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43000 U 145 FEB 09 '15

Form **990-PF**

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

OMB No. 1545-0052

**2011**

Department of the Treasury  
Internal Revenue Service

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

**For calendar year 2011, or tax year beginning , 2011, and ending**

**HERBERT SMILOWITZ PRIVATE FOUNDATION**  
PO BOX 511  
EAST RUTHERFORD, NJ 07073

<b>A</b>	Employer identification number 13-7171363
<b>B</b>	Telephone number (see the instructions) (973) 285-5500
<b>C</b>	If exemption application is pending, check here <input type="checkbox"/>
<b>D 1</b>	Foreign organizations, check here <input type="checkbox"/>
<b>D 2</b>	Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>
<b>E</b>	If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>
<b>F</b>	If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>

**G** Check all that apply.

<input type="checkbox"/> Initial return	<input type="checkbox"/> Initial Return of a former public charity
<input type="checkbox"/> Final return	<input type="checkbox"/> Amended return
<input type="checkbox"/> Address change	<input type="checkbox"/> Name change

**H** Check type of organization  Section 501(c)(3) exempt private foundation  
 Section 4947(a)(1) nonexempt charitable trust  Other taxable private foundation

**I** Fair market value of all assets at end of year (from Part II, column (c), line 16)  
\$ 2,778,379.

**J** Accounting method:  Cash  Accrual  
 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) (see instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
<b>1</b>	Contributions, gifts, grants, etc. received (att sch)	311,205.			
<b>2</b>	Ch <input checked="" type="checkbox"/> if the foundn is not req to att Sch B				
<b>3</b>	Interest on savings and temporary cash investments	104.	104.	104.	
<b>4</b>	Dividends and interest from securities	33,048.	33,048.	33,048.	
<b>5a</b>	Gross rents				
<b>b</b>	Net rental income or (loss)				
<b>6a</b>	Net gain/(loss) from sale of assets not on line 10	84,722.			
<b>b</b>	Gross sales price for all assets on line 6a				
<b>7</b>	Capital gain net income (from Part IV, line 2)				
<b>8</b>	Net short-term capital gain				
<b>9</b>	Income modifications				
<b>10a</b>	Gross sales less returns and allowances				
<b>b</b>	Less Cost of goods sold				
<b>c</b>	Gross profit/(loss) (att sch)				
<b>11</b>	Other income (attach schedule)				
<b>12</b>	<b>Total.</b> Add lines 1 through 11	429,079.	33,152.	33,152.	
<b>13</b>	Compensation of officers, directors, trustees, etc	0.			
<b>14</b>	Other employee salaries and wages				
<b>15</b>	Pension plans, employee benefits				
<b>16a</b>	Legal fees (attach schedule)				
<b>b</b>	Accounting fees (attach sch)				
<b>c</b>	Other prof fees (attach sch)				
<b>17</b>	Interest				
<b>18</b>	Taxes (attach schedule)(see instrs.)				
<b>19</b>	Depreciation (attach sch) and depletion				
<b>20</b>	Occupancy				
<b>21</b>	Travel, conferences, and meetings				
<b>22</b>	Printing and publications				
<b>23</b>	Other expenses (attach schedule) See Statement 1	36,059.			
<b>24</b>	<b>Total operating and administrative expenses.</b> Add lines 13 through 23	36,059.			
<b>25</b>	Contributions, gifts, grants paid				
<b>26</b>	<b>Total expenses and disbursements.</b> Add lines 24 and 25	36,059.	0.	0.	0.
<b>27</b>	Subtract line 26 from line 12:				
<b>a</b>	<b>Excess of revenue over expenses and disbursements</b>	393,020.			
<b>b</b>	<b>Net investment income</b> (if negative, enter -0-)		33,152.		
<b>c</b>	<b>Adjusted net income</b> (if negative, enter 0)			33,152.	

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REVENUE

Rec in Battering/ Cornes Ogdan  
ADMINISTRATIVE EXPENSES

RECEIVED  
FEB 05 2014  
IRS OGDEN

Received EOCA  
NOV 24 2014  
IRS Ogdan, Utah

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)		Beginning of year	End of year		
		(a) Book Value	(b) Book Value	(c) Fair Market Value			
ASSETS	1	Cash – non-interest-bearing		16,842.	9,357.	9,357.	
	2	Savings and temporary cash investments					
	3	Accounts receivable					
		Less: allowance for doubtful accounts					
	4	Pledges receivable					
		Less: allowance for doubtful accounts					
	5	Grants receivable					
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see instructions)					
	7	Other notes and loans receivable (attach sch)					
		Less: allowance for doubtful accounts					
	8	Inventories for sale or use					
	9	Prepaid expenses and deferred charges					
	10a	Investments – U.S. and state government obligations (attach schedule)			2,839,766.	2,396,586.	2,769,022.
		b Investments – corporate stock (attach schedule)					
		c Investments – corporate bonds (attach schedule)					
	11	Investments – land, buildings, and equipment basis					
	Less: accumulated depreciation (attach schedule)						
12	Investments – mortgage loans						
13	Investments – other (attach schedule)						
14	Land, buildings, and equipment: basis						
	Less: accumulated depreciation (attach schedule)						
15	Other assets (describe )						
16	<b>Total assets</b> (to be completed by all filers – see the instructions. Also, see page 1, item I)			2,856,608.	2,405,943.	2,778,379.	
LIABILITIES	17	Accounts payable and accrued expenses					
	18	Grants payable					
	19	Deferred revenue					
	20	Loans from officers, directors, trustees, & other disqualified persons					
	21	Mortgages and other notes payable (attach schedule)					
	22	Other liabilities (describe )					
	23	<b>Total liabilities</b> (add lines 17 through 22)			0.	0.	
NET ASSETS OR FUND BALANCES		<b>Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31.</b>	<input checked="" type="checkbox"/>				
	24	Unrestricted		2,856,608.	2,405,943.		
	25	Temporarily restricted					
	26	Permanently restricted					
		<b>Foundations that do not follow SFAS 117, check here and complete lines 27 through 31.</b>	<input type="checkbox"/>				
	27	Capital stock, trust principal, or current funds					
	28	Paid-in or capital surplus, or land, building, and equipment fund					
	29	Retained earnings, accumulated income, endowment, or other funds					
30	<b>Total net assets or fund balances</b> (see instructions)			2,856,608.	2,405,943.		
31	<b>Total liabilities and net assets/fund balances</b> (see instructions)			2,856,608.	2,405,943.		

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	2,856,608.
2	Enter amount from Part I, line 27a	2	393,020.
3	Other increases not included in line 2 (itemize)	3	
4	Add lines 1, 2, and 3	4	3,249,628.
5	Decreases not included in line 2 (itemize) <u>See Statement 2</u>	5	843,685.
6	Total net assets or fund balances at end of year (line 4 minus line 5) – Part II, column (b), line 30	6	2,405,943.

**Part IV Capital Gains and Losses for Tax on Investment Income**

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse, or common stock, 200 shares MLC Company)	(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1a N/A			
b			
c			
d			
e			

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h))
(i) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	
a			
b			
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	
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6)		3	

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

**Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income**

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank.

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?  Yes  No

If 'Yes,' the foundation does not qualify under section 4940(e) Do not complete this part

1 Enter the appropriate amount in each column for each year; see the instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (column (b) divided by column (c))
2010	317,348.	2,630,348.	0.120649
2009	179,553.	2,025,445.	0.088649
2008	456,488.	2,548,198.	0.179141
2007	330,326.	2,832,780.	0.116608
2006	390,933.	2,342,198.	0.166909

2 Total of line 1, column (d)	2	0.671956
3 Average distribution ratio for the 5-year base period — divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0.134391
4 Enter the net value of noncharitable-use assets for 2011 from Part X, line 5	4	4,287,248.
5 Multiply line 4 by line 3	5	576,168.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	332.
7 Add lines 5 and 6	7	576,500.
8 Enter qualifying distributions from Part XII, line 4	8	

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)**

<b>1 a</b> Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter 'N/A' on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary - see instrs)	}	<b>1</b>	663.
<b>b</b> Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b			
<b>c</b> All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, column (b)			
<b>2</b> Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		<b>2</b>	0.
<b>3</b> Add lines 1 and 2		<b>3</b>	663.
<b>4</b> Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		<b>4</b>	0.
<b>5</b> Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		<b>5</b>	663.
<b>6</b> Credits/Payments.			
<b>a</b> 2011 estimated tax pmts and 2010 overpayment credited to 2011	<b>6a</b>		9,837.
<b>b</b> Exempt foreign organizations - tax withheld at source	<b>6b</b>		
<b>c</b> Tax paid with application for extension of time to file (Form 8868)	<b>6c</b>		
<b>d</b> Backup withholding erroneously withheld	<b>6d</b>		
<b>7</b> Total credits and payments. Add lines 6a through 6d		<b>7</b>	9,837.
<b>8</b> Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached		<b>8</b>	
<b>9</b> Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		<b>9</b>	0.
<b>10</b> Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid		<b>10</b>	9,174.
<b>11</b> Enter the amount of line 10 to be Credited to 2012 estimated tax <b>9,174.</b> Refunded		<b>11</b>	0.

