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

2010

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

For calendar year 2010, or tax year beginning , and ending

G Check all that apply: ☐ Initial return ☐ Initial return of a former public charity ☐ Final return
☐ Amended return ☐ Address change ☐ Name change

Name of foundation THE HAROLD & EVELYN R. DAVIS MEMORIAL FOUNDATION, INC.		A Employer identification number 31-1598507
Number and street (or P.O. box number if mail is not delivered to street address) C/O KERKERING, BARBERIO, P.O. BOX 49348	Room/suite	B Telephone number (781) 449-9146
City or town, state, and ZIP code SARASOTA, FL 34230		C If exemption application is pending, check here ☐
H Check type of organization: ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation		D 1. Foreign organizations, check here ☐ 2. Foreign organizations meeting the 85% test, check here and attach computation ☐
I Fair market value of all assets at end of year (from Part II, col (c), line 16) \$ 553,706.	J Accounting method: ☒ Cash ☐ Accrual ☐ Other (specify) _____	E If private foundation status was terminated under section 507(b)(1)(A), check here ☐
(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)
1 Contributions, gifts, grants, etc., received				N/A	
2 Check ☒ if the foundation is not required to attach Sch. B					
3 Interest on savings and temporary cash investments		4,633.	4,633.		STATEMENT 1
4 Dividends and interest from securities		7,634.	7,634.		STATEMENT 2
5a Gross rents					
b Net rental income or (loss)					
6a Net gain or (loss) from sale of assets not on line 10		16,316.			
b Gross sales price for all assets on line 6a 309,206.					
7 Capital gain net income (from Part IV, line 2)			16,316.		
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		28,583.	28,583.		
13 Compensation of officers, directors, trustees, etc.		0.	0.		0.
14 Other employee salaries and wages					
15 Pension plans, employee benefits					
16a Legal fees					
b Accounting fees STMT 3		1,240.	0.		1,240.
c Other professional fees					
17 Interest					
18 Taxes STMT 4		54.	54.		0.
19 Depreciation and depletion					
20 Occupancy					
21 Travel, conferences, and meetings					
22 Printing and publications					
23 Other expenses STMT 5		6,139.	5,198.		941.
24 Total operating and administrative expenses. Add lines 13 through 23		7,528.	5,252.		2,181.
25 Contributions, gifts, grants paid		23,000.			23,000.
26 Total expenses and disbursements. Add lines 24 and 25		30,528.	5,252.		25,181.
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements		-1,945.			
b Net investment income (if negative, enter -0-)			23,331.		
c Adjusted net income (if negative, enter -0-)				N/A	

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MEMORIAL FOUNDATION, INC.**

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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		1.	1.
	2 Savings and temporary cash investments	94,695.	68,424.	68,424.
	3 Accounts receivable ▶			
	Less: allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less: allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less: allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U.S. and state government obligations			
	b Investments - corporate stock STMT 6	412,944.	437,269.	485,281.
	c Investments - corporate bonds			
11 Investments - land, buildings, and equipment: basis ▶				
Less: accumulated depreciation ▶				
12 Investments - mortgage loans				
13 Investments - other				
14 Land, buildings, and equipment: basis ▶				
Less: accumulated depreciation ▶				
15 Other assets (describe ▶)				
16 Total assets (to be completed by all filers)	507,639.	505,694.	553,706.	
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 ▶ ☐			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☒			
	27 Capital stock, trust principal, or current funds	0.	0.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.	
29 Retained earnings, accumulated income, endowment, or other funds	507,639.	505,694.		
30 Total net assets or fund balances	507,639.	505,694.		
31 Total liabilities and net assets/fund balances	507,639.	505,694.		

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	507,639.
2 Enter amount from Part I, line 27a	2	-1,945.
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	505,694.
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	505,694.

**THE HAROLD & EVELYN R. DAVIS
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Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.)	(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a SEE ATTACHED	P	VARIOUS	VARIOUS
b SEE ATTACHED	P	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 166,244.		158,872.	7,372.
b 142,845.		134,018.	8,827.
c 117.			117.
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
(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	
a			7,372.
b			8,827.
c			117.
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	16,316.
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	29,802.	492,777.	.060478
2008	31,116.	600,419.	.051824
2007	33,011.	685,687.	.048143
2006	30,799.	640,668.	.048073
2005	31,407.	614,225.	.051133

2 Total of line 1, column (d)	2	.259651
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	.051930
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5	4	517,396.
5 Multiply line 4 by line 3	5	26,868.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	233.
7 Add lines 5 and 6	7	27,101.
8 Enter qualifying distributions from Part XII, line 4	8	25,181.

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.

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

1a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☐ and enter 1% of Part I, line 27b		1	467.
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	467.
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	467.
6 Credits/Payments:			
a 2010 estimated tax payments and 2009 overpayment credited to 2010	6a		
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		0.
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		467.
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
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities		X
c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. ☐ \$ 0. (2) On foundation managers. ☐ \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ☐ \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ☐ FL		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2010 or the taxable year beginning in 2010 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

N/A

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Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	X	
Website address ► <u>N/A</u>				
14	The books are in care of ► <u>KENNETH E. DAVIS</u> Telephone no. ► <u>(781) 449-9146</u>			
Located at ► <u>28 MARY CHILTON RD., NEEDHAM, MA</u>		ZIP+4 ► <u>02192</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	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 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 ►				X

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

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

		Yes	No
1a	During the year did the foundation (either directly or indirectly):		
(1)	Engage in the sale or exchange, or leasing of property with a disqualified person?	☐ Yes ☒ No	
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No	
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes ☒ No	
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes ☒ No	
(5)	Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes ☒ No	
(6)	Agree to pay money or property to a government official? (Exception Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)	☐ Yes ☒ No	
b	If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here	N/A	1b
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2010?		1c
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)):		
a	At the end of tax year 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
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

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

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

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

N/A

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

6b

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

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
KENNETH E. DAVIS	SECRETARY/TREAS/DIRECTOR			
28 MARY CHILTON RD.				
NEEDHAM, MA 02492	1.00	0.	0.	0.
RICHARD P. DAVIS	PRESIDENT & DIRECTOR			
P.O. BOX 26034				
KNOXVILLE, TN 37912	1.00	0.	0.	0.
MARCY E. DAVIS	VICE PRESIDENT/DIRECTOR			
105 W. 13TH ST, #12A				
NEW YORK, NY 10011	1.00	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
NONE				

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

0

Form 990-PF (2010)

**THE HAROLD & EVELYN R. DAVIS
MEMORIAL FOUNDATION, INC.**

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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	450,781.
b	Average of monthly cash balances	1b	74,494.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	525,275.
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	525,275.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	7,879.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	517,396.
6	Minimum investment return. Enter 5% of line 5	6	25,870.

