Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements.

OMB No 1545-0052

2010

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 Hertz, Douglas J. Family Foundation	A Employer identification number 26-2792485
Number and street (or P O box number if mail is not delivered to street address) 5500 United Dr. SE / Room/suite	B Telephone number 678-305-2007
City or town, state, and ZIP code Smyrna, GA 30082	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 ▶ ☐
H Check type of organization: [X] Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation	E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ ☐
I Fair market value of all assets at end of year (from Part II, col (c), line 16) ▶$ 7,848,379. J Accounting method: [X] Cash ☐ Accrual ☐ Other (specify) (Part I, column (d) must be on cash basis)	F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ▶ ☐

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received	8,023,186.			
	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	3,838.	3,838.		Statement 1
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	201,121.			
	b Gross sales price for all assets on line 6a 3,841,614.				
	7 Capital gain net income (from Part IV, line 2)		201,121.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss)				
	11 Other income				
	12 **Total.** Add lines 1 through 11	8,228,145.	204,959.	0.	
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.	0.	0.	0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees				
	c Other professional fees				
	17 Interest				
	18 Taxes				
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses Stmt 2	171.	0.	0.	171.
	24 **Total operating and administrative expenses.** Add lines 13 through 23	171.	0.	0.	171.
	25 Contributions, gifts, grants paid	499,000.			499,000.
	26 **Total expenses and disbursements.** Add lines 24 and 25	499,171.	0.	0.	499,171.
	27 Subtract line 26 from line 12:				
	a Excess of revenue over expenses and disbursements	7,728,974.			
	b **Net investment income** (if negative, enter -0-)		204,959.		
	c **Adjusted net income** (if negative, enter -0-)			0.	

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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	12,900.	27,500.	27,500.
2 Savings and temporary cash investments		4,866,342.	4,866,342.
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 Stmt 3	0.	229,443.	241,749.
b Investments - corporate stock Stmt 4	0.	1,233,890.	1,311,382.
c Investments - corporate bonds			
11 Investments - land, buildings, and equipment basis ▶			
Less accumulated depreciation ▶			
12 Investments - mortgage loans			
13 Investments - other Stmt 5	0.	1,336,545.	1,353,252.
14 Land, buildings, and equipment: basis ▶			
Less accumulated depreciation ▶			
15 Other assets (describe ▶ Statement 6)	0.	48,154.	48,154.
16 **Total assets** (to be completed by all filers)	12,900.	7,741,874.	7,848,379.
Liabilities			
17 Accounts payable and accrued expenses			
18 Grants payable			
19 Deferred revenue			
20 Loans from officers, directors, trustees, and other disqualified persons			
21 Mortgages and other notes payable			
22 Other liabilities (describe ▶)			
23 **Total liabilities** (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances			
Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.			
24 Unrestricted			
25 Temporarily restricted			
26 Permanently restricted			
Foundations that do not follow SFAS 117, check here ▶ ☒ and complete lines 27 through 31			
27 Capital stock, trust principal, or current funds	12,900.	7,741,874.	
28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.	
29 Retained earnings, accumulated income, endowment, or other funds	0.	0.	
30 **Total net assets or fund balances**	12,900.	7,741,874.	
31 **Total liabilities and net assets/fund balances**	12,900.	7,741,874.	

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	12,900.
2 Enter amount from Part I, line 27a	2	7,728,974.
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	7,741,874.
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	7,741,874.

Part IV Capital Gains and Losses for Tax on Investment Income

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

	(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a	3,837,639.		3,640,439.	197,200.
b			54.	<54.>
c	3,975.			3,975.
d				
e				

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

	(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
a				197,200.
b				<54.>
c				3,975.
d				
e				

2	Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7; If (loss), enter -0- in Part I, line 7 }	2	201,121.
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	165,878.	3,089,701.	.053687
2008	140,413.	2,579,376.	.054437
2007	187,811.	2,850,126.	.065896
2006	208,450.	2,508,207.	.083107
2005	266,024.	2,370,469.	.112224

2	**Total** of line 1, column (d)	2	.369351
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	.073870
4	Enter the net value of noncharitable-use assets for 2010 from Part X, line 5	4	346,411.
5	Multiply line 4 by line 3	5	25,589.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	2,050.
7	Add lines 5 and 6	7	27,639.
8	Enter qualifying distributions from Part XII, line 4	8	1,757,545.

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

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

1a Exempt operating foundations described in section 4940(d)(2), check here ▶ [ ] and enter "N/A" on line 1. Date of ruling or determination letter: ________ **(attach copy of letter if necessary-see instructions)**			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ [X] and enter 1% of Part I, line 27b		1	2,050.
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b).			
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		2	0.
3 Add lines 1 and 2		3	2,050.
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	2,050.
6 Credits/Payments:			
a 2010 estimated tax payments and 2009 overpayment credited to 2010	6a 4,100.		
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	4,100.
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	2,050.
11 Enter the amount of line 10 to be: **Credited to 2011 estimated tax** ▶ 2,050. **Refunded** ▶		11	0.