**Part VII-A Statements Regarding Activities**

	Yes	No
<b>1 a</b> 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>b</b> Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see the instructions for definition)? <i>If the answer is 'Yes' to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities</i>		X
<b>c</b> Did the foundation file Form 1120-POL for this year?		X
<b>d</b> Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year. (1) On the foundation <b>\$ 0.</b> (2) On foundation managers <b>\$ 0.</b>		
<b>e</b> Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <b>\$ 0.</b>		
<b>2</b> Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If 'Yes,' attach a detailed description of the activities</i>		X
<b>3</b> Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? <i>If 'Yes,' attach a conformed copy of the changes</i>		X
<b>4 a</b> Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
<b>b</b> If 'Yes,' has it filed a tax return on Form 990-T for this year?		N/A
<b>5</b> Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If 'Yes,' attach the statement required by General Instruction T</i>		X
<b>6</b> 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
<b>7</b> Did the foundation have at least \$5,000 in assets at any time during the year? <i>If 'Yes,' complete Part II, column (c), and Part XV</i>	X	
<b>8 a</b> Enter the states to which the foundation reports or with which it is registered (see instructions) <u>N/A</u>		
<b>b</b> If the answer is 'Yes' to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? <i>If 'No,' attach explanation</i>	X	
<b>9</b> 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 2011 or the taxable year beginning in 2011 (see instructions for Part XIV)? <i>If 'Yes,' complete Part XIV</i>		X
<b>10</b> Did any persons become substantial contributors during the tax year? <i>If 'Yes,' attach a schedule listing their names and addresses</i>		X

**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)			X
12	Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If 'Yes,' attach statement (see instructions)			X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address <span style="float:right">▶ N/A</span>	X		
14	The books are in care of ▶ <u>ARTHUR S GEIGER &amp; CO., P.A.</u> Telephone no. ▶ <u>(973) 285-5500</u> Located at ▶ <u>PO BOX 309 MORRISTOWN NJ</u> ZIP + 4 ▶ <u>07963</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 <span style="float:right">▶ 15</span>		N/A	N/A
16	At any time during calendar year 2011, 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 the instructions for exceptions and filing requirements for Form TD F 90-22.1 If 'Yes,' enter the name of the foreign country ▶		Yes	No
		16		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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(6)	Agree to pay money or property to a government official? ( <b>Exception.</b> 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) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 instructions)? Organizations relying on a current notice regarding disaster assistance check here <span style="float:right">▶ <input type="checkbox"/></span>	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 2011?	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 2011, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2011? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If 'Yes,' list the years ▶ 20__ , 20__ , 20__ , 20__		
b	Are there any years listed in 2a for which the foundation is <b>not</b> 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 ▶ 20__ , 20__ , 20__ , 20__		
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b	If 'Yes,' did it have excess business holdings in 2011 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 2011)	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 2011?	4b	X

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

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

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

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

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

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

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

**b** If any answer is 'Yes' to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?  Yes  No

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?  Yes  No

If 'Yes,' attach the statement required by Regulations section 53.4945-5(d) N/A

**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?  Yes  No

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

**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?  Yes  No N/A 7b

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

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

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (if not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
HERBERT SMILOWITZ 52 EDGEMONT RD WEST ORANGE, NJ 07052	Trustee 40.00	0.	0.	0.
MARILYN SMILOWITZ 52 EDGEMONT RD WEST ORANGE, NJ 07052	Trustee 40.00	0.	0.	0.

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

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

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

**Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors** (continued)

**3 Five highest-paid independent contractors for professional services (see instructions). If none, enter 'NONE.'**

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

**Part IX-A Summary of Direct Charitable Activities**

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.	Expenses
1 N/A	
-----	
2	
-----	
3	
-----	
4	
-----	

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

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

BAA

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

<b>1</b> Fair market value of assets not used (or held for use) directly in carrying out charitable, etc, purposes		
<b>a</b> Average monthly fair market value of securities	<b>1a</b>	4,265,160.
<b>b</b> Average of monthly cash balances	<b>1b</b>	87,376.
<b>c</b> Fair market value of all other assets (see instructions)	<b>1c</b>	
<b>d Total</b> (add lines 1a, b, and c)	<b>1d</b>	4,352,536.
<b>e</b> Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	<b>1e</b>	0.
<b>2</b> Acquisition indebtedness applicable to line 1 assets	<b>2</b>	0.
<b>3</b> Subtract line 2 from line 1d	<b>3</b>	4,352,536.
<b>4</b> Cash deemed held for charitable activities. Enter 1-1/2% of line 3 (for greater amount, see instructions)	<b>4</b>	65,288.
<b>5 Net value of noncharitable-use assets.</b> Subtract line 4 from line 3. Enter here and on Part V, line 4	<b>5</b>	4,287,248.
<b>6 Minimum investment return.</b> Enter 5% of line 5	<b>6</b>	214,362.

**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.)

<b>1</b> Minimum investment return from Part X, line 6	<b>1</b>	214,362.
<b>2a</b> Tax on investment income for 2011 from Part VI, line 5	<b>2a</b>	663.
<b>b</b> Income tax for 2011 (This does not include the tax from Part VI.)	<b>2b</b>	
<b>c</b> Add lines 2a and 2b	<b>2c</b>	663.
<b>3</b> Distributable amount before adjustments Subtract line 2c from line 1	<b>3</b>	213,699.
<b>4</b> Recoveries of amounts treated as qualifying distributions	<b>4</b>	
<b>5</b> Add lines 3 and 4	<b>5</b>	213,699.
<b>6</b> Deduction from distributable amount (see instructions)	<b>6</b>	
<b>7 Distributable amount as adjusted</b> Subtract line 6 from line 5 Enter here and on Part XIII, line 1	<b>7</b>	213,699.

**Part XII Qualifying Distributions** (see instructions)

<b>1</b> Amounts paid (including administrative expenses) to accomplish charitable, etc, purposes:		
<b>a</b> Expenses, contributions, gifts, etc — total from Part I, column (d), line 26	<b>1a</b>	
<b>b</b> Program-related investments — total from Part IX-B	<b>1b</b>	
<b>2</b> Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc, purposes	<b>2</b>	
<b>3</b> Amounts set aside for specific charitable projects that satisfy the:		
<b>a</b> Suitability test (prior IRS approval required)	<b>3a</b>	
<b>b</b> Cash distribution test (attach the required schedule)	<b>3b</b>	
<b>4 Qualifying distributions.</b> Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	<b>4</b>	0.
<b>5</b> Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see instructions)	<b>5</b>	
<b>6 Adjusted qualifying distributions.</b> Subtract line 5 from line 4	<b>6</b>	0.