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	25,870.
2a	Tax on investment income for 2010 from Part VI, line 5	2a	467.
b	Income tax for 2010. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	467.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	25,403.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	25,403.
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	25,403.

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	25,181.
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	25,181.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	0.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	25,181.

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

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Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7				25,403.
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only			22,792.	
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2010:				
a From 2005				
b From 2006				
c From 2007				
d From 2008				
e From 2009				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2010 from Part XII, line 4: ▶ \$ 25,181.				
a Applied to 2009, but not more than line 2a			22,792.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2010 distributable amount				2,389.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2010 (If an amount appears in column (d), the same amount must be shown in column (a))	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	0.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2009. Subtract line 4a from line 2a. Taxable amount - see instr.			0.	
f Undistributed income for 2010. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2011				23,014.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2005 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9:				
a Excess from 2006				
b Excess from 2007				
c Excess from 2008				
d Excess from 2009				
e Excess from 2010				

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	(e) Total
	(a) 2010	(b) 2009	(c) 2008	(d) 2007		
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 ☒ 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:

**THE HAROLD & EVELYN R. DAVIS
MEMORIAL FOUNDATION, INC.**

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				
JAZZ CLUB OF SARASOTA 330 S. PINEAPPLE AVE. #111 SARASOTA, FL 34236	NONE	509(A)(2)	GENERAL	5,000.
TIDEWELL HOSPICE & PALLIATIVE CARE 5955 RAND BLVD. SARASOTA, FL 34238	NONE	509(A)(1)	GENERAL	10,000.
KNOXVILLE JAZZ FESTIVAL 500 W. CHURCH AVE KNOXVILLE, TN 37902	NONE	PUBLIC LIBRARY, LOCAL GOV	GENERAL	5,000.
KNOXVILLE CHORAL SOCIETY P.O. BOX 1086 KNOXVILLE, TN 37901	NONE	509(A)(1)	GENERAL	3,000.
Total			▶ 3a	23,000.
b Approved for future payment				
NONE				
Total			▶ 3b	0.

Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income
(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount	
		14	4,633.	
		14	7,634.	
		18	16,316.	
	0.		28,583.	0.

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).
--------------	---

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. | | |

[illegible]

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

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

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

**Sign
Here**

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

✓ Kenneth E Daws (Treasurer) ✓ 4-7-11
Signature of officer or trustee Date

► Treasurer
Title

**Paid
Preparer
Use Only**

Print/Type preparer's name	
----------------------------	--

CHARLES R. BAUMANN

Preparer's signature

W. W. W. W. W.

Date _____

2.28.4

Check ☐ if

self- employed

PTIN

Firm's name ► **KERKERING, BARBERIO & CO.**

Firm's EIN ►

Firm's address ► P.O. BOX 49348

Phone no.	941-365-4617
-----------	--------------

SARASOTA, FL 34230-6348

ACCOUNT NUMBER: 2438232

DECEMBER 01, 2010 TO DECEMBER 31, 2010

Statement of Principal Investment Position

DESCRIPTION	TICKER	SHARES	TOTAL MARKET/ COST	PRICE/ COST	EST ANNUAL INCOME/ ACCRUED INC	CURRENT YIELD
CASH AND EQUIVALENTS						
FEDERATED PRIME CASH OBLIGATIONS FUND #857	PCCXX	64,815.010	64,815.01 64,815.01	1.00 1.00	58.33 4.86	0.00
* TOTAL CASH AND EQUIVALENTS			64,815.01 64,815.01		58.33 4.86	0.00
EQUITY						
CONSUMER DISCRETIONARY						
COACH, INC.	COH	78,000	4,314.18 2,563.86	55.31 32.87	46.80 15.00	1.08
FAMILY DOLLAR STORES	FDO	98,000	4,871.58 4,196.56	49.71 42.82	60.76 15.19	1.25
FORD MOTOR CO	F	365,000	6,128.35 4,345.62	16.79 11.91	73.00	1.19
OMNICOM GROUP	OMC	110,000	5,038.00 4,597.53	45.80 41.80	88.00 22.00	1.75
PRICELINE COM INC	PCLN	9,000	3,595.95 1,774.69	399.55 197.19		
TIFFANY AND COMPANY	TIF	71,000	4,421.17 3,118.86	62.27 43.93	71.00 17.75	1.61
** TOTAL CONSUMER DISCRETIONARY			SUB-TOTAL 28,369.23 20,597.11		339.56 70.54	1.20
CONSUMER STAPLES						
CVS CORP	CVS	192,000	6,675.84 6,218.92	34.77 32.39	67.20	1.01
COLGATE PALMOLIVE CO	CL	60,000	4,822.20 4,088.37	80.37 68.14	127.20	2.64
PEPSICO INC	PEP	102,000	6,063.66 6,062.51	65.33 59.44	195.84 48.96	2.94
PHILIP MORRIS INTL INC	PM	102,000	5,970.06 5,092.43	58.53 49.93	261.12 65.28	4.37
WAL-MART STORES INC	WMT	102,000	5,500.86 5,637.91	53.93 55.27	123.42 30.86	2.24
** TOTAL CONSUMER STAPLES			SUB-TOTAL 29,632.62 28,000.14		774.78 145.10	2.61
ENERGY						
APACHE CORP	APA	52,000	6,199.96 5,597.37	119.23 107.64	31.20	0.50
CHEVRON CORP	CVX	115,000	10,493.75 9,288.11	91.25 80.77	331.20	3.16
HALLIBURTON CO	HAL	227,000	9,268.41 7,219.16	40.83 31.80	81.72	0.88

