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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 THE KUTLER FAMILY FOUNDATION		A Employer identification number 95-4661920	
Number and street (or P.O. box number if mail is not delivered to street address) 68-1052 HONOKAOPE WAY		B Telephone number (see page 10 of the instructions) (808) 887-2269	
City or town, state, and ZIP code KAMUELA, HI 96743		C If exemption application is pending, check here ☐	
H Check type of organization ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation		D 1. Foreign organizations, check here ☐ 2. Foreign organizations meeting the 85% test, check here and attach computation ☐	
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 179,489	J Accounting method ☒ Cash ☐ Accrual ☐ Other (specify) _____ (Part I, column (d) must be on cash basis.)		
		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 ☐	

Part I Analysis of Revenue and Expenses

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))

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					
	4	Dividends and interest from securities.		12,759	12,759		
	5a	Gross rents					
	b	Net rental income or (loss) _____					
	6a	Net gain or (loss) from sale of assets not on line 10		73,741			
	b	Gross sales price for all assets on line 6a _____ 764,878					
	7	Capital gain net income (from Part IV , line 2)			73,741		
	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)					
11	Other income (attach schedule)						
12	Total. Add lines 1 through 11		86,500	86,500	0		
Operating and Administrative Expenses	13	Compensation of officers, directors, trustees, etc		0	0	0	0
	14	Other employee salaries and wages					
	15	Pension plans, employee benefits					
	16a	Legal fees (attach schedule)					
	b	Accounting fees (attach schedule)					
	c	Other professional fees (attach schedule)		3,307	3,307	0	0
	17	Interest					
	18	Taxes (attach schedule) (see page 14 of the instructions)		1,085	1,085	0	0
	19	Depreciation (attach schedule) and depletion					
	20	Occupancy					
	21	Travel, conferences, and meetings					
	22	Printing and publications					
	23	Other expenses (attach schedule)		82	82	0	0
	24	Total operating and administrative expenses. Add lines 13 through 23		4,474	4,474	0	0
25	Contributions, gifts, grants paid		516,450			516,450	
26	Total expenses and disbursements. Add lines 24 and 25		520,924	4,474	0	516,450	
	27	Subtract line 26 from line 12					
	a	Excess of revenue over expenses and disbursements		-434,424			
	b	Net investment income (if negative, enter -0-)			82,026		
	c	Adjusted net income (if negative, enter -0-)				0	

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	9,493	43,007	43,007
	2	Savings and temporary cash investments	87,264	7,225	7,225
	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)	471,202	83,303	129,257
	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	Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	567,959	133,535	179,489	
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	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	0	0	
	28	Paid-in or capital surplus, or land, bldg , and equipment fund	0	0	
	29	Retained earnings, accumulated income, endowment, or other funds	567,959	133,535	
	30	Total net assets or fund balances (see page 17 of the instructions)	567,959	133,535	
	31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	567,959	133,535	

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)	1 567,959
2	Enter amount from Part I, line 27a	2 -434,424
3	Other increases not included in line 2 (itemize) ▶ _____	3 0
4	Add lines 1, 2, and 3	4 133,535
5	Decreases not included in line 2 (itemize) ▶ _____	5 0
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6 133,535

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			(I) 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	73,741
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	

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	536,384	803,182	0 667824
2009	66,472	301,245	0 220658
2008	111,085	399,610	0 277984
2007	56,275	440,220	0 127834
2006	39,037	454,716	0 085849

2	Total of line 1, column (d).	2	1 380149
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 276030
4	Enter the net value of noncharitable-use assets for 2011 from Part X, line 5.	4	697,320
5	Multiply line 4 by line 3.	5	192,481
6	Enter 1% of net investment income (1% of Part I, line 27b).	6	820
7	Add lines 5 and 6.	7	193,301
8	Enter qualifying distributions from Part XII, line 4.	8	516,450

