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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

2010Department 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**, 2010, and ending****G** Check all that apply:☐ Initial return☐ Initial Return of a former public charity☐ Final return☐ Amended return☐ Address change☒ Name changeNicholas G. and Sandra K. Nicholas
Foundation
127 Anderson Street #127
Pittsburgh, PA 15212-5803**A** Employer identification number

25-1646744

B Telephone number (see the instructions)

412-321-9433

C If exemption application is pending, check here ☐**D 1** Foreign organizations, check here ☐**2** Foreign organizations meeting the 85% test, check here and attach computation ☐**E** If private foundation status was terminated under section 507(b)(1)(A), check here ☐**F** If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐**H** Check type of organization:☒ Section 501(c)(3) exempt private foundation☐ Section 4947(a)(1) nonexempt charitable trust☐ Other taxable private foundation**I** Fair market value of all assets at end of year (from Part II, column (c), line 16)

▶ \$ 236,070.

J Accounting method: ☐ Cash ☒ Accrual☐ Other (specify) _____

(Part I, column (d) must be on cash basis.)

Part I Analysis of Revenue and Expenses

(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see the instructions).)

(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 (att sch)

18,191.

2 Ck ▶ ☐ if the foundn is not req to att Sch B**3** Interest on savings and temporary cash investments**4** Dividends and interest from securities

8,563.

8,563.

5a Gross rents**b** Net rental income or (loss)**6a** Net gain/(loss) from sale of assets not on line 10

-3,453.

b Gross sales price for all assets on line 6a 25,800.**7** Capital gain net income (from Part IV, line 2)

6,353.

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/(loss) (att sch)**11** Other income (attach schedule)

See Statement 1

623.

-50.

12 Total. Add lines 1 through 11

23,924.

14,866.

0.

ADMINISTRATIVE EXPENSES

13 Compensation of officers, directors, trustees, etc

0.

14 Other employee salaries and wages**15** Pension plans, employee benefits**16a** Legal fees (attach schedule)**b** Accounting fees (attach sch) See St 2

2,550.

2,550.

c Other prof fees (attach sch)**17** Interest**18** Taxes (attach schedule)(see instr) See Stm 3

244.

19 Depreciation (attach sch) and depletion**20** Occupancy**21** Travel, conferences, and meetings**22** Printing and publications**23** Other expenses (attach schedule)

See Statement 4

125.

125.

24 Total operating and administrative expenses. Add lines 13 through 23

2,919.

2,675.

25 Contributions, gifts, grants paid Stmt 5

6,700.

6,700.

26 Total expenses and disbursements. Add lines 24 and 25

9,619.

2,675.

0.

6,700.

27 Subtract line 26 from line 12:**a** Excess of revenue over expenses and disbursements

14,305.

b Net investment income (if negative, enter 0)

12,191.

c Adjusted net income (if negative, enter 0)

0.

14 g18

Part II Balance Sheets

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

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
A S S E T S	1 Cash — non-interest-bearing			
	2 Savings and temporary cash investments	3,601.	26,245.	26,245.
	3 Accounts receivable			
	Less. allowance for doubtful accounts			
	4 Pledges receivable			
	Less. allowance for doubtful accounts			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see the instructions)			
	7 Other notes and loans receivable (attach sch.)			
	Less. allowance for doubtful accounts			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges	180.		
	10a Investments — U.S. and state government obligations (attach schedule)			
	b Investments — corporate stock (attach schedule) Statement 6.	236,619.	231,005.	209,525.
	c Investments — corporate bonds (attach schedule) Statement 7	91.	82.	88.
	11 Investments — land, buildings, and equipment. basis			
L I A B I L I T I E S	Less. accumulated depreciation (attach schedule)			
	12 Investments — mortgage loans			
	13 Investments — other (attach schedule) Statement 8	134.	212.	212.
	14 Land, buildings, and equipment. basis			
	Less. accumulated depreciation (attach schedule)			
	15 Other assets (describe)			
	16 Total assets (to be completed by all filers — see instructions. Also, see page 1, item I)	240,625.	257,544.	236,070.
	17 Accounts payable and accrued expenses	10,170.	12,784.	
	18 Grants payable			
	19 Deferred revenue			
N E T A S S E T S F U N D B A L A N C E S	20 Loans from officers, directors, trustees, & other disqualified persons			
	21 Mortgages and other notes payable (attach schedule)			
	22 Other liabilities (describe)			
	23 Total liabilities (add lines 17 through 22)	10,170.	12,784.	
	Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31. ☒			
	24 Unrestricted.	230,455.	244,760.	
	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			
F U N D B A L A N C E S	28 Paid-in or capital surplus, or land, building, and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 Total net assets or fund balances (see the instructions)	230,455.	244,760.	
	31 Total liabilities and net assets/fund balances (see the instructions)	240,625.	257,544.	