ACCOUNT NUMBER 2438232

DECEMBER 01 2010 TO DECEMBER 31 2010

Statement of Principal Investment Position (CONTINUED)

DESCRIPTION	TICKER	SHARES	TOTAL MARKET/ TOTAL COST	MARKET PRICE/ COST PRICE	EST ANNUAL INCOME/ ACCRUED INC	CURRENT YIELD
ENERGY						
OCCIDENTAL PETROLEUM CORP	OXY	81.000	7,946.10 6,389.72	98.10 78.80	123.12 30.78	1.56
WEATHERFORD INTL LTD NEW	WFT	389.000	8,863.20 7,531.83	22.80 19.36		
** TOTAL ENERGY		SUB-TOTAL	42,777.42 36,026.24		567.24 30.78	1.33
FINANCIALS						
AMERIPRISE FINANCIAL INC	AMP	118.000	6,790.90 5,503.38	57.55 47.40	84.96	1.25
BANK AMERICA CORP	BAC	572.000	7,630.48 11,099.78	13.34 20.98	22.88	0.30
GOLDMAN SACHS GROUP	GS	32.000	5,381.12 4,729.92	168.16 147.81	44.80	0.83
J P MORGAN CHASE & CO	JPM	252.000	10,689.84 10,438.28	42.42 41.42	50.40	0.47
JONES LANG LASALLE INC	JLL	55.000	4,615.60 3,506.55	83.92 63.76	11.00	0.24
METLIFE INC.	MET	138.000	6,132.72 5,611.18	44.44 40.66	102.12	1.67
PRUDENTIAL FINANCIAL	PRU	103.000	6,047.13 5,709.14	58.71 55.43	118.45	1.96
ZIONS BANCORP	ZION	169.000	4,094.87 4,518.39	24.23 26.74	6.76	0.17
** TOTAL FINANCIALS		SUB-TOTAL	51,382.66 52,106.62		441.37 0.00	0.86
HEALTH CARE						
ABBOTT LABORATORIES INC	ABT	110.000	5,270.10 5,725.20	47.91 52.05	193.60	3.67
CELGENE CORPORATION	CELG	80.000	4,731.20 4,546.85	59.14 56.84		
MEDCO HEALTH SOL	MHS	59.000	3,614.93 3,551.01	61.27 60.19		
TALECRIS BIOTHERAPEU	TLCR	122.000	2,842.00 2,027.01	23.30 16.61		
TEVA PHARMACEUTICAL ADR	TEVA	103.000	5,369.39 4,878.44	52.13 47.36	68.70	1.28
UNITEDHEALTH GROUP, INC.	UNH	122.000	4,405.42 3,687.10	36.11 31.86	61.00	1.38
COVIDIEN PLC F	COV	112.000	5,113.92 4,439.91	45.66 39.64	89.60	1.75
** TOTAL HEALTH CARE		SUB-TOTAL	31,347.56 29,055.55		412.90 0.00	1.32

ACCOUNT NUMBER: 2438232

DECEMBER 01 2010 TO DECEMBER 31, 2010

Statement of Principal Investment Position (CONTINUED)

DESCRIPTION	TICKER	SHARES	TOTAL TOTAL COST	MARKET PRICE/ COST PRICE	EST ANNUAL INCOME/ ACCRUED INC	CURRENT YIELD
INDUSTRIALS						
DEERE & CO	DE	60 000	4,983.00 2,616.07	83.05 43.60	84.00 21.00	1.60
GENERAL ELEC CO	GE	497 000	9,090.13 8,150.01	18.29 16.42	278.32 69.58	3.06
TEXTRON INC OK	TXT	206 000	4,869.84 4,407.08	23.64 21.39	16.48 4.12	0.34
UNITED PARCEL SERVICE	UPS	83 000	6,024.14 5,621.74	72.58 67.73	156.04	2.50
UNITED TECHNOLOGIES CORP	UTX	123 000	9,682.56 8,412.99	78.72 68.40	209.10	2.16
** TOTAL INDUSTRIALS		SUB-TOTAL	34,649.67 29,216.92		743.94 94.70	2.15
INFORMATION TECHNOLOGY						
ANALOG DEVICES	ADI	121.000	4,558.07 3,616.96	37.67 29.89	106.48	2.31
APPLE	AAPL	38.000	12,257.28 7,127.16	322.56 187.56		
CISCO SYSTEMS INC	CSCO	230 000	4,652.90 4,767.81	20.23 20.73		
E M C CORP	EMC	376 000	8,610.40 7,925.11	22.90 21.08		
GOOGLE INC	GOOG	7.000	4,157.79 3,390.37	593.97 484.34		
I B M CORP	IBM	57 000	8,365.32 7,399.22	146.76 129.81	148.20	1.77
MICROSOFT	MSFT	258.000	7,200.78 6,121.93	27.91 23.73	165.12	2.29
ORACLE CORPORATION	ORCL	199.000	6,228.70 4,575.87	31.30 22.99	39.80	0.61
QUALCOMM INC	OCOM	103 000	5,097.47 4,141.83	49.49 40.21	78.28	1.51
** TOTAL INFORMATION TECHNOLOGY		SUB-TOTAL	61,128.71 49,066.26		537.88 0.00	0.88
MATERIALS						
FREEMONT-MCMORAN	FCX	52 000	6,244.68 3,854.43	120.09 74.12	104.00	1.67
NEWMONT MINING CO	NEM	115.000	7,064.45 5,674.35	61.43 49.31	69.00	0.98
THOMPSON CREEK METALS CO INC	TC	136.000	2,001.92 1,407.08	14.72 10.35		
** TOTAL MATERIALS		SUB-TOTAL	15,311.05 10,935.86		173.00 0.00	1.13

ACCOUNT STATEMENT

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ACCOUNT NUMBER: 2438232

DECEMBER 01 2010 TO DECEMBER 31, 2010

Statement of Principal Investment Position (CONTINUED)

