



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



Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

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

OMB No 1545-0052

2011

For calendar year 2011, or tax year beginning 01-01-2011 , and ending 12-31-2011

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
RICHARD M SCRUSHY CHARITABLE FOUNDATION INC

A Employer identification number
72-1374013

Number and street (or P O box number if mail is not delivered to street address)
250 COMMERCE PARKWAY

Room/suite

B Telephone number (see page 10 of the instructions)
(205) 978-9592

City or town, state, and ZIP code
PELHAM, AL 35124

C If exemption application is pending, check here ☐

D 1. Foreign organizations, check here ☐

2. Foreign organizations meeting the 85% test, check here and attach computation ☐

E If private foundation status was terminated under section 507(b)(1)(A), check here ☐

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

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

I Fair market value of all assets at end of year (from Part II, col. (c), line 16)
\$ 3,477,751

J Accounting method ☒ Cash ☐ Accrual
☐ Other (specify) _____
(Part I, column (d) must be on cash basis.)

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc , received (attach schedule)				
	2 Check ☐ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	13,015	13,015		
	4 Dividends and interest from securities.	44,137	44,137		
	5a Gross rents				
	b Net rental income or (loss) _____				
	6a Net gain or (loss) from sale of assets not on line 10				
	b Gross sales price for all assets on line 6a _____				
	7 Capital gain net income (from Part IV, line 2)		10,775		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss) (attach schedule)				
Operating and Administrative Expenses	11 Other income (attach schedule)	4,594	4,594		
	12 Total. Add lines 1 through 11	61,746	72,521		
	13 Compensation of officers, directors, trustees, etc	36,540			
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule).	169,530			
	b Accounting fees (attach schedule).	7,640			
	c Other professional fees (attach schedule)				
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)	5,887	1,046		
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule).	75,339	75,021		
	24 Total operating and administrative expenses. Add lines 13 through 23	294,936	76,067		0
	25 Contributions, gifts, grants paid	158,500			158,500
	26 Total expenses and disbursements. Add lines 24 and 25	453,436	76,067		158,500
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	-391,690			
	b Net investment income (if negative, enter -0-)		0		
	c Adjusted net income (if negative, enter -0-)				

For Privacy Act and Paperwork Reduction Act Notice, see page 30 of the instructions.

Cat No 11289X

Form **990-PF** (2011)

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	525		
	2	Savings and temporary cash investments	1,408,305	594,359	594,359
	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 page 15 of the instructions)			
	7	Other notes and loans receivable (attach schedule) ▶ _____ 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)			
	b	Investments—corporate stock (attach schedule)	2,434,133	2,637,816	1,335,329
	c	Investments—corporate bonds (attach schedule).	142,383	142,383	195,500
	11	Investments—land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
	12	Investments—mortgage loans			
	13	Investments—other (attach schedule)	576,979	796,077	1,352,563
	14	Land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
15	Other assets (describe ▶ _____)				
16	Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	4,562,325	4,170,635	3,477,751	
Liabilities	17	Accounts payable and accrued expenses			
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
	22	Other liabilities (describe ▶ _____)			
	23	Total liabilities (add lines 17 through 22)		0	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.				
	24	Unrestricted			
	25	Temporarily restricted			
	26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☒ and complete lines 27 through 31.				
	27	Capital stock, trust principal, or current funds			
	28	Paid-in or capital surplus, or land, bldg , and equipment fund			
	29	Retained earnings, accumulated income, endowment, or other funds	4,562,325	4,170,635	
	30	Total net assets or fund balances (see page 17 of the instructions)	4,562,325	4,170,635	
	31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	4,562,325	4,170,635	

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	4,562,325
2	Enter amount from Part I, line 27a	2	-391,690
3	Other increases not included in line 2 (itemize) ▶ _____	3	
4	Add lines 1, 2, and 3	4	4,170,635
5	Decreases not included in line 2 (itemize) ▶ _____	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	4,170,635