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	230,455.
2 Enter amount from Part I, line 27a	2	14,305.
3 Other increases not included in line 2 (itemize)	3	
4 Add lines 1, 2, and 3	4	244,760.
5 Decreases not included in line 2 (itemize)	5	
6 Total net assets or fund balances at end of year (line 4 minus line 5) — Part II, column (b), line 30	6	244,760.

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 shares MLC Company)		(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1a	363. Blackrock Global Opp Eqty Tr	P	7/28/09	12/09/10
b	111.359 Russell Investment Co LifePoints Equity	P	Various	10/29/10
c	150. Fuji Heavy Industries	D	11/30/10	11/30/10
d	1000. Flextronics International	D	11/30/10	11/30/10
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 6,740.		9,787.	-3,047.
b 996.		1,275.	-279.
c 11,088.		6,181.	4,907.
d 6,976.		2,204.	4,772.
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h))
(i) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	
a			-3,047.
b			-279.
c			4,907.
d			4,772.
e			

2 Capital gain net income or (net capital loss).

☐ If gain, also enter in Part I, line 7
☐ If (loss), enter -0- in Part I, line 7

2

6,353.

3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6):

☐ If gain, also enter in Part I, line 8, column (c) (see the instructions). If (loss), enter -0- in Part I, line 8

3

0.

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 the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (column (b) divided by column (c))
2009	31,450.	184,298.	0.170648
2008	33,900.	260,061.	0.130354
2007	69,430.	359,399.	0.193184
2006	104,989.	288,635.	0.363743
2005	8,000.	308,909.	0.025898

2 Total of line 1, column (d)

2

0.883827

3 Average distribution ratio for the 5-year base period — divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years

3

0.176765

4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5

4

206,194.

5 Multiply line 4 by line 3

5

36,448.

6 Enter 1% of net investment income (1% of Part I, line 27b)

6

122.

7 Add lines 5 and 6

7

36,570.

8 Enter qualifying distributions from Part XII, line 4

8

6,700.

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

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

1 a 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 instr.)		1	244.
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, column (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	244.
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	244.
6 Credits/Payments.			
a 2010 estimated tax pmts and 2009 overpayment credited to 2010	6a	180.	
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	180.	
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	64.	
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10		
11 Enter the amount of line 10 to be: Credited to 2011 estimated tax ☐ Refunded ☐	11		

Part VII-A Statements Regarding Activities

	Yes	No
1 a 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 the instructions for definition)? <i>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.</i>		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? <i>If 'Yes,' attach a detailed description of the activities.</i>		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? <i>If 'Yes,' attach a conformed copy of the changes</i>		X
4 a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If 'Yes,' has it filed a tax return on Form 990-T for this year?		N/A
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If 'Yes,' attach the statement required by General Instruction T.</i>		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? <i>If 'Yes,' complete Part II, column (c), and Part XV</i>	X	
8 a Enter the states to which the foundation reports or with which it is registered (see the instructions) N/A		
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? <i>If 'No,' attach explanation</i>	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)? <i>If 'Yes,' complete Part XIV</i>		X
10 Did any persons become substantial contributors during the tax year? <i>If 'Yes,' attach a schedule listing their names and addresses</i>		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: <u>N/A</u>	13	X	
14	The books are in care of <u>Nicholas G. Nicholas</u> Telephone no. <u>412-261-4225</u> Located at <u>23 Market Place, Pittsburgh, PA</u> ZIP + 4 <u>15222</u>			
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 <u>N/A</u>	15		N/A
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?	16	Yes	No
	See the instructions for exceptions and filing requirements for Form TD F 90-22.1. If 'Yes,' enter the name of the foreign country			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 53.4947(d)-3 or in a current notice regarding disaster assistance (see the instructions)? Organizations relying on a current notice regarding disaster assistance check here ☐	1b	N/A
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? If 'Yes,' list the years <u>20__ , 20__ , 20__ , 20__</u>	☐ 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 the instructions.)	2b	N/A
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. <u>20__ , 20__ , 20__ , 20__</u>		
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.)	3b	N/A
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a	X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 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)? (see instructions)

☐ Yes ☒ No

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

☐ Yes ☒ No

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

5b 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 X

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

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

☐ Yes ☒ No

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

N/A

7b

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

1 List all officers, directors, trustees, foundation managers and their compensation (see instructions).

(a) Name and address	(b) Title and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
Nicholas G. Nicholas 23 Market Place Pittsburgh, PA 15222	President 1.00	0.	0.	0.
Sandra K. Nicholas 23 Market Place Pittsburgh, PA 15222	Vice Preside 0	0.	0.	0.
Robert G. Panagulias 127 Anderson Street, Suite 127 Pittsburgh, PA 15212-5803	Secretary 0	0.	0.	0.