Part VII-A Statements Regarding Activities

		Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		X
b Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see instructions for definition)?	1b		X
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*			
c Did the foundation file **Form 1120-POL** for this year?	1c		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*	2		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes*	3		X
4a Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b If "Yes," has it filed a tax return on **Form 990-T** for this year? N/A	4b		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T*	5		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7 Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col (c), and Part XV.*	7	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ GA			
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation*	8b	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2010 or the taxable year beginning in 2010 (see instructions for Part XIV)? *If "Yes," complete Part XIV*	9		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	10		X

Part VII-A Statements Regarding Activities *(continued)*

			Yes	No
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?	13	X	

Website address ▶ N/A

14 The books are in care of ▶ Douglas Hertz Telephone no. ▶ 678-305-2007

Located at ▶ 5500 United Dr. SE, Smyrna, GA ZIP+4 ▶ 30052

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of **Form 1041** - Check here ▶ ☐

and enter the amount of tax-exempt interest received or accrued during the year ▶ 15 N/A

			Yes	No
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		X
	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 ▶			

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

			Yes	No
	File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.			
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)? N/A	1b		
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐			
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

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

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

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

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

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

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

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

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

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

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

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

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

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? | 6b | | X

If "Yes" to 6b, file Form 8870

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

b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? N/A | 7b |

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

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

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
Douglas Hertz 5500 UNITED DR SE SMYRNA, GA 30082	President 0.00	0.	0.	0.
Lila Hertz 5500 UNITED DR SE SMYRNA, GA 30082	Vice President 0.00	0.	0.	0.
Amy H. Agami 5500 UNITED DR SE SMYRNA, GA 30082	Secretary 0.00	0.	0.	0.
Michael Hertz 5500 UNITED DR SE SMYRNA, GA 30082	Treasurer 0.00	0.	0.	0.

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

(a) Name and address of each employee paid more than $50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
N/A	0.00	0.	0.	0.

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. If none, enter "NONE."

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
N/A		0.
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**

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.

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	127,403.
b	Average of monthly cash balances			1b	224,283.
c	Fair market value of all other assets			1c	
d	**Total** (add lines 1a, b, and c)			1d	351,686.
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	351,686.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)			4	5,275.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3. Enter here and on Part V, line 4			5	346,411.
6	**Minimum investment return** Enter 5% of line 5			6	17,321.

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	17,321.
2a	Tax on investment income for 2010 from Part VI, line 5	2a	2,050.		
b	Income tax for 2010. (This does not include the tax from Part VI.)	2b			
c	Add lines 2a and 2b			2c	2,050.
3	Distributable amount before adjustments. Subtract line 2c from line 1			3	15,271.
4	Recoveries of amounts treated as qualifying distributions			4	0.
5	Add lines 3 and 4			5	15,271.
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	15,271.

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	1,757,545. *
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	1,757,545.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	2,050.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	1,755,495.

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.

Form **990-PF** (2010)

* See Attachment related to transferor Foundation that closed.

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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					15,271.
2 Undistributed income, if any, as of the end of 2010					
a Enter amount for 2009 only				0.	
b Total for prior years: ____, ____, ____			0.		
3 Excess distributions carryover, if any, to 2010:		*			
a From 2005	150,806.				
b From 2006	86,629.				
c From 2007	52,528.				
d From 2008	12,378.				
e From 2009					
f Total of lines 3a through e		302,341.			
4 Qualifying distributions for 2010 from Part XII, line 4: ▶ $ 1,757,545.					
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					15,271.
e Remaining amount distributed out of corpus		1,742,274.			
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:					
a Corpus Add lines 3f, 4c, and 4e Subtract line 5		2,044,615.			
b Prior years' undistributed income. Subtract line 4b from line 2b			0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed			0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions			0.		
e Undistributed income for 2009. Subtract line 4a from line 2a. Taxable amount - see instr.				0.	
f Undistributed income for 2010. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2011					0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)		0.			
8 Excess distributions carryover from 2005 not applied on line 5 or line 7		150,806.			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a		1,893,809.			
10 Analysis of line 9:					
a Excess from 2006	86,629.				
b Excess from 2007	52,528.				
c Excess from 2008	12,378.				
d Excess from 2009					
e Excess from 2010	1,742,274.				

* See attachment related to benefits reported from transferor Foundation

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)

	Tax year	Prior 3 years			
	(a) 2010	(b) 2009	(c) 2008	(d) 2007	(e) Total
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
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 foundation had $5,000 or more in assets at any time during the year-see the instructions.)