**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 2010	(c) 2010	(d) 2011
1 Distributable amount for 2011 from Part XI, line 7				213,699.
2 Undistributed income, if any, as of the end of 2011:				
a Enter amount for 2010 only			0.	
b Total for prior years 20__, 20__, 20__		0.		
3 Excess distributions carryover, if any, to 2011:				
a From 2006	170,289.			
b From 2007	330,811.			
c From 2008	329,880.			
d From 2009	79,029.			
e From 2010	186,444.			
f Total of lines 3a through e	1,096,453.			
4 Qualifying distributions for 2011 from Part XII, line 4: ▶ \$ _____				
a Applied to 2010, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required – see instructions)		0.		
c Treated as distributions out of corpus (Election required – see instructions)	0.			
d Applied to 2011 distributable amount				0.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2011 (If an amount appears in column (d), the same amount must be shown in column (a))	213,699.			213,699.
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	882,754.			
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 2010. Subtract line 4a from line 2a Taxable amount – see instructions			0.	
f Undistributed income for 2011 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2012				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)	0.			
8 Excess distributions carryover from 2006 not applied on line 5 or line 7 (see instructions)	0.			
9 Excess distributions carryover to 2012. Subtract lines 7 and 8 from line 6a	882,754.			
10 Analysis of line 9				
a Excess from 2007	287,401.			
b Excess from 2008	329,880.			
c Excess from 2009	79,029.			
d Excess from 2010	186,444.			
e Excess from 2011				

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

**1a** If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2011, enter the date of the ruling ▶

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

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

	Tax year				(e) Total
	(a) 2011	(b) 2010	(c) 2009	(d) 2008	
<b>b</b> 85% of line 2a					
<b>c</b> Qualifying distributions from Part XII, line 4 for each year listed					
<b>d</b> Amounts included in line 2c not used directly for active conduct of exempt activities					
<b>e</b> Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c					
<b>3</b> Complete 3a, b, or c for the alternative test relied upon:					
<b>a</b> 'Assets' alternative test – enter:					
<b>(1)</b> Value of all assets					
<b>(2)</b> Value of assets qualifying under section 4942(j)(3)(B)(i)					
<b>b</b> 'Endowment' alternative test – enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					
<b>c</b> 'Support' alternative test – enter:					
<b>(1)</b> Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
<b>(2)</b> Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					
<b>(3)</b> Largest amount of support from an exempt organization					
<b>(4)</b> Gross investment income					

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

**1 Information Regarding Foundation Managers:**

**a** List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000). (See section 507(d)(2).)  
See Statement 4

**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 Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
<p><i>a</i> Paid during the year SEE ATTACHED LISTING SEE ATTACHED LISTING SEE ATTACHED, NJ 07963</p>	<p>see attached</p>	<p>see attac</p>	<p>SEE ATTACHED LISTING</p>	<p>303,185.</p>
<p><b>Total</b> <span style="float: right;">▶ 3a</span></p>				<p>303,185.</p>
<p><i>b</i> Approved for future payment</p>				
<p><b>Total</b> <span style="float: right;">▶ 3b</span></p>				





Oppenheimer & Co. Inc.  
125 Broad Street  
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# STATEMENT OF ACCOUNT



## News and Information

The IRS deadline for mailing 2011 tax reporting documents is February 15, 2012. However, in an effort to minimize amended forms for accounts subject to income reclassifications, pursuant to IRS approval, the mailing for affected accounts may be delayed until late February.

Please refer to the last page of this statement to review important messages from Oppenheimer.

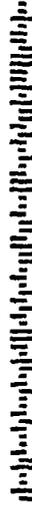
Account Number: D02-0492809  
For the Period: 12/01/11 - 12/31/11

Tax ID Number: ON FILE  
Last Statement: 11/30/11  
Page 1 of 7

Portfolio of:  
HERBERT SMILOWITZ FOUNDATION  
HERBERT SMILOWITZ & MARILYN  
SMILOWITZ TTESS UAD 12/23/98

\*\*\*\* DUPLICATE COPY \*\*\*\*

343400318Z PRESORT 31822 MB 0 515 PIC20 <> 017650  
ARTHUR S GEIGER CPA  
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PO BOX 309  
MORRISTOWN NJ 07963-0309



## Portfolio Summary

	This Period 12/31/11	Previous Period 11/30/11	Estimated Annual Income
Advantage Bank Deposits*	\$85,350.44	\$101,698.93	\$12.80
Equities	2,688,233.63	2,563,520.00	36,429.34
Options	-5,500.00	-1,900.00	0.00
Cash Balance	937.50	0.00	
<b>Total Asset Value</b>	<b>\$2,789,021.57</b>	<b>\$2,663,318.93</b>	<b>\$36,442.14</b>

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## Income Summary

Reportable	This Period	Year to Date
Dividends	\$4,684.23	\$35,966.26
Advantage Bank Dep Interest	1.78	69.32
Foreign Tax Withheld	-97.00	-419.49
<b>Total Reportable</b>	<b>\$4,689.01</b>	<b>\$35,616.09</b>

Note: Total Asset Value does not include unpriced securities or net accrued interest.  
\*Eligible for FDIC insurance, not SIPC insured.

## Cash Activity Summary

	\$0.00
Opening Cash Balance	
Net Funds Deposited or Withdrawn	-20,000.00
Net Miscellaneous Credits/Debits	-97.00
Net Income Activity	4,686.01
Net Advantage Bank Deposit Activity	16,348.49
<b>Closing Cash Balance</b>	<b>\$937.50</b>

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STATEMENT OF  
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DUPLICATE FOR:  
HERBERT SMILOWITZ FOUNDATION  
HERBERT SMILOWITZ & MARILYN

Page 2 of 7 Account Number DD2-0492809 Financial Advisor FREEMAN, ALFRED - X49 Period Ending 12/31/11

Portfolio Holdings

Some prices, current values and income estimates may be approximations, resulting in gains and losses not being accurately reflected. Unrealized gains and/or losses are computed from the supplied cost basis data and may not be accurate for tax reporting purposes. Items for which a cost basis was not available as of the statement period ending date are indicated by the symbol N/A. The total gains and/or losses do not reflect positions which we do not have cost information. Please contact your Financial Advisor if you believe any cost basis related data is inaccurate or if you require additional information.

Estimated Annual Income ("EAI") and Estimated Yield ("EY") are estimates only and do not indicate actual income or performance of investments. EAI and EY for certain types of securities could include a return of principal or capital gains, in which case the EAI and EY would be overstated. As EAI and EY are estimates, the actual income and yield might be lower or higher than the estimated amounts. EY reflects only the income generated by an investment and it does not reflect changes in its price, which may fluctuate.

Advantage Bank Deposits (NOT COVERED BY SIPC)

As described in the ABD Program's Terms & Conditions, the current yield is based on the average daily balance during the prior month's interest cycle; interest cycles run from mid-month to mid-month.

Description	Account Type	Quantity	Symbol	Unit Cost	Current Price	Total Cost Basis	Current Value	EY	EAI	Portfolio Percent
ADVANTAGE BANK DEPOSIT	CASH	85,350.44	ABDXX	1.0000	1.0000	85,350.44	85,350.44	0.015%	12	3.08
FDIC INSURED AT VARIOUS BKS										
TOTAL ADVANTAGE BANK DEPOSITS						85,350.44	85,350.44		12	3.08

Equities

Please note the following icon appears to the right of the stock symbol of those securities which Oppenheimer has provided research coverage within the last 12 months. If you wish to access such research you may visit the Client Access web site ([www.opco.com](http://www.opco.com)) or speak with your Financial Advisor.

