



See a Social Security Number? Say Something!  
Report Privacy Problems to <https://public.resource.org/privacy>  
Or call the IRS Identity Theft Hotline at 1-800-908-4490



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		A Employer identification number	
HERBERT K. CUMMINGS CHARITABLE TRUST		86-6148404	
Number and street (or P O box number if mail is not delivered to street address) 20225 NORTH SCOTTSDALE ROAD		Room/suite	B Telephone number 480-515-5211
City or town, state, and ZIP code SCOTTSDALE, AZ 85255		C If exemption application is pending, check here ► <input type="checkbox"/> D 1. Foreign organizations, check here ► <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation ► <input type="checkbox"/>	
H Check type of organization: <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation		E If private foundation status was terminated under section 507(b)(1)(A), check here ► <input type="checkbox"/> F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ► <input type="checkbox"/>	
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) ► \$ 1,743,419.	J Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	(Part I, column (d) must be on cash basis.)	
<b>Part I Analysis of Revenue and Expenses</b> (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
1 Contributions, gifts, grants, etc., received			(c) Adjusted net income
2 Check ► <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B			(d) Disbursements for charitable purposes (cash basis only)
3 Interest on savings and temporary cash investments		47.	47.
4 Dividends and interest from securities		48,756.	48,756.
5a Gross rents			
b Net rental income or (loss) _____			
6a Net gain or (loss) from sale of assets not on line 10 Gross sales price for all assets on line 6a 330,518.		14,557.	
7 Capital gain net income (from Part IV, line 2)		14,557.	
8 Net short-term capital gain			
9 Income modifications Gross sales less returns and allowances			
10a b Less Cost of goods sold			
c Gross profit or (loss)			
11 Other income		<7,465.►	0.
12 Total. Add lines 1 through 11		55,895.	63,360.
13 Compensation of officers, directors, trustees, etc		0.	0.
14 Other employee salaries and wages			
15 Pension plans, employee benefits			
16a Legal fees RECEIVED b Accounting fees c Other professional fees MAY 1 2011		6,916.	6,000.
17 Interest			
18 Taxes		434.	34.
19 Depreciation and depletion			
20 Occupancy			
21 Travel, conferences, and meetings			
22 Printing and publications			
23 Other expenses		<84.►	7.
24 Total operating and administrative expenses. Add lines 13 through 23		7,266.	6,041.
25 Contributions, gifts, grants paid		113,348.	
26 Total expenses and disbursements. Add lines 24 and 25		120,614.	6,041.
27 Subtract line 26 from line 12: a Excess of revenue over expenses and disbursements b Net investment income (if negative, enter -0-) c Adjusted net income (if negative, enter -0-)		<64,719.►	57,319.
			N/A

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	2,991.	2,327.	2,327.
	2	Savings and temporary cash investments	167,455.	308,293.	308,293.
	3	Accounts receivable ► 93.			
		Less: allowance for doubtful accounts ►	16.	93.	93.
	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 7	1,460.	1,237.
	b	Investments - corporate stock	STMT 8	827,187.	653,432.
	c	Investments - corporate bonds			887,436.
	11	Investments - land, buildings, and equipment basis ►			
		Less accumulated depreciation ►			
	12	Investments - mortgage loans			
	13	Investments - other	STMT 9	368,745.	337,753.
	14	Land, buildings, and equipment: basis ►			
		Less accumulated depreciation ►			
	15	Other assets (describe ► )			
	16	Total assets (to be completed by all filers)		1,367,854.	1,303,135.
Liabilities	17	Accounts payable and accrued expenses			1,743,419.
	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 ► <input type="checkbox"/>				
	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 ► <input checked="" type="checkbox"/>				
	and complete lines 27 through 31.				
	27	Capital stock, trust principal, or current funds		1,921,472.	1,921,472.
	28	Paid-in or capital surplus, or land, bldg., and equipment fund		0.	0.
	29	Retained earnings, accumulated income, endowment, or other funds		<553,618.>	<618,337.>
	30	Total net assets or fund balances		1,367,854.	1,303,135.
	31	Total liabilities and net assets/fund balances		1,367,854.	1,303,135.

## 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	1,367,854.
2	Enter amount from Part I, line 27a	2	<64,719.>
3	Other increases not included in line 2 (itemize) ►	3	0.
4	Add lines 1, 2, and 3	4	1,303,135.
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	1,303,135.