1 **Information Regarding Foundation Managers:**

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

None

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

None

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

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

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

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

c Any submission deadlines:

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

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 STATEMENT ATTACHED				499,000.
Total			▶ **3a**	499,000.
b *Approved for future payment*				
None				
Total			▶ **3b**	0.

023611 12-07-10

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.	Unrelated business income (a) Business code	Unrelated business income (b) Amount	Excluded by section 512, 513, or 514 (c) Exclusion code	Excluded by section 512, 513, or 514 (d) Amount	(e) Related or exempt function income
1 Program service revenue:					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments					
4 Dividends and interest from securities			14	3,838.	
5 Net rental income or (loss) from real estate:					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					
8 Gain or (loss) from sales of assets other than inventory			18	201,121.	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue:					
a					
b					
c					
d					
e					
12 Subtotal. Add columns (b), (d), and (e)		0.		204,959.	0.

13 Total Add line 12, columns (b), (d), and (e) 13 204,959.

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

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Line No ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes).
	N/A

023621
12-07-10

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

			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.

(a) Line no	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements
		N/A	

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

b If "Yes," complete the following schedule.

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

Sign Here

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

DJH 11/1/11 PRESIDENT

Signature of officer or trustee | Date | Title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Richard K. Babush	Richard K. Babush CPA	10/28/11		
Firm's name ▶ Babush, Neiman, Kornman & Johnson, LLP			Firm's EIN ▶	
Firm's address ▶ 5909 Peachtree Dunwoody Rd. Suite 800 Atlanta, GA 30328			Phone no. 770-261-1900	

Form **990-PF** (2010)

023622 04-26-11

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	Employer identification number
Hertz, Douglas J. Family Foundation	26-2792485

Organization type (check one):

Filers of:	**Section:**
Form 990 or 990-EZ	☐ 501(c)( ) (enter number) organization
	☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
	☐ 527 political organization
Form 990-PF	☒ 501(c)(3) exempt private foundation
	☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation
	☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule.**
Note. Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule See instructions

General Rule

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

Special Rules

☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of **(1)** $5,000 or **(2)** 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1 Complete Parts I and II.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than $1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc , purposes, but these contributions did not aggregate to more than $1,000 If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc , contributions of $5,000 or more during the year ▶ $ ____________

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

Name of organization	Employer identification number
Hertz, Douglas J. Family Foundation	26-2792485

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	HERTZ FAMILY FOUNDATION INC 5500 UNITED DRIVE SMYRNA, GA 30082	$ 1,645,775.	Person [X] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution)
2	HERTZ FAMILY FOUNDATION INC 5500 UNITED DRIVE SMYRNA, GA 30082	$ 32,372.	Person [ ] Payroll [ ] Noncash [X] (Complete Part II if there is a noncash contribution)
3	HERTZ FAMILY FOUNDATION INC 5500 UNITED DRIVE SMYRNA, GA 30082	$ 6,280,039.	Person [ ] Payroll [ ] Noncash [X] (Complete Part II if there is a noncash contribution.)
4	UNITED DISTRIBUTORS INC 5500 UNITED DRIVE SMYRNA, GA 30082	$ 65,000.	Person [X] 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: Hertz, Douglas J. Family Foundation

Employer identification number: 26-2792485

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
2	LIFE INSURANCE POLICY	$ 32,372.	12/15/10
3	MARKETABLE SECURITIES	$ 6,280,039.	12/15/10
		$	
		$	
		$	
		$	

Name of organization	Employer identification number
Hertz, Douglas J. Family Foundation	26-2792485

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 columns **(a)** through **(e) and** the following line entry For organizations completing Part III, enter the total of *exclusively* religious, charitable, etc , contributions of **$1,000 or less** for the year (Enter this information once See instructions) ▶ $

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

Douglas J. Hertz Family Foundation EIN #26-2792485

Attachment to Form 990-PF, Parts V, XII, and XIII

In 2010 the above foundation received 50% of the assets from another private foundation, Hertz Family Foundation, Inc. EIN #58-1423564, in a voluntary termination under IRC Sec. 507(b)(2). Under such termination, the transferee foundation (an IRC Sec. 501(c)(3) organization) shall not be treated as a newly created organization. The above foundation has taken the position that it "inherits" 50% of the aggregate tax benefit of the transferor organization. Accordingly, the foundation is reporting 50% of prior years' information regarding qualifying distributions, net noncharitable-use assets, and excess contributions, in addition to the previous years' information from the transferor foundation, pursuant to IRC Sec. 507(d). A summary of the calculations is attached hereto.