Description	Account Type	Quantity	Symbol	Unit Cost	Current Price	Total Cost Basis	Current Value	Unrealized Gain/Loss	EY	EAI	Portfolio Percent
COVIDIEN PLC	(L)CASH	1,250	COV	35.3213	45.0100	44,151.62	56,262.50	12,111	1.999%	1125	2.03
MARVELL TECHNOLOGY GROUP LTD ORD	(Q)CASH	5,000	MRVL	20.2610	13.8500	101,305.00	69,250.00	(32,055)			2.50
TE CONNECTIVITY LTD REG SHS	(Q)CASH	1,250	TEL	31.4203	30.8100	39,275.33	38,512.50	(763)	2.336%	900	1.39
TYCO INTERNATIONAL LTD	(P)CASH	1,250	TYC	43.5432	46.7100	54,429.05	58,387.50	3,958	2.140%	1250	2.11
FLEXTRONICS INTL LTD ORD	(Q)CASH	6,000	FLEX	6.2405	5.6600	37,443.25	33,960.00	(3,483)			1.23
AMKOR TECHNOLOGY INC	(Q)CASH	5,000	AMKR	21.2471	4.3600	106,235.40	21,800.00	(84,435)			0.79
AVNET INC	(Q)CASH	5,000	AVT	32.2309	31.0900	161,154.50	155,450.00	(5,705)			5.62

Common Stock

Description	Account Type	Quantity	Symbol	Unit Cost	Current Price	Total Cost Basis	Current Value	Unrealized Gain/Loss	EY	EAI	Portfolio Percent
BANCO SANTANDER SA ADR	(I)CASH	352	STD	25.0837	7.5200	8,829.46	2,647.04	(6,182)	9.177%	242	0.10
BERKSHIRE BANCORP INC DEL COM NEW	(I)CASH	1,450	BERK	13.0486	7.0900	18,920.50	10,280.50	(8,640)			0.37
BERKSHIRE BANCORP INC DEL COM NEW	(I)MRGN	15,000	BERK	10.6208	7.0900	159,312.30	106,350.00	(52,962)			3.84
COOPER COS INC COM NEW	(L)CASH	8,400	COO	31.7920	70.5200	267,052.62	592,368.00	325,315	0.085%	504	21.40
CORNING INC	(C)CASH	3,000	GLW	21.1083	12.9800	63,325.00	38,940.00	(24,385)	2.311%	900	1.41
CREE INC	(Q)CASH	2,000	CREE	50.8385	22.0400	101,677.06	44,080.00	(57,597)			1.59
DOW CHEM CO	(C)CASH	2,000	DOW	33.5925	28.7600	67,185.00	57,520.00	(9,665)	3.477%	2000	2.08
E M C CORP MASS	(Q)CASH	3,000	EMC	15.6600	21.5400	46,980.00	64,620.00	17,640			2.33
1ST CONSTITUTION BANCORP	(I)CASH	18,092	FCCY	4.3729	6.9800	79,115.11	126,282.16	47,167			4.56
FRONTIER COMMUNICATIONS CORP	(R)CASH	5,000	FTR	11.2600	5.1500	56,300.00	25,750.00	(30,550)	14.563%	3750	0.93
GF HEALTH PRODUCTS INC NEW RSTR	CASH	34	N/A	N/A	UNPRICED	N/A	.00	N/A			
INTEL CORP	(Q)CASH	5,000	INTC	19.3010	24.2500	96,505.00	121,250.00	24,745	3.463%	4200	4.38
MERCK & CO INC NEW	(L)CASH	576	MRK	30.6700	37.7000	17,665.92	21,715.20	4,049	4.456%	967	0.78
MICROSOFT CORP	(Q)CASH	3,000	MSFT	28.0001	25.9600	84,000.15	77,880.00	(6,120)	3.081%	2400	2.81
OCEANFIRST FINL CORP	(I)CASH	10,000	OCFC	9.6667	13.0700	96,666.67	130,700.00	34,033	3.672%	4800	4.72
SOUTHERN UN CO NEW	(G)CASH	4,000	SUG	25.6725	42.1100	102,690.00	168,440.00	65,750	1.424%	2400	6.09
SUNCOR ENERGY INC NEW	(G)CASH	6,000	SU	13.0793	28.8300	78,475.80	172,980.00	94,504	1.496%	2588	6.25
TENNECO INC	(S)CASH	5,000	TEN	23.4956	29.7800	117,477.88	148,900.00	31,422			5.38

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STATEMENT OF  
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DUPLICATE FOR:  
HERBERT SMILLOWITZ FOUNDATION  
HERBERT SMILLOWITZ & MARILYN

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Account Number D02-0492809

Financial Advisor FREEMAN, ALFRED - X49

Period Ending 12/31/11

Common Stock

Description	Account Type	Quantity	Symbol	Unit Cost	Current Price	Total Cost Basis	Current Value	Unrealized Gain/(Loss)	EY	EAI	Portfolio Percent
VALLEY NATL BANCORP	(1)CASH	6,379	VLV	19.4079	12.3700	123,802.77	78,908.23	(44,895)	5.578%	4401	2.85
WELLPOINT INC	(1)CASH	4,000	WLP	48.7513	66.2500	195,005.00	265,000.00	69,995	1.509%	4000	9.57
<b>SUB-TOTAL COMMON STOCK</b>						<b>2,324,980.39</b>	<b>2,688,233.63</b>	<b>363,252</b>		<b>36429</b>	<b>97.11</b>
<b>TOTAL EQUITIES</b>						<b>2,324,980.39</b>	<b>2,688,233.63</b>	<b>363,252</b>		<b>36429</b>	<b>97.11</b>

COMMON STOCK HOLDINGS SUMMARY BY INDUSTRY CODE

(L) 24% HEALTHCARE	(Q) 23% TECHNOLOGY	(P) 2% RETAIL SERVICES	(I) 26% FINANCIAL
(C) 3% BASIC INDUSTRY	(R) 90% TELECOMMUNICATIONS	(G) 12% ENERGY	(S) 5% TRANSPORTATION

Options

Description	Account Type	Quantity	Symbol	Unit Cost	Current Price	Total Cost Basis	Current Value	Unrealized Gain/(Loss)	EY	EAI	Portfolio Percent
CALL COO MAY @ \$80 EXP 05/19/12 SYMBOL: COO 120519COO080000 CODPER COMPANIES INC	CASH	-20		6.8724	2.7500	-13,744.73	-5,500.00	8,245			-0.20
<b>TOTAL OPTIONS</b>						<b>-13,744.73</b>	<b>-5,500.00</b>	<b>8,245</b>			<b>-0.20</b>

Total Portfolio Value

Total Cost Basis	Current Value	Unrealized Gain/(Loss)	EY	EAI	Portfolio Percent
\$2,396,886.10	\$2,769,084.07	\$371,497	1.516	36445	100%

**Transactions/Activity Detail**

Date	Type	Quantity	Transaction	Description	Price/Entry	Amount
12-20	CASH		WIRE FUNDS	** FUNDS DEPOSITED OR WITHDRAWN ** O21200339/BANK OF AMERICA ACCT **3244 122081081510006477		20,000.00 DEBIT
				Net Funds Deposited or Withdrawn.....		\$20,000.00 DEBIT

Date	Type	Quantity	Transaction	Description	Price/Entry	Amount
12-23	CASH	6,000	FRGN TAX PAID	** MISCELLANEOUS ACTIVITY ** SUNCOR ENERGY INC NEW R/DTE:12/02/11 P/DTE:12/23/11		97.00 DEBIT
12-30	CASH	1,000	JOURNAL LTR	COOPER COS INC TRANSFER FROM D020326460 COM NEW		
				Net Miscellaneous Credits/Debits.....		\$97.00 DEBIT

Date	Type	Quantity	Transaction	Description	Price/Entry	Amount
12-01	CASH		DIVIDENDS ON	INTEL CORP R/DTE:11/07/11 P/DTE:12/01/11		1,050.00 CREDIT
12-08	CASH		DIVIDENDS ON	MICROSOFT CORP R/DTE:11/17/11 P/DTE:12/08/11		600.00 CREDIT
12-15	CASH		DIVIDENDS ON	TE CONNECTIVITY LTD REG SHS R/DTE:12/01/11 P/DTE:12/15/11		225.00 CREDIT
12-16	CASH		INTEREST ON	ADVANTAGE BANK DEPOSIT INTEREST INCOME FDIC INSURED AT VARIOUS BKS		1.26 CREDIT
12-16	CASH		DIVIDENDS ON	CORNING INC R/DTE:11/16/11 P/DTE:12/16/11		225.00 CREDIT
12-23	CASH		DIVIDENDS ON	SUNCOR ENERGY INC NEW R/DTE:12/02/11 P/DTE:12/23/11		646.73 CREDIT
12-23	CASH		DIVIDENDS ON	WELLPOINT INC R/DTE:12/09/11 P/DTE:12/23/11		1,000.00 CREDIT
12-30	CASH		INTEREST ON	ADVANTAGE BANK DEPOSIT INTEREST INCOME FDIC INSURED AT VARIOUS BKS		0.52 CREDIT

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**STATEMENT OF  
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 HERBERT SMILOWITZ FOUNDATION  
 HERBERT SMILOWITZ & MARILYN