DESCRIPTION	TICKER	SHARES	TOTAL MARKET/ TOTAL COST	MARKET PRICE/ COST PRICE	EST ANNUAL INCOME/ ACCRUED INC	CURRENT YIELD
TELECOMMUNICATIONS						
VERIZON COMMUNICATIONS INC	VZ	180 000	6,440.40 5,628.57	35 78 31 27	351 00	5.45
** TOTAL TELECOMMUNICATIONS		SUB-TOTAL	6,440.40 5,628.57		351.00 0 00	5.45
UTILITIES						
EXELON CORP	EXC	117 000	4,871.88 5,491.34	41 64 46 93	245 70	5.04
SOUTHERN CO	SO	132 000	5,046.36 4,496.16	38 23 34 06	240.24	4.76
** TOTAL UTILITIES		SUB-TOTAL	9,918.24 9,987.50		485.94 0 00	4.90
MISCELLANEOUS						
I SHARES S & P MIDCAP 400	IJH	121 000	10,973.49 10,042.75	90 69 83 00	115 80	1.06
VANGUARD EMERGING MARKETS ETF	VVO	538.000	25,902.55 22,641.32	48 15 42 08	438 47	1.69
** TOTAL MISCELLANEOUS		SUB-TOTAL	36,876.04 32,684.07		554.27 0.00	1.50
* TOTAL EQUITY			347,833.60 303,304.84		5,381.88 341.12	1.55
FIXED INCOME						
FEDERAL FARM CREDIT BANKS 5.45% 12/11/2013		25,000 000	28,113.00 25,641.50	112 45 102 57	1,362.50 75 69	4.85
FHLB 6% 05/13/2011		30 000 000	30,618.30 31,224.30	102 06 104 08	1,800 00 230 00	5.88
I SHARES BARCLAYS 1-3 YR CREDIT BOND FUND	CSJ	320 000	33,369.60 33,406.11	104 28 104 39	828 16 57.63	2.48
SPDR BARCLAYS HIGH YIELD	JNK	479 000	19,021.09 17,972.17	39 71 37 52	1,777.57 434.07	9.35
TARGET CORP 5.875% 03/01/2012		25 000 000	26,325.50 25,719.75	105 30 102 88	1,408.75 489.58	5.58
* TOTAL FIXED INCOME			137,447.49 133,963.83		7,236.98 1,286.97	5.27
TOTAL PRINCIPAL ASSETS			550,096.10 502,083.68		12,677.19 1,632.95	2.30

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ACCOUNT STATEMENT

PAGE 6

ACCOUNT NUMBER: 2438232

DECEMBER 01, 2010 TO DECEMBER 31, 2010

Statement of Income Investment Position

DESCRIPTION	TICKER	SHARES	TOTAL MARKET/ TOTAL COST	MARKET PRICE/ COST PRICE	EST ANNUAL INCOME/ ACCRUED INC	CURRENT YIELD
CASH AND EQUIVALENTS						
FEDERATED PRIME CASH OBLIGATIONS FUND #857	PCCXX	3,608.920	3,608.92 3,608.92	1.00 1.00	3.25 0.27	0.09
* TOTAL CASH AND EQUIVALENTS			3,608.92 3,608.92		3.25 0.27	0.09
TOTAL INCOME ASSETS			3,608.92 3,608.92		3.25 0.27	0.09

Account Activity Detail

DATE	DESCRIPTION	PRINCIPAL CASH	INCOME CASH	COST	GAIN / LOSS
BEGINNING BALANCE		0.00	0.00	521,002.43	
INCOME					
DIVIDEND					
12/01/10	DIVIDEND ON 225 SHS INTEL CORP AT .1575 PER SHARE PAYABLE 12/01/2010 EX DATE 11/03/2010		35.44		
12/01/10	DIVIDEND ON 63 SHS UNITED PARCEL SERVICE AT 0.47 PER SHARE PAYABLE 12/01/2010 EX DATE 11/10/2010		29.61		
12/06/10	DIVIDEND ON 132 SHS SOUTHERN CO AT .455 PER SHARE PAYABLE 12/06/2010 EX DATE 10/28/2010		60.06		
12/06/10	DIVIDEND ON 103 SHS TEVA PHARMACEUTICAL ADR AT .1901166 PER SHARE PAYABLE 12/06/2010 EX DATE 11/08/2010		19.58		
12/06/10	FOREIGN TAX WITHHELD ON TEVA PHARMACEUTICAL ADR		1.76-		
12/07/10	DIVIDEND ON 320 SHS I SHARES BARCLAYS 1-3 YR CREDIT BOND FUND AT .191388 PER SHARE PAYABLE 12/07/2010 EX DATE 12/01/2010		61.24		
12/09/10	DIVIDEND ON 258 SHS MICROSOFT AT 0.16 PER SHARE PAYABLE 12/09/2010 EX DATE 11/16/2010		41.28		
12/09/10	DIVIDEND ON 479 SHS SPDR BARCLAYS HIGH YIELD AT .278767 PER SHARE PAYABLE 12/09/2010 EX DATE 12/01/2010		133.53		

11/10/2010 11:33:35 3 5 003 MON-DEC-10 04:00:03.80

HAROLD & EVELYN DAVIS MEMORIAL FOUNDATION
31-1598507
2010 Tax Information Statement

Page 7 of 25

Payer's Name and Address:
EASTERN BANK
605 BROADWAY LF 42
SAUGUS, MA 01906

Account Number: 2438232
Recipient's Tax ID Number: XX-XXX8507
Payer's Federal ID Number: 04-1655082
Questions? (617)897-1160
☐ Corrected ☐ 2nd TIN notice

Recipient's Name and Address:
HAROLD & EVELYN DAVIS MEM FDN
C/O KERKERING BARBERIO & CO
1990 MAIN STREET, SUITE 801
SARASOTA, FL 34236

2010 Form 1099-B: Proceeds from Broker and Barter Exchange Transactions

OMB No. 1545-0715

Reported to the IRS are Gross Proceeds less commissions and option premiums.