Douglas J Hertz Family Foundation #26-2792485
Aggregate Tax Benefit Calculations
2010 Qualifying Contributions & Noncharitable use

			50%		ADD			
	Hertz (Jennings) Family Foundation #58-1423564		50 % to Douglas J. Hertz Foundation		2010 Douglas J. Hertz Fdn		Total Douglas J. Hertz Foundation	
	Qualifying Distributions	Net noncharitable-use assets	Qualifying Distributions	Net noncharitable-use assets	Qualifying Distributions	Net noncharitable-use assets	Qualifying Distributions	Net noncharitable-use assets
2009	257,556	6,166,934	128,778	3,083,467	37,100	6,234	**165,878**	**3,089,701**
2008	280,826	5,158,751	140,413	2,579,376	-	-	**140,413**	**2,579,376**
2007	375,621	5,700,252	187,811	2,850,126	-	-	**187,811**	**2,850,126**
2006	416,900	5,016,413	208,450	2,508,207	-	-	**208,450**	**2,508,207**
2005	532,048	4,740,938	266,024	2,370,469	-	-	**266,024**	**2,370,469**

Totals to Form 990, Part V

Douglas J Hertz Family Foundation #26-2792485
Aggregate Tax Benefit Calculations
2010 Excess Contributions

Excess Contributions C/O

		50%	ADD		
	Hertz (Jennings) Family Foundation #58-1423564	**50 % to Douglas J. Hertz Foundation**	**2010 Douglas J. Hertz Fdn**	**Total Douglas J. Hertz Foundation**	
2010	2,516,748	1,258,374	499,171	**1,757,545**	to form 990-PF, Part XII, Line 4
2009	0	-	-	-	
2008	24,755	12,378	-	**12,378**	
2007	105,056	52,528	-	**52,528**	
2006	173,257	86,629	-	**86,629**	
2005	301,611	150,806	-		
				1,909,079	
				(15,271)	(less applied to 2010)
				1,893,808	

Total to Form 990-PF, Part XIII

THE DOUGLAS J HERTZ FAMILY FOUNDATION INC **#26-2792485**

December 31, 2010

Date	Quantity	Security	Adj Unit Cost	Total Adjusted Cost	Price	Market Value	Unrealized Gain/Loss	% G/L
MUNICIPAL BONDS								
05-30-09	5,000	HINESVILLE GA LSD HSG CORP REV-MTG-REGCY PK-SECT 7 250% Due 01-15-11	100 00	5,000	100 13	5,006	7	0 1
05-30-09	5,000	CHEROKEE CO GA HOSP AUTH REV ETM SF12/03 7 300% Due 12-01-13	131 78	6,589	109 50	5,475	-1,114	-16 9
				11,589		10,482	-1,107	-9 6
MUNICIPAL BONDS - TAXABLE								
01-11-02	35,000	FULTON CO GA DEV AUTH REV TAXABLE GA TECH FDN FDG-B 6 100% Due 11-01-11	100 00	35,001	104 56	36,597	1,596	4 6
05-12-97	50,000	DEKALB CO EMORY PROJECT TAXABLE SF-4/1/12 9 000% Due 04-01-16	104 86	52,430	118 59	59,294	6,864	13 1
05-22-08	50,000	GREEN BAY WIS GO MBIA TAXABLE MUNI 5 400% Due 04-01-18	101 33	50,666	101 98	50,988	321	0 6
06-05-08	50,000	MASS ST HLTH & ED HARVARD UNIV TAXABLE 5 260% Due 10-01-18	101 01	50,507	108 83	54,417	3,910	7 7
				188,604		201,295	12,691	6 7
FOREIGN BOND								
12-07-01	5,000	ISRAEL ST 10YR 4TH FRN RATE ISSUE BONDS	85 00	4,250	100 29	5 015	765	18 0
12-17-08	25,000	ISRAEL ST VAR 2011 JUBILEE 5TH	100 00	25,000	99 83	24,957	-43	-0 2
				29,250		29,972	722	2 5
OPEN END BOND FUNDS - TAXABLE								
10-13-10	39,679 708	EATON VANCE FLOATING RATE	8 82	350,000	8 96	355,530	5,530	1 6
10-29-10	76 269	EATON VANCE FLOATING RATE	8 88	677	8 96	683	6	0 9
11-30-10	129 709	EATON VANCE FLOATING RATE	8 90	1,154	8 96	1,162	8	0 7
12-29-10	51 695	EATON VANCE FLOATING RATE	8 95	463	8 96	463	1	0 1
12-31-10	69 135	EATON VANCE FLOATING RATE	8 96	619	8 96	619	0	0 0
				352,914		358,458	5,545	1 6