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

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

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

0

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

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
None		
Total number of others receiving over \$50,000 for professional services		0

Part IX-A Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.

	Expenses
1 N/A	
2	
3	
4	

Part IX-B Summary of Program-Related Investments (see instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.	Amount
1 N/A	
2	
All other program-related investments. See instructions.	
3	
Total. Add lines 1 through 3	0.

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

1 Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes.		
a Average monthly fair market value of securities.	1a	202,637.
b Average of monthly cash balances.	1b	6,524.
c Fair market value of all other assets (see instructions)	1c	173.
d Total (add lines 1a, b, and c)	1d	209,334.
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	209,334.
4 Cash deemed held for charitable activities. Enter 1-1/2% of line 3 (for greater amount, see instructions)	4	3,140.
5 Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	206,194.
6 Minimum investment return. Enter 5% of line 5.	6	10,310.

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	10,310.
2a Tax on investment income for 2010 from Part VI, line 5	2a	244.	
b Income tax for 2010. (This does not include the tax from Part VI.)	2b		
c Add lines 2a and 2b		2c	244.
3 Distributable amount before adjustments. Subtract line 2c from line 1		3	10,066.
4 Recoveries of amounts treated as qualifying distributions		4	
5 Add lines 3 and 4		5	10,066.
6 Deduction from distributable amount (see instructions)		6	
7 Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1		7	10,066.

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	6,700.
b Program-related investments — total from Part IX-B	1b	
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	6,700.
5 Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see instructions)	5	
6 Adjusted qualifying distributions. Subtract line 5 from line 4	6	6,700.

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				10,066.
2 Undistributed income, if any, as of the end of 2010:				
a Enter amount for 2009 only			0.	
b Total for prior years: 20 ____, 20 ____, 20 ____		0.		
3 Excess distributions carryover, if any, to 2010:				
a From 2005				
b From 2006	91,355.			
c From 2007	53,500.			
d From 2008	21,267.			
e From 2009	22,455.			
f Total of lines 3a through e	188,577.			
4 Qualifying distributions for 2010 from Part XII, line 4. ▶ \$ 6,700.				
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				6,700.
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).)	3,366.			3,366.
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	185,211.			
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 instructions			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) (see instructions)	0.			
8 Excess distributions carryover from 2005 not applied on line 5 or line 7 (see instructions)	0.			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	185,211.			
10 Analysis of line 9.				
a Excess from 2006	87,989.			
b Excess from 2007	53,500.			
c Excess from 2008	21,267.			
d Excess from 2009	22,455.			
e Excess from 2010				

BAA

Form 990-PF (2010)

Part XIV Private Operating Foundations (see instructions and Part VII-A, question 9)

N/A

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2010, enter the date of the ruling ▶

b Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

2a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed

Tax year	Prior 3 years			(e) Total
(a) 2010	(b) 2009	(c) 2008	(d) 2007	
b 85% of line 2a				
c Qualifying distributions from Part XII, line 4 for each year listed				
d Amounts included in line 2c not used directly for active conduct of exempt activities				
e Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c				
3 Complete 3a, b, or c for the alternative test relied upon.				
a 'Assets' alternative test — enter:				
(1) Value of all assets				
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)				
b 'Endowment' alternative test — enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed				
c 'Support' alternative test — enter:				
(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)				
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)				
(3) Largest amount of support from an exempt organization				
(4) Gross investment income				

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

Nicholas G. Nicholas

- 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.

See Statement 9

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

See Statement for Line 2a

- c** Any submission deadlines:

See Statement for Line 2a

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

See Statement for Line 2a

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

Recipient	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
Name and address (home or business)				
a Paid during the year				
Total				3a
b Approved for future payment				
Total				3b

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

Department of the Treasury
Internal Revenue Service

Schedule of Contributors

► Attach to Form 990, 990-EZ, or 990-PF

OMB No 1545-0047

2010

Name of the organization **Nicholas G. and Sandra K. Nicholas
Foundation**

Employer identification number
25-1646744

Organization type (check one).