Number of shares	CUSIP	Description	Date Acquired	Date of Sale	Stocks Bonds, etc.	Cost or other Basis	Net Gain or Loss	Federal Income Tax Withheld
(Box 1b)	(Box 7)			(Box 1a)	(Box 2)			(Box 4)
Short Term Sales Reported on 1099-B								
15.0000	00206R102	A T & T INC	01/15/2010	09/16/2010	417.27	387.89	29.38	0.00
112.0000	000375204	ABB LTD ADR	03/13/2009	01/15/2010	2,231.11	1,496.43	734.68	0.00
95.0000	020002101	ALLSTATE CORP	06/02/2009	01/15/2010	2,920.91	2,529.35	391.56	0.00
2.0000	031162100	AMGEN INC	05/13/2009	01/15/2010	112.18	87.34	14.84	0.00
50.0000	032854105	ANALOG DEVICES	12/01/2009	09/18/2010	1,445.00	1,519.45	-74.45	0.00
6.0000	037833100	APPLE	03/19/2009	03/15/2010	1,330.64	609.43	721.21	0.00
1.0000	09247X101	BLACKROCK INC.	09/24/2009	01/15/2010	238.16	205.50	32.66	0.00
25.0000	09247X101	BLACKROCK INC.	VARIOUS	09/16/2010	4,053.54	4,985.36	-931.82	0.00
27.0000	G16982105	BUNGE LIMITED	VARIOUS	07/30/2010	1,304.16	1,674.17	-370.01	0.00
19.0000	151020104	CELGENE CORPORATION	12/04/2009	05/27/2010	1,001.04	1,058.22	-57.18	0.00
20.0000	231021106	CUMMINS INC	06/30/2009	03/02/2010	1,182.64	794.10	488.54	0.00
13.0000	231021106	CUMMINS INC	05/14/2010	07/08/2010	880.30	928.93	-48.63	0.00
4.0000	244199105	DEERE & CO	05/01/2009	01/15/2010	224.62	170.18	54.44	0.00
51.0000	31428X106	FEDEX CORPORATION	VARIOUS	09/16/2010	4,190.31	4,457.94	-267.63	0.00
115.0000	345370860	FORD MOTOR CO	01/15/2010	11/30/2010	1,822.64	1,338.87	483.77	0.00
45.0000	428236103	HEWLETT-PACKARD CO	04/03/2009	01/15/2010	2,361.86	1,543.32	818.54	0.00

This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.

HAROLD & EVELYN DAVIS MEMORIAL FOUNDATION
31-1598507
2010 Tax Information Statement

Page 8 of 25

Payer's Name and Address:
EASTERN BANK
605 BROADWAY LF 42
SAUGUS, MA 01906

Account Number: 2438232
Recipient's Tax ID Number: XX-XXX8507
Payer's Federal ID Number: 04-1655082
Questions? (617)897-1160
☐ Corrected ☐ 2nd TIN notice

Recipient's Name and Address:
HAROLD & EVELYN DAVIS MEM FDN
C/O KERKERING BARBERIO & CO
1990 MAIN STREET, SUITE 801
SARASOTA, FL 34236

Number of shares	CUSIP	Description	Date Acquired	Date of Sale	Stocks Bonds, etc.	Cost or other Basis	Net Gain or Loss	Federal Income Tax Withheld
(Box 1b)	(Box 7)			(Box 1a)	(Box 2)			(Box 4)
96.0000	428238103	HEWLETT-PACKARD CO	VARIOUS	09/16/2010	3,836.53	4,526.58	-690.05	0.00
117.0000	464288646	1 SHARES BARCLAYS 1-3 YR CREDIT BOND FU	VARIOUS	01/15/2010	12,221.76	12,198.48	23.28	0.00
167.0000	464287465	1 SHARES MSCI EAFE INDEX FUND	VARIOUS	04/29/2010	9,198.69	9,438.87	-240.18	0.00
317.0000	464287465	1 SHARES MSCI EAFE INDEX FUND	VARIOUS	05/05/2010	16,344.25	18,032.14	-1,687.89	0.00
413.0000	464287234	1 SHARES MSCI EMERGING MKT INDEX	VARIOUS	01/15/2010	17,288.39	14,633.49	2,654.90	0.00
150.0000	458140100	INTEL CORP	VARIOUS	11/30/2010	3,164.43	3,122.18	42.25	0.00
9.0000	450688109	ITT EDUCATIONAL SERVICES	07/10/2009	01/15/2010	900.79	807.07	93.72	0.00
28.0000	450688109	ITT EDUCATIONAL SERVICES	VARIOUS	02/09/2010	2,623.78	2,525.82	97.96	0.00
35.0000	478160104	JOHNSON & JOHNSON	05/13/2009	03/02/2010	2,223.38	1,939.37	284.01	0.00
2.0000	48020Q107	JONES LANG LASALLE INC	12/07/2009	01/15/2010	116.89	108.96	7.93	0.00
10.0000	48020Q107	JONES LANG LASALLE INC	12/07/2009	04/20/2010	787.22	544.82	222.40	0.00
4.0000	48020Q107	JONES LANG LASALLE INC	12/07/2009	09/16/2010	323.31	217.93	105.38	0.00
12.0000	500255104	KOHL'S CORP	06/02/2009	01/15/2010	619.24	567.77	51.47	0.00
28.0000	500255104	KOHL'S CORP	03/31/2010	09/16/2010	1,399.31	1,530.02	-130.71	0.00
2.0000	539830109	LOCKHEED MARTIN CORP	05/13/2009	03/08/2010	162.53	160.40	2.13	0.00
115.0000	580037109	MCDERMOTT INTERNATIONAL	01/15/2010	05/27/2010	2,633.19	2,832.46	-199.27	0.00
42.0000	58405U102	MEDCO HEALTH SOL	11/30/2009	09/16/2010	1,972.80	2,652.13	-679.23	0.00
39.0000	61166W101	MONSANTO CO	10/30/2009	05/11/2010	2,265.32	2,634.54	-369.22	0.00
163.0000	617446448	MORGAN STANLEY	VARIOUS	04/01/2010	4,804.94	4,101.32	703.62	0.00

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HAROLD & EVELYN DAVIS MEMORIAL FOUNDATION
31-1598507
2010 Tax Information Statement