Part IV

Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)		(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
1a See Additional Data Table				
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 See Additional Data Table			
b			
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 See Additional Data Table			
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	10,775
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8		3	10,775

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 page 18 of 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 (col (b) divided by col (c))
2010	38,651	3,591,810	000 010761
2009			
2008			
2007			
2006			

2 Total of line 1, column (d).	2	000 010761
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	000 010761
4 Enter the net value of noncharitable-use assets for 2011 from Part X, line 5.	4	4,704,715
5 Multiply line 4 by line 3.	5	50,627
6 Enter 1% of net investment income (1% of Part I, line 27b).	6	
7 Add lines 5 and 6.	7	50,627
8 Enter qualifying distributions from Part XII, line 4.	8	158,500

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 on page 18

Part VI

Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)

1a		Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1			
		Date of ruling or determination letter _____ (attach copy of letter if necessary—see instructions)			
b		Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b		1	0
c		All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)			
2		Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		2	
3		Add lines 1 and 2.		3	
4		Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4	
5		Tax based on investment income. Subtract line 4 from line 3 If zero or less, enter -0-		5	
6		Credits/Payments			
a	2011 estimated tax payments and 2010 overpayment credited to 2011	6a			
b	Exempt foreign organizations—tax withheld at source	6b			
c	Tax paid with application for extension of time to file (Form 8868)	6c			
d	Backup withholding erroneously withheld	6d			
7		Total credits and payments Add lines 6a through 6d.		7	
8		Enter any penalty for underpayment of estimated tax Check here ☐ if Form 2220 is attached		8	
9		Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		9	
10		Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid.		10	
11		Enter the amount of line 10 to be Credited to 2012 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?	1a	Yes	No
b	Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of 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>	1b		
c	Did the foundation file Form 1120-POL for this year?	1c		No
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ☐ \$ _____ (2) On foundation managers ☐ \$ _____			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ☐ \$ _____			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If "Yes," attach a detailed description of the activities.</i>	2		No
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? <i>If "Yes," attach a conformed copy of the changes</i>	3		No
4a	Did the foundation have unrelated business gross income of \$1,000 or more during the year?	4a		No
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? <i>If "Yes," attach the statement required by General Instruction T.</i>	5		
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	Yes	
7	Did the foundation have at least \$5,000 in assets at any time during the year? <i>If "Yes," complete Part II, col (c), and Part XV</i>	7	Yes	
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ☐ AL _____			
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>	8b		
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 2011 or the taxable year beginning in 2011 (see instructions for Part XIV on page 27)? <i>If "Yes," complete Part XIV</i>	9		No
10	Did any persons become substantial contributors during the tax year? <i>If "Yes," attach a schedule listing their names and addresses</i>	10		No

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 page 20 of the instructions).	11		No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address NONE	13	Yes	
14	The books are in care of MICHAEL A PLAIA Telephone no (205) 978-9592 Located at 250 COMMERCE PARKWAY PELHAM AL ZIP+4 35124			
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.			
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?		Yes	No
	See the instructions for exceptions and filing requirements for Form TD F 90-22.1 If "Yes", enter the name of the foreign country	16		No

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? (2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? (3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? (4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? (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)? (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). 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 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here. c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2011?			
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? If "Yes," list the years 20 , 20 , 20 , 20 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 page 20 of the instructions). 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	1b		
		1c		No
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?			
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.).	2b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?			No
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?	3b		
		4a		No
		4b		No

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 page 22 of the 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 page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here.	☒	5b	
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? <i>If "Yes," attach the statement required by Regulations section 53.4945–5(d).</i>	☐ Yes ☐ No		
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? <i>If "Yes" to 6b, file Form 8870.</i>		6b	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?		7b	No

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 page 22 of the 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
MICHAEL A PLAIA	PRESIDENT	10,050		
250 COMMERCE PARKWAY PELHAM, AL 35124	005 00			
AMY SCRUSHY ADAMS	DIRECTOR	14,640		
250 COMMERCE PARKWAY PELHAM, AL 35124	005 00			
CHRISTA SCRUSHY PLAIA	DIRECTOR	11,430		
250 COMMERCE PARKWAY PELHAM, AL 35124	005 00			
MARTIN ADAMS	DIRECTOR	420		
250 COMMERCE PARKWAY PELHAM, AL 35124	001 00			
2 Compensation of five highest-paid employees (other than those included on line 1—see page 23 of the 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
Total number of other employees paid over \$50,000.				