Filers of:

Form 990 or 990-EZ

Section:

- ☐ 501(c)(____) (enter number) organization
☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
☐ 527 political organization

Form 990-PF

- ☒ 501(c)(3) exempt private foundation
☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation
☐ 501(c)(3) taxable private foundation

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

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

General Rule

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

Special Rules

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ, that met the 33-1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ, that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ, that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc, purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc, purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc, contributions of \$5,000 or more during the year . ► \$ _____

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

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

Schedule B (Form 990, 990-EZ, or 990-PF) (2010)

Name of organization

Employer identification number

Nicholas G. and Sandra K. Nicholas

25-1646744

Part I Contributors (see instructions)

(a) Number	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	Nicholas G. Nicholas 23 Market Place Pittsburgh, PA 15222	\$ 18,191.	Person ☐ Payroll ☐ Noncash ☒ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)

Name of organization

Nicholas G. and Sandra K. Nicholas

Employer identification number

25-1646744

Part II Noncash Property (see instructions.)

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
1	1000 shares of Flextronics International "FLEX"	\$ 18,191.	11/30/10
	150 shares of Fuji Heavy Industries "FUJHY"		
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	

BAA

Schedule B (Form 990, 990-EZ, or 990-PF) (2010)

Name of organization

Nicholas G. and Sandra K. Nicholas

Employer identification number

25-1646744

Part III Exclusively religious, charitable, etc., individual contributions to section 501(c)(7), (8), or (10) organizations aggregating more than \$1,000 for the year. Complete cols (a) through (e) and the following line entry.For organizations completing Part III, enter total of *exclusively* religious, charitable, etc., contributions of \$1,000 or less for the year. (Enter this information once. See instructions.)

▶ \$

N/A

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	N/A		
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee

2010

Federal Statements

Page 1

Client 01416

Nicholas G. and Sandra K. Nicholas
Foundation

25-1646744

11/02/11

05.41PM

Statement 1
Form 990-PF, Part I, Line 11
Other Income

	(a) Revenue per Books	(b) Net Investment Income	(c) Adjusted Net Income
Other Investment Income	\$ 673.	\$ -50.	
Total	\$ 623.	\$ -50.	\$ 0.

Statement 2
Form 990-PF, Part I, Line 16b
Accounting Fees

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Preparing Financial Statements & Form 990	\$ 2,550.	\$ 2,550.		
Total	\$ 2,550.	\$ 2,550.	\$ 0.	\$ 0.

Statement 3
Form 990-PF, Part I, Line 18
Taxes

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Federal Excise Tax	\$ 244.			
Total	\$ 244.	\$ 0.	\$ 0.	\$ 0.

Statement 4
Form 990-PF, Part I, Line 23
Other Expenses

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Administrative Expenses	\$ 100.	\$ 100.		
Office Expense	25.	25.		
Total	\$ 125.	\$ 125.	\$ 0.	\$ 0.

Client 01416

Nicholas G. and Sandra K. Nicholas
Foundation

25-1646744

11/02/11

05 41PM

Statement 5
Form 990-PF, Part I, Line 25
Contributions, Gifts, and GrantsCash Grants and Allocations

Class of Activity:	General purposes	
Donee's Name:	Holy Cross Greek Orthodox Chur	
Donee's Address:	123 Gilkeson Road	
	Pittsburgh, PA 15228	
Relationship of Donee:	None	
Organizational Status of Donee:	Religious	
Amount Given:		\$ 6,100.
 Class of Activity:	 Public Charity	
Donee's Name:	American Red Cross	
Donee's Address:	P.O. Box 4002018	
	Des Moines, IA 50340	
Relationship of Donee:	None	
Organizational Status of Donee:	Public charity-healthcare	
Amount Given:		250.
 Class of Activity:	 Public Charity	
Donee's Name:	MDA	
Donee's Address:	PO Box 78960	
	Phoenix, AZ 85062	
Relationship of Donee:	None	
Organizational Status of Donee:	Public charity-healthcare	
Amount Given:		150.
 Class of Activity:	 Public Charity	
Donee's Name:	ALS Association	
Donee's Address:	27001 Agoura Road, Suite 250	
	Calabasas Hills, CA 91301	
Relationship of Donee:	None	
Organizational Status of Donee:	Public charity-healthcare	
Amount Given:		200.
		 Total \$ 6,700.