THE DOUGLAS J HERTZ FAMILY FOUNDATION INC

December 31, 2010

Date	Quantity	Security	Adj Unit Cost	Total Adjusted Cost	Price	Market Value	Unrealized Gain/Loss
EXCHANGE TRADED BOND FUNDS							
11-05-10	2,000	ISHARES IBOXX HIGH YIELD CORP BOND FUND	91 64	183,283	90 29	180,580	-2,703
11-10-10	2,000	ISHARES IBOXX HIGH YIELD CORP BOND FUND	91 07	182,134	90 29	180,580	-1,554
				365,417		361,160	-4,257
PREFERRED STOCK							
03-10-10	1,000	CITIGROUP CAP XX TR PFD G	23 99	23,986	25 43	25,430	1,444
06-01-10	300	ISHARES S&P US PREFERRED STOCK IDX	36 41	10,923	38 80	11,640	717
08-24-10	3,200	ISHARES S&P US PREFERRED STOCK IDX	39 78	127,295	38 80	124,160	-3,135
12-17-09	1,500	WELLS FARGO CAPITAL XII	25 21	37,818	26 82	40,230	2,412
				200,023		201,460	1,437
DOMESTIC COMMON STOCK							
10-26-10	700	ACCENTURE PLC	45 22	31,656	48 49	33,943	2,287
10-25-10	1,000	AETNA INC - NEW	31 62	31,621	30 51	30,510	-1,111
12-01-10	150	APPLE COMPUTER INC	316 85	47,527	322 56	48,384	857
10-05-10	3,000	CHESAPEAKE ENERGY CORP	22 36	67,082	25 91	77,730	10,648
09-10-10	750	CIT GROUP INC	39 10	29,325	47 10	35,325	6,000
09-28-10	750	CIT GROUP INC	40 57	30,426	47 10	35,325	4,899
12-09-10	1,000	COCA COLA ENTERPRISES	25 78	25,777	25 03	25,030	-747
12-08-10	500	DOMTAR CORP	82 01	41,003	75 92	37,960	-3,043
12-01-10	1,000	DRESSER-RAND GROUP INC COM	39 46	39,463	42 59	42,590	3,127
05-13-10	500	GOODYEAR TIRE & RUBR	13 56	6,782	11 85	5,925	-857
10-25-10	1,500	GOODYEAR TIRE & RUBR	11 81	17,711	11 85	17,775	64
12-01-10	1,000	INGERSOLL-RAND CO CL A	42 35	42,346	47 09	47,090	4,744
05-11-10	1,000	INTERPUBLIC GROUP COS	8 21	8,211	10 62	10,620	2,409
11-29-10	1,500	KBR INC	27 68	41,519	30 47	45,705	4,186
06-24-10	1,000	KRAFT FOODS INC CL A	29 63	29,634	31 51	31,510	1,876
12-09-10	1,000	LAM RESEARCH CORP	50 51	50,513	51 78	51,780	1,267
11-29-10	1,900	MARATHON OIL CORP	33 36	63,380	37 03	70,357	6,977
12-20-10	200	MASTERCARD INC CLASS A	223 09	44,619	224 11	44,822	203
01-19-10	200	MICROSOFT CORP	31 10	6,220	27 91	5,582	-638
07-07-10	2,300	MICROSOFT CORP	23 79	54,712	27 91	64,193	9,481
04-15-10	600	NORDSTROM, INC	43 10	25,858	42 38	25,428	-430
04-21-10	100	NORDSTROM, INC	43 34	4,334	42 38	4,238	-96
09-28-10	500	CIT GROUP INC	39 10	19,550	47 10	23,550	4000