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 VIExcise 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	820
c		All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)			
2		Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		2	0
3		Add lines 1 and 2.		3	820
4		Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4	0
5		Tax based on investment income. Subtract line 4 from line 3 If zero or less, enter -0-		5	820
6		Credits/Payments			
a		2011 estimated tax payments and 2010 overpayment credited to 2011	6a	635	
b		Exempt foreign organizations—tax withheld at source	6b		
c		Tax paid with application for extension of time to file (Form 8868)	6c	1,150	
d		Backup withholding erroneously withheld	6d		
7		Total credits and payments Add lines 6a through 6d.		7	1,785
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	965
11		Enter the amount of line 10 to be Credited to 2012 estimated tax ☒ 965	Refunded ☐	11	0

Part VII-AStatements Regarding Activities

1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		Yes	No
		1a		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)?			No
	If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.			
c	Did the foundation file Form 1120-POL for this year?.	1c		No
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ☒ \$ 0 (2) On foundation managers ☒ \$ 0			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ☒ \$ 0			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.	2		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? If "Yes," attach a conformed copy of the changes	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? If "Yes," attach the statement required by General Instruction T.	5		No
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? If "Yes," complete Part II, col (c), and Part XV	7	Yes	
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ☒ CA			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation .	8b	Yes	
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)? If "Yes," complete Part XIV	9		No
10	Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	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		No
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 JON B KUTLER Telephone no (808) 887-2269 Located at 68-1052 HONOKAOPE WAY KAMUELA HI ZIP+4 96743			
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.	1b		
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2011?	1c		No
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).	2b		
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here 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?			
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		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		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?	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	

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
JON B KUTLER 68-1052 HONOKAOPE WAY KAMUELA, HI 96743	PRESIDENT 0 00	0	0	0
SARA L KUTLER 68-1052 HONOKAOPE WAY KAMUELA, HI 96743	CFO 0 00	0	0	0
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
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 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
NONE		
Total number of others receiving over \$50,000 for professional services.		0

Part IX-A

Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.

	Expenses
1	
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.	0

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	661,311
b	Average of monthly cash balances.	1b	46,628
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	707,939
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation).	1e	0
2	Acquisition indebtedness applicable to line 1 assets.	2	0
3	Subtract line 2 from line 1d.	3	707,939
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	10,619
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	697,320
6	Minimum investment return. Enter 5% of line 5.	6	34,866

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	34,866
2a	Tax on investment income for 2011 from Part VI, line 5.	2a	820
b	Income tax for 2011 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	820
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	34,046
4	Recoveries of amounts treated as qualifying distributions.	4	0
5	Add lines 3 and 4.	5	34,046
6	Deduction from distributable amount (see page 25 of the instructions).	6	0
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	34,046

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	516,450
b	Program-related investments—total from Part IX-B.	1b	0
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes.	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required).	3a	
b	Cash distribution test (attach the required schedule).	3b	
4	Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	516,450
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	820
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	515,630
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				34,046
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.				17,159
b From 2007.				34,644
c From 2008.				91,674
d From 2009.				51,676
e From 2010.				496,457
f Total of lines 3a through e.	691,610			
4 Qualifying distributions for 2011 from Part XII, line 4 ▶ \$ 516,450				
a Applied to 2010, but not more than line 2a			0	
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c Treated as distributions out of corpus (Election required—see page 26 of the instructions). . .	0			
d Applied to 2011 distributable amount.				34,046
e Remaining amount distributed out of corpus	482,404			
5 Excess distributions carryover applied to 2011 (If an amount appears in column (d), the same amount must be shown in column (a).)	0			0
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	1,174,014			
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 page 27 of the instructions . . .		0		
e Undistributed income for 2010 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions			0	
f Undistributed income for 2011 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011				0
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions).	0			
8 Excess distributions carryover from 2006 not applied on line 5 or line 7 (see page 27 of the instructions).	17,159			
9 Excess distributions carryover to 2012. Subtract lines 7 and 8 from line 6a	1,156,855			
10 Analysis of line 9				
a Excess from 2007. . . .				34,644
b Excess from 2008. . . .				91,674
c Excess from 2009. . . .				51,676
d Excess from 2010. . . .				496,457
e Excess from 2011. . . .				482,404