Page 6 of 7  
 Account Number 002-0492809  
 Financial Advisor FREEMAN, ALFRED - X49  
 Period Ending 12/31/11

Date	Type	Quantity	Transaction	Description	Price/Entry	Amount
2-30	CASH		DIVIDENDS ON	FRONTIER COMMUNICATIONS CORP	R/DTE:12/09/11 P/DTE:12/30/11	937.50 CREDIT
				Net Income Activity.....		\$4,686.01 CREDIT



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Page 7 of 7 Account Number D02-0492809 Financial Advisor FREEMAN, ALFRED - X49 Period Ending 12/31/11

**Advantage Bank Deposit Program Bank Balance(s) (NOT COVERED BY SIPC)**

Your money, while deposited in any one of the below-referenced banks, is eligible for FDIC insurance up to the standard maximum deposit insurance amount in the aggregate with other deposits that you hold in the same right and capacity at that same bank (typically \$250,000 for individual and retirement accounts and \$500,000 for joint accounts). You are responsible for monitoring the total amount of deposits that you maintain with any listed bank in order to determine the extent of FDIC insurance available to you, including, without limitation, deposits held through any other accounts at Oppenheimer, deposits that you maintain directly in the same capacity with any listed bank or any CDs issued by a listed bank. The aggregation of such deposits may cause you to exceed the maximum amount of FDIC insurance allowable. Please contact your Financial Advisor immediately in the event you believe this is the case. These bank deposits are not protected by SIPC or any excess insurance held by Oppenheimer.

Bank Name	Balance
JP Morgan Chase Bank, National Association [Columbus, OH]	85,350.44
CLOSING ADVANTAGE BANK DEPOSIT BALANCE	\$85,350.44

**Advantage Bank Deposit Activity (NOT COVERED BY SIPC)**

Date	Description	Amount	Balance	Date	Description	Amount	Balance
	OPENING ADVANTAGE BANK DEPOSIT BALANCE					\$101,698.93	
	Interest Rate:	0.015%					
12/02/2011	DEPOSIT TO PROGRAM BANK	1,050.00	102,748.93	12/09/2011	DEPOSIT TO PROGRAM BANK	600.00	103,348.93
12/16/2011	INTEREST INCOME REINVESTED	1.26	103,350.19	12/16/2011	DEPOSIT TO PROGRAM BANK	225.00	103,575.19
12/19/2011	DEPOSIT TO PROGRAM BANK	225.00	103,800.19	12/20/2011	WITHDRAWAL FROM PROGRAM BANK	-20,000.00	83,800.19
12/27/2011	DEPOSIT TO PROGRAM BANK	1,549.73	85,349.92	12/30/2011	INTEREST INCOME REINVESTED	0.52	85,350.44
	CLOSING ADVANTAGE BANK DEPOSIT BALANCE					\$85,350.44	

Cash and securities held by us in your client account(s) are protected in two ways. Through our membership in SIPC (Securities Investor Protection Corp), protection is provided up to US\$500,000, of which as much as US\$100,000 can be in cash. The firm supplements this by providing similar protection for the remainder of the cash and/or securities up to US\$100,000,000 that we hold on your behalf.

Money deposited in the program banks is insured by the FDIC. FDIC deposit insurance and SIPC coverage are very different. FDIC insures depositors against loss of principal value of a deposit in the event of the insolvency of the bank that issued the deposit. SIPC coverage protects against a disappearance of securities that results from the insolvency of a broker-dealer and a loss of customer cash held as a general obligation of the broker-dealer up to the above stated limits. SIPC coverage does not protect against a decline in value of securities, and provides no coverage for balances held on deposit at a bank, even if held through a broker-dealer. Further information about SIPC may be found on their website at [www.sipc.org](http://www.sipc.org) or by calling (877) 275-3342.

Please notify us promptly if you believe that there is any inaccuracy or discrepancy in any transaction or balance reflected on this statement in the event that you have relayed such information to us verbally, please re-confirm to us any such communication in writing as soon as possible thereafter. Please be sure to note your account number.

\*\*\*\* THIS IS THE END OF YOUR STATEMENT. WE THANK YOU FOR BEING A VALUED CLIENT. \*\*\*\*

Oppenheimer & Co. Inc.

Account D020492809

2011

Detail for Dividends and Distributions

Security Description	CUSIP	Date	Amount	Country	Transaction Type
BANCO SANTANDER SA ADR	05964H105	02/10/11	54.23		Qualified dividend
		05/09/11	116.11		Qualified dividend
		05/09/11	-22.06	SP	Foreign tax withheld
		08/08/11	65.36		Qualified dividend
		08/08/11	-12.41	SP	Foreign tax withheld
		11/10/11	59.57		Qualified dividend
		Dividends and Distributions:			
		Foreign tax withheld:			
			295.27		
			-34.47		
COOPER COS INC COM NEW	216648402	02/07/11	252.00		Qualified dividend
		08/05/11	222.00		Qualified dividend
		Dividends and Distributions:			
			474.00		
CORNING INC	219350105	03/31/11	150.00		Qualified dividend
		06/30/11	150.00		Qualified dividend
		09/30/11	150.00		Qualified dividend
		12/16/11	225.00		Qualified dividend
		Dividends and Distributions:			
			675.00		
DOW CHEM CO	260543103	01/28/11	300.00		Qualified dividend
		04/29/11	300.00		Qualified dividend
		07/29/11	500.00		Qualified dividend
		10/28/11	500.00		Qualified dividend
		Dividends and Distributions:			
			1,600.00		
EXELON CORP	30161N101	03/10/11	1,050.00		Qualified dividend
FRONTIER COMMUNICATIONS CORP	35906A108	03/31/11	207.88		Qualified dividend <sup>03</sup>
		03/31/11	729.62		Nondividend distribution <sup>03</sup>
		06/30/11	207.88		Qualified dividend <sup>03</sup>
		06/30/11	729.62		Nondividend distribution <sup>03</sup>
		09/30/11	207.88		Qualified dividend <sup>03</sup>
		09/30/11	729.62		Nondividend distribution <sup>03</sup>
		12/30/11	207.88		Qualified dividend <sup>03</sup>
		12/30/11	729.62		Nondividend distribution <sup>03</sup>
		Dividends and Distributions:			
			3,750.00		

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Oppenheimer &amp; Co. Inc.

Account D020492809

### Detail for Dividends and Distributions

(continued)

2011

Security Description	CUSIP	Date	Amount	Country	Transaction Type
INTEL CORP	458140100	03/01/11	906.00		Qualified dividend
		06/01/11	906.00		Qualified dividend
		09/01/11	1,050.00		Qualified dividend
		12/01/11	1,050.00		Qualified dividend
		<b>Dividends and Distributions:</b>	<b>3,912.00</b>		
MERCK & CO INC NEW	58933Y105	01/07/11	218.88		Qualified dividend
		04/07/11	218.88		Qualified dividend
		07/08/11	218.88		Qualified dividend
		10/07/11	218.88		Qualified dividend
		<b>Dividends and Distributions:</b>	<b>875.52</b>		
MICROSOFT CORP	594918104	03/10/11	480.00		Qualified dividend
		06/09/11	480.00		Qualified dividend
		09/08/11	480.00		Qualified dividend
		12/08/11	600.00		Qualified dividend
		<b>Dividends and Distributions:</b>	<b>2,040.00</b>		
OCEANFIRST FINL CORP	67523A108	02/11/11	1,200.00		Qualified dividend
		05/13/11	1,200.00		Qualified dividend
		08/12/11	1,200.00		Qualified dividend
		11/10/11	1,200.00		Qualified dividend
		<b>Dividends and Distributions:</b>	<b>4,800.00</b>		
SOUTHERN UN CO NEW	844030106	01/14/11	600.00		Qualified dividend
		04/08/11	600.00		Qualified dividend
		07/08/11	600.00		Qualified dividend
		10/14/11	600.00		Qualified dividend
		<b>Dividends and Distributions:</b>	<b>2,400.00</b>		
SUNCOR ENERGY INC NEW	86722A107	03/25/11	614.30		Qualified dividend
		03/25/11	-92.14	CA	Foreign tax withheld
		06/24/11	669.37		Qualified dividend
		06/24/11	-100.40	CA	Foreign tax withheld
		09/26/11	636.57		Qualified dividend
		09/26/11	-95.48	CA	Foreign tax withheld
		12/23/11	646.73		Qualified dividend

Oppenheimer & Co. Inc.