Page 9 of 25

Payer's Name and Address:
EASTERN BANK
605 BROADWAY LF 42
SAUGUS, MA 01906

Account Number: 2438232
Recipient's Tax ID Number: XX-XXX8507
Payer's Federal ID Number: 04-1655082
Questions? (617)897-1160
☐ Corrected ☐ 2nd TIN notice

Recipient's Name and Address:
HAROLD & EVELYN DAVIS MEM FDN
C/O KERKERING BARBERIO & CO
1990 MAIN STREET, SUITE 801
SARASOTA, FL 34236

Number of shares	CUSIP	Description	Date Acquired	Date of Sale	Stocks Bonds, etc.	Cost or other Basis	Net Gain or Loss	Federal Income Tax Withheld
(Box 1b)	(Box 7)			(Box 1a)	(Box 2)			(Box 4)
16.0000	64110L106	NETFLIX, INC.	01/15/2010	03/15/2010	1,112.42	818.35	294.07	0.00
41.0000	64110L106	NETFLIX, INC.	01/15/2010	04/21/2010	3,582.06	2,097.01	1,485.05	0.00
85.0000	670704105	NUVASIVE	09/18/2010	11/02/2010	2,105.67	2,770.38	-664.71	0.00
66.0000	675232102	OCEANEERING INTL INC	09/18/2010	10/29/2010	4,059.12	3,506.07	553.05	0.00
162.0000	717081103	PFIZER INC	03/03/2010	04/20/2010	2,709.35	2,810.70	-101.35	0.00
9.0000	718172109	PHILIP MORRIS INTL INC	04/22/2010	09/16/2010	493.75	458.34	35.41	0.00
34.0000	718172109	PHILIP MORRIS INTL INC	04/22/2010	11/04/2010	2,059.67	1,731.49	328.18	0.00
6.0000	741503403	PRICELINE.COM INC	VARIQUS	08/05/2010	1,713.78	982.80	730.98	0.00
1.0000	741503403	PRICELINE.COM INC	09/29/2009	09/16/2010	328.12	166.06	162.06	0.00
1.0000	751028101	RALCORP HOLDINGS INC. NEW	05/13/2009	04/22/2010	67.49	62.01	5.48	0.00
2.0000	790848103	ST JUDE MEDICAL INCORPORATED	01/15/2010	05/26/2010	74.47	76.88	-2.42	0.00
82.0000	857477103	STATE STREET CORP	VARIQUS	08/01/2010	3,084.78	4,230.84	-1,146.06	0.00
191.0000	871503108	SYMANTEC CORP	01/15/2010	05/21/2010	2,795.91	3,579.61	-783.70	0.00
122.0000	874227101	TALECRIS BIOTHERAPEU	05/26/2010	08/10/2010	2,698.26	2,027.01	669.25	0.00
13.0000	874227101	TALECRIS BIOTHERAPEU	05/26/2010	09/16/2010	300.18	215.99	84.19	0.00
379.0000	879864100	TELLABS INC	03/18/2010	09/16/2010	2,834.30	2,906.81	-72.51	0.00
23.0000	88076W103	TERADATA CORP INC	01/15/2010	09/24/2010	758.82	692.66	66.16	0.00
45.0000	88076W103	TERADATA CORP INC	01/15/2010	09/16/2010	1,552.43	1,355.20	197.23	0.00
83.0000	88076W103	TERADATA CORP INC	01/15/2010	10/22/2010	3,180.07	2,499.58	680.49	0.00

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HAROLD & EVELYN DAVIS MEMORIAL FOUNDATION
31-1598507
2010 Tax Information Statement

Page 10 of 25

Payer's Name and Address:
EASTERN BANK
605 BROADWAY LF 42
SAUGUS, MA 01906

Account Number: 2438232
Recipient's Tax ID Number: XX-XXX8507
Payer's Federal ID Number: 04-1655082
Questions? (617)897-1160
☐ Corrected ☐ 2nd TIN notice

Recipient's Name and Address:
HAROLD & EVELYN DAVIS MEM FDN
C/O KERKERING BARBERIO & CO
1990 MAIN STREET, SUITE 801
SARASOTA, FL 34236

Number of shares	CUSIP	Description	Date Acquired	Date of Sale	Stocks Bonds, etc.	Cost or other Basis	Net Gain or Loss	Federal Income Tax Withheld
(Box 1b)	(Box 7)			(Box 1e)	(Box 2)			(Box 4)
25.0000	886547108	TIFFANY AND COMPANY	09/16/2010	12/01/2010	1,569.43	1,098.19	471.24	0.00
28.0000	91324P102	UNITEDHEALTH GROUP, INC.	01/15/2010	09/16/2010	955.43	942.33	12.10	0.00
85.0000	922042858	VANGUARD EMERGING MARKETS ETF	01/15/2010	09/16/2010	2,830.22	2,714.20	116.02	0.00
93.0000	92343V104	VERIZON COMMUNICATIONS INC	09/16/2010	10/25/2010	3,021.89	2,908.09	113.80	0.00
172.0000	949746101	WELLS FARGO & CO	VARIOUS	04/15/2010	5,748.52	4,892.26	856.26	0.00
181.0000	959802109	WESTERN UNION COMPANY	VARIOUS	03/16/2010	2,950.98	3,429.20	-478.22	0.00
108.0000	98385X106	XTO ENERGY INC	VARIOUS	01/15/2010	5,095.37	3,618.51	1,476.86	0.00
Total Short Term Sales Reported on 1099-B					168,243.80	158,872.21	7,371.59	0.00
Long Term 15% Sales Reported on 1099-B								
122.0000	00206R102	A T & T INC	VARIOUS	09/16/2010	3,393.80	3,188.09	205.71	0.00
28.0000	000375204	ABB LTD ADR	09/22/2008	01/15/2010	557.78	603.63	-45.85	0.00
55.0000	002824100	ABBOTT LABORATORIES INC	12/17/2008	09/16/2010	2,838.54	2,870.45	-31.91	0.00
58.0000	031162100	AMGEN INC	VARIOUS	01/15/2010	3,253.24	4,329.46	-1,076.22	0.00
8.0000	037411105	APACHE CORP	02/13/2008	09/16/2010	751.92	862.36	-110.44	0.00
9.0000	037833100	APPLE	03/19/2009	10/22/2010	2,770.26	814.15	1,856.11	0.00
33.0000	060505104	BANK AMERICA CORP	07/07/2004	01/15/2010	538.59	1,395.57	-856.98	0.00
145.0000	080505104	BANK AMERICA CORP	VARIOUS	09/16/2010	1,959.85	5,481.24	-3,521.39	0.00
8.0000	097023105	BOEING CO	12/17/2008	01/15/2010	363.16	247.50	115.66	0.00
21.0000	097023105	BOEING CO	12/17/2008	02/11/2010	1,272.05	886.25	385.80	0.00