**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.)
<b>1a</b> WELLS FARGO - SEE ATTACHED SCHEDULE			P	VARIOUS	VARIOUS
<b>b</b> WELLS FARGO - SEE ATTACHED SCHEDULE			P	VARIOUS	VARIOUS
<b>c</b>					
<b>d</b>					
<b>e</b>					
(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 83,759.		94,043.	<10,284. >		
b 246,759.		221,918.	24,841.		
c					
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			<10,284. >		
b			24,841.		
c					
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	14,557.	
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	78,014.	1,412,701.	.055223
2008	134,983.	1,981,762.	.068113
2007	95,018.	2,382,044.	.039889
2006	94,085.	2,211,557.	.042542
2005	105,490.	2,148,314.	.049104

2 Total of line 1, column (d)

2 .254871

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 .050974

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

4 1,629,058.

5 Multiply line 4 by line 3

5 83,040.

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

6 573.

7 Add lines 5 and 6

7 83,613.

8 Enter qualifying distributions from Part XII, line 4

8 114,264.

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 ►  and enter 1% of Part I, line 27b

c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b).

2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)

3 Add lines 1 and 2

4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)

5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-

6 Credits/Payments:

a 2010 estimated tax payments and 2009 overpayment credited to 2010

6a  424.

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  424.8 Enter any penalty for underpayment of estimated tax. Check here  if Form 2220 is attached8 

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  ►

11 Enter the amount of line 10 to be: Credited to 2011 estimated tax ►

Refunded  11 **Part VII-A Statements Regarding Activities**

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?

 Yes  No

b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)?

 1a *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.* 1b 

c Did the foundation file Form 1120-POL for this year?

 1c 

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?

 2 *If "Yes," attach a detailed description of the activities.*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 

4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?

 4a 

b If "Yes," has it filed a tax return on Form 990-T for this year?

 4b 

5 Was there a liquidation, termination, dissolution, or substantial contraction during the year?

 5 *If "Yes," attach the statement required by General Instruction T.*

6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either:

 6 

• By language in the governing instrument, or

 7 

• 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?

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.*

8a Enter the states to which the foundation reports or with which it is registered (see instructions) ►

 8b **AZ**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* 9 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* 10 10 Did any persons become substantial contributors during the tax year? *If "Yes," attach a schedule listing their names and addresses*

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

11 At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions) 11  X

12 Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008? 12  X

13 Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► NA 13  X

14 The books are in care of ► HENRY & HORNE, LLP Telephone no. ► 480-483-1170  
Located at ► 7098 E. COCHISE ROAD, SUITE 100, SCOTTSDALE, AZ ZIP+4 ► 85253

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? See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country ► 16  Yes  No X

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

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

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  X  No

(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?  Yes  X  No

(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?  Yes  X  No

(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?  Yes  X  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  X  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  X  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  N/A

c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2010? 1c  X

2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)):

a At the end of tax year 2010, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2010?  Yes  X  No

If "Yes," list the years ► 2a  N/A

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.) 2b  N/A

c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. ► 2c  N/A

3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?  Yes  X  No

b If "Yes," did it have excess business holdings in 2010 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2010.) 3b  N/A

4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes? 4a  X

b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2010? 4b  X

## 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))?
- (2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?
- (3) Provide a grant to an individual for travel, study, or other similar purposes?
- (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)?
- (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  
 Yes  No  
 Yes  No  
 Yes  No  
 Yes  No

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

N/A ► 

Organizations relying on a current notice regarding disaster assistance check here

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

N/A

Yes  No

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

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

Yes  No

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

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

Yes  No

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

Yes  No

6b X

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
DIANE M. HALLE 20225 NORTH SCOTTSDALE ROAD SCOTTSDALE, AZ 85255	TRUSTEE 10.00	0.	0.	0.
JAMES J. CUMMINGS 20225 NORTH SCOTTSDALE ROAD SCOTTSDALE, AZ 85255	TRUSTEE 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)

**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
<b>NONE</b>		

**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	<b>N/A</b>	
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	<b>N/A</b>	
2		
3		

**All other program-related investments. See instructions.**

3		

**Total. Add lines 1 through 3**
**0.**
**Form 990-PF (2010)**

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

1 Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a Average monthly fair market value of securities	1a	1,477,003.
b Average of monthly cash balances	1b	176,863.
c Fair market value of all other assets	1c	
d Total (add lines 1a, b, and c)	1d	1,653,866.
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	1,653,866.
4 Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	24,808.
5 Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	1,629,058.
6 Minimum investment return. Enter 5% of line 5	6	81,453.

**Part XI Distributable Amount** (see instructions) (Section 4942(i)(3) and (i)(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	81,453.
2a Tax on investment income for 2010 from Part VI, line 5	2a	573.
b Income tax for 2010. (This does not include the tax from Part VI.)	2b	618.
c Add lines 2a and 2b	2c	1,191.
3 Distributable amount before adjustments. Subtract line 2c from line 1	3	80,262.
4 Recoveries of amounts treated as qualifying distributions	4	0.
5 Add lines 3 and 4	5	80,262.
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	80,262.

