISE TAX	40,000.	0.		0.	
FOREIGN TAXES	591.	591.		0.	
TO FORM 990-PF, PG 1, LN 18	40,591.	591.		0.	

FORM 990-PF	OTHER EXPENSES			STATEMENT	5
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
NYS DEPARTMENT OF LAW	750.	0.		750.	
BANK FEES	75.	75.		0.	
AGENCY FEES	215.	215.		0.	
TO FORM 990-PF, PG 1, LN 23	1,040.	290.		750.	

FORM 990-PF	CORPORATE STOCK		STATEMENT	6
DESCRIPTION	BOOK VALUE		FAIR MARKET VALUE	
INVESTMENTS IN SECURITIES - SEE ATTACHMENT	544,995.		338,501.	
TOTAL TO FORM 990-PF, PART II, LINE 10B	544,995.		338,501.	

FORM 990-PF	OTHER INVESTMENTS		STATEMENT	7
DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE	
DAVIDSON KEMPNER CAPITAL MANAGEMENT, LLC	COST	328,734.	<118.>	
VANGUARD SHORT-TERM INVEST GR ADM	COST	3,111,038.	3,156,284.	
DK INSTITUTIONAL PARTNERS	COST	9,140,075.	9,666,711.	
TOTAL TO FORM 990-PF, PART II, LINE 13		12,579,847.	12,822,877.	

FORM 990-PF	OTHER ASSETS		STATEMENT	8
DESCRIPTION	BEGINNING OF YR BOOK VALUE	END OF YEAR BOOK VALUE	FAIR MARKET VALUE	
DUE FROM PARTNERSHIPS	3,299,006.	0.	0.	
TO FORM 990-PF, PART II, LINE 15	3,299,006.	0.	0.	

The Marvin Davidson Foundation						
EIN 13-6217756						
For the Year Ended Decembere 31, 2010						
			BOOK	TAX	FMV	
SECURITIES	PURCHASE	QUANTITY	COST	COST	12/31/2010	
JPMORGAN	1/22/1994	156	3,706	3,706	6,618 *	
Comidisco Holding inc	8/12/1999	1,405	113,547	0	33,810	
Comidisco Holding inc	2/29/2000	1,072	31,105	0		
Comidisco Holding inc	Various	338	-	0		
Comidisco Holding inc	7/18/2000	1,049	12,395	0		
		3,864	157,047	0	33,810 *	
City Investing	12/30/1982	20,000	-	0		
Scientific Learning	1/19/1996	303	7,084	7,084	930 *	
USG Corp	7/4/2002	546	30,151	29,147	9,189 *	
Confed Treasury Ser B	2/28/1995	68,654	-	0		
Preferred Equities						
Icahn Enterprises	1/21/1994	8,040	52,119	52,119	194,741	
Icahn Enterprises	1/21/1994	401	3,238	3,238		
Icahn Enterprises	3/14/1997	2,205	17,377	17,377		
Icahn Enterprises	3/21/1997	2,205	16,997	16,997		
Icahn Enterprises	3/21/1997	2,205	16,997	16,997		
Icahn Enterprises	3/27/1997	1,102	8,495	8,495		
Icahn Enterprises	3/28/1997	2,205	24,096	24,096		
Icahn Enterprises	3/14/1998	917	10,029	10,029		
Icahn Enterprises	3/13/1999	964	10,527	10,527		
Icahn Enterprises	3/30/2002	1,012	11,094	11,094		
Icahn Enterprises	3/30/2007	1,062	11,072	11,072		
Icahn Enterprises	3/30/2008	1,115	11,578	11,578		
Icahn Enterprises - Re-invest	3/30/2009	1,171	12,157	12,157		
Icahn Enterprises - 2010 Activity			-18,686	-18,686		
Ichan Enterprises - Exchange (22 448%)		-19,081				
		5,523	187,090	187,090	194,741	
Muni Bonds						
Louisiana State Agric Fun Au 8 25%	3/10/2009	100,000	18,661	18,661		
Louisiana HSG FI 8 61%	3/31/1989	149,000	-	0	1 49 *	
Nebr Invt Fin Auth Agric 9 50%	12/19/1992	200,500	-	0	200 5 *	
Nebr Invt Fin Auth Agric 8 34%	1/21/1994	154,000	93	93	1,540 *	
EL PASO TX HFC MFHR 8 85%	12/19/1992	165,000	-	0	16 5 *	
Memphis TN HLTH & EDL&HSG FAC	1/21/1994	245,000	-	0	2	
Corporate Bonds						
ComDisco Inc 6 125%		300,000	-	0		
Progress Energy Inc	12/27/1996	45,450	18,202	18,202	19,131	
Progress Energy Inc	1/18/1997	30,000	12,625	12,625		
Progress Energy Inc	4/4/1997	50,000	19,525	19,525		
PSINET Incorporated		433,200				
PSINET Incorporated		1,082,800				
PSINET Incorporated		1,847,300				
PSINET Incorporated		221,800				
Other Investments						
PAMALAT	8/21/2002	26,299	90,811	47,998	72,322	
		TOTALS	435,523	277,472	266,177	
			109,472	66,659	72,324	
			544,995	344,131	338,501	