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HAROLD & EVELYN DAVIS MEMORIAL FOUNDATION
31-1598507
2010 Tax Information Statement

Page 11 of 25

Payer's Name and Address:
EASTERN BANK
605 BROADWAY LF 42
SAUGUS, MA 01908

Account Number: 2438232
Recipient's Tax ID Number: XX-XXX8507
Payer's Federal ID Number: 04-1655082
Questions? (617)897-1160
☐ Corrected ☐ 2nd TIN notice

Recipient's Name and Address:
HAROLD & EVELYN DAVIS MEM FDN
C/O KERKERING BARBERIO & CO
1990 MAIN STREET, SUITE 801
SARASOTA, FL 34236

Number of shares	CUSIP	Description	Date Acquired	Date of Sale	Stocks Bonds, etc.	Cost or other Basis	Net Gain or Loss	Federal Income Tax Withheld
(Box 1b)	(Box 7)			(Box 1a)	(Box 2)			(Box 4)
25.0000	097023105	BOEING CO	12/17/2008	03/30/2010	1,838.60	1,031.25	807.35	0.00
78.0000	097023105	BOEING CO	VARIOUS	09/16/2010	4,911.28	2,970.76	1,940.52	0.00
62.0000	018962105	BUNGE LIMITED	VARIOUS	07/30/2010	2,994.73	4,957.27	-1,962.54	0.00
44.0000	172758102	CISCO SYSTEMS INC	VARIOUS	01/15/2010	1,073.15	936.70	136.45	0.00
29.0000	189754104	COACH, INC.	02/22/2008	01/15/2010	1,068.51	854.52	213.99	0.00
30.0000	189754104	COACH, INC.	02/22/2008	09/16/2010	1,231.41	883.98	347.43	0.00
26.0000	189754104	COACH, INC.	VARIOUS	12/01/2010	1,477.72	798.03	679.69	0.00
48.0000	231021108	CUMMINS INC	06/30/2009	07/08/2010	3,250.35	1,889.84	1,560.51	0.00
55.0000	126650100	CVS CORP.	11/06/2008	01/08/2010	1,887.77	1,623.92	243.85	0.00
28.0000	126650100	CVS CORP.	11/06/2008	04/22/2010	1,030.68	826.73	203.95	0.00
31.0000	235851102	DANAHER CORP	VARIOUS	09/16/2010	1,243.38	808.28	435.10	0.00
105.0000	235851102	DANAHER CORP	VARIOUS	11/12/2010	4,566.84	2,811.80	1,755.14	0.00
19.0000	244189105	DEERE & CO	05/01/2009	09/16/2010	1,328.81	808.33	520.48	0.00
204.0000	281020107	EDISON INTERNATIONAL	VARIOUS	01/15/2010	7,131.60	8,758.49	-1,626.89	0.00
28.0000	30231G102	EXXON MOBIL CORP	07/07/2004	01/15/2010	1,932.38	1,268.68	663.70	0.00
103.0000	30231G102	EXXON MOBIL CORP	VARIOUS	09/16/2010	8,253.59	5,143.18	3,110.41	0.00
30.0000	35671D857	FREEMONT-MCMORAN COPPER AND GOLD, INC.	11/27/2007	09/16/2010	2,441.20	2,696.26	-255.06	0.00
10.0000	38141G104	GOLDMAN SACHS GROUP	07/10/2009	09/16/2010	1,519.56	1,420.88	98.68	0.00
5.0000	38259P508	GOOGLE INC	VARIOUS	09/16/2010	2,404.43	2,011.72	392.71	0.00

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HAROLD & EVELYN DAVIS MEMORIAL FOUNDATION
31-1598507
2010 Tax Information Statement

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Payer's Name and Address:
EASTERN BANK
605 BROADWAY LF 42
SAUGUS, MA 01906

Account Number: 2438232
Recipient's Tax ID Number: XX-XXX8507
Payer's Federal ID Number: 04-1655082
Questions? (817)897-1180
☐ Corrected ☐ 2nd TIN notice

Recipient's Name and Address:
HAROLD & EVELYN DAVIS MEM FDN
C/O KERKERING BARBERIO & CO
1990 MAIN STREET, SUITE 801
SARASOTA, FL 34236