**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	114,264.
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	114,264.
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	573.
6 Adjusted qualifying distributions. Subtract line 5 from line 4	6	113,691.

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

**Part XIII Undistributed Income** (see instructions)

	(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7				80,262.
2 Undistributed income, if any, as of the end of 2010			0.	
a Enter amount for 2009 only				
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	19,668.			
e From 2009	8,131.			
f Total of lines 3a through e	27,799.			
4 Qualifying distributions for 2010 from Part XII, line 4: ► \$ 114,264.			0.	
a Applied to 2009, but not more than line 2a				
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				80,262.
e Remaining amount distributed out of corpus	34,002.			
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:	61,801.			
a Corpus Add lines 3f, 4c, and 4e Subtract line 5				
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2009. Subtract line 4a from line 2a. Taxable amount - see instr.				0.
f Undistributed income for 2010. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2011				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2005 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	61,801.			
10 Analysis of line 9:				
a Excess from 2006				
b Excess from 2007				
c Excess from 2008	19,668.			
d Excess from 2009	8,131.			
e Excess from 2010	34,002.			

**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)

**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;

## 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)				
<i>a Paid during the year</i>				
TGEN FOUNDATION ONE AZ CENTER, 400 E VAN BUREN ST #850 PHOENIX, AZ 85004	NONE	PUBLIC CHARITY	GENERAL FUNDS	75,000.
THE WELLNESS COMMUNITY 360 E. PALM LANE PHOENIX, AZ 85004	NONE	PUBLIC CHARITY	CHARITABLE PURPOSE	38,348.
<b>Total</b>				► 3a 113,348.
<i>b Approved for future payment</i>				
NONE				
<b>Total</b>				► 3b 0.

## Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.

	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	
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					
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	211110	4,392.	14	<11,857.>	
8 Gain or (loss) from sales of assets other than inventory			18	14,557.	
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)		4,392.		51,503.	0.
13 Total. Add line 12, columns (b), (d), and (e)					55,895.

**Part XVI-B Relationship of Activities to the Accomplishment of Exempt 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.		

**2a** Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described

Yes  No

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

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

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

**Sign  
Here**

~~Signature of officer or trustee~~

5/12/2011

**TRUSTEE**

### Title

<b>Paid Preparer Use Only</b>	Print/Type preparer's name <b>CANDACE BERG TOOKE, CPA</b>	Preparer's signature <b>CANDACE BERG TOOK</b>	Date <b>05/09/11</b>	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ► <b>HENRY &amp; HORNE, LLP 7098 E. COCHISE SUITE 100</b>			Firm's EIN ►	
	Firm's address ► <b>SCOTTSDALE, AZ 85253-4517</b>			Phone no. <b>(480) 483-1170</b>	

DIANE CUMMINGS HALLE,  
 JAMES K CUMMINGS, RICHARD  
 A CUMMINGS TTEE'S, HKC  
 CHART TR DTD 10/3/84  
 DECEMBER 1 - DECEMBER 31, 2010  
 ACCOUNT NUMBER: 7010-1413

### Additional information

	THIS PERIOD	THIS YEAR	THIS PERIOD	THIS YEAR
Return of principal	68.62	137.66	Foreign withholding	-7.27
Gross proceeds	23,586.50	330,518.39		-33.74

### Portfolio detail

#### Cash and Sweep Balances

Bank Deposit Sweep - Consists of monies held in one or more FDIC-insured depository account(s) established with Wells Fargo Bank, N.A. Additional funds over \$250,000 are deposited at one or more additional banks affiliated with Wells Fargo Advisors. These assets are not covered by SIPC, but are instead covered by FDIC Insurance in accordance with FDIC rules. For additional information on the Bank Deposit Sweep for your account please contact Your Financial Advisor.

DESCRIPTION	% OF ACCOUNT	ANNUAL PERCENTAGE YIELD EARNED*	CURRENT MARKET VALUE	ESTIMATED ANNUAL INCOME
Cash	0.02	N/A	323.00	N/A
BANK DEPOSIT SWEEP Interest Period 12/01/10 - 12/31/10	17.69	0.05	307,969.80	153.98

Total Cash and Sweep Balances **17.71**

\*APY measures the total amount of the interest paid on an account based on the interest rate and the frequency of the compounding during the interest period. The annual percentage yield is expressed as an annualized rate, based on a 365- or 366-day year (as applicable).