Statement 6
Form 990-PF, Part II, Line 10b
Investments - Corporate Stocks

<u>Corporate Stocks</u>	<u>Valuation Method</u>	<u>Book Value</u>	<u>Fair Market Value</u>
Russell Investment-Equity Growth Strateg	Mkt Val	\$ 114,169.	\$ 97,436.
Flaherty & Crumrine Pfd Income	Mkt Val	10,735.	9,993.
John Hancock PFD Income FD	Mkt Val	10,824.	9,853.
Nuveen Quality Pfd Income Fd	Mkt Val	10,705.	7,268.
Templeton Global Fund	Mkt Val	68,775.	81,283.
Developers Diversified Realty Corp	Mkt Val	15,797.	3,692.
Blackrock Global Opportunities Equity TR	Mkt Val	0.	0.
	Total	\$ 231,005.	\$ 209,525.

2010

Federal Statements

Page 3

Client 01416

Nicholas G. and Sandra K. Nicholas
Foundation

25-1646744

11/02/11

05:41PM

Statement 7
Form 990-PF, Part II, Line 10c
Investments - Corporate Bonds

Corporate Bonds	Valuation Method	Book Value	Fair Market Value
Fannie Mae 10% due 3/20/19	Mkt Val	\$ 82.	\$ 88.
	Total	\$ 82.	\$ 88.

Statement 8
Form 990-PF, Part II, Line 13
Investments - Other

Other Investments	Valuation Method	Book Value	Fair Market Value
MAPS Charter Fund, LP	Mkt Val	\$ 212.	\$ 212.
	Total	\$ 212.	\$ 212.

Statement 9
Form 990-PF, Part XV, Line 2a-d
Application Submission Information

Name of Grant Program: Schedule Attached
 Name:
 Care Of:
 Street Address:
 City, State, Zip Code:
 Telephone:
 Form and Content: Schedule Attached
 Submission Deadlines: Schedule Attached
 Restrictions on Awards: None

Nicholas G. and Sandra K. Nicholas Foundation
Supplementary Information (Part XV)

Requests for grants should be sent to Mr. Nicholas G. Nicholas, Nicholas G. and Sandra K. Nicholas Foundation, 127 Anderson Street, Suite 127, Pittsburgh, PA 15212-5803. The telephone number is 412-261-4225 during regular business hours.

Organizations that apply should request and use the Foundation's standard grant application. In the case of research grants, the applicant should submit an outline of the proposed investigation and a proposed budget.

Applications for grants may be submitted at anytime. Applicants are usually notified within one month regarding their applications.

Grants to individuals are limited to persons who attend educational institutions beyond the secondary level and recipients are selected on the basis of need and prior scholastic achievements. Individuals requesting scholarship grants must complete the Scholarship Application form, including the Financial Information form.

Organization's Application for Grant From Private Foundation

To:

Nicholas G. and Sandra K. Nicholas
Foundation

127 Anderson Street, Suite 127

Pittsburgh, PA 15212-5803

From:

(Name of Applicant)

(Street Address)

(City, State and Zip Code)

Part I. Information about the Applicant

1. Is the applicant organized as a nonprofit organization under State laws governing charitable organizations? ☐ Yes ☐ No
If yes, what State or Commonwealth governs? _____
If no, please explain:

2. Has the applicant received a ruling or determination letter from the Internal Revenue Service about any of the following:
- | | | |
|---|------------------------------|-----------------------------|
| (a) Exempt status | ☐ Yes | ☐ No |
| (b) Private foundation status | ☐ Yes | ☐ No |
| (c) Grant-making procedures | ☐ Yes | ☐ No |
- Attach a photocopy of each such letter.
If any item is marked no, explain (b) and (c).

3. (a) Attach a copy of the applicant's proposed budget for the year in which the grant funds are to be used.
(b) If this grant will be a substantial and material part of the total budget, attach a copy of the latest information return (Form 990 or 990PF) filed by the applicant with the Internal Revenue Service.
(c) Describe the applicant's purposes and activities in general.

4. Is the applicant controlled by, related to, connected with, or sponsored by another organization? ☐ Yes ☐ No
If yes, identify the organization (including its purposes and activities) and explain the relationship:

5. List the name and address and title of each member of the applicant's governing board:

_____ (Name)	_____ (Title or office)
_____ (Street Address)	_____ (City, State and Zip Code)
_____ (Name)	_____ (Title or office)
_____ (Street Address)	_____ (City, State and Zip Code)
_____ (Name)	_____ (Title or office)
_____ (Street Address)	_____ (City, State and Zip Code)

(If more space is needed attach a separate list)

6. Has the applicant (or any organization listed in 4, above) ever applied for or received a grant from this foundation? ☐ Yes ☐ No
If yes, give details:

Part II. Use of the proposed grant

7. Show the amount requested and explain in detail how it will be used. State whether the grant is to be earmarked for the use or benefit of any one person, group, or class of people. If so, for whom?