THE DOUGLAS J HERTZ FAMILY FOUNDATION INC

December 31, 2010

Date	Quantity	Security	Adj Unit Cost	Total Adjusted Cost	Price	Market Value	Unrealized Gain/Loss
04-21-10	600	NORDSTROM, INC	43 34	26,003	42 38	25,428	-575
10-29-10	1,000	OFFICEMAX INC	17 45	17,450	17 70	17,700	250
10-15-10	1,500	OMNICOM GROUP INC	41 44	62,153	45 80	68,700	6,547
11-29-10	800	TRW INC	47 32	37,854	52 70	42,160	4,306
				902,728		969,360	66,632
FOREIGN STOCK							
10-25-10	800	AUTOLIV INC	71 16	56,925	78 94	63,152	6,227
11-10-10	1,000	BP AMOCO PLC - SPONS ADR	42 80	42,802	44 17	44,170	1,368
12-20-10	1,000	CENOVUS ENERGY, INC	31 41	31,412	33 24	33,240	1,828
				131,139		140,562	9,423
EXCHANGE TRADED FUNDS							
12-03-10	1,000	S & P 500 DEPOSITARY RECEIPT	122 43	122,427	125 75	125,750	3,323
11-09-10	600	SPDR GOLD TRUST	136 95	82,173	138 72	83,232	1,059
12-22-10	3,000	SPDR KBW BANK ETF	26 08	78,250	25 91	77,730	-520
				282,849		286,712	3,863
EQUITY FUNDS							
06-03-10	4,562 714	STEELPATH MLP ALPHA FUND	9 82	44,813	10 84	49,460	4,647
11-08-10	34,965 035	WASATCH GLOBAL OPPORTUNITIES	4 29	150,000	4 29	150,000	0
12-28-10	233 508	WASATCH GLOBAL OPPORTUNITIES	4 25	992	4 29	1,002	9
12-28-10	935 301	WASATCH GLOBAL OPPORTUNITIES	4 25	3,975	4 29	4,012	37
				199,781		204,474	4,693
REAL ESTATE INVESTMENT TRUSTS							
02-09-10	100	ANNALY MORTGAGE MGMT, INC	17 31	1,731	17 92	1,792	61
08-30-10	5,800	ANNALY MORTGAGE MGMT, INC	17 35	100,645	17 92	103,936	3,291
02-24-10	150	MFA MORTGAGE INVESTMENTS, INC	7 05	1,058	8 16	1,224	166
08-02-10	4,350	MFA MORTGAGE INVESTMENTS, INC	7 39	32,150	8 16	35,496	3,346
				135,584		142,448	6,864
TOTAL PORTFOLIO				**2,799,877**		**2,906,382**	**106,505**

REALIZED GAINS AND LOSSES

THE DOUGLAS J HERTZ FAMILY FOUNDATION INC **#26-2792485**

From 01-01-10 Through 12-31-10

Open Date	Close Date	Quantity	Security	Total Cost	Amort. or Accretion	Proceeds	Gain Or Loss Short Term	Gain Or Loss Long Term
12-01-10	12-20-10	250	APPLE COMPUTER INC	79,212		80,392	1,180	0
10-26-10	12-20-10	800	ACCENTURE PLC	36,179		38,883	2,705	0
10-07-10	12-20-10	1,750	ADOBE SYSTEMS INC	49,389		51,090	1,701	0
10-25-10	12-20-10	1,000	AETNA INC - NEW	31,621		30,229	-1,393	0
10-25-10	12-20-10	1,450	AUTOLIV INC	103,177		117,278	14,102	0
08-24-10	12-20-10	950	BP AMOCO PLC - SPONS ADR	33,272		41,415	8,142	0
11-10-10	12-20-10	1,800	BP AMOCO PLC - SPONS ADR	77,044		78,470	1,427	0
12-17-09	12-20-10	1,150	WELLS FARGO CAPITAL XII	28,994		30,486	0	1,492
12-09-10	12-20-10	1,000	COCA COLA ENTERPRISES	25,777		25,168	-609	0
10-05-10	12-20-10	3,200	CHESAPEAKE ENERGY CORP.	71,554		79,919	8,364	0
06-02-10	12-20-10	1,950	CIT GROUP INC	72,302		85,555	13,253	0
09-10-10	12-20-10	1,500	CIT GROUP INC	58,650		65,811	7,161	0
10-25-10	12-20-10	800	CNH GLOBAL N.V.	33,953		37,717	3,764	0
12-01-10	12-20-10	1,000	DRESSER-RAND GROUP INC COM	39,463		41,898	2,435	0
11-30-10	12-20-10	1,200	GARDNER DENVER INC	78,654		83,209	4,556	0
11-09-10	12-20-10	600	SPDR GOLD TRUST	82,173		81,076	-1,096	0
05-13-10	12-20-10	1,350	GOODYEAR TIRE & RUBR	18,312		15,879	-2,433	0
07-21-10	12-20-10	3,100	ISHARES IBOXX HIGH YIELD CORP BOND FUND	273,452		277,792	4,339	0
08-24-10	12-20-10	1,550	ISHARES IBOXX HIGH YIELD CORP BOND FUND	135,630		138,896	3,266	0
09-17-10	12-20-10	850	ISHARES IBOXX HIGH YIELD CORP BOND FUND	75,690		76,169	478	0
09-27-10	12-20-10	1,500	ISHARES IBOXX HIGH YIELD CORP BOND FUND	133,453		134,415	962	0