Marvin Davidson Foundation

12/31/2010

Charitable Contributions**Charity**

Glades Academy Foundation	2,500
H.A.S. Haiti	5,000
Coastguard Foundation	1,000
US Fund for UNICEF	1,000
Preservation Foundation	1,000
Rosenthal JCC	2,000
Lighthouse International	1,000
Palm Beach Firefighters & Paramedic Education Fund	1,000
American Red Cross	10,000
NCLD	10,000
Robin Hood Benefit	10,000
Covenant House	5,000
The Fund for Park Avenue	10,000
MSKCC - Genomes	10,000
The Covenant of the Sacred Heart	5,000
NY Botanical Gardens	50,000
Society of MSKCC	5,000
Museum City of NY	10,000
The Frick Collection	10,000
Metropolitan Museum	40,000
Society of the Four Arts	10,000
Mayor's Fund to Advance NYC	5,000
Rye Youth Council	1,000
Gala for Greenwich Hospital	2,500
Friends of Nick	20,000
Hispanic Society of America	10,000
Preservation league of NYS	5,000
Liberation Programs Inc	1,000
Hospice Foundation of Palm Beach	5,000
NY Botanical Gardens	150,000
East Side Settlement House	4,850
Kips Bay Boys & Girls Club	2,500
NY Historical Society	5,000
Central Park Conservancy	5,000
Preservation Society of Palm Beach	10,000
Jewish Family Service	2,500
Memorial Sloan Kettering	25,000
Boys & Girls Club of Palm Beach	2,500
Greenwich Historical Society	2,500
Norton Museum of Art	10,000
Partnership For Drugfree	5,000
Carver Center	5,000
Museum City of NY	25,000
Cranbrook School	7,500
Old News Boys Goodfellows Fund	1,000
Nantuket Cottage Hospital Fund	10,000
Museum City of NY	5,000

527,350

- 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	Employer identification number	
	THE MARVIN H. DAVIDSON FOUNDATION, INC. C/O MARVIN H. DAVIDSON	13-6217756	
	Number, street, and room or suite no. If a P.O. box, see instructions. 65 EAST 55TH STREET, 19TH FLOOR		
City, town or post office, state, and ZIP code. For a foreign address, see instructions NEW YORK, NY 10022			

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.

MARVIN H. DAVIDSON

- The books are in the care of ☒ 65 EAST 55TH STREET 19TH FLOOR - NEW YORK, NY 10022

Telephone No ☒ 212-446-4070

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 INFORMATION NECESSARY TO PREPARE A COMPLETE AND ACCURATE RETURN IS NOT YET AVAILABLE

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	\$	31,000.
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	\$	31,000.
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 ☒

Title ☒ PRESIDENT

Date ☒

Form 8868 (Rev. 1-2011)