#### Stocks, options & ETFs

##### Stocks and ETFs

DESCRIPTION	% OF ACCOUNT	QUANTITY	ADJ PRICE/ ORIG PRICE	ADJ COST/ ORIG COST	CURRENT PRICE	CURRENT MARKET VALUE	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME	ANNUAL YIELD (%)
ABBOTT LABORATORIES									
ABT									
Acquired 05/12/06 L		140	42.78	5,989.27		6,707.40	718.13		
Acquired 08/31/06 L		160	48.60	7,775.57		7,665.60	-109.97		
Acquired 01/24/08 L		100	56.94	5,824.50		4,791.00	-1,033.50		
<b>Total</b>	<b>1.10</b>	<b>400</b>	<b>\$19,589.34</b>	<b>47,9100</b>	<b>\$19,164.00</b>	<b>\$-425.34</b>	<b>\$704.00</b>	<b>3.67</b>	
ADOBE SYSTEMS INC									
ADBE									
Acquired 01/23/08 L	1.15	650	33.41	22,110.07	30.7800	20,007.00	-2,103.07	N/A	N/A



DIANE CUMMINGS HALLE,  
JAMES K CUMMINGS, RICHARD  
A CUMMINGS TTEE'S, HKC  
CHART TR DTD 10/3/84  
DECEMBER 1 - DECEMBER 31, 2010  
ACCOUNT NUMBER 7010-1413

## Stocks, options & ETFs

## Stocks and ETFs continued

DIANE CUMMINGS HALLE,  
 JAMES K CUMMINGS, RICHARD  
 A CUMMINGS TTEE'S, HKC  
 CHART TR DTD 10/31/84  
 DECEMBER 1 - DECEMBER 31, 2010  
 ACCOUNT NUMBER: 7010-1413

**Stocks, options & ETFs**  
**Stocks and ETFs continued**

DESCRIPTION	% OF ACCOUNT	QUANTITY	ADJ PRICE/ ORIG PRICE	ADJ COST/ ORIG COST	CURRENT PRICE	CURRENT MARKET VALUE	UNREALIZED GAIN/LOSS	ESTIMATED	
								ANNUAL INCOME	ANNUAL YIELD (%)
<b>Total</b>	<b>2.11</b>	<b>680</b>		<b>\$22,728.83</b>	<b>54.0500</b>	<b>\$36,754.00</b>	<b>\$14,025.17</b>	<b>N/A</b>	<b>N/A</b>
EXXON MOBIL CORP XOM									
Acquired 09/08/05 L	125	61.19	7,648.63			9,140.00	1,491.37		
Acquired 01/24/06 L	275	61.36	16,874.06			20,108.00	3,233.94		
<b>Total</b>	<b>1.68</b>	<b>400</b>		<b>\$24,522.69</b>	<b>73.1200</b>	<b>\$29,248.00</b>	<b>\$4,725.31</b>	<b>\$704.00</b>	<b>2.41</b>
GENERAL MILLS INC GIS									
Acquired 04/30/09 L	1.74	850	25.25	21,845.90	35.5900	30,251.50	8,405.60		
GOOGLE INC CL A GOOG									
Acquired 09/30/08 L	50	410.87	20,652.25			29,698.50	9,046.25		
Acquired 05/26/10 S	50	484.90	24,375.00			29,698.50	5,323.50		
<b>Total</b>	<b>3.41</b>	<b>100</b>		<b>\$45,027.25</b>	<b>593.9700</b>	<b>\$59,397.00</b>	<b>\$14,369.75</b>	<b>N/A</b>	<b>N/A</b>
GRAINGER W W INC GWW									
Acquired 01/23/08 L	150	76.30	11,636.61			20,716.50	9,079.89		
Acquired 01/23/08 L	125	76.31	9,695.01			17,263.75	7,568.74		
<b>Total</b>	<b>2.18</b>	<b>275</b>		<b>\$21,331.62</b>	<b>138.1100</b>	<b>\$37,980.25</b>	<b>\$16,648.63</b>	<b>\$594.00</b>	<b>1.58</b>
HEWLETT-PACKARD COMPANY HPQ									
Acquired 05/16/05 L	155	20.88	3,236.57			6,525.50	3,288.93		
Acquired 05/24/05 L	245	22.58	5,532.17			10,314.50	4,782.33		
<b>Total</b>	<b>0.97</b>	<b>400</b>		<b>\$8,768.74</b>	<b>42.1000</b>	<b>\$16,840.00</b>	<b>\$8,071.26</b>	<b>\$128.00</b>	<b>.076</b>
HONEYWELL INTERNATIONAL INC HON									
Acquired 10/11/05 L	1.16	380	36.29	13,791.87	53.1600	20,200.80	6,408.93		
ITC HOLDINGS CORP ITC									
Acquired 10/19/09 L	1.51	425	45.68	19,773.51	61.9800	26,341.50	6,587.99		
JOHNSON & JOHNSON JNJ									
Acquired 09/03/03 L	35	50.06	1,752.08			2,164.75	412.67		
Acquired 03/28/06 L	310	59.56	18,462.14			19,73.50	711.36		
								<b>569.50</b>	<b>2.16</b>