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 page 23 of the instructions). If none, enter "NONE".

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
Total number of others receiving over \$50,000 for professional services.		

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	
2	
3	
4	

Part IX-B

Summary of Program-Related Investments (see page 23 of the instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1	
2	
All other program-related investments. See page 24 of the instructions	
3	
Total. Add lines 1 through 3.	

Part X

Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see page 24 of the 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	3,762,110
b	Average of monthly cash balances.	1b	1,014,250
c	Fair market value of all other assets (see page 24 of the instructions).	1c	0
d	Total (add lines 1a, b, and c).	1d	4,776,360
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation).	1e	
2	Acquisition indebtedness applicable to line 1 assets.	2	
3	Subtract line 2 from line 1d.	3	4,776,360
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions)	4	71,645
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	4,704,715
6	Minimum investment return. Enter 5% of line 5.	6	235,236

Part XI

Distributable Amount (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6.	1	235,236
2a	Tax on investment income for 2011 from Part VI, line 5.	2a	
b	Income tax for 2011 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	235,236
4	Recoveries of amounts treated as qualifying distributions.	4	
5	Add lines 3 and 4.	5	235,236
6	Deduction from distributable amount (see page 25 of the instructions).	6	
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	235,236

Part XII

Qualifying Distributions (see page 25 of the 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	158,500
b	Program-related investments—total from Part IX-B.	1b	
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes.	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required).	3a	
b	Cash distribution test (attach the required schedule).	3b	
4	Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	158,500
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see page 26 of the instructions).	5	
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	158,500
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 page 26 of the instructions)

		(a) Corpus	(b) Years prior to 2010	(c) 2010	(d) 2011
1		Distributable amount for 2011 from Part XI, line 7			
2		Undistributed income, if any, as of the end of 2011			
a		Enter amount for 2010 only.			
b		Total for prior years 2007 , 2008 , 2009			
3		Excess distributions carryover, if any, to 2011			
a	From 2006.	1,604,958			
b	From 2007.	938,225			
c	From 2008.	146,531			
d	From 2009.				
e	From 2010.	174,976			
f		Total of lines 3a through e.			
4		Qualifying distributions for 2011 from Part XII, line 4 \$ 158,500			
a		Applied to 2010, but not more than line 2a			
b		Applied to undistributed income of prior years (Election required—see page 26 of the instructions)			
c		Treated as distributions out of corpus (Election required—see page 26 of the instructions).			
d		Applied to 2011 distributable amount.			
e		Remaining amount distributed out of corpus			
5		Excess distributions carryover applied to 2011 (If an amount appears in column (d), the same amount must be shown in column (a).)			
6		Enter the net total of each column as indicated below:			
a		Corpus Add lines 3f, 4c, and 4e Subtract line 5			
b		Prior years' undistributed income Subtract line 4b from line 2b.			
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.			
d		Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions.			
e		Undistributed income for 2010 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions.			
f		Undistributed income for 2011 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011.			
7		Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions).			
8		Excess distributions carryover from 2006 not applied on line 5 or line 7 (see page 27 of the instructions).			
9		Excess distributions carryover to 2012. Subtract lines 7 and 8 from line 6a.			
10		Analysis of line 9			
a	Excess from 2007.	938,225			
b	Excess from 2008.	146,531			
c	Excess from 2009.				
d	Excess from 2010.	174,976			
e	Excess from 2011.				