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))

JON B KUTLER

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

b

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

c

Any submission deadlines

d

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

Part XV

Supplementary Information (continued)

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

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year See Additional Data Table				
Total			3a	516,450
b Approved for future payment				
Total			3b	0

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	12,759	
5 Net rental income or (loss) from real estate					
a Debt-financed property.					
b Not debt-financed property.					
6 Net rental income or (loss) from personal property					
7 Other investment income.					
8 Gain or (loss) from sales of assets other than inventory			18	73,741	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory. .					
11 Other revenue a _____					
b _____					
c _____					
d _____					
e _____					
12 Subtotal. Add columns (b), (d), and (e). .		0		86,500	0
13 Total. Add line 12, columns (b), (d), and (e).			13		86,500

[illegible]

Part XVII

1

(a)

2.

14.

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)
1410 SHS PROSHS ULTRASHRT OIL NEW OIL & GAS	P	2011-01-14	2011-01-31
675 SHS PROSHARES SHORT S&P 500	P	2011-01-21	2011-01-31
533 SHS PROSHARES SHORT S&P 500	P	2011-02-15	2011-03-11
420 SHS CLIFFS NATURAL RES INC	P	2010-05-20	2011-05-11
549 SHS JAPAN SMALL CAP 11 RTS RIGHTS EXP 07/22/11	P	2011-04-11	2011-07-05
549 SHS JAPAN SMALLER CAP FUND	P	2011-04-11	2011-08-18
29 SHS TOYOTA MOTOR CORP ADR 2 COM	P	2011-04-11	2011-09-02
15 SHS TOYOTA MOTOR CORP ADR 2 COM	P	2011-05-11	2011-09-02
95 SHS ISHARES MSCI CHILE INVESTABLE MARKET INDEX	P	2011-01-07	2011-10-20
223 SHS ISHARES MSCI CHILE INVESTABLE MARKET INDEX	P	2011-02-28	2011-10-20
40 SHS S P D R S&P 500 ETF TR EXPIRING 01/22/2118	P	2011-11-07	2011-12-05
108 SHS CANON INC SPONSORED ADRF 1 ADR REP 1 ORD	P	2011-04-11	2011-12-06
462 SHS CANADIAN NATURAL RES F	P	2011-03-16	2011-12-06
220 SHS FREEPORT MCMORAN COPPER	P	2011-06-07	2011-12-06
140 SHS ISHARES FTSE CHINA 25 FTSE CHINA 25 INDEX	P	2011-11-07	2011-12-06
95 SHS HITACHI LTD ADR NEW F SPONSORED ADR 1 ADR	P	2011-04-11	2011-12-06
67 SHS HONDA MOTOR CO LTD ADR F SPONSORED ADR 1 A	P	2011-04-11	2011-12-06
250 SHS INFOSYS LTD SPON ADR F SPONSORED ADR 1 ADR	P	2011-08-15	2011-12-06
250 SHS KOMATSU LTD ADR NEW F SPONSORED ADR 1 ADR	P	2011-06-07	2011-12-06
273 SHS VALERO ENERGY CORP NEW	P	2011-02-04	2011-12-06
145 SHS CUMMINS INC	P	2011-03-15	2011-12-13
141 SHS CUMMINS INC	P	2011-09-15	2011-12-13
60 SHS ISHARES MSCI PAC EX JAPN PACIFIC EX-JAPAN	P	2011-11-07	2011-12-13
39 SHS SPDR GOLD TRUST SPDR GOLD SHARES	P	2011-09-22	2011-12-13
340 SHS HAIN CELESTIAL GROUP INC	P	2011-08-15	2011-12-13
120 SHS MONSTER BEVERAGE CORP	P	2011-08-15	2011-12-13
120 SHS JOY GLOBAL INC	P	2011-06-07	2011-12-13
200 SHS POLARIS INDUSTRIES INC	P	2011-08-15	2011-12-13
42 SHS PROSHARES SHORT S&P 500	P	2011-12-06	2011-12-13
83 SHS PROSHARES SHORT S&P	P	2011-12-05	2011-12-13