DIANE CUMMINGS HALLE,  
JAMES K CUMMINGS, RICHARD  
A CUMMINGS TTEE S, HKC  
CHART TR DTD 10/3/84  
DECEMBER 1 - DECEMBER 31, 2010  
ACCOUNT NUMBER 7010-1413

## Stocks, options & ETFs

### Stocks and ETFs continued

DESCRIPTION	% OF ACCOUNT	QUANTITY	ADJ PRICE/ ORIG PRICE	ADJ COST/ ORIG COST	CURRENT PRICE	CURRENT MARKET VALUE	UNREALIZED GAIN/LOSS	ESTIMATED	
								ANNUAL INCOME	ANNUAL YIELD (%)
<b>Total</b>	<b>1.23</b>	<b>345</b>		<b>\$20,214.22</b>	<b>61.8500</b>	<b>\$21,338.25</b>	<b>\$1,124.03</b>	<b>\$745.20</b>	<b>3.49</b>
JP MORGAN CHASE & CO									
JPM									
Acquired 02/23/06 L		120	41.14	4,937.30		5,090.40	153.10		
Acquired 05/31/06 L		375	42.74	15,026.26		15,907.50	-118.76		
Acquired 09/27/07 L		205	46.09	9,447.71		8,696.10	-751.61		
<b>Total</b>	<b>1.71</b>	<b>700</b>		<b>\$30,411.27</b>	<b>42.4200</b>	<b>\$29,694.00</b>	<b>-\$717.27</b>	<b>\$140.00</b>	<b>0.47</b>
KRAFT FOODS INC CL A									
KFT									
Acquired 03/15/10 S		65	29.49	19,977.25		20,954.15	976.90		
Acquired 09/15/10 S		400	31.50	12,874.13		12,604.00	-270.13		
<b>Total</b>	<b>1.93</b>	<b>1,065</b>		<b>\$32,851.38</b>	<b>31.5100</b>	<b>\$33,558.15</b>	<b>\$706.77</b>	<b>\$1,235.40</b>	<b>3.68</b>
MCDONALDS CORP									
MCD									
Acquired 07/31/09 L		185	55.00	10,354.48		14,200.60	3,846.12		
Acquired 07/31/09 L		200	54.99	11,188.01		15,352.00	4,163.99		
<b>Total</b>	<b>1.70</b>	<b>385</b>		<b>\$21,542.49</b>	<b>76.7600</b>	<b>\$29,552.60</b>	<b>\$8,010.11</b>	<b>\$939.40</b>	<b>3.18</b>
MEDCO HEALTH SOLUTIONS INC									
MHS									
Acquired 02/22/08 L		1.06	51.21	15,658.99		61,2700	18,381.00	2,722.01	N/A
MICROSOFT CORP									
MSFT									
Acquired 12/08/10 S		1.60	1,000	27.20	27,702.64	27,910.00	207.36		
NORTHWESTERN CORP									
NWE									
Acquired 02/09/10 S		1.57	950	24.04	23,280.03	28,8300	27,388.50	4,108.47	
O'REILLY AUTOMOTIVE									
Acquired 12/16/09 L		476	37.74	18,272.24		28,759.92	10,487.68		
Acquired 12/16/09 L		234	37.75	8,988.53		14,138.28	5,149.75		

DIANE CUMMINGS HALLE,  
 JAMES K CUMMINGS, RICHARD  
 A CUMMINGS TTEE'S, HKC  
 CHART TR DTD 10/3/84  
 DECEMBER 1 - DECEMBER 31, 2010  
 ACCOUNT NUMBER: 7010-1413