Part XIV

Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9)

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 organization is a private operating foundation described in section 4942(j)(3) or 4942(j)(5)

☐ 4942(j)(3) or ☐ 4942(j)(5)

2a

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

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

Part XV

Supplementary Information (Complete this part only if the organization had \$5,000 or more in assets at any time during the year—see page 27 of 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))

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

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 page 28 of the 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

MICHAEL A PLAIA
250 COMMERCE PARKWAY
PELHAM,AL 35124
(205) 978-9592

b

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

NONE

c

Any submission deadlines

NONE

d

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

NONE

Form 990-PF (2011)

Part XV

Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year See Additional Data Table				
Total			3a	158,500
b Approved for future payment				
Total			3b	

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions)
	(a) Business code	(b) Amount	(c) Exclusion 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. . . .			14	57,152	
5 Net rental income or (loss) from real estate					
a Debt-financed property.					
b Not debt-financed property.					
6 Net rental income or (loss) from personal property					
7 Other investment income.					
8 Gain or (loss) from sales of assets other than inventory			14	10,775	
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). .				67,927	
13 Total. Add line 12, columns (b), (d), and (e).			13		67,927

[illegible]

Part XVII

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?		Yes	No
a	Transfers from the reporting foundation to a noncharitable exempt organization of			
	(1) Cash.	1a(1)		No
	(2) Other assets.	1a(2)		No
b	Other transactions			
	(1) Sales of assets to a noncharitable exempt organization.	1b(1)		No
	(2) Purchases of assets from a noncharitable exempt organization.	1b(2)		No
	(3) Rental of facilities, equipment, or other assets.	1b(3)		No
	(4) Reimbursement arrangements.	1b(4)		No
	(5) Loans or loan guarantees.	1b(5)		No
	(6) Performance of services or membership or fundraising solicitations.	1b(6)		No
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees.	1c		No

[illegible]

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

b If "Yes," complete the following schedule				
(a) Name of organization		(b) Type of organization	(c) Description of relationship	
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				
*****		2012-11-12	*****	
Signature of officer or trustee		Date	Title	
Paid Preparer's Use Only	Preparer's Signature	TODD DARROCH CPA	Date	2012-11-12
	Firm's name	DARROCH AND HALCOMB PC	Check if self-employed	PTIN
	Firm's address	6 OFFICE PARK CIR STE 312 BIRMINGHAM, AL 35223	Firm's EIN	
			Phone no	(205) 423-9244

May the IRS discuss this return with the preparer shown above? See instructions ☐ Yes ☒ No

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

(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)
GLOBAL X SILVER MINERS	P	2011-02-08	2011-06-07
MARKET VECTORS J GOLD	P	2011-02-08	2011-06-02
DUKE ENERGY HOLDING	P	2011-08-05	2011-09-21
POWER SHARES QQQ TRUST	P	2011-08-09	2011-09-21
SILVER WHEATON CORP	P	2011-02-08	2011-06-02
VERIZON COMMUNICATIONS		2011-08-05	2011-09-21

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(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)
151,301		149,986	1,315
142,871		150,071	-7,200
54,534		50,104	4,430
113,242		102,997	10,245
150,248		149,946	302
54,557		52,874	1,683

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - l

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	
			1,315
			-7,200
			4,430
			10,245
			302
			1,683