8. Person to contact who will be administering the proposed program.

_____	_____
(Name)	(Title or office)
_____	_____
(Street Address)	(City, State and Zip Code)

(Area code and telephone number)	

Describe this person's experience and qualifications to administer this program.

From my knowledge, I state that the information given in Parts I and II is correct. The applicant organization has authorized me to make this application.

_____	_____
(Name)	(Date)

(Title or office)	

The information in Parts I and II is to help the grantor foundation meet the requirements of section 4945(h) of the Internal Revenue Code.

NICHOLAS G. AND SANDRA K. NICHOLAS FOUNDATION

Scholarship Application

NAME _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE (_____) _____

HIGH SCHOOL _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE (_____) _____

I am applying for a scholarship to attend the following school
after graduation from high school:

Name _____

Address _____

I am interested in studying _____
and wish to pursue:

_____ Degree in _____

Certificate in _____

ADDITIONAL INFORMATION:

DATE OF BIRTH _____ SOCIAL SEC.# _____

I will graduate from _____ High School
on _____.

NAME OF PARENT OR GUARDIAN _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP _____

INSTRUCTIONS:

This application must be submitted and signed by your Guidance Counselor and must be accompanied by the following additional information:

1. Two letters of recommendation (from teachers, counselors, employers.)
2. A copy of your academic record through the end of the first term of your senior academic year.
3. A statement containing a minimum of 250 words explaining in detail why you want a career in the field you have listed on this application and why you feel you would be successful in this field of endeavor. This statement may be typed or hand written, but it must be on a standard 8 1/2 x 11 inch paper. Your name, address and high school name must appear in the upper left-hand corner.
4. The above statement must include a signed statement from you indicating that it was written by you without the assistance of another person.

SCHOOL INFORMATION: (TO BE COMPLETED BY GUIDANCE COUNSELOR)

I certify that the above applicant has, as of the end of the first term of his or her senior academic year, obtained a grade point average of _____ based on a 4.0 scale and currently ranks _____ in a class of _____ graduates.

Signature of Guidance Counselor Title Date

High School Telephone

FINANCIAL NEED:

Awards will be based on financial need which will be determined from the financial information provided by you. Please complete the Financial Information form attached. If you have lived with or have been supported by your parent(s) within the past eighteen months, please complete Sections A and B. If you have not lived with or have not been supported by your parents within the past eighteen months, please complete Section B. All must complete page 1-7 of the Financial Information requested.

Please itemize your anticipated expenditures for the next school year

Tuition	_____
Lodging and Meals	_____
Books and Supplies	_____
Travel	_____
Miscellaneous	_____
Total	_____

All of the information contained in the Scholarship Application, including the Financial Information is true and correct to the best of my knowledge.

Signature of Student Applicant

- * DEADLINE: APRIL 15 OF EACH YEAR
- * RETURN ALL THE REQUESTED DOCUMENTS TOGETHER TO:

Nicholas G. and Sandra K. Nicholas Foundation
127 Anderson Street, Suite 127
Pittsburgh, PA 15212-5803

**NICHOLAS G. AND SANDRA K. NICHOLAS FOUNDATION
SCHOLARSHIP APPLICATION
FINANCIAL INFORMATION**

Name: _____

_____ **Not Married**

_____ **Married**

Name of Spouse: _____

Name(s) of Children:

_____ **Live with or supported by parent(s) within the past 18
months (complete Sections A and B)**

_____ **Have not lived with and have not been supported by parent(s)
within the past 18 months (complete Section B)**

Extra Ordinary Financial Circumstances (Explain):

Section A

Dependent Student - Parental Information

Parents Name(s)

Mother: _____

Father: _____

**Number of Exemptions Claimed on U.S. Individual Income Tax
Return _____ (20____) by parent(s).**

Parental Income and Expenses (Immediately Preceding Calendar Year)

<u>Income</u>	<u>Amount</u>
Salaries and Wages	_____
Interest Income and Dividends	_____
Capital Gains or Losses	_____
Business Income or Loss	_____
Rental Income or Loss	_____
Partnerships and S Corporations	_____
Estate and Trusts	_____
Total Pensions, Social Security and Annuities	_____
Other Taxable Income	
_____	_____
_____	_____
_____	_____
Other Nontaxable Income	
_____	_____
_____	_____
_____	_____
Total	_____