**Stocks, options & ETFs**  
**Stocks and ETFs continued**

DESCRIPTION	% OF ACCOUNT	QUANTITY	ADJ PRICE/ ORIG PRICE	ADJ COST/ ORIG COST	CURRENT PRICE	CURRENT MARKET VALUE	ESTIMATED	
							UNREALIZED GAIN/LOSS	ANNUAL INCOME
Total	2.46	710		\$27,260.77	60.4200	\$42,898.20	\$15,637.43	N/A
PROCTER & GAMBLE CO PG	1.51	410	65.57	26,883.82	64.3300	26,375.30	-508.52	790.07
Acquired 08/24/07 L								2.89
RAYTHEON COMPANY RTN	345		33.96	11,715.64		15,987.30	4,271.66	
Acquired 07/06/04 L	180		44.97	8,094.74		8,341.20	246.46	
Acquired 07/28/06 L								
Total	1.40	525		\$19,810.38	46.3400	\$24,328.50	\$4,518.12	\$787.50
								3.24
REPUBLIC SVCS INC RSG	700		28.13	20,060.20		20,902.00	841.80	
Acquired 11/17/09 L	400		30.73	12,561.40		11,944.00	-617.40	
Acquired 09/15/10 S								
Total	1.89	1,100		\$32,621.60	29.8600	\$32,846.00	\$224.40	\$880.00
								2.68
TEVA PHARMACEUTICAL ADR IND'S LTD TEVA	1.27	425	52.20	22,570.95	52.1300	22,155.25	-415.70	283.47
Acquired 08/21/09 L								1.27
ULTRA PETROLEUM CORP UPL	1.17	425	34.93	15,149.66	47.7700	20,302.25	5,152.59	
Acquired 01/27/09 L								
Total Stocks and ETFs	59.00			\$653,431.67		\$887,435.60		\$23,069.39
Total Stocks, options & ETFs	59.00			\$653,431.67		\$887,435.60		\$23,069.39



## Realized Gain/Loss

Page 14 of 22

As of Date: 2/11/11

Account Number: 7010-1413  
 Command Account Number: 908584738  
 DIANE CUMMINGS HALL,  
 JAMES K CUMMINGS, RICHARD  
 A CUMMINGS TTEE'S, HKC  
 CHART TR DTD 10/3/84

## Realized Gain/Loss Detail for Year

Short Term DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
BRINKS CO	500,00000	27.0600	08/05/09	02/01/10	11,753.53	13,775.13	-2,021.60
	300,00000	27.0400	08/05/09	02/01/10	7,052.12	8,263.97	-1,211.85
	200,00000	27.0500	08/05/09	02/01/10	4,701.42	5,508.01	-806.59
<b>Subtotal</b>	<b>1,000,00000</b>				<b>23,507.07</b>	<b>27,547.11</b>	<b>-4,040.04</b>
CAMPBELL SOUP COMPANY	500,00000	32.3580	10/14/09	02/01/10	16,343.56	16,470.37	-126.81
	300,00000	32.3580	10/14/09	02/01/10	9,800.23	9,882.21	-81.98
<b>Subtotal</b>	<b>800,00000</b>				<b>26,143.79</b>	<b>26,352.58</b>	<b>-208.79</b>
KRAFT FOODS INC CL A	185,00000	29.4969	03/15/10	10/22/10	5,745.53	5,557.59	187.94
McCAFFEE INCORPORATED	600,00000	42.7457	08/06/09	05/26/10	18,876.20	26,093.83	-7,217.63
NORTHWESTERN CORP	50,00000	24.0400	02/09/10	10/22/10	1,398.24	1,225.27	172.97
O'REILLY AUTOMOTIVE INC	40,00000	37.7460	12/16/09	10/22/10	2,080.37	1,535.49	544.88
REPUBLIC SVCS INC	200,00000	28.1360	11/17/09	10/22/10	6,007.93	5,731.49	276.44
<b>Total - Short Term</b>					<b>\$83,799.13</b>	<b>\$94,043.36</b>	<b>-\$10,244.23</b>
Long Term DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
ABBOTT LABORATORIES	60,00000	48.8100	06/08/05	10/22/10	3,059.19	2,928.59	130.60
	10,00000	42.7800	06/12/06	10/22/10	509.87	427.81	82.06
<b>Subtotal</b>	<b>70,00000</b>				<b>3,569.06</b>	<b>3,356.40</b>	<b>212.66</b>
ADODE SYSTEMS INC	100,00000	33.4100	01/23/08	10/22/10	2,723.06	3,401.55	-678.49
APACHE CORP COMMON	80,00000	27.1900	02/09/01	10/22/10	7,981.08	2,174.90	5,806.16
APPLE INC	25,00000	111.3430	09/30/08	10/22/10	7,568.36	2,815.44	4,752.92
AT & T INC	145,00000	24.7700	08/02/05	10/22/10	3,971.16	3,592.37	378.79
BANK NEW YORK MELLON CORP	383,00000	36.6200	02/24/06	10/22/10	9,467.78	14,026.41	-4,558.63