Account D020492809

**Detail for Dividends and Distributions**

(continued)

2011

Security Description	CUSIP	Date	Amount	Country	Transaction Type
SUNCOR ENERGY INC NEW (Cont'd)	867224107	12/23/11	-97.00	CA	Foreign tax withheld
		Dividends and Distributions:	2,566.97		
		Foreign tax withheld:	-385.02		
VALLEY NATL BANCORP	919794107	01/03/11	1,093.68		Qualified dividend
		04/01/11	1,093.68		Qualified dividend
		07/01/11	1,100.38		Qualified dividend
		10/03/11	1,100.38		Qualified dividend
		Dividends and Distributions:	4,388.12		
WELLPOINT INC	94973V107	03/25/11	1,000.00		Qualified dividend
		06/24/11	1,000.00		Qualified dividend
		09/23/11	1,000.00		Qualified dividend
		12/23/11	1,000.00		Qualified dividend
		Dividends and Distributions:	4,000.00		
COVIDIEN PLC	G2554F105	02/22/11	250.00		Qualified dividend
COVIDIEN PLC	G2554F113	05/06/11	250.00		Qualified dividend
		08/19/11	250.00		Qualified dividend
		11/04/11	281.25		Qualified dividend
		Dividends and Distributions:	781.25		
TE CONNECTIVITY LTD REG SHS	H84989104	06/15/11	225.00		Qualified dividend
		09/15/11	225.00		Qualified dividend
		12/15/11	225.00		Qualified dividend
		Dividends and Distributions:	675.00		
TYCO INTERNATIONAL LTD	H89128104	02/23/11	295.63		Qualified dividend
		05/25/11	312.50		Qualified dividend
		08/24/11	312.50		Qualified dividend
		11/17/11	312.50		Qualified dividend
		Dividends and Distributions:	1,233.13		
TYCO ELECTRONICS LTD SWITZERLD	H8912P106	03/16/11	200.00		Qualified dividend

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Oppenheimer & Co. Inc.

Account D020492809

Detail for Dividends and Distributions

(continued)

2011

Security Description	CUSIP	Date	Amount	Country	Transaction Type
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Total Dividends and Distributions:					
Total Foreign tax withheld:					

35,966.26					
-419.49					

Oppenheimer & Co. Inc.

Account D020492809

2011

**Detail for Interest Income**

Security Description	CUSIP	Date	Amount	Country	Transaction Type
ADVANTAGE BANK DEPOSIT	007582908	01/18/11	9.84		Interest
FDIC INSURED AT VARIOUS BKS		02/16/11	7.42		Interest
		03/16/11	6.77		Interest
		04/18/11	6.70		Interest
		05/16/11	4.97		Interest
		06/16/11	7.77		Interest
		07/18/11	8.06		Interest
		08/16/11	4.63		Interest
		09/16/11	4.57		Interest
		10/17/11	4.06		Interest
		11/16/11	2.75		Interest
		12/16/11	1.26		Interest
		12/30/11	0.52		Interest
		<b>Interest Income:</b>	<b>69.32</b>		
		<b>Total Interest Income:</b>	<b>69.32</b>		

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03 Transaction has been adjusted for income reallocations.

# Spending Transaction - 2011

1/1/2011 through 12/31/2011

Date	Description	Category	Amount
1/7/2011	CHABAD OCEAN SYNAGOGUE	Charity	-100.00
1/10/2011	Young Israel Of Hollywood Beach	Charity	-100.00
1/12/2011	American Cancer Society	Charity	-100.00
1/13/2011	Daughters Of Miriam Foundation	Charity	-3,600.00
1/14/2011	ESSEX COUNTY RITUALARIUM	Charity	-250.00
1/18/2011	Bernard College	Charity	-100.00
1/18/2011	West Orange First Aid Squad	Charity	-25.00
1/20/2011	ACWIS	Charity	-500.00
1/20/2011	GUSH ETZION FOUNDATION	Charity	-500.00
1/20/2011	GESHER FOUNDATION	Charity	-200.00
1/20/2011	AMERICAN FRIENDS OF MAGEN DAVID ADOM - AFMDA	Charity	-100.00
1/20/2011	NATIONAL JEWISH OUTREACH PROGRAM	Charity	-180.00
1/20/2011	AMERICAN SOCIETY FOR YAD VASHEM	Charity	-108.00
1/20/2011	AMERICAN COMMITTEE FOR SHAARE ZEDEK	Charity	-180.00
1/20/2011	JWV OF THE USA	Charity	-62.00
1/20/2011	B'NAI B'RITH INTERNATIONAL	Charity	-200.00
1/20/2011	P'TACH	Charity	-180.00
1/20/2011	AMERICAN FRIENDS OF RABIN MEDICAL CENTER	Charity	-180.00
1/20/2011	D.A.F.	Charity	-180.00
1/20/2011	FRIENDS OF KISHINEV JEWRY	Charity	-72.00
1/20/2011	HIAS	Charity	-100.00
1/20/2011	NATIONAL YIDDISH BOOK CENTER	Charity	-72.00
1/20/2011	VETERANS OF FOREIGN WARS	Charity	-50.00
1/20/2011	UNITED STATES HOLOCAUST MEMORIAL MUSEUM	Charity	-100.00
1/25/2011	Amit	Charity	-1,800.00
1/31/2011	AISH JERUSALEM FELLOWSHIPS	Charity	-100.00
2/4/2011	American Friends Of Achy	Charity	-1,500.00
2/6/2011	P.E.F.	Charity	-250.00
2/11/2011	TORAS CHAIM	Charity	-200.00
2/11/2011	Amit	Charity	-200.00
2/11/2011	YOUNG ISRAEL OF EAST BRONSWICK	Charity	-360.00
2/15/2011	Congregation AABJD	Charity	-500.00
2/15/2011	Labavtch Center Of Essex County	Charity	-360.00
2/15/2011	JEC ADATH ISRAEL	Charity	-360.00
2/22/2011	Friendship Circle	Charity	-1,800.00
3/6/2011	CHABAD OCEAN SYNAGOGUE	Charity	-250.00

# Spending Transaction - 2011

1/1/2011 through 12/31/2011

Date	Description	Category	Amount
3/8/2011	Young Israel Of Hollywood Beach	Charity	-200.00
3/14/2011	OHEL Children's Home & Family Services	Charity	-180.00
3/14/2011	Zionist Organization Of America	Charity	-180.00
3/14/2011	Paamonim	Charity	-180.00
3/14/2011	Jewish Family Services Of MetroWest	Charity	-180.00
3/14/2011	Museum Of Jewish Heritage	Charity	-100.00
3/14/2011	World Jewish Congress Foundation	Charity	-100.00
3/14/2011	United Charity Institutions Of Jersusalem	Charity	-100.00
3/14/2011	National Jewish Health	Charity	-54.00
3/14/2011	Jewish Family Service Of Central NJ	Charity	-500.00
3/14/2011	Jewish Historical Society Of MetroWest	Charity	-100.00
3/14/2011	HASC	Charity	-180.00
3/14/2011	Friends Of Israel Defense Forces	Charity	-180.00
3/14/2011	Amit	Charity	-10,000.00
3/14/2011	Amit	Charity	-10,000.00
3/14/2011	Orthodox Union	Charity	-360.00
3/14/2011	UNIVERSITY OF MARYLAND HILLEL FOUNDATION	Charity	-360.00
3/14/2011	CONGREGATION ETZ AHAIM	Charity	-100.00
3/14/2011	West Orange First Aid Squad	Charity	-25.00
3/14/2011	SUSAN G KOMEN FOR THE CURE N. JERSEY AFFILIATE	Charity	-300.00
3/28/2011	B'Nai Shalom	Charity	-500.00
4/1/2011	LINCOLN Square Synagogue	Charity	-1,000.00
4/5/2011	Rabbi Jacob Joseph School	Charity	-1,000.00
4/5/2011	Israel Purim Fund	Charity	-75.00
4/11/2011	Sharsheret	Charity	-250.00
4/11/2011	Jewish Historical Society Of MetroWest	Charity	-1,000.00
4/11/2011	Ncjlw	Charity	-50.00
4/13/2011	March Of Dimes	Charity	-100.00
5/8/2011	N.J. Audobon	Charity	-45.00
5/9/2011	Etzion Foundation	Charity	-40,000.00
5/9/2011	Fiat Rock Brook Nature Association	Charity	-45.00
5/17/2011	JPEF	Charity	-160.00
5/17/2011	BNC	Charity	-60.00
5/29/2011	Young Israel Of Hollywood Beach	Charity	-150.00
5/29/2011	Congregation Ohr Torah	Charity	-500.00
5/29/2011	CHABAD OCEAN SYNAGOGUE	Charity	-150.00
5/31/2011	American Friends Of Genesis Jerusalem	Charity	-500.00