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
AMERICAN DIABETES ASSOC 3918 MONTCLAIR ROAD BIRMINGHAM,AL 35213			UNRESTRICTED SUPPORT	3,000
MAGIC MOMENTS2112 11TH AVE S STE 219 BIRMINGHAM,AL 35205			UNRESTRICTED SUPPORT	1,500
KINGS HOME221 KINGS HOME DRIVE CHELSEA,AL 35043			UNRESTRICTED SUPPORT	5,000
MCWANE SCIENCE200 19TH S N BIRMINGHAM,AL 35203			UNRESTRICTED SUPPORT	1,000
EASTER SEALS ALABAMA5960 E SHIRLEY LANE MONTGOMERY,AL 36117			UNRESTRICTED SUPPORT	5,000
IMPACT FAMILY COUNCILING 1000 24TH ST S BIRMINGHAM,AL 35205			UNRESTRICTED SUPPORT	1,000
CAHABA VALLEY HEALTH CARE 4515 SOUTHLAKE PARKWAY BIRMINGHAM,AL 35244			UNRESTRICTED SUPPORT	1,000
COMMUNITY GRIEF SUPPORT 1119 OXMOOR RD BIRMINGHAM,AL 35209			UNRESTRICTED SUPPORT	1,000
GRACE HOUSE4923 FARRELL AVE FAIRFIELD,AL 35064			UNRESTRICTED SUPPORT	1,000
WOUNDED WARRIOR PROJECT 1120 G STREET NW WASHINGTON,DC 20005			UNRESTRICTED SUPPORT	6,000
CARING DAYS1110 DR EDWARD HILLARD DR TUSCALOOSA,AL 35401			UNRESTRICTED SUPPORT	1,000
BIRMINGHAM ZOO INC2630 CAHABA ROAD BIRMINGHAM,AL 35223			UNRESTRICTED SUPPORT	1,000
RONALD MCDONALD1700 4TH AVE S BIRMINGHAM,AL 35233			UNRESTRICTED SUPPORT	5,000
JIMMIE HALE MISSION3420 2ND AVE N BIRMINGHAM,AL 35222			UNRESTRICTED SUPPORT	6,000
HABITAT FOR HUMANITY7952 CRESTWOOD BLVD IRONDALE,AL 35210			UNRESTRICTED SUPPORT	2,000
AMERICAN NATIONAL300 CHASE PARK SOUTH HOOVER,AL 35244			UNRESTRICTED SUPPORT	2,000
BETH HALLEL MESSIANIC2230 SUMPTER ST BIRMINGHAM,AL 35226			UNRESTRICTED SUPPORT	5,000
OAK MOUNTAIN COMM CHURCH 889 OAK MOUNTAIN PARK ROAD BIRMINGHAM,AL 35124			UNRESTRICTED SUPPORT	1,000
JUVENILE DIABETES RESEARCH FOUNDATI600 BEACON PARKWAY W BIRMINGHAM,AL 35209			UNRESTRICTED SUPPORT	4,000
JUST KEEP SMILING1703 PLATT PL MONTGOMERY,AL 36117			UNRESTRICTED SUPPORT	3,000
THE FOUNDRY RESCUE1804 6TH AVE N BESSEMER,AL 35020			UNRESTRICTED SUPPORT	6,000
CENTRAL ALABAMA ADVOCACY CENTER521 BELL RD SELMA,AL 36701			UNRESTRICTED SUPPORT	2,000
CAMP SMILE A MILE1510 5TH AVE S BIRMINGHAM,AL 35233			UNRESTRICTED SUPPORT	5,000
SPIRIT OF HOPE194 KINGS RANCH DR WILSONVILLE,AL 35186			UNRESTRICTED SUPPORT	7,000
THE HEALING PLACE5709 TRUSSVILLE CLAY RD TRUSSVILLE,AL 35173			UNRESTRICTED SUPPORT	2,000
SMILE TRAIN41 MADISON AVE 28TH FLOOR NEWYORK,NY 10010			UNRESTRICTED SUPPORT	2,500
GLORY OF ZION7801 S I-35E CORINTH,TX 76210			UNRESTRICTED SUPPORT	2,500
POSITIVE MATURITY INC3918 MONTCLAIR RD BIRMINGHAM,AL 35213			UNRESTRICTED SUPPORT	2,000
CHILDRENS DANCE FOUNDATION 1715 27TH COURT SOUTH HOMEWOOD,AL 35209			UNRESTRICTED SUPPORT	1,000
BIG BROTHERS BIG SISTERS1901 14TH AVE SOUTH BIRMINGHAM,AL 35205			UNRESTRICTED SUPPORT	3,000