INFORMATION PROVIDED AS COURTESY ONLY - NOT FURNISHED TO THE IRS

001 / A323 / F194

## Realized Gain/Loss

Account Number: 7010-1413  
 Command Account Number: 8089684738  
 DIANE CUMMINGS HALLE,  
 JAMES K CUMMINGS, RICHARD  
 A CUMMINGS TRUSTEE'S, HKC  
 CHART TR DTD 10/3/84

Long Term DESCRIPTION	Continued	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
<b>Subtotal</b>		147,000.00	37,000.00	09/19/06	10/22/10	3,633.85	5,438.72	-1,804.87
<b>BAXTER INTERNATIONAL INC</b>		530,000.00				13,101.63	19,465.13	-6,363.50
100,000.00		58,555.2	37,000.00	01/27/09	10/22/10	14,980.14	17,901.39	-2,921.25
400,000.00		48,548.0	37,000.00	06/02/09	10/22/10	4,993.39	4,975.28	18.11
<b>BERKSHIRE HATHAWAY INC</b>						19,973.53	22,876.67	-2,903.14
<b>SERIES B NEW</b>								
35,000.00		91,960.0	91,960.00	01/23/08	10/22/10	4,046.46	4,645.69	-599.23
45,000.00		43,060.0	43,060.00	02/18/05	10/22/10	2,100.40	1,507.10	593.30
<b>Subtotal</b>		80,000.00	43,670.00	05/19/06	10/22/10	2,700.53	1,965.15	735.38
<b>CUMMINS INC</b>						4,800.93	3,472.25	1,328.68
80,000.00		42,740.0	42,740.00	09/30/08	10/22/10	7,357.07	3,480.50	3,876.57
<b>ENERGY TRANSFER EQUITY LP</b>								
165,000.00		21,526.7	21,526.70	04/08/09	10/22/10	6,227.69	—	3,622.24
<b>ENTERPRISE PRODUCTS PARTNERS</b>								2,605.45
165,000.00		21,316.7	21,316.70	04/08/09	10/22/10	6,777.70	3,587.25	3,190.45
<b>EXPRESS SCRIPTS INC CLA</b>								
120,000.00		33,285.0	33,285.00	02/22/08	10/22/10	5,712.88	4,068.24	1,644.64
85,000.00		61,190.0	61,190.00	09/08/05	10/22/10	5,500.30	5,201.08	299.22
<b>GENERAL MILLS INC</b>								
150,000.00		25,258.2	25,258.20	04/30/09	10/22/10	5,456.92	3,855.16	1,601.76
<b>GOOGLE INC CL A</b>								
10,000.00		410,870.0	410,870.00	09/30/08	10/22/10	5,996.28	4,130.45	1,865.83
50,000.00		76,300.0	76,300.00	01/23/08	10/22/10	6,003.89	3,878.88	2,126.01
<b>HEWLETT-PACKARD COMPANY</b>								
70,000.00		20,880.0	20,880.00	05/16/05	10/22/10	2,910.80	1,461.68	1,449.12
<b>HONEYWELL INTERNATIONAL INC</b>								
65,000.00		36,290.0	36,290.00	10/11/05	10/22/10	2,966.81	2,359.14	607.67
75,000.00		45,688.0	45,688.00	10/19/09	10/22/10	4,457.66	3,489.45	988.21
<b>JOHNSON &amp; JOHNSON</b>								
60,000.00		50,060.0	50,060.00	09/03/03	10/22/10	3,724.41	3,003.58	720.83

INFORMATION PROVIDED AS COURTESY ONLY - NOT FURNISHED TO THE IRS

## Realized Gain/Loss

Account Number: 7010-1413  
 Command Account Number: 9083684738  
 DIANE CUMMINGS HALL,  
 JAMES K CUMMINGS, RICHARD  
 A CUMMINGS TTEE'S, HHC  
 CHART TR DTD 10/23/84