Section A (Continued)

Dependent Student - Parental Information

<u>Expenses:</u>	<u>Amount</u>
Medical and Dental	_____
Home Mortgage Interest	_____
Real Estate Taxes	_____
Federal Income Taxes (per tax return filed)	_____
State and Local Income Taxes (per tax returns filed)	_____
Job Related Expenses	_____
Tuitions Paid for all Dependents	_____
Total	_____

Anticipated Tuitions to be Paid Next School Year:

<u>For Whom</u> <u>(Include Student Applicant)</u>	<u>Name of School</u>	<u>Amount</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Section A (Continued)
Dependent Student - Parental Information

<u>Assets:</u>	<u>Amount</u>
Cash	_____
Residence	_____
Investments	_____
Business Assets	_____
Other Real Estate	_____
Other Assets	_____
Total	_____

<u>Obligations:</u>	
Residential Mortgage	_____
Investments Debts	_____
Business Debts	_____
Other Real Estate Mortgages	_____
Total	_____

Section B
Student Information

Parents Name(s)

Mother: _____

Father: _____

Number of Exemptions Claimed by You on Your U.S. Individual Income Tax Return if filed _____ (20__)

Student Income and Expenses - Immediately Preceding Calendar Year (Include Spouse if Married)

<u>Income</u>	<u>Amount</u>
Salaries and Wages	_____
Interest Income and Dividends	_____
Capital Gains or Losses	_____
Business Income or Loss	_____
Rental Income or Loss	_____
Partnerships and S Corporations	_____
Estate and Trusts	_____
Total Pensions, Social Security and Annuities	_____
Other Taxable Income	
_____	_____
_____	_____
_____	_____
Other Nontaxable Income	
_____	_____
_____	_____
_____	_____
Total	_____

Section B (Continued)

Student Information

Expenses:

Amount

Medical and Dental

Home Mortgage Interest

Real Estate Taxes

Federal Income Taxes (per tax return filed)

State and Local Income Taxes (per tax returns filed)

Job Related Expenses

Tuitions Paid for all Dependents

Total

Anticipated Tuitions to be Paid Next School Year:

For Whom
(Include Student Applicant)

Name of School

Amount

Section B (Continued)

Student Information

Assets:

Amount

Cash

Residence

Investments

Business Assets

Other Real Estate

Other Assets

Total

Obligations:

Residential Mortgage

Investments Debts

Business Debts

Other Real Estate Mortgages

Total

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

NOVEMBER 3, 2011

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

NICHOLAS G. & SANDRA K. NICHOLAS FOUNDATION

I, Carol Aichele, Secretary of the Commonwealth of Pennsylvania

do hereby certify that the foregoing and annexed is a true and correct
copy of

ARTICLES OF AMENDMENT-NONPROFIT filed on January 2, 2004

which appear of record in this department.



IN TESTIMONY WHEREOF, I have
hereunto set my hand and caused
the Seal of the Secretary's Office to
be affixed, the day and year above
written.

A handwritten signature in cursive script, reading "Carol Aichele".

Secretary of the Commonwealth

2004002-625

**PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU**

Articles of Amendment-Domestic Corporation
(15 Pa C S)

Entity Number

1630269

☐ Business Corporation (§ 1915)
☒ Nonprofit Corporation (§ 5915)

Name

Robert G Panagulas, Esquire

Address

127 Anderson Street, Suite 127

City

State

Zip Code

Pittsburgh, PA 15212-5803

Document will be returned to the
name and address you enter to
the left.

←

Fee \$52

Filed in the Department of State on JAN 02 2004

Robert G. Panagulas
 Secretary of the Commonwealth

In compliance with the requirements of the applicable provisions (relating to articles of amendment), the undersigned, desiring to amend its articles, hereby states that.

1 The name of the corporation is
 Nicholas N & Annette M Nicholas Foundation

2 The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department)

(a) Number and Street	City	State	Zip	County
127 Timber Court, 127 Anderson Street	Pittsburgh	PA	15212	Allegheny

(b) Name of Commercial Registered Office Provider _____ County _____
 c/o _____

3 The statute by or under which it was incorporated: Nonprofit Corporation Law of 1988

4 The date of its incorporation. December 20, 1990

5 Check, and if appropriate complete, one of the following:

☒ The amendment shall be effective upon filing these Articles of Amendment in the Department of State.