Number of shares	CUSIP (Box 1b)	Description (Box 7)	Date Acquired	Date of Sale (Box 1a)	Stocks Bonds, etc. (Box 2)	Cost or other Basis	Net Gain or Loss	Federal Income Tax Withheld (Box 4)
59.0000	428236103	HEWLETT-PACKARD CO	VARIOUS	09/18/2010	2,357.87	2,024.06	333.81	0.00
14.0000	459200101	I B M CORP	02/19/2008	01/15/2010	1,846.73	1,502.32	344.41	0.00
27.0000	459200101	I B M CORP	VARIOUS	06/21/2010	3,373.14	2,892.19	480.95	0.00
99.0000	464287465	I SHARES MSCI EAFE INDEX FUND	11/13/2008	04/29/2010	5,453.12	4,149.42	1,303.70	0.00
29.0000	464287234	I SHARES MSCI EMERGING MKT INDEX	11/13/2008	01/15/2010	1,213.95	664.11	549.84	0.00
83.0000	458140100	INTEL CORP	VARIOUS	09/16/2010	1,546.82	2,175.48	-628.66	0.00
75.0000	458140100	INTEL CORP	VARIOUS	11/30/2010	1,582.22	1,759.65	-187.43	0.00
202.0000	460695109	INTERSIL HOLDING CORP.	12/17/2008	01/15/2010	2,812.83	2,023.96	788.87	0.00
77.0000	478160104	JOHNSON & JOHNSON	12/17/2008	03/02/2010	4,891.43	4,548.08	345.35	0.00
69.0000	500255104	KOHL'S CORP	06/02/2009	09/16/2010	3,448.30	3,264.66	183.64	0.00
43.0000	539830109	LOCKHEED MARTIN CORP	VARIOUS	03/08/2010	3,484.40	4,543.28	-1,048.88	0.00
36.0000	580135101	MCDONALD'S CORP	VARIOUS	01/15/2010	2,236.50	2,112.24	124.26	0.00
46.0000	580135101	MCDONALD'S CORP	VARIOUS	09/16/2010	3,436.31	2,558.35	877.96	0.00
88.0000	591588108	METLIFE INC.	05/29/2005	09/16/2010	3,534.32	3,838.19	-304.87	0.00
44.0000	594918104	MICROSOFT	12/17/2008	09/16/2010	1,107.27	872.05	235.22	0.00
23.0000	651638106	NEWMONT MINING CO.	05/19/2008	06/24/2010	1,376.07	1,126.28	249.79	0.00
41.0000	681919106	OMNICOM GROUP	07/07/2004	01/15/2010	1,543.79	1,435.41	108.38	0.00
16.0000	681919106	OMNICOM GROUP	07/07/2004	09/16/2010	611.16	560.16	51.00	0.00
66.0000	68389X105	ORACLE CORPORATION	06/26/2008	01/15/2010	1,664.38	1,447.99	216.39	0.00

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HAROLD & EVELYN DAVIS MEMORIAL FOUNDATION
31-1598507
2010 Tax Information Statement

Page 13 of 25

Payer's Name and Address:
EASTERN BANK
605 BROADWAY LF 42
SAUGUS, MA 01806

Account Number: 2438232
Recipient's Tax ID Number: XX-XXX8507
Payer's Federal ID Number: 04-1655082
Questions? (617)897-1160
☐ Corrected ☐ 2nd TIN notice

Recipient's Name and Address:
HAROLD & EVELYN DAVIS MEM FDN
C/O KERKERING BARBERIO & CO
1990 MAIN STREET, SUITE 801
SARASOTA, FL 34236

Number of shares	CUSIP (Box 1b)	Description (Box 7)	Date Acquired	Date of Sale (Box 1a)	Stocks Bonds, etc. (Box 2)	Cost or other Basis	Net Gain or Loss	Federal Income Tax Withheld (Box 4)
51.0000	88389X105	ORACLE CORPORATION	08/26/2008	10/25/2010	1,479.03	1,118.91	360.12	0.00
4.0000	713448108	PEPSICO INC	07/07/2004	01/15/2010	249.43	214.32	35.11	0.00
5.0000	713448108	PEPSICO INC	07/07/2004	09/18/2010	330.79	287.91	62.88	0.00
13.0000	717081103	PFIZER INC	03/22/2007	01/15/2010	252.08	334.18	-82.10	0.00
244.0000	717081103	PFIZER INC	VARIOUS	04/20/2010	4,080.75	5,478.62	-1,395.87	0.00
4.0000	741503403	PRICELINE.COM INC	09/29/2009	11/10/2010	1,675.50	684.25	1,011.25	0.00
103.0000	742718109	PROCTER & GAMBLE CO	VARIOUS	04/22/2010	8,530.24	5,877.70	852.54	0.00
18.0000	747525103	QUALCOMM INC	03/19/2009	09/18/2010	870.87	604.73	96.14	0.00
39.0000	751028101	RALCORP HOLDINGS INC. NEW	VARIOUS	04/22/2010	2,832.23	2,158.88	475.57	0.00
102.0000	790849103	ST JUDE MEDICAL INCORPORATED	VARIOUS	05/28/2010	3,798.16	4,148.24	-348.08	0.00
34.0000	881624209	TEVA PHARMACEUTICAL ADR	VARIOUS	01/15/2010	1,990.68	1,398.69	581.99	0.00
8.0000	931142103	WAL-MART STORES INC	12/17/2008	09/18/2010	317.51	332.94	-15.43	0.00
108.0000	H27013103	WEATHERFORD INTL LTD NEW	VARIOUS	01/15/2010	2,023.85	2,004.24	19.61	0.00
58.0000	H27013103	WEATHERFORD INTL LTD NEW	VARIOUS	09/18/2010	945.48	2,176.65	-1,231.19	0.00
23.0000	88385X108	XTO ENERGY INC	01/08/2009	01/15/2010	1,085.12	878.16	206.96	0.00
Total Long Term 15% Sales Reported on 1099-B					142,845.27	134,018.38	8,826.89	0.00

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FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCE	AMOUNT
EASTERN BANK	4,633.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	4,633.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
EASTERN BANK	7,751.	117.	7,634.
TOTAL TO FM 990-PF, PART I, LN 4	7,751.	117.	7,634.

FORM 990-PF ACCOUNTING FEES STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING	1,240.	0.		1,240.
TO FORM 990-PF, PG 1, LN 16B	1,240.	0.		1,240.

FORM 990-PF TAXES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
EXCISE TAX	95.	0.		0.
FOREIGN TAX	54.	54.		0.
TO FORM 990-PF, PG 1, LN 18	149.	54.		0.

FORM 990-PF	OTHER EXPENSES			STATEMENT	5
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
BANK FEES	5,198.	5,198.		0.	
MISCELLANEOUS	446.	0.		446.	
DUES & SUBSCRIPTIONS	495.	0.		495.	
TO FORM 990-PF, PG 1, LN 23	6,139.	5,198.		941.	

FORM 990-PF	CORPORATE STOCK		STATEMENT	6
DESCRIPTION	BOOK VALUE		FAIR MARKET VALUE	
CORPORATE STOCK	437,269.		485,281.	
TOTAL TO FORM 990-PF, PART II, LINE 10B	437,269.		485,281.	