Long Term	Continued	DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	ACQUIRED DATE	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
		JPMORGAN CHASE & CO	135 00000	41 1400	02/23/06	10/22/10	4,950.67	5,554.47	-603.80
KINDER MORGAN ENERGY									
PARTNERSHIP LP UNIT LTD		75 00000	47 3764	04/08/09	10/22/10		5,146.12	3,617.33	1,528.79
McDONALDS CORP		65 00000	55 0000	07/31/09	10/22/10		4,980.45	3,638.07	1,342.38
MEDCO HEALTH SOLUTIONS									
INC		50 00000	51 2100	02/22/08	10/22/10		2,492.64	2,609.84	-117.20
PG & E CORPORATION		600 00000	37 1664	06/02/09	09/13/10		25,526.06	22,713.11	2,812.95
PLAINS ALL AMERICAN									
PIPELINE LP		100 00000	37 5900	04/08/09	10/22/10		6,220.21	3,825.73	2,394.48
PROCTER & GAMBLE CO		75 00000	65 5700	08/24/07	10/22/10		4,622.34	4,917.78	-295.44
RAYTHEON COMPANY									
TEVA PHARMACEUTICAL		85 00000	33 9600	07/06/04	10/22/10		3,927.64	2,886.47	1,041.17
ADR IND'S LTD		75 00000	52.2057	08/21/09	10/22/10		3,824.75	3,983.12	-158.37
ULTRA PETROLEUM CORP		75 00000	34 9375	01/27/09	10/22/10		3,007.95	2,673.48	334.47
WALGREEN COMPANY		700 00000	34 4900	01/29/08	10/22/10		23,448.57	24,583.72	-1,135.15
WELLPOINT INC		75 00000	75 3740	01/23/08	10/22/10		4,197.70	5,748.07	-1,550.37
		250 00000	75 3740	01/23/08	12/08/10		13,874.41	19,160.23	-5,285.82
		175 00000	45 0960	07/07/08	12/08/10		9,712.09	8,068.13	1,643.96
<b>Subtotal</b>		<b>500,00000</b>					<b>27,784.20</b>	<b>32,976.43</b>	<b>-5,192.23</b>
<b>Total - Long Term</b>							<b>\$246,759.26</b>	<b>\$221,917.60</b>	<b>\$24,841.66</b>

INFORMATION PROVIDED AS COURTESY ONLY - NOT FURNISHED TO THE IRS

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

SOURCE	AMOUNT
WELLS FARGO SECURITIES	47.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	47.

## FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
PARTNERSHIP K-1'S	161.	0.	161.
WELLS FARGO SECURITIES	48,595.	0.	48,595.
TOTAL TO FM 990-PF, PART I, LN 4	48,756.	0.	48,756.

## FORM 990-PF OTHER INCOME STATEMENT 3

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
DISALLOWED LOSSES FROM PTP'S ALLOWED INCOME FROM PTP'S	<11,857.> 4,392.	0. 0.	
TOTAL TO FORM 990-PF, PART I, LINE 11	<7,465.>	0.	

## FORM 990-PF ACCOUNTING FEES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	6,916.	6,000.		916.
TO FORM 990-PF, PG 1, LN 16B	6,916.	6,000.		916.

## FORM 990-PF

## TAXES

## STATEMENT

5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES	34.	34.		0.
FEDERAL TAXES	400.	0.		0.
TO FORM 990-PF, PG 1, LN 18	434.	34.		0.

## FORM 990-PF

## OTHER EXPENSES

## STATEMENT

6

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
INVESTMENT EXPENSES	7.	7.		0.
NON-DEDUCTIBLE EXPENSES FROM PTP'S	<91.>	0.		0.
TO FORM 990-PF, PG 1, LN 23	<84.>	7.		0.

## FORM 990-PF

## U.S. AND STATE/CITY GOVERNMENT OBLIGATIONS

## STATEMENT

7

DESCRIPTION	U.S. GOV'T	OTHER GOV'T	BOOK VALUE	FAIR MARKET VALUE
GNMA BOND	X		1,237.	1,518.
TOTAL U.S. GOVERNMENT OBLIGATIONS			1,237.	1,518.
TOTAL STATE AND MUNICIPAL GOVERNMENT OBLIGATIONS				
TOTAL TO FORM 990-PF, PART II, LINE 10A			1,237.	1,518.

FORM 990-PF	CORPORATE STOCK	STATEMENT	8
-------------	-----------------	-----------	---

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
STOCKS (SEE ATTACHED LISTING)	653,432.	887,436.
TOTAL TO FORM 990-PF, PART II, LINE 10B	653,432.	887,436.

FORM 990-PF	OTHER INVESTMENTS	STATEMENT	9
-------------	-------------------	-----------	---

DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
AMERICAN HIGH INCOME TRUST (MUTUAL FUND)	COST	286,007.	403,921.
ENERGY TRANSFER EQUITY, L.P.	COST	12,145.	36,530.
ENTERPRISE PRODUCTS PARTNERS L.P.	COST	11,897.	38,905.
KINDER MORGAN ENERGY PARTNERS, L.P.	COST	10,753.	29,861.
PLAINS ALL AMERICAN PIPELINE, L.P.	COST	16,951.	34,535.
TOTAL TO FORM 990-PF, PART II, LINE 13		337,753.	543,752.