☐ The amendment shall be effective on, _____ at _____
 Date Hour

PA DEPT OF STATE

JAN 02 2004

128

2004002-626

DSCB 15-1915/5915--2

6 Check one of the following:

☐ The amendment was adopted by the shareholders or members pursuant to 15 Pa.C.S. § 1914(a) and (b) or § 5914(a)

☒ The amendment was adopted by the board of directors pursuant to 15 Pa. C.S. § 1914(c) or § 5914(b).

7 Check and if appropriate, complete one of the following.

☐ The amendment adopted by the corporation, set forth in full, is as follows

☒ The amendment adopted by the corporation is set forth in full in Exhibit A attached hereto and made a part hereof

8 Check if the amendment restates the Articles.

☒ The restated Articles of Incorporation supersede the original articles and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this

12 th day of November,

2003.

Nicholas N. & Annette M. Nicholas Found:

Name of Corporation

Rachel Pungolone

Signature

Vice President

Title

EXHIBIT A
AMENDED AND RESTATED
ARTICLES OF INCORPORATION -
DOMESTIC NONPROFIT CORPORATION
OF
NICHOLAS G. & ANNETTE M. NICHOLAS FOUNDATION

1. The name of the corporation is Nicholas G. and Sandra K. Nicholas Foundation.

2. The address of the registered office of the corporation in Pennsylvania (which is located in Allegheny County) is:

127 Anderson Street, Suite 127
Pittsburgh, Pennsylvania 15212-5803

3. The corporation is incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended. The purposes for which the corporation is formed are the application of the income, and when the corporation determines, of the principal, of such property as the corporation may from time to time possess, to charitable, religious, educational and scientific purposes, including the improvement of social and economic conditions of disadvantaged persons in the United States of America. Distributions for these purposes may be made to or for the benefit of individuals or organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States Internal Revenue Code Law.

4. The corporation does not contemplate pecuniary gain or profit, incidental or otherwise.

5. The term for which the corporation is to exist is perpetual.

6. The corporation is organized upon a nonstock basis, and it shall have no authority to issue shares of capital stock.

7. No part of the net income of the corporation shall inure to the benefit of, or be distributed to its members, directors, officers or other private persons, except the corporation shall be authorized to pay reasonable compensation for services rendered in effecting one or more of its purposes, or as a beneficiary of its strictly charitable purposes.

8. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation; and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

9. Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal Income Tax under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States Internal Revenue Law.

10. Upon the dissolution of the corporation, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States Internal Revenue Law, as the Board of Directors shall determine. Any such as-

sets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as the Court shall determine, which are organized and operated exclusively for such purposes.

11. In accordance with the applicable provisions of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any subsequent United States Internal Revenue Law (hereinafter referred to as the "Code") the following shall apply:

(a) The corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Code;

(b) The corporation shall not engage in any act of self-dealing as defined in Section 4941(d) of the Code;

(c) The corporation shall not retain any excess business holdings as defined in Section 4943(c) of the Code;

(d) The corporation shall not make any investments in such manner as to subject it to tax under Section 4944 of the Code; and

(e) The corporation shall not make any taxable expenditures as defined in Section 4945(d) of the Code.

12. All conditions, qualifications, requirements, privileges and regulations as to membership in the Corporation, including voting rights, shall be fixed and governed by the Bylaws of the Corporation.

- 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	Name of exempt organization	Employer identification number
	Nicholas G. and Sandra K. Nicholas Foundation	25-1646744
File by the extended due date for filing the return. See instructions	Number, street, and room or suite number. If a P.O. box, see instructions	
	C. J. Panagulias & Co. 127 Anderson Street, Ste 127	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions	
	Pittsburgh, PA 15212	

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

04

Application Is For	Return Code	Application Is For	Return Code
Form 990	01		
Form 990-BL	02	Form 1041-A	08
Form 990-EZ	03	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (section 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.

- The books are in care of Nicholas G. Nicholas
Telephone No 412-261-4225 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 11/15, 20 11

5 For calendar year 2010, or other tax year beginning , 20 , and ending , 20

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

☐ Change in accounting period

7 State in detail why you need the extension Taxpayer respectfully requests additional time to gather information necessary to file a complete and accurate tax 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	\$	0.
8b 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	\$	180.
8c 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 R. Panagulias Title Attorney

Date 8/9/11

BAA

FIFZ0502L 11/15/10

Form 8868 (Rev 1-2011)