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)
448 SHS ULTRAPAR PART SPON ADR F SPONSORED ADR 1 A	P	2011-02-07	2011-12-13
107 SHS MURPHY OIL CORP HLDG	P	2006-02-07	2011-02-04
81 SHS VISA INC CL A CLASS A	P	2009-04-13	2011-06-07
300 SHS VISA INC CL A CLASS A	P	2010-05-20	2011-06-07
60 SHS VISA INC CL A CLASS A	P	2010-05-20	2011-06-07
400 SHS BABCOCK & WILCOX CO	P	2010-04-22	2011-06-08
700 SHS ENCANA CORPORATION F	P	2010-04-22	2011-08-18
180 SHS APACHE CORP	P	2006-03-24	2011-12-06
150 SHS IMPERIAL OIL LTD F	P	2008-12-05	2011-12-06
45 SHS IMPERIAL OIL LTD F	P	2009-04-13	2011-12-06
200 SHS IMPERIAL OIL LTD F	P	2010-04-22	2011-12-06
300 SHS MOSAIC CO NEW	P	2010-04-22	2011-12-06
100 SHS MOSAIC CO NEW	P	2010-04-22	2011-12-06
900 SHS SUNOCO INC	P	2010-06-18	2011-12-06
150 SHS WYNN RESORTS	P	2010-04-22	2011-12-06
1650 SHS TELEFONICA SPON ADR F SPONSORED ADR 1 ADR	P	2010-05-20	2011-12-13
300 SHS ALLERGAN INC	P	2010-12-06	2011-12-13
250 SHS CATERPILLAR INC	P	2008-11-07	2011-12-13
500 SHS DEERE & CO	P	2010-06-18	2011-12-13
111 SHS SPDR GOLD TRUST SPDR GOLD SHARES	P	2010-02-16	2011-12-13
11 SHS SPDR GOLD TRUST SPDR GOLD SHARES	P	2009-12-21	2011-12-13
800 SHS MCDERMOTT INTL INC F	P	2010-04-22	2011-12-13
377 SHS MONSANTO CO NEW DEL	P	2010-07-27	2011-12-13
73 SHS MURPHY OIL CORP HLDG	P	2006-02-07	2011-12-13
200 SHS MURPHY OIL CORP HLDG	P	2006-02-07	2011-12-13
400 SHS NOVO-NORDISK A-S ADR F 1 ADR REP 1 ORD	P	2010-05-20	2011-12-13
370 SHS NOVARTIS A G SPON ADR F SPONSORED ADR 1 AD	P	2010-12-06	2011-12-13
180 SHS RIO TINTO PLC SPON ADR F SPONSORED ADR 1 A	P	2008-12-05	2011-12-13

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)
46,581		49,171	-2,590
28,968		28,881	87
22,414		22,091	323
36,277		20,580	15,697
148			148
4,053		4,615	-562
2,000		2,237	-237
1,035		1,230	-195
5,363		7,001	-1,638
12,590		15,501	-2,911
5,027		5,062	-35
4,757		4,594	163
17,353		21,446	-4,093
8,736		11,101	-2,365
5,125		5,358	-233
5,170		4,617	553
2,110		2,304	-194
13,273		13,527	-254
6,313		7,421	-1,108
6,153		7,249	-1,096
13,228		14,511	-1,283
12,864		13,686	-822
2,414		2,587	-173
6,292		6,602	-310
12,487		10,144	2,343
11,498		9,645	1,853
10,270		10,828	-558
12,248		9,965	2,283
1,720		1,718	2
3,400		3,387	13