REALIZED GAINS AND LOSSES

THE DOUGLAS J HERTZ FAMILY FOUNDATION INC

From 01-01-10 Through 12-31-10

Open Date	Close Date	Quantity	Security	Total Cost	Amort. or Accretion	Proceeds	Gain Or Loss Short Term	Gain Or Loss Long Term
09-27-10	12-20-10	1,000	ISHARES IBOXX HIGH YIELD CORP BOND FUND	88,969		89,549	580	0
05-11-10	12-20-10	1,050	INTERPUBLIC GROUP COS	8,621		11,245	2,624	0
10-06-10	12-20-10	2,400	INGERSOLL-RAND CO CL A	90,531		112,379	21,848	0
12-01-10	12-20-10	2,000	ISHARES RUSSELL TOP 200 GROWTH INDEX FD	58,439		59,769	1,331	0
04-15-10	12-20-10	1,850	NORDSTROM, INC.	79,729		78,876	-853	0
11-29-10	12-20-10	1,450	KBR INC	40,135		42,403	2,268	0
06-24-10	12-20-10	1,350	KRAFT FOODS INC CL A	40,005		43,054	3,049	0
12-08-10	12-20-10	1,650	LAM RESEARCH CORP	82,630		85,778	3,147	0
12-09-10	12-20-10	600	LAM RESEARCH CORP	30,308		31,192	884	0
02-24-10	12-20-10	4,850	MFA MORTGAGE INVESTMENTS, INC.	34,197		39,438	5,240	0
06-03-10	12-20-10	3,762.935	STEELPATH MLP ALPHA FUND	36,958		39,950	2,992	0
11-29-10	12-20-10	1,700	MARATHON OIL CORP	56,708		61,222	4,514	0
01-19-10	12-20-10	2,600	MICROSOFT CORP	80,861		72,422	-8,439	0
02-09-10	12-20-10	8,000	ANNALY MORTGAGE MGMT, INC.	138,498		146,070	7,571	0
11-22-10	12-20-10	650	NATIONAL-OILWELL VARCO, INC.	39,627		41,425	1,798	0
10-15-10	12-20-10	1,950	OMNICOM GROUP INC	80,799		90,995	10,196	0
10-29-10	12-20-10	1,000	OFFICEMAX INC.	17,450		17,618	168	0
06-01-10	12-20-10	5,700	ISHARES S&P US PREFERRED STOCK IDX	207,543		219,966	12,422	0
06-01-10	12-20-10	1,000	ISHARES S&P US PREFERRED STOCK IDX	36,411		38,537	2,126	0

REALIZED GAINS AND LOSSES
THE DOUGLAS J HERTZ FAMILY FOUNDATION INC
From 01-01-10 Through 12-31-10

Open Date	Close Date	Quantity	Security	Total Cost	Amort. or Accretion	Proceeds	Gain Or Loss Short Term	Gain Or Loss Long Term
11-30-10	12-20-10	2,650	S & P 500 DEPOSITARY RECEIPT	315,669		330,198	14,529	0
11-30-10	12-20-10	700	S & P 500 DEPOSITARY RECEIPT	83,384		87,298	3,913	0
12-03-10	12-20-10	900	S & P 500 DEPOSITARY RECEIPT	110,184		112,240	2,056	0
12-08-10	12-20-10	950	TIMKEN CO	44,547		45,673	1,125	0
11-29-10	12-20-10	900	TRW INC	42,585		48,389	5,804	0
12-08-10	12-20-10	500	DOMTAR CORP	41,003		38,139	-2,864	0
10-25-10	12-21-10	700	CNH GLOBAL N.V.	29,709		33,279	3,570	0
10-06-10	12-22-10	500	INGERSOLL-RAND CO CL A	18,861		23,487	4,627	0
12-08-10	12-22-10	800	TIMKEN CO	37,514		39,046	1,532	0
11-22-10	12-27-10	700	NATIONAL-OILWELL VARCO, INC.	42,675		45,396	2,720	0
08-31-10	12-28-10	2,150	VANGUARD EMERGING MARKETS	87,939		100,863	12,925	0
				3,640,439	**0**	**3,837,639**	**195,708**	**1,492**

Douglas J Hertz Family Foundation Inc
26-2792485
2010 Grants and Contributions Paid