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a <i>Paid during the year</i>				
ANGEL FLIGHT1515 E 71ST TULSA,OK 74136			UNRESTRICTED SUPPORT	2,000
UNITED COMMUNITY SERVICE 4908 FRANKLIN AVE DES MOINES,IA 50310			UNRESTRICTED SUPPORT	2,000
BOYS AND GIRLS CLUBS1275 PEACHTREE ST NE ATLANTA,GA 30309			UNRESTRICTED SUPPORT	2,000
THE WELLHOUSEPO BOX 320796 BIRMINGHAM,AL 35232			UNRESTRICTED SUPPORT	10,000
VINEYARD FAMILY SERVICES4733 VALLEYDALE RD BIRMINGHAM,AL 35242			UNRESTRICTED SUPPORT	6,000
JEFFERSON ALCOHOLIC2012 14TH AVE S BIRMINGHAM,AL 35205			UNRESTRICTED SUPPORT	5,000
THE VILLAGE2409 WILDWOOD ST BIRMINGHAM,AL 35233			UNRESTRICTED SUPPORT	6,000
SAVE A LIFE INC1835 EAST THREE NOTCH ST ANDALUSIA,AL 36421			UNRESTRICTED SUPPORT	5,000
SELMA-DALLAS COUNTY PUB1103 SELMA AVE SELMA,AL 36703			UNRESTRICTED SUPPORT	3,000
OAK MOUNTAIN MISSION2699 PELHAM PARKWAY PELHAM,AL 35124			UNRESTRICTED SUPPORT	3,000
ASSOCIATION OF GRADUATES698 MILLS RD WEST POINT,NY 10996			UNRESTRICTED SUPPORT	8,000
JOUBERT SYNDROME736 ANDERSON AVE ROCKVILLE,MD 20850			UNRESTRICTED SUPPORT	3,000
SAMARITAN'S PURSEPO BOX 3000 BOONE,NC 28607			UNRESTRICTED SUPPORT	2,000
VISIONS NATIONAL191-B PALOMINO TRL RIDGEWAY,CO 81432			UNRESTRICTED SUPPORT	5,000
COMMUNITY FOUNDATION225 CHURCH STREET HUNTSVILLE,AL 35801			UNRESTRICTED SUPPORT	8,000
Total  3a				158,500

TY 2011 Accounting Fees Schedule**Name:** RICHARD M SCRUSHY CHARITABLE FOUNDATION INC**EIN:** 72-1374013**Software ID:** 11000218**Software Version:** 2011.0.0

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
ATLANTIC EXECUTIVE COMPANY	2,000			
DARROCH HALCOMB, P C	5,640			

TY 2011 General Explanation Attachment

Name: RICHARD M SCRUSHY CHARITABLE FOUNDATION INC

EIN: 72-1374013

Software ID: 11000218

Software Version: 2011.0.0

Identifier	Return Reference	Explanation
------------	------------------	-------------

**TY 2011 Investments Corporate
Bonds Schedule****Name:** RICHARD M SCRUSHY CHARITABLE FOUNDATION INC**EIN:** 72-1374013**Software ID:** 11000218**Software Version:** 2011.0.0

Name of Bond	End of Year Book Value	End of Year Fair Market Value
ADVANCED MICRO DEVICES 6.00% 05/01/2015	142,383	195,500