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)
7,668		6,760	908
7,203		5,663	1,540
6,435		4,741	1,694
23,833		21,540	2,293
4,767		4,308	459
10,981		10,772	209
17,015		22,280	-5,265
17,415		11,808	5,607
6,463		4,412	2,051
1,939		1,721	218
8,617		8,441	176
15,575		16,230	-655
5,192		5,410	-218
35,387		31,506	3,881
17,557		13,494	4,063
28,951		31,213	-2,262
24,831		20,622	4,209
23,240		9,570	13,670
38,448		29,460	8,988
17,907		12,163	5,744
1,775		1,176	599
8,576		11,411	-2,835
26,035		21,826	4,209
3,995		3,863	132
10,946		10,251	695
45,222		30,340	14,882
20,164		20,178	-14
8,874		2,919	5,955

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) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
			-2,590
			87
			323
			15,697
			148
			-562
			-237
			-195
			-1,638
			-2,911
			-35
			163
			-4,093
			-2,365
			-233
			553
			-194
			-254
			-1,108
			-1,096
			-1,283
			-822
			-173
			-310
			2,343
			1,853
			-558
			2,283
			2
			13

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	
			908
			1,540
			1,694
			2,293
			459
			209
			-5,265
			5,607
			2,051
			218
			176
			-655
			-218
			3,881
			4,063
			-2,262
			4,209
			13,670
			8,988
			5,744
			599
			-2,835
			4,209
			132
			695
			14,882
			-14
			5,955

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				
THE 11-99 FOUNDATION2244 NORTH STATE COLLEGE BLVD FULLERTON,CA 92831	UNRELATED	PUBLIC CHARITY	UNRESTRICTED	50
HARVARD WESTLAKE700 NORTH FARING RD LOS ANGELES,CA 90077	UNRELATED	PUBLIC CHARITY	UNRESTRICTED	500,000
GATEWAYS HOSPITAL & MENTAL HEALTH CENTER1891 EFFIE STREET LOS ANGELES,CA 90026	UNRELATED	PUBLIC CHARITY	UNRESTRICTED	1,200
IES ABROAD33 NORTH LASALLE STREET 15TH FLOOR CHICAGO,IL 60602	UNRELATED	PUBLIC CHARITY	UNRESTRICTED	100
RICHARD MERKIN CHILDREN'S CHARITIES3115 OCEAN FRONT WALK 301 MARINA DEL RAY,CA 90292	UNRELATED	PUBLIC CHARITY	UNRESTRICTED	100
CALTECH263 SOUTH CHESTER AVENUE PASADENA,CA 91106	UNRELATED	PUBLIC CHARITY	UNRESTRICTED	15,000
Total  3a				516,450

**TY 2011 Investments Corporate
Stock Schedule****Name:** THE KUTLER FAMILY FOUNDATION**EIN:** 95-4661920

Name of Stock	End of Year Book Value	End of Year Fair Market Value
ABBOTT LABORATORIES	16,779	19,681
MASTERCARD	31,796	55,923
MCCORMICK & CO	16,239	24,958
SPDR GOLD TRUST	13,794	19,607
YUM! BRANDS	4,695	9,088

TY 2011 Other Expenses Schedule

Name: THE KUTLER FAMILY FOUNDATION

EIN: 95-4661920

Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
MISCELLANEOUS	82	82	0	0

TY 2011 Other Professional Fees Schedule

Name: THE KUTLER FAMILY FOUNDATION

EIN: 95-4661920

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
MANAGEMENT FEES	3,307	3,307	0	0

TY 2011 Taxes Schedule

Name: THE KUTLER FAMILY FOUNDATION

EIN: 95-4661920

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
TAXES	1,085	1,085	0	0

Additional Data

Software ID:
Software Version:
EIN: 95-4661920
Name: THE KUTLER FAMILY FOUNDATION

Form 990PF - Special Condition Description:

Special Condition Description