Spending Transaction - 2011  
1/1/2011 through 12/31/2011

Date	Description	Category	Amount
5/31/2011	Jewish Educational Center	Charity	-10,000.00
5/31/2011	Chai Lifeline	Charity	-1,250.00
6/1/2011	Mishkan Israel Day Camp	Charity	-100.00
6/3/2011	Yeshiva Be'er Yitzchok	Charity	-360.00
6/3/2011	Lubovitch Center Of Essex	Charity	-1,800.00
6/3/2011	CANFEI NESHARIM	Charity	-180.00
6/3/2011	Chai Lifeline	Charity	-180.00
6/3/2011	c.S.T.J.C. - Go Kosher Project	Charity	-100.00
6/10/2011	Congregation AABJD	Charity	-3,000.00
6/14/2011	Congregation Adath Israel	Charity	-360.00
6/16/2011	Amit	Charity	-54.00
6/21/2011	Ohr Yaakov Of America	Charity	-250.00
6/27/2011	Congregation Adath Israel	Charity	-180.00
6/27/2011	AMERICAN FRIENDS OF YESHIVOT BNEI AKIVA	Charity	-1,800.00
7/18/2011	Ncjw	Charity	-45.00
7/28/2011	UJA METROWEST	Charity	-40,000.00
8/15/2011	JEC ADATH ISRAEL	Charity	-850.00
8/17/2011	PMC/JIMMY FUND	Charity	-200.00
8/22/2011	Congregation AABJD	Charity	-2,500.00
9/9/2011	TOGETHER ON TUESDAY	Charity	-15.00
9/9/2011	Young Israel Of Hollywood Beach	Charity	-100.00
9/12/2011	Young Israel Of Hollywood Beach	Charity	-260.00
9/12/2011	Yeshiva Karlin Stolin	Charity	-180.00
9/19/2011	AISH HATORAH	Charity	-3,600.00
9/19/2011	Amit	Charity	-24.00
9/21/2011	CHABAD OCEAN SYNAGOGUE	Charity	-250.00
9/26/2011	Congregation AABJD	Charity	-72.00
10/3/2011	Yeshiva University - Riets	Charity	-50,000.00
10/3/2011	Stern College	Charity	-10,000.00
10/3/2011	Congregation AABJD	Charity	-3,000.00
10/3/2011	Beth Israel Synagogue	Charity	-1,000.00
10/4/2011	Jewish Educational Center	Charity	-100.00
10/4/2011	West Orange P.A.L.	Charity	-25.00
10/17/2011	Mechow Routh	Charity	-500.00
10/25/2011	American Friends Of Bet Knesset Feigenson	Charity	-200.00
10/27/2011	Yeshiva Madreigas HaAdam	Charity	-25.00
11/7/2011	Joseph Kushner Hebrew Academy	Charity	-3,200.00

## Spending Transaction - 2011

1/1/2011 through 12/31/2011

Date	Description	Category	Amount
11/8/2011	AMERICAN FRIENDS OF YESHIVOT BNEI AKIVA	Charity	-1,800.00
11/8/2011	Camera	Charity	-100.00
11/8/2011	Sinai Schools	Charity	-2,500.00
11/8/2011	KOBY MANDELL FOUNDATION	Charity	-500.00
11/8/2011	American Friends Of Tsfat, Inc	Charity	-360.00
11/8/2011	Rabbinical College Of America	Charity	-1,000.00
11/9/2011	Yeshiva University	Charity	-50,000.00
11/10/2011	AMERICAN FRIENDS OF BET EL	Charity	-1,800.00
11/10/2011	Daughters Of Miriam Foundation	Charity	-3,600.00
11/11/2011	MESIFTA OF LONG BEACH	Charity	-100.00
11/14/2011	ORA	Charity	-360.00
11/17/2011	Yeshiva University	Charity	-1,000.00
11/21/2011	Fiat Rock Brook Nature Association	Charity	-250.00
11/21/2011	ATID SOCIETY - JKHA/RKYHS	Charity	-1,000.00
11/23/2011	JEWISH NATIONAL FUND	Charity	-180.00
11/26/2011	Yeshiva Madreigas HaAdam	Charity	-1,000.00
11/26/2011	Torah Center Of Hillcrest	Charity	-100.00
11/26/2011	Yeshiva Madreigas HaAdam	Charity	-1,000.00
11/29/2011	Congregation Jewish Learning Experience	Charity	-2,000.00
12/9/2011	Young Israel Of Hollywood Beach	Charity	-100.00
12/9/2011	CHABAD OCEAN SYNAGOGUE	Charity	-100.00
12/15/2011	Chabad Of South Broward	Charity	-500.00
12/16/2011	West Orange Eruv	Charity	-180.00
12/18/2011	Amit	Charity	-280.00
12/19/2011	Rabbi Jacob Joseph School	Charity	-1,800.00
12/20/2011	C.S.T.J.C. - Go Kosher Project	Charity	-180.00
12/20/2011	AMERICAN COMMITTEE FOR Melavev	Charity	-180.00
12/20/2011	Sinai Schools	Charity	-2,500.00
12/20/2011	AMERICAN FRIENDS OF MAGEN DAVID ADOM - AFMDA	Charity	-100.00
12/20/2011	NATIONAL JEWISH OUTREACH PROGRAM	Charity	-180.00
12/20/2011	FRIENDS OF KISHINEV JEWRY	Charity	-72.00
12/20/2011	BNAI BRITH INTERNATIONAL	Charity	-200.00
12/20/2011	AMERICAN COMMITTEE FOR SHAARE ZEDEK	Charity	-180.00
12/20/2011	NATIONAL YIDDISH BOOK CENTER	Charity	-72.00
12/20/2011	D.A.F.	Charity	-180.00
12/20/2011	Paamonim	Charity	-180.00
12/20/2011	GUSH ETZION FOUNDATION	Charity	-500.00

Spending Transaction - 2011  
1/1/2011 through 12/31/2011

Date	Description	Category	Amount
12/20/2011	AMERICAN FRIENDS OF NISHMAT	Charity	-360.00
12/20/2011	PTACH	Charity	-180.00
12/20/2011	JWV OF THE USA	Charity	-62.00
12/20/2011	American Committee For The Weizmann Institute Of Scienc	Charity	-500.00
12/20/2011	VETERANS OF FOREIGN WARS	Charity	-50.00
12/20/2011	UNITED STATES HOLOCAUST MEMORIAL MUSEUM	Charity	-100.00
12/20/2011	GESHER FOUNDATION	Charity	-200.00
12/20/2011	AMERICAN FRIENDS OF RABIN MEDICAL CENTER	Charity	-180.00
12/26/2011	West Orange First Aid Squad	Charity	-36.00
12/28/2011	Orthodox Union	Charity	-360.00
12/28/2011	Yachad	Charity	-100.00
12/28/2011	CSS	Charity	-180.00
12/28/2011	HonestReporting	Charity	-180.00
12/28/2011	The Partnership For Jewish Learning And Life	Charity	-250.00
12/29/2011	Ohr Torah Stone	Charity	-1,300.00
12/29/2011	Congregation AABJD	Charity	-3,000.00
12/29/2011	ESSEX COUNTY RITUALARIUM	Charity	-250.00
12/31/2011	P.E.F.	Charity	400.00
1/1/2011 - 12/31/2011			-303,185.00

<b>TOTAL INFLOWS</b>	<b>400.00</b>
<b>TOTAL OUTFLOWS</b>	<b>-303,585.00</b>
<b>NET TOTAL</b>	<b>-303,185.00</b>

BANK OF AMERICA, N.A.  
TAX REPORTING AZ1-200-19-06  
PO BOX 29961  
PHOENIX, AZ 85038-0961

# COMBINED TAX STATEMENT FOR YEAR 2011

THIS STATEMENT REPORTS 1099-INT (OMB No. 1545-0112).  
DEPARTMENT OF THE TREASURY-INTERNAL REVENUE SERVICE.