**TY 2011 Investments Corporate
Stock Schedule**

Name: RICHARD M SCRUSHY CHARITABLE FOUNDATION INC

EIN: 72-1374013

Software ID: 11000218

Software Version: 2011.0.0

Name of Stock	End of Year Book Value	End of Year Fair Market Value
3000 shares of DISNEY WALT CO	100,260	112,500
6000 shares of DYNEGY INC	226,212	16,620
700 shares of FIRST SOLAR INC	208,661	23,632
6200 shares of HEALTHSOUTH CORP	271,561	109,554
3000 shares of J.P. MORGAN CHASE CO	123,956	99,750
3000 shares of JAMES RIVER COAL	116,980	20,760
255 shares of MAGELLAN HEALTH SERVICES		12,615
2000 shares of MCDONALDS CORP	109,200	200,660
7000 shares of MICRON TECHNOLOGY INC	75,319	44,030
150 shares of PHH CORP	3,122	1,605
6000 shares of PATTERSON-UTI ENERGY	185,772	119,880
1000 shares of PETROCHINA CO ADR	137,274	124,310
4950 shares of SOUTHERN COPPER CORP	160,110	149,391
2100 shares of SUNTECH POWER	101,488	4,641
2000 shares of TRANSOCEAN LTD	279,481	76,780
4400 shares of EXCEL MARITIME	184,747	6,380
125000 shares of GENER8TION X ENTERTAINMENT	150,000	15,000
2000 shares of ALTRIA GROUP	51,578	59,300
1400 shares of FREEPORT MCMORAN COPPER GOLD	50,397	51,506
1500 shares of SILVER WHEATON CORP	48,611	43,440
2500 shares of TELEFONICA DE ESPANA S A ADR	53,087	42,975

TY 2011 Investments - Other Schedule**Name:** RICHARD M SCRUSHY CHARITABLE FOUNDATION INC**EIN:** 72-1374013**Software ID:** 11000218**Software Version:** 2011.0.0

Category/ Item	Listed at Cost or FMV	Book Value	End of Year Fair Market Value
ATLAS PIPELINE LP	FMV	163,872	297,200
KINDER MORGAN ENERGY	FMV	12,358	254,850
LINN ENERGY LLC	FMV	70,404	303,280
STAR GAS PARTNERS LP	FMV	130,757	151,559
HIGHLAND CREDIT STRATIGIES FUND	FMV	143,000	61,800
ENERGY TRANSFER PARTNERS LP	FMV	81,760	91,700
ENERGY TRANSFER EQUITY	FMV	44,484	52,754
INERGY LP	FMV	48,283	46,398
GLOBAL X SIVER MINERS	FMV	50,255	48,562
MARKET VECTORS JUNIOR GOLD MINERS	FMV	50,904	44,460

TY 2011 Legal Fees Schedule

Name: RICHARD M SCRUSHY CHARITABLE FOUNDATION INC

EIN: 72-1374013

Software ID: 11000218

Software Version: 2011.0.0

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
LEITMAN, SIEGAL, PAYNE CAMPBELL, PC	33,784			
NATTER FULMER, PC	135,746			

TY 2011 Other Expenses Schedule**Name:** RICHARD M SCRUSHY CHARITABLE FOUNDATION INC**EIN:** 72-1374013**Software ID:** 11000218**Software Version:** 2011.0.0

Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
INVESTMENT MANAGEMENT FEES	19,950	19,950		
OTHER DEDUCTIONS FROM PTPS	55,071	55,071		
POSTAGE	88			
OFFICE SUPPLIES	230			

TY 2011 Other Income Schedule**Name:** RICHARD M SCRUSHY CHARITABLE FOUNDATION INC**EIN:** 72-1374013**Software ID:** 11000218**Software Version:** 2011.0.0

Description	Revenue And Expenses Per Books	Net Investment Income	Adjusted Net Income
OTHER INCOME FROM INVESTEMENTS IS MLP	14,079	14,079	
ORDINARY BUSINESS LOSSES FORM PTPS	-47,443	-47,443	
LTCG FROM PTPS	37,696	37,696	
SECTION 1231 GAIN FROM PTPS	262	262	

TY 2011 Taxes Schedule**Name:** RICHARD M SCRUSHY CHARITABLE FOUNDATION INC**EIN:** 72-1374013**Software ID:** 11000218**Software Version:** 2011.0.0

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
FOREIGN TAX WITHHOLDING	1,046	1,046	0	0
EXCUSE TAXES	4,841	0	0	0

Additional Data

Software ID: 11000218
Software Version: 2011.0.0
EIN: 72-1374013
Name: RICHARD M SCRUSHY CHARITABLE FOUNDATION INC

Form 990PF - Special Condition Description:

Special Condition Description