01/25/10	The Breman Museum	Atlanta, GA	General Fund	1,000.00
05/10/10	Genesis Shelter	Atlanta, GA	Annual Support	1,000.00
05/10/10	American Jewish Committee	Atlanta, GA	Annual Support	5,000.00
05/10/10	Atlanta Baseball Foundation	Atlanta, GA	Annual Support	1,000.00
05/10/10	Piedmont Park Conservancy	Atlanta, GA	Capital campaign	15,000.00
07/01/10	Hillels of Georgia	Atlanta, GA	Pledge balance	17,500.00
07/01/10	Chastain Park Conservancy	Atlanta, GA	Annual support	1,000.00
07/01/10	Families First	Atlanta, GA	Annual support	2,000.00
07/01/10	The Temple	Atlanta, GA	Organ restoration	2,500 00
09/22/10	Emory University ADRC	Atlanta, GA	Annual support	2,500 00
09/22/10	Spelman College	Atlanta, GA	Annual support	1,000.00
09/22/10	Boys & Girls Clubs of Hilton Head	Hilton Head Isle, SC	Annual support	1,000.00
09/22/10	GA. Aquarium	Atlanta, GA	Annual support	1,000.00
12/06/10	Captain Planet Foundation	Atlanta, GA	Annual support	1,000.00
12/06/10	Cremins Basketball Enhancement Fund	Charleston, SC	Annual support	500.00
12/06/10	Road Safe America	Atlanta, GA	Annual support	1,000.00
12/06/10	Westminster Schools	Atlanta, GA	Annual support	2,000.00
12/17/10	Fernbank	Atlanta, GA	Annual support	2,500.00
12/17/10	ORT	Atlanta, GA	General Fund	10,000.00
12/17/10	Israel Project	Washington, DC	General Fund	2,500.00
12/17/10	Crohn's & Colitis Foundation	Atlanta, GA	General Fund	3,000.00
12/17/10	Bitsy Grant Tennis Foundation	Atlanta, GA	General Fund	1,000.00
12/17/10	Emory University ADRC	Atlanta, GA	Annual support	1,000.00
12/17/10	Foundation for Defense of Democracies	Washington, DC	Annual support	10,000.00
12/17/10	Park Pride	Atlanta, GA	General Fund	1,000.00
12/17/10	Atlanta Group Home	Atlanta, GA	General Fund	1,000.00
12/17/10	Leadership Atlanta	Atlanta, GA	General Fund	1,000.00
12/17/10	Volunteers in Medicine	Burlington, VT	General Fund	5,000.00
12/17/10	Anti Defamation League	Atlanta, GA	General Fund	5,000.00
12/22/10	Tulane University	New Orleans, LA	General Fund	400,000.00
				499,000.00

Form 990-PF Dividends and Interest from Securities Statement 1

Source	Gross Amount	Capital Gains Dividends	Column (A) Amount
SCHWAB - #1005	7,813.	3,975.	3,838.
Total to Fm 990-PF, Part I, ln 4	7,813.	3,975.	3,838.

Form 990-PF Other Expenses Statement 2

Description	(a) Expenses Per Books	(b) Net Invest-ment Income	(c) Adjusted Net Income	(d) Charitable Purposes
CHECK FEES	17.	0.	0.	17.
CHECK PRINTING CHARGES	154.	0.	0.	154.
To Form 990-PF, Pg 1, ln 23	171.	0.	0.	171.

Form 990-PF U.S. and State/City Government Obligations Statement 3

Description	U.S. Gov't	Other Gov't	Book Value	Fair Market Value
SEE ATTACHED STATEMENT		X	229,443.	241,749.
Total U.S. Government Obligations				
Total State and Municipal Government Obligations			229,443.	241,749.
Total to Form 990-PF, Part II, line 10a			229,443.	241,749.

Form 990-PF Corporate Stock Statement 4

Description	Book Value	Fair Market Value
SEE ATTACHED STATEMENT	1,233,890.	1,311,382.
Total to Form 990-PF, Part II, line 10b	1,233,890.	1,311,382.

Form 990-PF	Other Investments		Statement 5
Description	Valuation Method	Book Value	Fair Market Value
SEE ATTACHED STATEMENT	COST	1,336,545.	1,353,252.
Total to Form 990-PF, Part II, line 13		1,336,545.	1,353,252.

Form 990-PF	Other Assets		Statement 6
Description	Beginning of Yr Book Value	End of Year Book Value	Fair Market Value
CASH SURRENDER VALUE OF LIFE INSURANCE	0.	48,154.	48,154.
To Form 990-PF, Part II, line 15	0.	48,154.	48,154.

- 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 Hertz, Douglas J. Family Foundation	**Employer identification number** 26-2792485
File by the extended due date for filing your return See instructions	Number, street, and room or suite no If a P O box, see instructions 5500 United Dr. SE	
	City, town or post office, state, and ZIP code For a foreign address, see instructions Smyrna, GA 30082	

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.

- The books are in the care of ▶ Douglas Hertz 5500 United Dr. SE - Smyrna, GA 30052

Telephone No ▶ 678-305-2007 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
INFORMATION NEEDED TO PREPARE RETURN NOT 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**	$ 4,100.
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**	$ 4,100.
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 ▶

- 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.

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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
File by the extended due date for filing your return See instructions	Hertz, Douglas J. Family Foundation	26-2792485
	Number, street, and room or suite no If a P O box, see instructions 5500 United Dr. SE	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. Smyrna, GA 30082	

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.

- The books are in the care of ▶ Douglas Hertz 5500 United Dr. SE - Smyrna, GA 30052

Telephone No ▶ 678-305-2007 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 ________

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7 State in detail why you need the extension

INFORMATION NEEDED TO PREPARE RETURN NOT 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	$ 4,100.
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	$ 4,100.
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 ▶

023842
01-24-11