BANK# 0035

00112841

HERBERT SMILOWITZ FNDTN TRUST  
A/C  
52 EDMONT RD  
WEST ORANGE

NJ 07052-2039

PAYERS E.I.N.  
94-1687665

CUST SERV PH#  
1-877-520-1099

TAXPAYERS IDENTIFICATION NUMBER  
13-7171363

"For Form 1099-B, DIV, INT, MISC, OID and Q: 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."

ACCOUNT NUMBER	ACCOUNT TYPE	IRS DESCRIPTION	IRS BOX #	AMOUNT
0040-9500-3244	BUS INT CKG	INTEREST INCOME	1	35.43
*** 2011 FORM 1099-INT, INTEREST INCOME ***				
HERBERT SMILOWITZ FNDTN TRUST A/C				

PLEASE NOTE: INQUIRIES REGARDING THESE ACCOUNTS SHOULD BE DIRECTED TO OUR CUSTOMER SERVICE PHONE NUMBER ABOVE. PLEASE CHECK YOUR TAXPAYER IDENTIFICATION NUMBER AND CALL THE NUMBER LISTED ABOVE IF IT IS INCORRECT.

**TDD HEARING IMPAIRED PLEASE CALL 1-800-288-4408**

\*FORM 1099 OID: THIS MAY NOT BE THE CORRECT FIGURE TO REPORT ON YOUR INCOME TAX RETURN. SEE INSTRUCTIONS ON BACK.

ACCOUNT SUMMARY

TOTAL EARNINGS INT.  
ORD. DIV AND OID'S  
35.43

Client HSPF

HERBERT SMILOWITZ PRIVATE FOUNDATION

13-7171363

4/17/14

01:07PM

**Other Income Producing Activities**  
**Interest on savings & cash investments**

BANK OF AMERICA	\$	35.
OPPENHEIMER		69.
Total	\$	<u>104.</u>

**Other Income Producing Activities**  
**Dividends/interest from securities.**

OPPENHEIMER	\$	33,048.
Total	\$	<u>33,048.</u>

**Other Income Producing Activities**  
**Gain (loss) from asset sales-non inventory [O]**

GAIN/LOSS NON INVENTORY ASSETS	\$	84,722.
Total	\$	<u>84,722.</u>

**Other Revenue**  
**Related or exempt function income**

SECURITIES LITIGATION	\$	0.
Total	\$	<u>0.</u>

# Application for Extension of Time To File an Exempt Organization Return

Department of the Treasury  
Internal Revenue Service

▶ **File a separate application for each return.**

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box
- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form).

**Do not complete Part II unless** you have already been granted an automatic 3-month extension on a previously filed Form 8868.

**Electronic filing (e-file).** You can electronically file Form 8868 if you need a 3-month automatic extension of time to file (6 months for a corporation required to file Form 990-T), or an additional (not automatic) 3-month extension of time. You can electronically file Form 8868 to request an extension of time to file any of the forms listed in Part I or Part II with the exception of Form 8870, Information Return for Transfers Associated With Certain Personal Benefit Contracts, which must be sent to the IRS in paper format (see instructions). For more details on the electronic filing of this form, visit [www.irs.gov/efile](http://www.irs.gov/efile) and click on *e-file for Charities & Nonprofits*

**Part I Automatic 3-Month Extension of Time.** Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension – check this box and complete Part I only

*All other corporations (including 1120-C filers), partnerships, REMICS, and trusts must use Form 7004 to request an extension of time to file income tax returns*

Enter filer's identifying number, see instructions

<b>Type or print</b>  <small>File by the due date for filing your return. See instructions</small>	Name of exempt organization or other filer, see instructions	Employer identification number (EIN) or
	HERBERT SMILOWITZ PRIVATE FOUNDATION	<input checked="" type="checkbox"/> 13-7171363
	Number, street, and room or suite number. If a P.O. box, see instructions	Social security number (SSN)
	PO BOX 511	<input type="checkbox"/>
	City, town or post office, state, and ZIP code. For a foreign address, see instructions	
	EAST RUTHERFORD, NJ 07073	

Enter the Return code for the return that this application is for (file a separate application for each return) 04

Application Is For	Return Code	Application Is For	Return Code
Form 990	01	Form 990-T (corporation)	07
Form 990-BL	02	Form 1041-A	08
Form 990-EZ	01	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (section 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

● The books are in the care of ▶ ARTHUR S GEIGER & CO., P.A. -----

Telephone No. ▶ (973) 285-5500 ----- FAX No ▶ (973) 285-1335 -----

- If the organization does not have an office or place of business in the United States, check this box
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) \_\_\_\_\_. If this is for the whole group, check this box . If it is for part of the group, check this box  and attach a list with the names and EINs of all members the extension is for.

**1** I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until 8/15, 2012, to file the exempt organization return for the organization named above. The extension is for the organization's return for

- ▶  calendar year 2011 or
- ▶  tax year beginning \_\_\_\_\_, 20\_\_\_\_, and ending \_\_\_\_\_, 20\_\_\_\_

**2** If the tax year entered in line 1 is for less than 12 months, check reason:  Initial return  Final return  Change in accounting period

<b>3a</b> If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions	<b>3a</b>	\$	663.
<b>b</b> If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit	<b>3b</b>	\$	9,837.
<b>c Balance due.</b> Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions	<b>3c</b>	\$	0.

**Caution.** If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions

• If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** and check this box

**Note.** Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868

• If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** (on page 1)

**Part II Additional (Not Automatic) 3-Month Extension of Time.** Only file the original (no copies needed).

Enter filer's identifying number, see instructions

Type or print  File by the extended due date for filing the return. See instructions	Name of exempt organization or other filer, see instructions	Employer identification number (EIN) or
	HERBERT SMILOWITZ PRIVATE FOUNDATION	<input checked="" type="checkbox"/> 13-7171363
	Number, street, and room or suite number. If a P.O. box, see instructions	Social security number (SSN)
	Arthur S. Geiger & Co PA 66 Macculloch Avenue	<input type="checkbox"/>
	City, town or post office, state, and ZIP code. For a foreign address, see instructions	
	Morristown, NJ 07963-0309	

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

Application Is For	Return Code	Application Is For	Return Code
Form 990	01		
Form 990-BL	02	Form 1041-A	08
Form 990-EZ	01	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (section 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

**STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.**

• The books are in care of  ARTHUR S GEIGER & CO., P.A.  
 Telephone No  (973) 285-5500 FAX No.  (973) 285-1335

• If the organization does not have an office or place of business in the United States, check this box   
 • If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) \_\_\_\_\_ . If this is for the whole group, check this box  If it is for part of the group, check this box  and attach a list with the names and EINs of all members the extension is for.

4 I request an additional 3-month extension of time until 11/15, 20 12.  
 5 For calendar year 2011, or other tax year beginning \_\_\_\_\_, 20 \_\_\_\_\_, and ending \_\_\_\_\_, 20 \_\_\_\_\_  
 6 If the tax year entered in line 5 is for less than 12 months, check reason  Initial return  Final return  Change in accounting period

7 State in detail why you need the extension Taxpayer respectfully requests additional time to gather information necessary to file a complete and accurate tax return.

<b>8a</b> If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions	<b>8a</b> \$	663.
<b>b</b> If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868	<b>8b</b> \$	9,837.
<b>c Balance due.</b> Subtract line 8b from line 8a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions	<b>8c</b> \$	0.

**Signature and Verification must be completed for Part II only.**

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form

Signature  Title  Date